

**Wan Abdusomad Bin Wan Abdollah**

AND

**Public Prosecutor**

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**(High Court of Brunei Darussalam)  
(Criminal Appeal No. 4 of 2015)**

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Hairol Arni Majid, J.  
**7<sup>th</sup> May, 2015.**

*Road Traffic Act – Section 3(1) Motor Vehicle Insurance (Third Party Risk) – Mandatory disqualification.*

**Case cited in the Judgment:**

*PP v Ampuan Abdul Kahar Mattahir (1997) II JCBD 104*

Appellant In Person.  
DPP Dk Hazirah Bte Pg Mohd Yusof for Respondent.

**J U D G M E N T**

**Hairol Arni Majid, J.:**

The appellant pleaded guilty and convicted on his own plea on two counts namely under Section 8(1) of the Road Traffic Act Chapter 68 and Section 3(1) of the Motor Vehicle Insurance (Third Party Risk) Chapter 90. He was fined \$250 in default of the fine, 1 week custodial sentence and \$750 in default 3 weeks custodial sentence and mandatory 12 months disqualification from driving.

It is the disqualification order that the appellant before me is appealing against.

The facts are simply that he was stopped by a police personnel during a routine road block duty and was found to have an expired road tax and insurance.

Before me, he said that he was on his way to send money to his brother and the car was the only car available at the time. He is working as a storekeeper in a private company and part of his job description is as a driver and taking delivery of cargo. The main reason he said he needs his driving license.

Obviously, a disqualification will cause disruption and inconvenience to his daily private and work schedule but the appellant had not put forward any special reason in the court below or before me that specifically relate to the offence that would oblige me to lift the disqualification: see *PP v Ampuan Abdul Kahar Mattahir* (1997) II JCB 104.

The appeal is accordingly dismissed. The Magistrate had earlier ordered the disqualification to be stayed pending this appeal, therefore, I hereby order that it is to take effect from today.

**DATO PADUKA HAIROL ARNI MAJID**  
Judge, High Court

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