

No. S 14

**ROAD TRAFFIC ACT
(Chapter 68)**

**ROAD TRAFFIC (SEAT-BELTS FOR CHILDREN)
REGULATIONS, 2004**

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In exercise of the power conferred by section 93 of the Road Traffic Act, the Minister of Communications, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation.

1. These Regulations may be cited as the Road Traffic (Seat-Belts for Children) Regulations, 2004.

Interpretation.

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

"child" means a person who has not attained the age of 12 years;

"child-restraint" means a seat-belt or any other restraining device specifically designed for the use of a child;

"medical certificate" means a certificate signed by a medical practitioner employed by the Government to the effect that it is inadvisable on medical grounds for a child to use a seat-belt;

"seat-belt" means a belt intended to be used by a person in a motor vehicle and designed to prevent or lessen injury to its user in the event of an accident to that vehicle and includes, in the case of a child-restraint, any special chair to which the seat-belt is attached.

Application.

3. These Regulations apply to every motor vehicle except —

(a) goods service vehicles;

(b) public service vehicles, not being private hire cars and taxicabs;

(c) ambulances, fire engines and hearses; and

(d) motor cycles.

Use of seat-belts by children.

4. (1) Subject to sub-regulation (2), any person who, without reasonable excuse, drives a motor vehicle on a road when there is in that vehicle a child who is not using a seat-belt is guilty of an offence.

(2) Sub-regulation (1) does not apply to —

(a) a child who has not attained the age of 6 years who is using a child-restraint appropriate to his height and weight;

(b) a child in respect of whom there is a medical certificate;

(c) a disabled child who is using an appropriate disabled person's seat-belt; and

(d) a child who has not attained the age of one year who is in a carry-cot, provided that the carry-cot is restrained by straps.

Seat-belts and child-restraints to comply with safety standards specifications.

5. For the purpose of these Regulations, all seat-belts and child-restraints in a motor vehicle shall comply with British (BS), European (ECE), Australian (AUS) and Japan (JIS) safety standards specifications or such other specifications as the Director may approve.

Offences.

6. (1) Any person who sells or supplies, or offers to sell or supply, a motor vehicle in such a condition that the use thereof in that condition would be an offence under these Regulations is guilty of an offence.

(2) Any person who alters a motor vehicle so as to render its condition such that the use thereof in that condition would be an offence under these Regulations is guilty of an offence.

(3) Where a motor vehicle has been sold, supplied, offered or altered in contravention of these Regulations, any person who drives that vehicle on a road or causes or permits it to be so driven, or so sells, supplies, offers or alters it or causes or permits it to be so sold, supplied, offered or altered, is guilty of an offence.

(4) No person shall be guilty of any offence under these Regulations in respect of the sale, supply, offer or alteration of any motor vehicle if he proves that it was so sold, supplied, offered or altered for export or that he had reasonable cause to believe that it would not be used on a road 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.

Penalty.

7. Any person guilty of an offence under these Regulations shall be liable on conviction to a fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.

Made this 21st. day of Zulkaedah, 1424 Hijriah corresponding to the 14th. day of January, 2004.

PEHIN ORANG KAYA AMAR PAHLAWAN
DATO SERI SETIA HAJI AWANG ZAKARIA BIN
DATU MAHAWANGSA HAJI SULAIMAN
Minister of Communications,
Brunei Darussalam.