

REGISTRAR'S CIRCULAR NO. 9 OF 1956.

The Commissioner of Road Transport, who by reason of the increase in the number of licenced vehicles and drivers is suffering from shortage of staff has drawn attention to Section 8 (4), (5) and (6) of the Road Traffic Proclamation No. 17 (vide L.N. 581/50). For easy reference, these are quoted herein:-

" 8 (4) When in any proceedings before any Court it is necessary to prove that the Commissioner or any Police or other Public Officer or authority established under this Proclamation has sent or served or received or has not received any document, plate, badge, book, permit, licence, or other thing, a certificate purporting to be signed by or on behalf of the Commissioner or such officer or authority and certifying the sending, service, reception or non-reception (as the case may be) of such thing shall be admissible as evidence of and shall constitute prima-facie proof of the facts certified in such certificate.

(5) A copy of any permit, licence, book, or other document granted or issued by the Commissioner or by a Senior or other Registrar & Inspector of Motor Vehicles and certified by or on behalf of the Commissioner or such Registrar to be a true copy thereof shall be admissible as evidence for all purposes for which the original of such copy would have been admissible had such original been produced and admitted as evidence without proof of the signature or authority of the person signing the said permit, licence, book or other document or the copy thereof.

(6) When in any proceedings for an offence against this Proclamation or against any Regulations made thereunder any question arises:-

(i) whether a motor vehicle does or does not comply with any Regulations prescribing standards or construction or equipment or conditions of use a certificate of the Commissioner or of a Senior or other Registrar & Inspector of Motor Vehicles or a Chief Inspector of Motor Vehicles that he had examined the motor vehicle and the result of such examination shall be admissible in evidence and shall be prima-facie evidence of any fact stated therein relating to the construction, equipment or conditions of use of such motor vehicle;

(ii) as to the weight whether laden or unladen of any motor vehicle or the weight of any load carried on a motor vehicle a certificate purporting to be signed by any public servant in charge of a weigh bridge or weighing machine on which the said vehicle or load was weighed certifying the accuracy of the weigh bridge or weighing machine and the weight of such vehicle or load shall be accepted as prima-facie proof of the facts certified in such certificate without proof of the signature or authority of the officer signing the same. "

2. It will be seen that these sub-sections provide that certain certificates shall be admissible in evidence and accepted as "prima-facie" proof of the matters set out. In many cases therefore it will be unnecessary for the officer concerned to attend and give evidence.

(D. H. SHACKLES)
REGISTRAR.

The Federal Registry,
Supreme Court, F of M.,
Kuala Lumpur: 30th June, 1956.

RSC.39/54/27 & RSC.126/52/28.
DHS/CHK

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c.j. (1 copy)

Despatched on JUL - 2 1956
By _____