

Demerit points



IT IS IMPORTANT TO NOTE THAT THE POINT DEMERIT SYSTEM IS NOT ACTIVE YET. IT WILL ONLY BE ACTIVATED AT A LATER STAGE. COMMUNICATION IN THIS REGARD WILL BE DISTRIBUTED CLOSER TO THE TIME.

The demerit points system has been introduced to penalise drivers and operators who are habitual offenders. But it also rewards law-abiding road users, as it reduces 1 point every 3 months down to zero demerit points if no contraventions occur.

Demerit points are recorded against your name in the following instances:

- When penalties and fees are paid
- When you apply to pay in instalments
- When you are convicted in court
- When an enforcement order is issued

How is demerits awarded?

Every person starts with 0 points and the maximum permissible number of points is 12. In other words, a person is allowed to drive until he/she has 12 points. Every point exceeding 12 points results in a three-month suspension of the licence. One point is reduced every three months if no further contraventions occur within the three-month period. A licence is cancelled when it has been suspended for the third time. The demerit points in respect of vehicle operators and drivers are recorded separately even if they arise out of the same incident.



Reduction of demerit points

If demerit points have been incurred by an Infringer, such total number of points as recorded in the national contraventions register on NaTIS against that person will be reduce with one (1) point for every three (3) months during which no demerit points were incurred by that person, except for the time the court found that the court process had been deliberately delayed by that person to obtain a reduction in points.

What if?

- **Multiple infringements**

If you have committed two or more infringements arising from the same incident, demerit points are recorded only in relation to one such infringement or offence to which the greatest number of demerit points applies.

- **Learner's licence**

If you have a learner's licence at the time of the infringement, your demerit points will only start to reduce when your licence is issued.

- **Unlicensed drivers**

If you are an unlicensed driver, you receive no discount and your demerit points will only start to reduce when your licence is issued. If you are caught for the third time as an unlicensed driver you will be arrested.

- **Non-operators**

A juristic person who is not an operator receives no demerit points, but pays three times the penalty amount. Proxies cannot get demerit points on behalf of a company.

- **Court cases**

If you elect to go to court under AARTO demerit points are only recorded when you are found guilty. If you appeal against a conviction by the court for an offence no demerit points are recorded unless of course the appeal is rejected or abandoned. Nothing prevents you from approaching a court to appeal or review the total amount of demerit points recorded against your name.

Suspension of a driving licence, professional driving permit or operator card

If a person incurs demerit points which, when added to the points previously recorded against that person in the national contraventions register on NaTIS, exceeds a total of twelve (12), that person will be disqualified from driving or operating a motor vehicle. The disqualification period equals in months the number of points by which the total of twelve (12) is exceeded, multiplied by three (3).

A person who is so disqualified:

- (a) Must immediately hand in any driving licence or professional driving permit to the issuing authority for retention by such authority during the disqualification period or must remove the prescribed operator card from the vehicle in applicable cases; and
- (b) May not apply for a driving licence, professional driving permit or operator card during the disqualification period.

Any person who drives or operates a motor vehicle during his or her disqualification period is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding one (1) year or to both a fine and such imprisonment.



Upon expiry of his or her disqualification period, a person may reapply for and be issued with a driving licence, professional driving permit or operator card in terms of the applicable road traffic laws.

Cancelation of a driving licence, professional driving permit or operator card

A person who incurs demerit points resulting in a disqualification to drive or operate a motor vehicle for a third (3rd) time, must immediately hand in his or her driving licence, professional driving permit or operator card issued in respect of that vehicle to the issuing authority. Upon receipt of such a driving licence, professional driving permit or operator card, as the case may be, the authority will take the necessary steps to destroy such licence, permit or card