

No. S 14

**THE ROAD TRAFFIC ACT
(CHAPTER 68)**

MOTOR VEHICLES (SEAT BELTS) REGULATIONS, 1988

In exercise of the powers conferred by section 93 of the Road Traffic Act, His Majesty The Sultan and Yang Di-Pertuan in Council hereby makes the following Regulations :—

1. These Regulations may be cited as the Motor Vehicles (Seat Belts) Regulations, 1988 and shall come into force on the 1st day of July, 1988.

2. In these Regulations, unless the context otherwise requires —

“The Director” means the Director of Land Transport ;

“the Act” means the Road Traffic Act (Chapter 68) ;

“body-restraining seat belt” means a seat belt designed to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle ;

“business service passenger vehicle” means a motor car registered in the name of —

- (a) a Statutory Board, company, firm, society, association or club, and used for the owner’s business ; or
- (b) an individual and used for the purpose of any trade, business, profession or vocation ;

but does not include a motor car used —

- (i) for the carriage of goods other than samples ;
- (ii) for the carriage of passengers for hire of reward ;
- (iii) for the instructional purposes for reward ;

“private hire car” means a motor car which does not ply for hire on any road but is hired under a contract, expressed or implied, for the use of such motor car as a whole ;

“seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of a restraining device for a young person, any special chair to which the belt is attached ;

“seat with integral seat belt anchorages” means a seat which is fitted with all the anchorage points required for use in connection with the seat belt provided for the seat ;

“specified passenger’s seat” means —

- (a) in the case of a vehicle which has a forward facing front seat alongside the driver’s seat, such seat and in the case of a vehicle which has more than one such seat, the one furthest from the driver’s seat ; or

- (b) if the vehicle has no seat which is the specified passenger's seat under paragraph (a), the forward facing front seat for passenger which is foremost in the vehicle and furthest from the driver's seat unless there is a fixed partition separating such seat from the space in front of it alongside the driver's seat ;

"station wagon" means a vehicle with folding seats and side door and either a tail-board or doors opening at the rear, constructed or adapted for the carriage of goods as well as passengers ;

"station wagon (goods-cum-passengers)" means a station wagon constructed for the carriage of seven passengers or more, excluding the driver, and registered by the owner for use by him or a member of his family or any person by his authority without consideration for social or domestic purposes or for the owner's business and excluding the use for instructional purposes for reward.

3. (1) Except as provided by paragraph (2), these Regulations apply to every motor car registered with the Department of Land Transport.

(2) These Regulations do not apply to —

- (a) a goods vehicle except a station wagon (goods-cum-passengers) ;
- (b) a public service vehicle except a private hire car and a taxi ;
- (c) ambulances, fire engines and hearses.

4. (1) Every motor vehicle to which these Regulations apply shall be provided with anchorage points designed to hold body-restraining seat belts securely in position on the vehicle for —

- (a) the driver's seat ; and
- (b) the specified passenger's seat, (if any) :

Provided that this Regulation shall not apply so as to require anchorage points to be provided for any seat which is a seat with integral seat belt anchorages.

(2) The anchorage points provided in pursuance of paragraph (1) shall meet the British Standard Specification for seat belt anchorage points, namely either B.S. AU 48 : 1965 or B.S. AU 48a or such other specifications as the Director may approve from time to time.

5. (1) Every motor vehicle to which these Regulations apply shall be provided with —

- (a) a body-restraining seat belt designed for use by an adult for the driver's seat ; and
- (b) a body-restraining seat belt for the specified passenger's seat, (if any) :

Provided that this Regulation shall not apply to a motor vehicle while it is being used under a dealer's general license within the provision of section 10 of the Act.

(2) The seat belt to be provided in pursuance of this Regulation shall meet the British Standard Specification for Seat Belt Assemblies for Motor Vehicles namely either B.S. 3254 : 1960 or B.S. AU 160a or such other specifications as the Director may approve from time to time and shall be legibly and permanently marked with such specification.

6. Every seat belt provided in pursuance of these Regulations shall, if the seat for which it is provided is a seat with integral seat belt anchorages, be properly secured to the integral seat belt anchorage points forming part thereof of, or if the seat for which it is provided is not such a seat, be properly secured to the structure of the vehicle by the anchorage points provided for it under Regulation 4.

7. (1) Every motor vehicle registered on or after 1st day of July, 1988 which is provided with seat belt anchorage points in pursuance of Regulation 4 shall be legibly and permanently marked with the specification number of the British Standard for belt anchorage points, namely either B.S. AU 48 : 1965 or B.S. AU 48a, or such other specifications as the Director may approve from time to time.

(2) Where in the case of any motor car to which these Regulations apply and which was registered on or after 1st day of July, 1988 the driver's seat or the specified passenger's seat is a seat with integral seat belt anchorages, such seat shall meet the British Standard Specification for Seats with integral Seat Belt Anchorages followed by the suffix "1" namely B.S. AU 140/1 : 1967 or B.S. AU 140a/1 or such other specifications as the Director may approve from time to time and shall be legibly and permanently marked with such specification.

8. (1) Except as provided by Regulation 9, any driver and/or passenger in the specified passenger's seat of a motor vehicle to which these Regulations apply shall at all times while driving and/or being carried in the said motor vehicle wear a body-restraining seat belt.

(2) No children under the age of 6 years or below 1.3 metre in height shall be seated at the specified passenger's seat.

9. The provisions of Regulation 8(1) do not apply in respect of any person for whom there is a valid medical certificate signed by a registered medical practitioner employed by the Government to the effect that it is inadvisable on medical grounds for him to wear a seat belt.

10. (1) Subject as hereinafter provided it shall not be lawful to use a vehicle which does not comply with any of the provisions of these Regulations which is applicable to that vehicle.

(2) It shall not be lawful to sell or to supply or to offer to sell or supply a vehicle in such a condition that the use hereof in that condition would be unlawful by virtue of the provisions of this Regulation.

(3) It shall not be lawful to alter a vehicle so as to render its condition such that the use thereof in that condition would be unlawful by the provisions of this Regulation.

(4) If a vehicle is used or is sold, supplied, offered or altered in contravention of this Regulation, any person who so uses the vehicle or causes or permits the vehicle to be so used or so sells, supplies, offers or alters it or causes or permits it to be so, sold, supplied, offered or altered shall be guilty of an offence : Penalty fine not exceeding \$2,000.00 and/or imprisonment for 6 months.

(5) A person shall not be convicted for an offence under this Regulation in respect of the sale, supply, offer or alteration of a vehicle if he proves that it was sold, supplied, offered or altered, as the case may be, for export from Brunei Darussalam or that he has reasonable cause to believe that the vehicle would not be used in Brunei Darussalam or would not be so used until it had been put into a condition in which it might lawfully be so used.