

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 91 OF 2016

The Road Traffic Act, 2002
(Act No. 11 of 2002)

**The Road Traffic (Disposal of Impounded
Motor Vehicles) Regulations, 2016**

IN EXERCISE of the powers contained in section 233 of the Road Traffic Act, 2002, and on the recommendation of the Agency, the following Regulations are made:

1. These Regulations may be cited as the Road Traffic (Disposal of Impounded Motor Vehicles) Regulations, 2016, and shall come into operation on the expiration of a period of thirty days from the date on which they are published in the *Gazette*.

Title and
commence-
ment

2. In these Regulations, unless the context otherwise requires—
“appropriate authority” means the Road Transport and Safety Agency or the Zambia Police; and
“impounded vehicle” means a motor vehicle that is detained in respect of a contravention or suspected contravention of the Act.

Interpreta-
tion

3. (1) An appropriate authority may sell, by public auction, an impounded vehicle if the impounded vehicle is not claimed by the owner within thirty days from the date of detention of the vehicle.

Disposal of
impounded
vehicle

(2) Where an impounded vehicle, having been offered for sale by public auction under sub-regulation (1), is not sold, the appropriate authority may dispose of it in any other manner that it considers fit.

(3) An appropriate authority shall, before selling or disposing of an impounded vehicle under subregulations (1) and (2), advertise in the *Gazette* and in a daily newspaper of general circulation in Zambia of the intention to sell the impounded vehicle after the expiration of fourteen days from the date of the advertisement.

(4) An appropriate authority shall not sell an impounded vehicle if the owner pays the fine in respect of which the vehicle was impounded.

(5) For purposes of this regulation, where criminal proceedings are instituted against the owner of an impounded vehicle, the day after the end of the criminal proceedings shall be deemed to be the date of detention of the vehicle.

Proceeds of
sale

4. Where an impounded vehicle is sold under these Regulations, the appropriate authority shall, after deducting the fine and any other costs incidental to the storage and disposal of the impounded vehicle, pay the balance to the owner of the impounded vehicle.

Payment of
storage
charges

5. An owner of a vehicle which has been detained, or in respect of which arrangements have been made for its detention, by an authorised officer, shall pay the expenses incurred in storing the vehicle as specified in the Schedule, if the motor vehicle is stored for a period exceeding seven days.

SCHEDULE
(Regulation 5)

PRESCRIBED FEES

<i>Motor vehicle</i>	<i>Fee Units</i>
<i>(a)</i> Heavy vehicle, per day	500
<i>(b)</i> Any other vehicle, per day	300

LUSAKA

10th November, 2016

[MTC.102/1/17]

ENG. B. MUSHIMBA,
*Minister of Transport
and Communications*