



TRAFFIC FINES: FREQUENTLY ASKED QUESTIONS

CITY OF WINDHOEK
MUNICIPAL POLICE SERVICE

NOTICE TO APPEAR IN INFERIOR COURT No. 62877

TO: SUPERNUMERALS
RES. ADDRESS
TEL. No.
BUS. ADDRESS
TEL. No.
SEX AGE OCCUPATION
REG. No. TYPE
PLACE DATE TIME
DIRECTION SPEED METER No.
THE DRIVER / OWNER OF THE ABOVEMENTIONED VEHICLE OR PERSON NAMED ABOVE IS HEREBY ADVISED THAT HE / SHE HAS COMMITTED AN OFFENCE BY:
CHARGE
ALT. CHARGE
CODE
A SPOT FINE: CHARGE 1 NS (ALT) NS
WOULD PROBABLY BE IMPOSED BY THE COURT.
PEACE OFFICER: NAME / No. print press 042012

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CITY OF WINDHOEK
MUNICIPAL POLICE SERVICES

NOTIFICATION IN TERMS OF SECTION 341 OF ACT 51 OF 1977

TO: SUPERNUMERALS
RES. ADDRESS
TEL. No.
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1. WHAT ARE THE DIFFERENT KINDS OF TRAFFIC FINES?

- Summonses
- Spot fine
- Notice of suspension
- Courtesy Notice (Warning)

2. YOU CAN GET ONE OF TWO KINDS OF FINES, REGARDLESS OF THE TRAFFIC VIOLATION

- A **Section 56 Notice** or **Instant Summons** is given to you by a traffic officer, usually for a moving violation. It has a court date on it.
- A **Section 341 Notice** is sent to a motorist by post for violations caught on traffic camera or for traffic tickets issued in absence of the motorists (for example, for an expired licence disk, parking meter, parking infringement). It

does not have a court date on it but is a first notice before summons. The City Police Traffic Division will issue a second notice before summons before actually issuing the summons.

3. HOW LONG DO I HAVE TO PAY A TRAFFIC FINE?

- A **Section 56 Notice** serves as an Instant Summons, which means you have to appear before the court on the date indicated. Alternatively you may pay Admission of Guilt from the date of issue until 14 days but before your case goes to court.
- A **Section 341 Notice** is a notice before summons, not a summons itself. You have about another 30 days to pay. You usually get two notices before the summons is issued, after which (or contest your fine in writing) before your case goes to court.

4. HOW DO I CONTEST A FINE?

You can contest your traffic fine in writing with the City Police Traffic Division any time before a summons has been issued. Remember to attach a copy of your traffic fine on a Performa form can be obtained at the office.

The traffic department will then present this representation with comments to the Prosecutor on your behalf.

The Prosecutor then decides whether to prosecute, in which instance the case will go in front of a magistrate, or to drop the case.

Please note that writing a letter will not delay the process. If you do not reach an agreement by the court date, the case will appear in court.

5. WHAT HAPPENS IF I DON'T PAY OR CONTEST MY TRAFFIC FINE?

If you don't pay or contest your traffic fine by the due date and do not appear in court to present your case, a Warrant for your arrest will automatically be issued when the case goes to court.

6. WHERE AND HOW CAN I PAY MY TRAFFIC FINE?

Cases emanating from the National Law (Road Traffic and Traffic Act, 1999 (Act 22 of 1999) and its Regulations (Government Notice 53 of 2001) are payable at the Clerk of the Court by Cheque and Postal Order or Cash. For safety's sake, cash should be paid in person.

Cases emanating from the Windhoek Municipal Bylaws are payable at the City Police Head Office, PA De Wet Building at c/o Essen St & Sishen St.

7. CAMERA ENFORCEMENT

Using this state of the art digital equipment, a number of transgressions can be identified:

- Red-Light running;
- Speeding;
- Failing to stop at the near site of the stopping line;

A notice before summons (341) will be sent to the registered owner of the vehicle. The motorist can then choose to pay the amount or nominate a new driver. To view the image on the notice, visit the City Police Head Office.

8. REDIRECTING A FINE, OR NOMINATING A NEW DRIVER

If the person who was sent the notice was not driving the vehicle at the time of the offence, a new driver can be nominated and the notice can be redirected.

In terms of the law, the licensed owner of a vehicle, or in the case of a company the company's proxy, is deemed to be the offender/driver of the vehicle unless the traffic fine can be successfully redirected.

Specific information is needed about the person who was driving at the time of the offence:

- Full name and surname;
- ID number or passport number;
- Physical/residential address; and
- Postal address.

The redirection document must be sent to the address listed on the 341 notice.

In absence of a redirection a Summons will be serve on the registered owner with a date of trial and admission of guilt fine in some cases



To contact City Police:

General Enquiries: 290 3116

SMS: 4444

Tollfree Number: 302 302

E-mail: citypolicepublicrelations@windhoekcc.org.na