

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS)
REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

PROCEDURE CONCERNING ISSUE OF CERTIFICATES: PRESCRIBED FORMS:
APPEALS: PRESCRIBED FEES

3. Procedure on application for certificate of fitness
4. Action by vehicle examiner
5. Evidence of existence of certificate of fitness or exemption
6. Form of licensing officer's prohibition of use of vehicle
7. Form of notice, prohibition, etc., by vehicle examiner, etc.
8. Appeals
9. Prescribed fees

PART III

CONSTRUCTION AND EQUIPMENT OF VEHICLES TO WHICH
PART XI OF THE ACT APPLIES

10. Application
11. Prerequisite to issue of certificate of fitness
12. Spare wheel and tyre
13. Exhaust pipe and gases
14. Electric cables
15. Fire extinguishers
16. Matters to be inscribed or painted on vehicle
17. First aid kit
18. Suspension
19. Side overhang
20. Fuel tanks, carburettors, etc.
21. Body

Regulation

22. Destination indicator
23. Height
24. Roof and guard rail
25. Space for goods
26. Vehicle with first and second class compartments
27. Steps and stairs
28. Number and position of entrances and exits
29. Width of entrances and exits
30. Doors
31. Emergency exits
32. Access to exits
33. Width of gangway
34. Head room
35. Seats
36. Guards at windows
37. Internal lighting
38. Passengers' communication with driver
39. Ventilation and protection against rain
40. Luggage racks
41. Drivers' accommodation
42. Requirements for taxicabs, etc.

PART IV

EXEMPTIONS

43. Exemption for vehicles having "foreign certificates of fitness"
44. Exemptions by Commissioner

FIRST SCHEDULE—Prescribed forms

SECOND SCHEDULE—Prescribed fees

THIRD SCHEDULE—First aid kits

SECTION 258—THE ROADS AND ROAD TRAFFIC
(CERTIFICATES OF FITNESS) REGULATIONS

Regulations by the Minister

PART I

PRELIMINARY

*Government
Notice
270 of 1962
Statutory
Instruments
122 of 1965
140 of 1965
36 of 1969
63 of 1972
10 of 1991
31 of 1992
25 of 1993
14 of 1994
52 of 1996
Act No.
13 of 1994*

1. These Regulations may be cited as the Roads and Road Traffic (Certificate of Fitness) Regulations.

Title

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

Interpretation

“crew” means the driver of a motor vehicle and, where carried, the conductor and one other person authorised by the owner or hirer, as the case may be;

“deck” means a floor or platform upon which seats are provided for the accommodation of passengers;

“double-decked vehicle” means a motor omnibus having two decks, one of which is wholly or partly above the other;

“driving school vehicle” means a motor vehicle which is used for gain for the teaching of driving;

“emergency exit” means an exit which is intended to be used only in case of emergency;

“entrance” means any aperture or space by which passengers are intended to board a vehicle;

“exit” means any aperture or space by which passengers are intended to leave a vehicle;

“gangway” means the space provided for obtaining access from any entrance to the passengers’ seats or from any such seat to an exit other than an emergency exit but does not include a staircase or any space in front of a seat or a row of seats which is required only for the use of passengers occupying that seat or that row of seats;

“manufacturer’s permitted gross weight” means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

“passenger” does not include a member of the crew of a motor vehicle;

“single-decked vehicle” means a motor omnibus having a deck no part of which is vertically above another deck.

PART II

PROCEDURE CONCERNING ISSUE OF CERTIFICATE OF FITNESS:
PRESCRIBED FORMS: APPEALS: PRESCRIBED FEES

Procedure on
application for
certificate of
fitness

3. (1) Application for a certificate of fitness for a vehicle to which Part XI of the Act applies shall be made to a vehicle examiner. At every vehicle's first examination, the vehicle's registration book prescribed in the First Schedule to the Roads and Road Traffic (Registration and Licensing) Regulations, shall be produced.

(2) In all cases of first application, or when any material alteration other than by way of replacement of parts is made in the construction or fixed equipment of a vehicle, the applicant shall produce a certificate in Form C.F.1 in the First Schedule, duly completed and signed by the manufacturer of the chassis, or his duly authorised representative. In any case where the manufacturer of the chassis or his duly authorised representative is unable to state the net weight of the complete vehicle, a further certificate in Form C.F.2 duly completed and signed by the maker of the body, or his duly authorised representative, shall also be produced.

(3) Notwithstanding the provisions of sub-regulation (2), the production of the certificate or certificates referred to in the said sub-regulation shall not be necessary in any case where a vehicle has been weighed at a weighbridge and where evidence of the weight ascertained thereby is produced to the satisfaction of the vehicle examiner.

Action by
vehicle
examiner

4. (1) Every certificate of fitness shall be in Form C.F.5 in the First Schedule. In all cases of first application for a certificate of fitness, the vehicle examiner shall complete in respect of the vehicle examined a Certificate of Fitness Record Book as prescribed in Form C.F.4 in the First Schedule, which book the owner of the vehicle shall retain and produce at subsequent examinations. At subsequent examinations the vehicle examiner shall, upon issuing a certificate of fitness, enter in the Certificate of Fitness Record Book the number of the certificate of fitness issued and its expiry date. He shall sign and date each entry.

(2) The manufacturer's permitted gross weight shall be considered as the gross weight of the vehicle, and the difference between the gross and net weights shall be the weight of the load (including all passengers, the crew carried, and all goods of any description whatsoever) that may be carried:

Provided that nothing in this sub-regulation contained shall be deemed to permit the use on a road of any vehicle the laden weight of which is in excess of any weight limit duly imposed by the Director of Roads or other competent authority, nor the carrying in a

public service vehicle of any load in excess of that permitted by the Commissioner under Part X of the Act.

(3) The weight of each passenger and of each member of the crew shall be deemed to be 64 kilograms.

(4) In computing the number of passengers that may be carried in any vehicle authorised to carry passengers, the vehicle examiner shall allow 380 millimetres of seat for each passenger for whom seating is provided.

(As amended by No. 63 of 1972)

5. (1) When any certificate of fitness is issued the fact shall be recorded on Form C.F.3 in the First Schedule and this record, or the certificate of fitness itself, or an entry in the Certificate of Fitness Record Book of the vehicle, made according to regulation 4 (1), shall be accepted by a licensing officer as evidence of the facts stated therein, concerning the existence of a certificate of fitness, when a motor vehicle or trailer licence is applied for as provided in section *one hundred and sixty-seven* of the Act.

Evidence of existence of certificate of fitness or exemption

(2) Where a vehicle is exempted under section *one hundred and seventy-six* of the Act from the need to hold a certificate of fitness, the Commissioner shall issue a certificate of exemption in Form C.F.6 in the First Schedule and shall make an appropriate entry in the Certificate of Fitness Record Book and either the certificate or the entry shall be accepted by a licensing officer as evidence that the vehicle has been so exempted.

6. The prohibition by a licensing officer of the use of a vehicle or trailer as provided for in section *one hundred and seventy-one* of the Act shall be in Form C.F.7 in the First Schedule.

Form of licensing officer's prohibition of use of vehicle

7. (1) Any notice, prohibition, order or other direction issued by a vehicle examiner or road traffic inspector under section *seventy-five* (3), (4) or (5) or under Part XI of the Act shall be in Form C.F.8 of the First Schedule.

Form of notice, prohibition, etc., by vehicle examiner, etc.

(2) Any order or direction issued by a police officer or by a road traffic inspector in accordance with section *two hundred and twelve* (1) (f) of the Act shall be in writing.

(As amended by No. 140 of 1965)

8. (1) Any person who, in accordance with section *one hundred and seventy-three* of the Act, wishes to have his vehicle or trailer examined by a vehicle examiner other than the one who conducted the earlier examination at which defects were discovered shall set forth the grounds of his appeal in writing to the Commissioner and shall send with the appeal the prescribed fee and any documents as are relevant thereto. The Commissioner may make such inquiries as

Appeals

[SUBSIDIARY]

Roads and Road Traffic (Certificates of Fitness) Regulations

he may think necessary, and his order shall be binding upon the appellant and upon the vehicle examiner against whose decision the appeal is made.

(2) Any appeal made to the Commissioner according to section *one hundred and seventy-four* of the Act shall be in writing and shall be accompanied by the prescribed fee and such documents as are relevant to the matter under appeal. The Commissioner may make such inquiries and cause such further vehicle examinations to be made as he thinks necessary before deciding the appeal. His decision shall be binding upon the appellant and upon the vehicle examiner or road traffic inspector against whose decision, order, direction or prohibition the appeal is made.

Prescribed
fees

9. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) The fee prescribed for the re-examination of a motor vehicle or trailer shall be payable only if the said vehicle or trailer is produced for re-examination by the notified date, as referred to in section *one hundred and seventy* of the Act. If the said vehicle or trailer is produced after the said date the fee prescribed for an examination shall be payable.

(3) Where the person conducting an examination or re-examination is an officer of the Government, the fee specified in the Second Schedule shall be paid into the general revenues of the Republic. Where the said person is not such an officer, such portion of the fee as the Minister may from time to time direct shall be paid to him and the remainder paid into the general revenues of the Republic. In all cases where fees are paid for an examination or re-examination a receipt shall be issued in Form C.F.3 of the First Schedule.

(4) In any case where an appeal is successful the whole of the fee paid in respect of the appeal or such portion as the Commissioner may direct shall be refunded to the appellant.

(5) No fee shall be payable for any inspection or examination carried out in exercise of the powers bestowed by section *two hundred and twelve* of the Act.

(As amended by S.I. No. 122 of 1965)

PART III

CONSTRUCTION AND EQUIPMENT OF VEHICLES TO WHICH PART XI OF THE ACT APPLIES

Application

10. (1) Unless the context otherwise requires and subject to any exemptions duly granted under the Act or these Regulations, the

vehicles to which Part XI of the Act applies shall at all times when used on a road comply with the provisions concerning construction and equipment of the following of these Regulations:

<i>Vehicle</i>	<i>Regulations</i>
(a) A public service vehicle being a goods vehicle ..	12, 13, 14, 15, 16.
(b) A heavy vehicle being a goods vehicle	12, 13, 14, 16.
(c) A public service vehicle being a trailer	12, 14, 16.
(d) A heavy trailer not being a public service vehicle	12, 14, 16.
(e) A public service vehicle being a motor omnibus	12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41.
(f) A heavy vehicle being a private motor omnibus ..	12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41.
(g) A public service vehicle being a taxicab	12, 13, 14, 15, 16, 17, 21, 42.
(h) A public service vehicle being a hire car	12, 13, 14, 15, 16, 17, 21, 42 (excluding (d)).
(i) A contract car	12, 13, 14, 21, 42 (a) and (c).
(j) A motor vehicle used for gain for the teaching of driving, and having seating accommodation for more than seven persons other than the driver	12, 13, 14, 15, 17, 18, 19, 20, 28 (1) (c), 28 (2), 30, 31.
(k) A motor vehicle used for gain for the teaching of driving and having seating accommodation for not more than seven persons other than the driver ..	12, 13, 14, 15, 17, 42 (a) and (c).

Vehicle

Regulations

- (l) A motor vehicle used for gain for the teaching of driving being a goods vehicle 12, 13, 14, 15, 17.
- (m) Any vehicle to which Part XI of the Act applies not otherwise specified in this regulation 12, 13, 14.

(2) In regulations 12 to 42, the expression "vehicle to which this regulation applies" shall be construed with reference to the vehicles set forth in sub-regulation (1).

Prerequisite to issue of certificate of fitness

11. No certificate of fitness shall be issued in respect of any motor vehicle or trailer to which Part XI of the Act applies unless the said vehicle or trailer complies in all respects with such of the requirements of the Act and of any Regulations made thereunder with regard to the construction and equipment of motor vehicles and trailers as are applicable to the said motor vehicle or trailer.

Spare wheel and tyre

12. On every vehicle to which this regulation applies, there shall be carried at least one spare inflated tyre in good serviceable condition affixed to a rim, spare wheel or other device capable of being fitted quickly to a wheel or axle together with apparatus in good working order for so fitting it:

Provided that this regulation shall not apply to any motor cycle.

Exhaust pipe and gases

13. On every vehicle to which this regulation applies, the exhaust pipe shall be so placed and maintained and the flooring so constructed or covered with material that no exhaust gases are permitted to enter the vehicle, and the exhaust pipe shall be so fitted or shielded that no inflammable material is likely to fall or be thrown upon it from any other part of the vehicle and so that it is not likely to cause a fire through proximity to any inflammable material on the vehicle.

Electric cables

14. All electrical leads and cables on every vehicle to which this regulation applies shall be adequately insulated, and, where liable to be affected by exposure to water, petrol or oil, adequately protected.

Fire extinguishers

15. (1) Vehicles to which this regulation applies shall be equipped with fire extinguishers as follows:

- (a) a motor vehicle used for gain for the teaching of driving not being a motor cycle that is carried on two wheels only whether a sidecar is attached or not 1

(b) a public service vehicle authorised to carry not more than twelve passengers	1
(c) a heavy vehicle being a private motor omnibus ..	2
(d) a public service vehicle authorised to carry more than twelve passengers	2
(e) a public service vehicle being a goods vehicle ..	1

(2) Each fire extinguisher must be of a type approved by a vehicle examiner as suitable for use on petrol and oil fires, and maintained in proper order and condition. The capacity of each shall not be less than 1 litre, or its approximate equivalent in weight, and each shall be carried in a bracket or other suitable holder in a position on the vehicle as approved by a vehicle examiner so as to be readily available for use at any time.

(As amended by No. 63 of 1972)

16. On every vehicle to which this regulation applies, there shall be inscribed or painted on the near side of the outside of the vehicle in letters and figures at least 35 millimetres high the name and residential or business address of the registered owner, its gross weight, net weight, the weight of its load (including all passengers, crew and goods) and in the case of a vehicle authorised to carry passengers, the number of passengers that may be carried:

Matters to be inscribed or painted on vehicle

Provided that if the vehicle is used other than occasionally or temporarily by a person who is not the registered owner, that person's name and address may be inscribed or painted on the vehicle in addition to the registered owner's.

17. (1) Every vehicle to which this regulation applies not being a motor cycle that is carried on two wheels only whether a sidecar is attached or not, shall be equipped with the appropriate first aid kit as specified in the Third Schedule.

First aid kit

(2) Every first aid kit shall be contained in a container so designed or adapted that it can be hung up or carried.

(3) The contents of every first aid kit shall be maintained in a clean and hygienic condition.

(4) When a vehicle to which this regulation applies is in use on a road, there shall be displayed conspicuously in the interior thereof a notice indicating where the first aid kit is located, unless the kit itself is so displayed.

18. Every vehicle to which this regulation applies shall be equipped with an efficient suspension system so designed and constructed that, in the opinion of a vehicle examiner, no dangerous body sway is likely to occur when the vehicle is in use.

Suspension

[SUBSIDIARY]

Roads and Road Traffic (Certificates of Fitness) Regulations

Side overhang

19. (1) No part included within the overall width of a vehicle to which this regulation applies shall project laterally more than 150 millimetres beyond the outer face of the outer tyre on the rearmost wheel on the same side of the said vehicle:

Provided that in the case of a motor omnibus with a seating capacity for not more than twelve passengers, this regulation shall have effect as if "180 millimetres" were substituted for "150 millimetres".

(2) For the purposes of this regulation, "overall width" shall include all fittings other than any outside rear view mirror and the arm of any direction indicator, provided that such arm when not in use does not project beyond the mirror.

(As amended by No. 63 of 1972)

Fuel tanks,
carburettors,
etc.

20. (1) No part of any fuel tank in any vehicle to which this regulation applies shall be placed immediately under any entrance or exit, and no filling point for such a tank shall be under or immediately adjacent to any entrance or exit.

(2) No part of any fuel tank or apparatus intended to contain fuel shall be placed in the compartments or other spaces provided for the accommodation of the driver or passengers.

(3) All fuel tanks and all apparatus intended to supply fuel to the engine shall be so placed or shielded that no fuel overflowing or leaking therefrom can fall or accumulate upon any woodwork or upon any part or fitting where it is capable of readily being ignited or can fall into any receptacle where it might accumulate.

(4) The filling points for all fuel tanks shall only be accessible from the outside of the vehicle and filler caps shall be so designed and constructed that they cannot be dislodged by accidental operation. The vent hole, if any, shall be protected from danger of penetration by fire and shall be so designed as to prevent fuel from being splashed over.

(5) A device shall be provided by means of which the supply of fuel to any carburettor can readily be cut off and the following requirement shall be complied with in respect thereof:

- (a) the means of operation shall at all times be readily accessible and visible from the outside of the vehicle; and
- (b) the "off" position of the means of operation thereof shall be clearly marked on the outside of the vehicle.

Body

21. The body of every vehicle to which this regulation applies shall be securely affixed to the chassis. Every such vehicle including all body work, upholstery and fittings shall, in the opinion of a vehicle examiner, be soundly and properly constructed of suitable materials, well finished and in good and serviceable condition and of

such design as to be capable of withstanding the loads and stresses likely to be met with in operation.

22. Every vehicle to which this regulation applies shall be equipped at the front and rear with a device whereon the destination of the said vehicle may be displayed.

Destination
indicator

23. Notwithstanding the provisions of regulation 11 of the Roads and Road Traffic (Construction, Equipment and Use) Regulations, the maximum overall height of every single-decked vehicle to which this regulation applies, measured from the ground to the highest point of the roof immediately over the rear axle, and excluding any structure for carrying luggage, shall not exceed 3,200 millimetres.

Height

(As amended by No. 63 of 1972)

24. (1) Every vehicle to which this regulation applies shall be fitted with a rainproof roof of rigid material and construction.

Roof and
guard rail

(2) No goods shall be carried on the roof of any vehicle to which this regulation applies unless the roof is provided with guard rails on all sides not less than 230 millimetres high and placed not nearer to the side of the body than 230 millimetres.

(As amended by No. 63 of 1972)

25. (1) In the case of any vehicle to which this regulation applies which is authorised to carry goods as well as passengers, a guard rail on the roof, or a space inside the vehicle, shall be provided for the carriage of such goods.

Space for
goods

(2) If a space as prescribed in sub-regulation (1) is provided, it shall be a separate compartment of permanent construction with no direct communication with the passenger compartment or compartments:

Provided that a door that effectively closes the entrance to the goods compartment, and that is locked, shall not be regarded as providing direct communication between the goods and passenger compartments.

26. In the case of a vehicle to which this regulation applies which is equipped with first and second class compartments, the compartments shall be divided by a solid partition which may be broken by the gangway of the said vehicle. Each compartment shall have its own entrance and emergency exit, save that where all seats are placed crosswise in relation to the vehicle, any door fitted in the partition in line with the gangway may be considered as an emergency exit for the front compartment. Such door shall have a clear width of not less than 535 millimetres, and a clear height of not less than 1,775 millimetres, provided that where the height of the inside of the vehicle is 1,775 millimetres or less the said door shall

Vehicle with
first and
second class
compartments

be as nearly as practicable the full height of the inside of the vehicle at the centre line of the gangway. The said door shall be hinged and shall open into the rear compartment. The locks and catches shall be in safe and efficient working order and capable of easily being operated from both sides by passengers without assistance from the driver or conductor, and without the use of a detachable key.

(As amended by No. 63 of 1972)

Steps and
stairs

27. (1) In every vehicle to which this regulation applies, a step or steps shall be provided at the passenger entrances and exits, other than the emergency exit.

(2) When the vehicle is empty the lowest step shall not be more than 430 millimetres nor less than 250 millimetres from the ground.

(3) All steps, other than the steps of a spiral staircase leading to the upper deck of a double-decked vehicle, shall be at least 405 millimetres wide and 205 millimetres in depth and the riser between steps shall not be more than 230 millimetres:

Provided that steps not less than 230 millimetres in depth may be constructed to have a riser of 265 millimetres.

(4) No portion of a step shall be vertically above the step below it except the portion that may be necessary efficiently to secure the riser which portion shall not exceed 25 millimetres in width.

(5) The riser between the steps shall be closed.

(6) All steps shall be fitted with treads designed to minimise the risk of slipping.

(7) In the case of a double-decked vehicle to which this regulation applies, the steps of a spiral staircase leading to the upper deck may be less than 205 millimetres in depth, provided that the depth at the middle of each step, fixed by measurement along its front edge, shall not be less than 205 millimetres.

(As amended by No. 63 of 1972)

Number and
position of
entrances and
exits

28. (1) The following conditions shall be complied with by every vehicle to which this regulation applies and to which the said conditions respectively relate:

(a) a single-decked vehicle and the lower deck of a double-decked vehicle shall be provided with not less than two exits (one of which may be an emergency exit) which shall not all be situated on the same side of the vehicle;

(b) where access is obtained to the upper deck of a double-decked vehicle by means of an enclosed staircase, an emergency exit which need not be provided with a staircase

and shall not be on the near side of the said vehicle shall be provided on the upper deck;

- (c) every entrance of every vehicle shall be on the near side;
- (d) (i) in the case of a single-decked vehicle there shall be fitted on one side of each entrance or exit, other than an emergency exit, a hand rail that is parallel to the rise of the steps and not less than 760 millimetres vertically above the outer edges of the steps, and on the opposite side of such entrance or exit a vertical hand rail placed towards the outside of the body:

Provided that in the case of a vehicle with seating capacity for not more than twelve passengers or when the doors open inwards, and it is not possible to fit one or other of the hand rails prescribed in this paragraph, hand rails shall be fitted to provide adequate assistance to passengers entering or leaving the vehicle;

- (ii) in the case of a double-decked vehicle where the same entrance is used for access to both decks, suitable and sufficient hand rails shall be provided on the sides of the entrance;
- (iii) the hand rails mentioned in the last two preceding paragraphs shall not be less than 22 millimetres in diameter and not less than 50 millimetres from the body side. Additional hand rails or grips may be provided for the safety and convenience of the passengers.

(2) It shall be sufficient compliance with paragraphs (a) and (c) of sub-regulation (1) if—

- (a) in the case of a double-decked vehicle provided with a rear platform, that platform communicates with the lower deck by means of a doorless opening and has a doorless opening on the near side of the vehicle continuous with one at the rear serving together as a means of both entrance and exit to the vehicle; and
- (b) in the case of a vehicle with a seating capacity for not more than twelve passengers, one means of exit and entrance is provided which is behind the rear wheels but not on the off side.

(As amended by No. 63 of 1972)

29. On every vehicle to which this regulation applies every entrance and exit, other than an emergency exit, shall have a clear width of not less than 535 millimetres between the hand rail parallel to the rise of the steps and the vertical hand rail, as prescribed in regulation 28 (1) (d):

Width of
entrances
and exits

Provided that—

- (i) where in accordance with the provisions of regulation 28 (2) (a) one exit only is provided, the width of such exit measured along the rear of the vehicle may be less than 535 millimetres but not less than 455 millimetres if the width of the exit to the side of the said vehicle is not less than 535 millimetres;
- (ii) where the same entrance is used for both the upper and the lower deck of a double-decked vehicle, no part of the entrance measured along the rear side of the said vehicle shall be less than 910 millimetres in width. For the purpose of this proviso, any stanchion may be disregarded.

(As amended by No. 63 of 1972)

Doors

30. (1) Except in the case of a vehicle with a seating capacity for not more than twelve passengers, every entrance or exit door of every vehicle to which this regulation applies shall have a clear height of not less than 1,830 millimetres measured vertically from the front edge of the lowest entrance step, and, subject to the provisions of this regulation, the following conditions relating to doors shall be complied with by every such vehicle:

- (a) every entrance and exit door shall be capable of readily being opened from inside and outside the vehicle by one operation of the locking mechanism;
- (b) the device provided outside the vehicle for operating the locking mechanism of a door (not being an emergency exit on the upper deck of a double-decked vehicle) shall be easily accessible to persons of normal height standing at ground level outside the vehicle;
- (c) means shall be provided for holding every entrance and exit door securely in the closed position;
- (d) all locks and fastenings fitted to entrance and exit doors shall be so designed and fitted that they cannot readily become dislodged or be operated accidentally;
- (e) where any entrances are provided with doors which are intended to remain open when the vehicle is in motion, suitable fastenings shall be provided to hold such doors securely in the open position;
- (f) every sliding door and every folding door fitted to an entrance or exit shall be provided with suitable fastenings to prevent it from being closed by the movement of the vehicle;
- (g) all doors shall open so as not to obstruct clear access to any entrance or exit either from inside or from outside the vehicle;
- (h) in the case of any door which is operated by power, a means by which the door may be opened shall be provided inside

the vehicle on or adjacent to the door, and its position shall be clearly marked. The storage and transmission systems of such power shall be such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle. The apparatus shall be so designed and constructed that in the event of the system becoming inoperative, the door shall be capable of being operated manually from both inside and outside the vehicle.

(2) A vehicle shall not be deemed to fail to comply with sub-regulation (1) (a) by reason only of the fact that, for the purpose of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism if such lock is so designed and constructed that the door can at all times be opened by a person inside the vehicle by one operation of the ordinary locking mechanism.

(As amended by No. 63 of 1972)

31. (1) Every passenger compartment on each deck of every vehicle to which this regulation applies shall have an emergency exit at the opposite end of the vehicle from the passenger entrance thereof. Such emergency exit may be at the front, off side or rear of the vehicle and may consist of either—

Emergency
exits

- (a) a door or panel which shall be hinged at the side or bottom, and shall open outwards; or
- (b) heat treated safety glass (also known as toughened or tempered safety glass)—that is glass which, if fractured, does not readily fly into fragments capable of causing severe cuts or other injuries. Such glass shall be so fixed in rubber, plastic or other suitable material as to be capable of easily being dislodged in an emergency.

(2) The following requirements shall be complied with in the case of every emergency exit:

- (a) it shall be so constructed that it can readily be opened or dislodged from inside or outside the vehicle without the use of a detachable key;
- (b) in the case of a door or panel it shall be fitted with locks and catches of such design that it cannot inadvertently be opened by a passenger leaning against it, and of such design that the vibrations of the vehicle do not cause it to open:

Provided that for the purpose of securing the vehicle when it is not in use on the road or is left unattended, it shall be permissible to fit to any such emergency exit a lock that cannot be opened from the outside without the use of a detachable key, if such lock is so constructed that the emergency exit can at all times be opened from inside the vehicle without the use of the detachable key;

[SUBSIDIARY]

Roads and Road Traffic (Certificates of Fitness) Regulations

- (c) any locks and catches thereof shall be in safe and efficient working order, uncovered and free from any obstruction and when any passenger is carried every emergency exit shall be unlocked;
- (d) it shall be clearly marked as such inside and outside the vehicle, and on the inside brief instructions for its opening shall be marked in a place readily visible to passengers;
- (e) it shall be easily accessible to passengers and, save in the case of emergency exits fitted to the upper deck of a double-decked vehicle or of a motor vehicle used for gain for the teaching of driving and having accommodation for more than seven persons other than the driver, it shall be easily accessible to persons of normal height standing on the ground outside the vehicle;
- (f) it shall not be fitted with any system of power operation for opening the door or the panel thereof;
- (g) it shall have a clear and unobstructed frame opening not less than 1.830 square metres in area, no side of which shall be less than 455 millimetres in length.

*(As amended by No. 63 of 1972)*Access to
exits

32. The following conditions shall be complied with by every vehicle to which this regulation applies and to which the said conditions respectively relate:

- (a) in every such vehicle there shall be unobstructed access from every seat to at least two exits or to one exit where one exit only is required by these Regulations:

Provided that this condition shall not apply in the case of any seats beside the driver's seat, if there is access to such seats by an entrance other than the driver's entrance;

- (b) no seats shall be fitted to any door of any vehicle.

Width of
gangway

33. (1) (a) (i) In every vehicle to which this regulation applies, the gangway shall not be less than 405 millimetres wide below seat level, 355 millimetres wide at seat level and 405 millimetres wide above 760 millimetres from the floor. Any vertical roof supports other than any support attached to the screen or guard prescribed by regulation 35 (6) shall be placed at least 355 millimetres from the centre lines of the gangway.
- (ii) In the case of a double-decked vehicle, the distance from the nearest point of the topmost riser to a vertical line passing through the rear-most point of any seat forward of such nearest point and excluding any hand rail that does not project more than 75 millimetres from the seat shall not be less than 660 millimetres.

- (iii) In the case of a vehicle with a seating capacity for not more than twelve passengers, any gangway shall not be less than 305 millimetres wide up to 760 millimetres from the floor.
- (b) A vertical line projected upwards from the centre line of any gangway at deck level shall, to the height prescribed in regulation 34 as the height of that gangway, be laterally not less than 155 millimetres from any part of the vehicle other than the roof over the gangway.
- (c) No part of any gangway which serves as a joint means of access from any entrance to both the upper and the lower deck of a double-decked vehicle shall be less than 915 millimetres in width.

(2) For the purposes of this regulation, when any space in front of a seat is required for the accommodation of seated passengers, the space within 230 millimetres of the seat shall not be taken into account in measuring the width of a gangway.

(3) In the case of a vehicle with a seating capacity for not more than twelve passengers, sub-regulation (2) shall not apply.

(As amended by No. 63 of 1972)

34. In every vehicle to which this regulation applies, the head room clearance between the floor and the lower edge of any hoop sticks supporting the ceiling and between the floor and the ceiling shall be not less than the following dimensions:

Head room

- (a) in every place where the carriage of standing passengers is authorised, not less than 1,775 millimetres;
- (b) along the longitudinal line of a gangway where the carriage of standing passengers is not authorised, not less than 1,675 millimetres, provided that, in a vehicle with a seating capacity for not more than twelve passengers, the head room clearance shall be not less than 1,425 millimetres except for a horizontal distance of 305 millimetres measured along the middle line of the gangway from each entrance or exit along which distance the clear height shall be not less than 1,220 millimetres.

(As amended by No. 63 of 1972)

35. (1) The supports of all seats in a vehicle to which this regulation applies shall be securely fixed in position.

Seats

- (2) (a) At least 380 millimetres measured in a straight line lengthwise along the front of each seat shall be allowed for each passenger:

Provided that, in the case of a continuous seat fitted with arms for the purpose of separating the seating spaces, the seat shall be measured for the purposes of this paragraph as though it was not fitted with arms if the arms are so constructed that they can be folded back or otherwise put out of use.

- (b) The depth (i.e. distance from the backrest to the front of the seat) of each seat shall not be less than 355 millimetres.
- (3) Passenger seats shall be so fitted that—
- (a) the distance between any part of the backrest of any seat placed lengthwise and the corresponding part of the backrest of the seat facing it shall not be less than 1,370 millimetres;
- (b) there is a clear space of at least 610 millimetres in front of the backrest of any seat measured horizontally at the centre of each complete length of at least 380 millimetres provided for each passenger in accordance with sub-regulation (2) and 205 millimetres in front of any part of such seat.
- (4) There shall be a clear space of at least 480 millimetres between any part of the front edge of any transverse seat and any part of any other seat which faces it.
- (5) For the purposes of this regulation, “backrest” includes any part of the vehicle which is available for seated passengers to lean against.
- (6) Where any seat is so placed that a passenger seated upon it is liable to be thrown through any exit or entrance or down a stairway, an effective screen or guard shall be placed so as to provide protection for any passenger occupying that seat.
- (7) The shortest distance between the edge of any step well and a vertical plane passing through the front edge of a seat shall not be less than 330 millimetres.
- (8) All seats shall be so placed and arranged as to afford all passengers reasonable comfort and convenience and so as to give convenient access to all seats, and adequate foot space in front of each seat. All seats shall be free from sharp corners, angles, protrusions or anything that is likely to cause damage to persons or property. No seat shall be placed in such a position as to obstruct any person entering or leaving a vehicle.
- (9) Seats in a first class compartment shall be properly upholstered with spring or resilient seats, and with backrests padded. Seats and backrests in a second class compartment, unless complying with the requirements for seats in a first class compartment, shall be padded.

(As amended by No. 63 of 1972)

36. In every vehicle to which this regulation applies—

Guards at windows

- (a) where windows open downwards to the waist rail, or by sliding the pane horizontally or where no glass is fitted, guards shall be fitted above the waist rail sufficient to prevent passengers sitting with their elbows out of the windows;
- (b) there shall be fitted at least one window on either side of the vehicle, situated approximately centrally in the passenger compartment, so constructed as to make unnecessary the fitting of guards as prescribed by this regulation, and at such windows no guards shall be fitted.

37. (1) Every vehicle to which this regulation applies shall be fitted on each deck with an efficient internal lighting system with at least one light for every 1,220 millimetres or part thereof of the length of the interior.

Internal lighting

(2) At least one light shall be provided as near as is practicable to the top of every staircase leading to an upper deck.

(3) Adequate lighting shall be providing to eliminate any step or platform forming part of any entrance or exit other than an emergency exit.

(As amended by No. 63 of 1972)

38. Every vehicle to which this regulation applies, other than a motor omnibus with a seating capacity for not more than twelve passengers, shall be fitted with an efficient bell or other means to enable passengers on any deck to signal to the driver.

Passengers' communication with driver

39. In every vehicle to which this regulation applies, there shall be for the comfort of both passengers and driver adequate protection against rain and adequate ventilation without the necessity for opening any main window or windscreen.

Ventilation and protection against rain

40. Luggage racks in every vehicle to which this regulation applies shall be so designed and constructed that there is no likelihood that any article thereon which may become dislodged whilst the vehicle is in motion would fall on the driver or interfere with his control of the said vehicle.

Luggage racks

41. Every vehicle to which this regulation applies shall comply with the following conditions in respect of the driver's accommodation:

Driver's accommodation

- (a) it shall be so designed that the driver can easily reach and quickly operate the controls;
- (b) the controls shall be so placed as to allow reasonable access to the driver's seat;
- (c) means shall be provided where necessary to prevent light from the interior of the vehicle from incommoding the

[SUBSIDIARY]

Roads and Road Traffic (Certificates of Fitness) Regulations

driver. The means so provided in respect of any window on the off side of the centre line of the vehicle shall be capable of being operated by the driver when occupying his seat;

- (d) direct and reasonable access shall be provided to the driver's seat;
- (e) where there is a separate and enclosed compartment for the driver and access to the driver's seat is from the off side of the vehicle, an emergency escape window which shall be easily accessible to the driver and shall have a clear opening of not less than 530 millimetres by 450 millimetres shall be provided which shall not be on the off side of the compartment;
- (f) there shall not be any seat directly to the right of the driver's seat;
- (g) where the driver's seat is continuous with a seat for passengers on the left-hand side of the driver, a space of at least 455 millimetres from the centre of the steering column to the left thereof shall be reserved for the driver and shall be divided off from such passengers by means of a partition at least 230 millimetres high from seat level and extending for the whole depth of the seat.

(As amended by No. 63 of 1972)

Requirements
for taxicabs,
etc.

42. Every vehicle to which this regulation applies shall comply with the following provisions:

- (a) (1) A door or doors for the entrance and exit of passengers shall be provided on the near side, which doors shall be capable of readily being opened from inside or outside the vehicle by one operation of the locking mechanism. Means shall be provided for holding every door securely in the closed position. All locks and fastenings fitted to doors shall be so designed and fitted that they cannot readily become dislodged or be operated accidentally.
- (2) An emergency exit shall be provided in the off side or rear of the vehicle and may consist of either—
 - (i) a door or panel which shall open outwards; or
 - (ii) heat treated safety glass (also known as toughened or tempered safety glass)—that is glass which, if fractured, does not readily fly into fragments capable of causing severe cuts or other injuries. Such glass shall be so fixed in rubber, plastic or other suitable material as to be capable of easily being dislodged in an emergency.
- (3) The following requirements shall be complied with in the case of every emergency exit:

- (i) it shall be so constructed that it can readily be opened or dislodged from inside or outside the vehicle without the use of a detachable key;
- (ii) in the case of a door or panel, it shall be fitted with locks and catches of such design that it cannot inadvertently be opened by a passenger leaning against it, and of such design that the vibrations of the vehicle do not cause it to open:

Provided that for the purpose of securing the vehicle when it is not in use on the road or is left unattended, it shall be permissible to fit to any such emergency exit a lock that cannot be opened from the outside without the use of a detachable key, if such lock is so constructed that the emergency exit can at all times be opened from inside the vehicle without the use of the detachable key;

- (iii) any locks and catches thereof shall be in safe and efficient working order, uncovered and free from any obstruction and when any passenger is carried every emergency exit shall be unlocked;
 - (iv) it shall be clearly marked as such inside and outside the vehicle and on the inside brief instructions for its opening shall be marked in a place readily visible to passengers;
 - (v) it shall be easily accessible to passengers and to persons of normal height standing on the ground outside the vehicle;
 - (vi) it shall not be fitted with any system of power operation for opening the door or the panel thereof;
 - (vii) it shall have a clear and unobstructed frame opening not less than 1.830 square metres in area no side of which shall be less than 455 millimetres in length;
 - (viii) for the purposes of this paragraph, a door fitted to the off side of a vehicle, other than the door giving direct access to the driver's seat which conforms to paragraph (a) (1), shall be deemed to be an emergency exit.
- (b) A roof or hood shall be provided to the satisfaction of a vehicle examiner.
 - (c) There shall be adequate ventilation for the comfort of the passengers without the necessity for opening any main window or windscreen.
 - (d) On every taxicab a taximeter in good working order shall be fitted. For the purposes of this paragraph, "taximeter" means an appliance for measuring the time or distance for

which a taxicab is used, or for measuring both time and distance, and for indicating the fare chargeable in respect of both such time and distance.

- (e) In every taxicab and hire car, other than one to which the provisions of paragraph (a) (3) (viii) apply, a small hand axe shall be carried in such a position as to be readily available for use at any time. The weight of the axe shall not be less than 0.91 kilograms.
- (f) On every taxicab there shall be displayed at the front of its roof, or in the case of a taxicab equipped with a hood only, on the top of the windscreen, above the centre of the windscreen and at right-angles to the longitudinal axis of the vehicle, a sign, illuminated by an interior light at night and bearing the word "TAXI" clearly discernible from the front of the taxicab and showing up white both during the day and, when illuminated, during the night. The size and spacing of the letters constituting the word "TAXI" shall be the same as laid down in regulations 10 and 11 of the Roads and Road Traffic (Registration and Licensing) Regulations in respect of letters of registration mark on the plate.

*(As amended by No. 140 of 1965
and No. 36 of 1969 and S.I. No. 23 of 1974)*

PART IV

EXEMPTIONS

Exemption for
vehicles
having "
foreign
certificates
of fitness"

43. (1) Any motor vehicle or trailer registered, licensed and ordinarily kept in any Province of the Republic of South Africa, in Southern Rhodesia, Malawi, Tanzania or Kenya or such other territory as may be notified from time to time by the Minister by statutory notice, in respect of which a valid certificate of fitness, hereinafter in this regulation referred to as a "foreign certificate of fitness", duly issued in such territory is held, is hereby exempted from the need for a certificate of fitness issued under the Act for the period of the validity of the foreign certificate of fitness held.

(2) The onus of proof of the existence of a valid foreign certificate of fitness as referred to in sub-regulation (1) shall lie upon the user of the said vehicle.

(3) It shall be sufficient compliance with these Regulations in so far as they concern the construction and equipment of motor vehicles and trailers if, in the case of motor vehicles and trailers referred to in sub-regulation (1), they comply with the requirements concerning construction and equipment in force in the territory in which they are registered, licensed and ordinarily kept and in which the valid foreign certificate of fitness was issued.

44. Subject to such conditions as he may deem fit to impose for the safety of members of the public or for any other reason, the Commissioner may grant exemptions in writing either generally or particularly in whole or in part for such periods as he may specify from any of the provisions of Part III.

Exemptions by Commissioner

FIRST SCHEDULE
PRESCRIBED FORMS

FORM C.F.1
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS
CERTIFICATE OF CHASSIS MANUFACTURER OR REPRESENTATIVE

To the Vehicle Examiner at

I, as duly authorised representative of (manufacturer)

hereby certify that vehicle (insert registration mark of vehicle) is constructed, warranted and guaranteed by the manufacturer in accordance with the following particulars:

- 1. Make and type
2. Year of manufacture
3. Weight of chassis and cab (kg.)
4. Net weight (of complete vehicle) (kg.)
5. Manufacturer's permitted gross weight of vehicle (kg.)

Date

Signature

Address

NOTE.—Where the chassis manufacturer or his representative is unable to furnish the particulars for item No. 4 in the above certificate, an additional certificate in Form C.F.2 must be completed by the person or firm who constructed the body, or his representative.

FORM C.F.2
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS
CERTIFICATE OF BODYBUILDER (OR HIS REPRESENTATIVE)
OF A MOTOR VEHICLE OR TRAILER

To the Vehicle Examiner at

Registered Number of Motor Vehicle/Trailer

I certify that the body of the above vehicle was constructed by (name of firm)

and that the following particulars in respect of the said body are correct:

- 1. Type of body
2. Weight of body (kg.)

Date

Signature

Status

Address

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

COMBINED RECEIPT AND EXAMINER'S REPORT

No

Received from

the sum of kwacha (in words)

ngwee (in words)

(in figures) K
on account of

the *examination
re-examination of motor vehicle/trailer of the following registration

mark

In the case of a re-examination quote the number of the Form C.F.3 issued after the examination at which this re-examination was ordered.

Date

Vehicle Examiner

EXAMINER'S REPORT

(Delete as applicable)

A. *The above motor vehicle/trailer was examined at the request of the licensing officer/police according to section 75 or 212 (1) (f) of the Act and was found fit/unfit. (Delete and initial.)

*No fee was charged because the examination was either an initial one according to section 75 (2) of the Act and no defects were discovered, or an initial one pursuant to a prohibition under section 212 (1) (f).

B. *The above motor vehicle/trailer was examined at the request of the licensing officer according to section 171 of the Act.

*No defects were discovered, and accordingly no fee was charged.

*The vehicle was found unfit.

C. *The examination was for a certificate of fitness.

*The motor vehicle/trailer was found unfit.

*The motor vehicle/trailer was found fit, and certificate of fitness No.
valid until was issued.

D. *The motor vehicle/trailer is to be produced for re-examination to

..... on or before (notified date)

Date

Vehicle Examiner

* Delete as applicable.

Original—To vehicle owner.

Duplicate—To Road Traffic Commissioner.

Triplicate—Remains in book.

FORM C.F.4
(Regulation 4)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF FITNESS RECORD BOOK

Details of Vehicle

Registration Mark No

PSV/HV/HT/CC/DSV Registration Mark

Owner Address

Make Eng. No Ch. No

Net Wt Gross Wt Auth. Load

Passengers Seated Standing

Length..... Width Height

W/Base O/Hang

Axle loading and tyre sizes:

.....
.....

Record of Certificates of Fitness Issued

C. of F. No.	Expiring	Name of Examiner	Signature and Date

Record of Exemptions Granted

.....
.....
.....
.....

FORM C.F.5
(Regulation 4)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF FITNESS

No

Registration Mark of Vehicle

Certified that the above vehicle has this day been examined by me and has been found in all respects fit for the purpose for which it is to be used and to comply with the provisions of the Roads and Road Traffic Act and of the regulations made thereunder in respect of fitness, construction and equipment.

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Roads and Road Traffic (Certificates of Fitness) Regulations

The following limits may not be exceeded:

Gross weight Net weight 500 grams
 Weight of goods that may be carried 500 grams
 Weight of other load (passengers and crew) that may be carried 500 grams
 Maximum number of passengers
 Date of expiry

Place Date

 Vehicle Examiner

FORM C.F.6
(Regulation 5)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

No

CERTIFICATE OF EXEMPTION FROM NEED TO HOLD
CERTIFICATE OF FITNESS

This is to certify that motor vehicle No
trailer

has been exempted from the need to hold a certificate of fitness until
..... so long as the following conditions are complied with:

.....

.....
Road Traffic Commissioner

Date

Place

FORM C.F.7
(Regulation 6)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

NOTICE BY LICENSING OFFICER PROHIBITING USE OF VEHICLE UNDER
SECTION 171 OF THE ROADS AND ROAD TRAFFIC ACT

No

To (Name)

Address

.....

Registration Mark of Vehicle

Make

Please note that the vehicle bearing the registration mark quoted above was not produced for examination by the vehicle examiner at on the day of 19 at o'clock as ordered by on the day of 19

You are hereby prohibited from using the said vehicle on any road until it has been produced for examination by the vehicle examiner at

This prohibition does not apply to the use of the said vehicle on a road solely for the purpose of going to the vehicle examiner.

Place

Date

Licensing Officer

NOTE.—A copy of this notice has been forwarded to the police.

FORM C.F.8 (Regulation 7)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

DEFECTS LIST/ORDER PROHIBITING THE USE OF MOTOR VEHICLE OR TRAILER

No

To

Registration Mark of Vehicle Make

The above vehicle was examined/inspected by me at or between and on (date) and the following defects were found:

.....

In consequence of the above I hereby order as follows:

- 1. Please have the above defects remedied and produce the vehicle to at on (notified date) for re-examination.

*2. The use of the above vehicle on a road is prohibited until the above defects have been remedied to the satisfaction of the aforesaid examiner.

[SUBSIDIARY]

Roads and Road Traffic (Certificates of Fitness) Regulations

- *3. Despite the above prohibition the vehicle may be used on a road for the purposes of being taken to on or before for the purpose of having the above defects remedied and may be used on a road for the purpose of bringing the vehicle to the place specified in 1 above for re-examination.

A copy of this order has been sent to the police.

Date
Road Traffic Inspector
 Vehicle Examiner

* Delete as applicable.

NOTE.—In lieu of an order prohibiting the use of a vehicle or trailer a road traffic inspector or a vehicle examiner may issue such directions restricting the use of the vehicle or trailer as he may think necessary. This should be done overleaf.

SECOND SCHEDULE
 (Regulation 4)

PRESCRIBED FEES

	Fee units
1. Examination of motor vehicle	120
2. Examination of trailer	120
3. Re-examination of motor vehicle	120
4. Re-examination of trailer	120
5. Duplicate of any document prescribed in these Regulations	60
6. Appeals to the Commissioner	200

NOTES:

- (1) No fee is payable for an examination under section 171 of the Act if no defect is discovered, nor for examination under section 172.
- (2) Refer to Regulation 9 for detailed provisions.

(As amended by S.I. No. 14 of 1994, Act No. 13 of 1994 and S.I. No. 52 of 1996)

THIRD SCHEDULE
 (Regulation 17)

FIRST AID KITS

LIST A

First aid kit required on—

a public service vehicle being a motor omnibus; a heavy vehicle being a private motor omnibus:

- | | |
|----------------------------|-------------------------------|
| 12 triangular bandages. | 1 packet of safety pins. |
| 12 small wound dressings. | 1 pair of scissors. |
| 12 medium wound dressings. | 1 set of splints in sections. |
| 12 large wound dressings. | 1 pair of tweezers. |
| 12 x 30 g. cotton wool. | |

LIST B

First aid kit required on—

a public service vehicle being a taxicab; a public service vehicle being a hire car; a motor vehicle used for gain for the teaching of driving:

- | | |
|---------------------------|--------------------------|
| 4 triangular bandages. | 4 x 30 g. cotton wool. |
| 4 small wound dressings. | 1 packet of safety pins. |
| 4 medium wound dressings. | 1 pair of scissors. |
| 4 large wound dressings. | 1 pair of tweezers. |

(As amended by No. 63 of 1972)