



LAWS OF SEYCHELLES

DERELICT MOTOR VEHICLES (DISPOSALS) ACT

CHAPTER 61

(SUBSIDIARY LEGISLATION)

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SECTION 10

**DERELICT MOTOR VEHICLES
(DISPOSAL) REGULATIONS***[1st January, 1976]*S.I. 111 of 1975.
S.I. 1 of 1976.
S.I. 85 of 1979.
S.I. 127 of 1979.
S.I. 31 of 1980.

ARRANGEMENT OF REGULATIONS

Regulations

1. Citation
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3. Form and service of Removal Notice
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5. Who may remove vehicle to pound
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8. Registers
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1. These Regulations may be cited as the Derelict Motor Vehicles (Disposal) Regulations. Citation.

2. In these Regulations, words and expressions used shall have the meanings respectively ascribed to them in section 2 of the Act. Interpretation.

3.(1) The notice (hereinafter referred to as “the removal notice”) to be served on — Form and service of Removal Notice.

(a) the owner of a vehicle or affixed to a vehicle pursuant to section 3(1) of the Act shall be in Form 1 in the First Schedule;

(b) the occupier of any land or affixed to a vehicle pursuant to section 5(1) or (2) of the Act shall be in Form 2 in the First Schedule.

(2) Every removal notice shall be in duplicate and signed by the Commissioner of Police.

(3) (a) A removal notice shall be served on an owner or occupier by a police officer or by an usher of the Supreme Court or other public officer and shall, if practicable, be served personally on the owner by delivering or tendering to him one of the duplicates;

(b) where the owner cannot by the exercise of due diligence be found, the removal notice may be served by leaving one of the duplicates for him with some adult member of his family or with his servant residing with him or with his employer.

(4) Every removal notice affixed to a vehicle shall be affixed to some conspicuous part of the vehicle.

Establishment of
vehicle pound.

4. The vehicle pound established by the Commissioner of Police in pursuance of subsection (2) of section 3 of the Act shall be that area defined in the Second Schedule.

Who may remove
vehicle to pound.

5.(1) The Commissioner of Police shall, before causing a vehicle to be removed under subsection (2) of section 3 of the Act, authorise a person (hereinafter called "the authorised person") in writing in Form 3 of the First Schedule to remove the vehicle.

(2) A police officer shall accompany the authorised person and identify the vehicle to be removed.

(3) The authorised person may then remove the vehicle and deliver it to the vehicle pound.

(4) Any authorised person removing a vehicle may do so by towing or driving the vehicle or by moving it in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it as aforesaid.

6. When any person claims a vehicle in the pound within the period specified in subsection (2) of section 3 of the Act, the Commissioner of Police shall first satisfy himself that the claimant is the owner of the vehicle and, upon payment of the charges set out in the Third Schedule hereto, shall permit the owner to remove the vehicle.

Procedure for removal of vehicle from pound.

7. The charges for removal of a vehicle to the vehicle pound and storage therein shall be as laid down in the Third Schedule.

Prescribed charges.

8.(1) The Commissioner of Police shall keep a register of all removal notices issued and such register shall contain the details and information set out in Part I of the Fourth Schedule.

Registers.

(2) The Commissioner of Police shall keep a register of all vehicles placed in the vehicle pound and such register shall contain the details and information listed in Part II of the Fourth Schedule.

9.(1) The Commissioner of Police may dispose of any vehicle which has become bona vacantia by virtue of section 3(4) of the Act by dumping the said vehicle at sea or in such other manner as may be approved by the Minister responsible for Transport.

Disposal of vehicles.
S.I. 85/1979.
S.I. 127/1979.

(2) Vehicles may only be dumped at sea in accordance with a licence issued by the Government under section 2 of the Dumping at Sea Act, 1974 of the United Kingdom extended to Seychelles by the Dumping at Sea Act, 1974 (Overseas Territories) Order, 1975 and subject to the terms of any convention relating to dumping at sea which Seychelles has ratified.

Cap. 67.

(3) Vehicles may be dumped in the following areas —

(a) ST. ANNE ISLAND DUMPING GROUND

An area opposite Grand Anse beach (on St. Anne Island), from a position, B, 215m on a true bearing of 22° off Battery Point, A; the area is then defined by a true bearing of 292° for 740m C, followed by a true bearing of 22° for 185m D, thence on true bearing of 112° for 740m E, before returning to the starting point

B, on a true bearing of 202° for 185m; the area is bounded by the geographical co-ordinates : —

B 55° 30' 50" E 4° 35' 50" S

C 55° 30' 28" E 4° 35' 41" S

D 55° 30' 30" E 4° 35' 35" S

E 55° 30' 52" E 4° 35' 44" S

A 335040 ME 9491560 MN.

(b) BEACON ISLAND - HARRISON ROCK DUMPING GROUND

An area in between Beacon Island and Harrison Rock to the East of the joining line; starting from a position W, 1155m on a true bearing of 121° off the highest point of Beacon Island, V, or 1460m on a true bearing of 12° off the highest point of Harrison Rock, T; the area is then defined by a true bearing of 90° for 550m X, followed by a true bearing of 180° for 550m Y, thence on a true bearing of 270° for 550m Z, before turning to the starting point W, on a true bearing of 0° for 550m; the area is bounded by the geographical co-ordinates: —

W 55° 32' 00" E 4° 37' 00" S

X 55° 32' 18" E 4° 37' 00" S

Y 55° 32' 18" E 4° 37' 18" S

Z 55° 32' 00" E 4° 37' 18" S

FIRST SCHEDULE

FORM 1

(Regulation 3(1))

NOTICE TO REMOVE VEHICLE

(Section 3 of the Derelict Motor Vehicles (Disposal) Act)

TO the owner of vehicle - Registration No (if any)

Make

Colour

NOTICE is hereby given that it appears to the Commissioner of Police that the above mentioned vehicle at present standing in or upon the road at /a public place at

- (i) appears to have been abandoned, or
- (ii) is disused, or
- (iii) is in a dilapidated condition.

YOU ARE HEREBY REQUIRED to remove the said vehicle from the above mentioned road/ place within FOURTEEN days from the day of 19, of the date of service of this notice on you/the date this notice was affixed to the said vehicle, whichever is the earlier.

FAILURE on your part to remove the said vehicle within the period of fourteen days may result in the Commissioner of Police causing the said vehicle to be removed to A VEHICLE POUND under section 3(2) of the Derelict Motor Vehicles (Disposal) Act and you will be deemed to have abandoned all right and title to the said vehicle if it is not removed from the pound within TWENTY EIGHT DAYS.

Dated this day of 19

COMMISSIONER OF POLICE.

Served/Affixed on the day of 19

Signed by

FORM 2

(Regulation 3(1))

NOTICE TO REMOVE VEHICLE

(Section 5 of the Derelict Motor Vehicles
(Disposal) Act

To the occupier of
situated at

NOTICE is hereby given that vehicle —

Registration No. (if any)

Colour

Make

- (a) is deposited in the open on the abovementioned land of which you are the occupier;
- (b) is apparently abandoned or disused; and
- (c) is in a —
 - (i) dangerous; or
 - (ii) dipalidated state.

YOU ARE HEREBY NOTIFIED that the use of the abovementioned land as a place upon which to deposit in the open a vehicle in the state described in (b) and (c) above has not been permitted under the Town and Country Planning Act, (Cap. 237)

YOU ARE HEREBY REQUIRED to remove the said vehicle from the abovementioned place within 14 days from day of 19/the date of service of this notice on you/the date this notice was affixed to the said vehicle, whichever is the earlier.

SHOULD YOU FAIL to remove the said vehicle within the period of 14 days section 5 of the Derelict Motor Vehicles (Disposal) Act, shall apply as if the vehicle has been found abandoned or disused in a public place and you shall be deemed to be the owner of the vehicle unless you prove to the contrary.

DATED this day of 19

COMMISSIONER OF POLICE

Served/affixed on the day of 19

Signed by

FORM 3

(Regulation 5)

AUTHORITY TO REMOVE VEHICLE

..... of is hereby authorised to remove the vehicle Registration No Make Colour from to the vehicle pound at

Dated this day of 19

COMMISSIONER OF POLICE.

SECOND SCHEDULE

S.I. 127/79.

(reg. 4)

Vehicle Pound

Plot V3016

THIRD SCHEDULE**(Regulation 7)****CHARGES**

1. Removal of vehicle to vehicle pound
Rupccs 500
2. Storage
Rupees 10 per day or part thereof

FOURTH SCHEDULE**(Regulation 8)****Part I. - REGISTER OF REMOVAL NOTICES**

The register shall include the following :—

- (a) serial number of notice
- (b) date and time notice served or affixed
- (c) name of person serving the notice
- (d) person upon whom served and when posted or affixed
- (e) details of abandoned/disused vehicle
- (f) date and time vehicle removed to pound
- (g) details of appeal under section 6 of the Act (if any)
- (h) details of any prosecution under section 9 of the Act for failure to comply with the notice served (if any).

Part II. - REGISTER OF VEHICLES IN VEHICLE POUND

The register shall include the following :—

- (a) serial number of entry

- (b)* serial number of notice
 - (c)* description of vehicle
 - (d)* owner of vehicle
 - (e)* date and time of entry to the pound
 - (f)* date and time of removal from the pound for disposal (if disposed of)
 - (g)* method of disposal or withdrawal from the pound
 - (h)* amount paid by owner of vehicle for removal from pound (if removed by owner)
 - (i)* details of any appeal.
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