



**NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

**FACULTY OF HUMAN SCIENCES
DEPARTMENT OF SOCIAL SCIENCES**

QUALIFICATION: BACHELOR OF TRANSPORTATION MANAGEMENT	
QUALIFICATION CODE: 07BTMM	LEVEL: 6
COURSE CODE: TTL621S	COURSE NAME: TRAFFIC AND TRANSPORTATION LEGISLATION
SESSION: NOVEMBER 2023	PAPER: THEORY AND CASE STUDIES
DURATION: 3 HOURS	MARKS: 100

FIRST OPPORTUNITY EXAMINATION	
EXAMINER(S)	Mariette Hanekom
MODERATOR:	Ester Kuugongelwa

INSTRUCTIONS
<ol style="list-style-type: none">1. The paper has 6 main questions.2. ALL the questions are compulsory.3. Read carefully before answering.4. Write clearly and neatly.5. Number the answers clearly and according to the structure in the examination question paper.6. Write full sentences. Candidates will be penalised for incorrect spelling and illegible handwriting, as well as for the inappropriate use of "bullet points".

ANNEXURE

None

PERMISSIBLE MATERIAL

The Namibian Constitution

THIS MEMORANDUM CONSISTS OF 8 PAGES (Including this front page)

QUESTION 1

Choose a correct answer from the options given in each of the following statements. Only write down the letter with a correct answer for each statement. Use BLOCK CAPITAL LETTERS.

1.1

Geelbooi Mishe, a 45 years old San man, was arrested and detained on the charges of housebreaking with intent to steal and theft in Tsumkwe on 28 February 2023. He only speaks his mother tongue and little bit of Afrikaans that he has learnt when he was working at Farm Abenab in Grootfontein District during the early 2000's. He was informed of the reasons of his arrest in Rukwangali by Constable Mugara Stentu who has arrested him. During the interrogation he was kicked and hit with a baton because he was experienced to be stubborn. He was brought to before a Magistrate in Okahandja on the 28 May 2023 as the Magistrate in Tsumkwe was on a honeymoon. Mr Mishe wanted to get a Legal Aid lawyer but the magistrate told him that he will refuse the request because the Government does not have money. The trial was conducted in English and Mr. Mishe could not follow the proceedings because of the language barrier. He was nevertheless found guilty and sentenced to three months imprisonment. Which rights have been violated?

- A. Article 7 (Protection of Liberty); Article 8 (Human Dignity); Article 11 (Arrest and Detention); Article 12 (Fair Trial)
- B. Article 6 (Protection of Life); Article 8 (Human Dignity); Article 11 (Arrest and Detention); Article 12 (Fair Trial)
- C. Article 7 (Protection of Liberty); Article 8 (Human Dignity); Article 11 (Arrest and Detention); Article 12 (Fair Trial); Article 18 (Administrative Justice)
- D. Article 7 (Protection of Liberty); Article 8 (Human Dignity); Article 11 (Arrest and Detention); Article 12 (Fair Trial); Article 10 (Equality and Freedom from Discrimination)

1.2

What is the difference between road traffic and road transport?

- A. Road traffic refers to the flow of traffic and interaction between pedestrians, drivers and vehicles on the road network whereas road transport refers to the conveyance of passengers and freight on the road network between origins and destinations by means of road transport vehicles.
- B. Road transport refers to the flow of traffic and interaction between pedestrians, drivers and vehicles on the road network whereas road traffic refers to the conveyance of passengers and freight on the road network between origins and destinations by means of road transport vehicles.
- C. Road traffic includes pedestrians and other road users whereas road transport refers only to road transport vehicles used to convey passengers and freight.
- D. Road transport includes pedestrians and other road users whereas road traffic refers only to road transport vehicles used to convey passengers and freight.

1.3

Choose the MOST CORRECT statement: Major characteristics of a sovereign state are:

- A. A defined territory; a President; independence from other states and powers; and the capacity to enter into relations with other sovereign states.
- B. A defined territory; the authority to govern itself; a permanent population and the capacity to enter into relations with other sovereign states.
- C. A defined territory on which the state exercises internal and external sovereignty; a permanent population; a government under the control of a foreign power; independence from other states and powers; and the capacity to enter into relations with other sovereign states.
- D. A defined territory on which the state exercises internal and external sovereignty; a President; a permanent population; a government, not under the control of a foreign power; independence from other states and powers; and the capacity to enter into relations with other sovereign states.

1.4

Human Rights are said to be inherent. This means that ...

- A. Human Rights can only be limited for a specific reason or a specified period of time.
- B. Human Rights have existed for as long as human beings have existed and were thus not created by the State or government.
- C. Human Rights are a privilege.
- D. They were created in the Namibian Constitution.

1.5

Equality and freedom from discrimination means that ...

- A. All persons must be allowed to get a driving license.
- B. People found guilty of a crime must always get the same punishment.
- C. All of these statements.
- D. None of these statements.

1.6

How does the Roads Authority assist with road safety in Namibia?

- A. By prescribing minimum standards and measures for the management and maintenance of Namibian roads.
- B. By establishing the National Road Safety Council.
- C. By way of advertising and awareness campaigns.
- D. They do not; this is not their job.

1.7

Section 11 of the RTTA was amended in 2008 by way of the Road Traffic and Transport Amendment Act 6 of 2008. The effect of this amendment is that:

- A. Local authorities can now also appoint authorised officers.
- B. Authorised officers no longer have to be issued with a Certificate of Appointment.
- C. An authorised officer no longer needs to produce his/her certificate of appointment when requested to do so.
- D. None of these answers.

1.8

The following is NOT one of the powers of a traffic officer:

- A. Require the person in charge of a vehicle to provide his name and address.
- B. Drive any vehicle which is being examined by him or her, provided he or she is licensed to drive a motor vehicle of the particular class.
- C. Temporarily forbid a person to continue driving and make arrangements for the safe disposal or placement of the vehicle.
- D. Test an applicant for a learner's licence or driving licence.

1.9

May a traffic officer dismantle a vehicle?

- A. Only if he is a qualified motor mechanic or also holds an appointment as a vehicle examiner.
- B. Only if he is a qualified motor mechanic and also holds an appointment as a vehicle examiner.
- C. Only if he is in uniform.
- D. No, never.

1.10

What is the difference between the "tare" and the "gross vehicle mass" of a vehicle?

- A. The tare is the mass of the unladen vehicle and the GVM is the maximum permissible mass of the vehicle plus the load.
- B. The tare is the mass of the unladen vehicle and the GVM is the mass of a fully loaded vehicle.
- C. The GVM is the mass of the unladen vehicle, and the tare is the maximum permissible mass of the vehicle plus the load.
- D. The tare excludes the load.

1.11

One of the strategic goals of the SADC Protocol on Transportation, Communication and Meteorology is:

- A. The management of road transport to ensure that it is undertaken in the most efficient and economic manner to the satisfaction of the users thereof.
- B. To promote economic and social development in the SADC region.
- C. The elimination or reduction of hindrances and impediments to the movement of persons, goods, equipment and services between the member states.
- D. All of these statements.

1.12

The SADC Protocol on Transportation is based on two principles. Name these principles.

- A. Sovereignty and cooperation.
- B. Development and prosperity.
- C. Independence and partnerships.
- D. Regional and global character.
- E. Economic growth and development.

1.13

In terms of the Roads Ordinance 17 of 1972, there are certain things that may not be done without prior approval. **Choose the INCORRECT statement:**

- A. Infringe any proclaimed road by erecting any building or structure on such road.
- B. Wilfully or negligently cause water to run over a proclaimed road.
- C. Offer or solicit transportation, irrespective of whether such transportation is for reward or not.
- D. Wilfully or unnecessarily obstruct or endanger the free flow of traffic on a proclaimed road.

1.14

Certain pieces of pre-Independence legislation contained provisions that were contrary to the Human Rights guaranteed by the Namibian Constitution. **Choose the CORRECT statement:**

- A. These laws lapsed when Namibia became independent.
- B. They are still binding today, because all laws that applied to the then Territory of South West Africa before Independence have remained in force.
- C. Legislation which conflicts with fundamental rights and freedoms protected in the Constitution must be declared invalid and replaced by a competent Court.
- D. None of these statements.

1.15

Pepe is arrested for drunken driving by a Traffic Officer. Pepe requests to see the Traffic Officer's Certificate of Appointment, which the Traffic Officer is unable to produce. **Choose the MOST CORRECT statement.**

- A. The arrest will be valid if the Traffic Officer was never issued with a Certificate of Appointment.
- B. The arrest will be invalid.
- C. The arrest will be valid provided the traffic officer is in uniform.
- D. The arrest will be valid because the Road Traffic and Transportation Act was amended.

Two marks each. [30]

QUESTION 2

Briefly answer the following short questions.

- 2.1 What does the abbreviation SADC stand for? (1)
- 2.2 Define the concept "exempt quantities". (2)
- 2.3 Distinguish between intermodal transport and multimodal transport. (2)
- 2.4 Distinguish between a driving inspector and a vehicle inspector. (2)
- 2.5 What is the purpose of the Transportation Commission of Namibia? (3)

- 2.6 The Roads Ordinance provides for the division of proclaimed roads into four classes.
List these classes. (4)
- 2.7 What does the abbreviation RTRN stand for? (1)
- [15]

QUESTION 3

Answer the following questions:

- 3.1 Antonio Marques is an Angolan citizen living in Windhoek. He has just bought a car and would like a Personalised Licence Number (PLN). He decides that since he is an Angolan citizen he will put the Angolan national flag on his PLN, as well as a picture of his preferred fruit (a banana) and the words "@gotohell". Can he do this? Explain in full. (6)
- 3.2 Mr. X is caught by a Traffic Officer driving without a licence. The Traffic Officer fines Mr. X N\$ 2000 for driving on a public road without a valid driver's licence. Mr. X was driving on a public road from one part of his farm to another part, which is less than one kilometre away. Must Mr. X pay the fine? Motivate your answer. (3)
- 3.3 One morning Innocent wakes up to discover that her brand-new motor vehicle has disappeared. She reports the matter to the Police. Three days later the Police, acting on a tip-off, go to arrest Veri Scaly at his house. They discover that his garage is crammed with motor vehicle parts that are identified to belong to various motor vehicles that were reported stolen during the past six months. Name the legislation that the Police can use to secure a conviction in this regard. (1)
- [10]

QUESTION 4 FOLLOWS ON THE FOLLOWING PAGE

QUESTION 4

You are the General Manager of Halekari Freight Services. Your company is contracted by Weaponscorp, a company that produces ammunition and explosives, to transport several consignments of ammunition to a top-secret destination in a neighbouring country. The consignments will be transported by road.

Answer the following questions:

4.1 Identify the symbols below and briefly describe the risks of each.

4.1.1



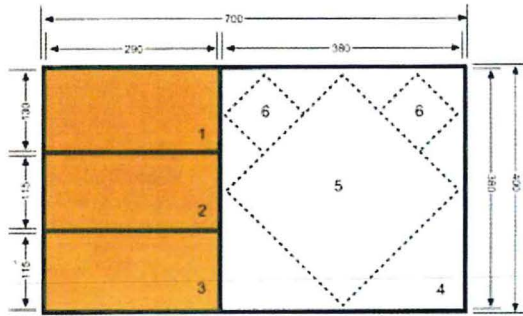
4.1.2



(Two marks each)(4)

- 4.2 As General Manager of Halekari Freight Services it is your duty to ensure that the transportation of these consignments take place in accordance with the applicable legislation. Certain goods are, however, exempted from the regulations. List these goods. (4)
- 4.3 Because of the top-secret nature of the consignments, you wish to avoid the publicity that accompanies transporting dangerous goods by road. How can you avoid this and what is the procedure to be followed? (5)
- 4.4 You need to appoint drivers to transport the consignments. What is the minimum age that these drivers should be? (1)
- 4.5 Discuss the training these drivers need to undergo. Refer to both the UN Model Regulations on the Transportation of Dangerous Goods, as well as the Road Traffic and Transportation Act 1999. (10)
- 4.6 Upon completion of their training the drivers will be issued with a Certificate of Training. What is the validity of this certificate? (1)

4.7 Identify the elements of the placard numbered 1 to 5 respectively. (5)



[30]

QUESTION 5

Briefly discuss the relationship between the Geneva Convention on Road Traffic of 1949 and the Namibian Road Traffic and Transportation Act of 1999.

[5]

QUESTION 6

The picture below depicts a helicopter being transported close to Arandis in October 2023. Answer the questions relating thereto.



6.1 When will a vehicle / load be classified as “abnormal”? (4)

6.2 Which procedures did the transporter have to followed before transporting the load on a public road? (6)

[10]

TOTAL: 100