

REPUBLIC OF NAURU

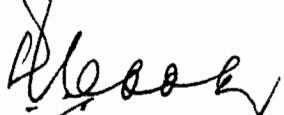
No. 9 of 1972

AN ACT

To amend the Motor Traffic Act to facilitate proof of the speed of motor vehicles as determined by the use of portable speed-measuring devices.

(Certified: 17 / 4/72)


**I HEREBY CERTIFY** that the attached document is a fair print of an Act entitled the **Motor Traffic (Speed-Measuring Devices) Act, 1972** that has been made by Parliament and is now presented to the Deputy Speaker for his Certificate under Article 47 of the Constitution.



**Clerk of Parliament**

17/4/72

Pursuant to Article 35 (3) and 47 of the Constitution, **I, IDARABABWIN VICTOR EOAEQ,** Deputy Speaker of Parliament, **HEREBY CERTIFY** that the **Motor Traffic (Speed-Measuring Devices) Act, 1972** a copy of which is attached has been passed by Parliament.



**Deputy Speaker**

17/4/72

REPUBLIC OF NAURU

(No. 9 of 1972)

AN ACT

To amend the Motor Traffic Act to facilitate proof of the speed of motor vehicles as determined by the use of portable speed-measuring devices.

(Certified : 17. 4. 72)

Be it enacted by the Parliament of Nauru as follows :

SHORT TITLE AND COMMENCEMENT

1. (1) This Act may be cited as the Motor Traffic (Portable Speed-measuring Devices) Act 1972 and shall come into force upon a date to be notified by the Minister in the Gazette.

(2) The Motor Traffic Act 1937=1971 is in this Act referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Motor Traffic Act 1937-1972.

NEW SECTIONS INSERTED

2. After Section 28 of the principal Act, there shall be inserted the following sections :

"EVIDENCE OF SPEED INDICATED BY PRESCRIBED PORTABLE MEASURING DEVICE

28A. Where, upon proceedings for an offence against this Act or regulations made hereunder or any other written law relating to motor vehicles or the use thereof, the speed at which a motor vehicle travelled on the occasion of the alleged offence is relevant in the proceedings, evidence of the speed of the motor vehicle as indicated or determined on that occasion by a speed-measuring device of the type known as the amphometer shall, if the speed-, or time-, measuring mechanism of that device has been tested and sealed as required by regulations hereunder and the device has been used in such manner as is prescribed without prejudice to any other mode of proof, be prima facie evidence

of the speed of the motor vehicle on that occasion.

EVIDENCE OF TESTING AND SEALING

28B. A certificate in the prescribed form to the effect that the speed-, or time-, measuring mechanism of any device referred to in the last preceding section has been tested and sealed in the prescribed manner signed or purported to be signed by a person holding, or acting in, the post of Technical Officer in the faculty of Electrical Engineering or of Electronics at a prescribed university, whether in Nauru or elsewhere, and by a person holding, or acting in, either the post of professor or the post of reader in that faculty shall, without prejudice to any other mode of proof, be prima facie evidence that the mechanism has been so tested and sealed and is accurate."

3. After Section 42 of the principal Act there shall be inserted the following section :

"REGULATIONS

43. The Minister may by regulations prescribe anything which is required by this Act to be prescribed or which the Minister considers necessary or expedient for the purpose of carrying the provisions of this Act into effect."