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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF COMMUNICATIONS

Roads and Road Transport Division

MVRT Section

NOTIFICATION

Dacca, the 26th September 1982

No. S.R.O. 341-L/82/MVRT/1A-1/82.—In exercise of the powers conferred by sections 21, 41 and 68 of the Motor Vehicles Act, 1939 (IV of 1939), the Government is pleased to make the following further amendments in the Motor Vehicles Rules, 1940, the same having been previously published as required under sub-section (1) of section 133 of the said Act, namely:—

In the aforesaid Rules,—

- (1) in rule 3, in clause (a), for the words "the Dacca Metropolitan Area" the words "a Metropolitan Area" shall be *substituted*;
- (2) in rule 7,—
  - (a) in sub-rule (b), for the words "the Dacca Metropolitan Area" the words "a Metropolitan Area" shall be *substituted*; and
  - (b) in sub-rule (c), in clause (1), in sub-clause (i), for the words "the Dacca Metropolitan Area" the words "a Metropolitan Area" shall be *substituted*;
- (3) in rule 29, in clause (i), for the words "the Dacca Metropolitan Area" the words "a Metropolitan Area" shall be *substituted*;

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(3407)

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- (4) in rule 30, in sub-rule (b), in clause (i), for the words "the Dacca Metropolitan Area" the words "a Metropolitan Area" shall be substituted;
- (5) in rule 35A, in sub-rule (8), for clause (ii) the following shall be substituted, namely:—
- “(ii) Deputy Police Commissioner (Traffic), Chittagong Metropolitan Police.”;
- (6) in rule 53,—
- (a) in sub-rule (a), for the word "twenty" the words "twenty three" shall be substituted;
- (b) in sub-rule (b), for the words "the Dacca Metropolitan Area" the words "a Metropolitan Area" shall be substituted; and
- (c) after sub-rule (bbb), the following new sub-rule shall be inserted, namely:—
- “(bbb) for the region of the Chittagong Metropolitan Area, the Regional Transport Authority shall consist of—
- (i) the Police Commissioner, who shall be *ex-officio* Chairman;
- (ii) the Executive Engineer (Roads and Highways), Chittagong Division;
- (iii) one commissioner including the Chairman of the Chittagong Paurashava to be appointed by the Government;
- (iv) not more than three other members appointed by the Government; and
- (v) the Deputy Police Commissioner (Traffic), who shall be *ex-officio* Secretary.”; and
- (7) in the Third Schedule,—
- (a) against item No. 5 in the first column, in the second column, for the word "Ditto" the words "Existing boundary of the district except the areas within the boundary of the Chittagong Metropolitan Area" shall be substituted;
- (b) against item No. 6 in the first column, for the word "Ditto" the words "Existing boundary of the district" shall be substituted; and
- (c) after item No. 20 in the first column and the entries relating thereto in the second and third columns, the following shall be added, namely:—
- |               |                                   |    |                                   |
|---------------|-----------------------------------|----|-----------------------------------|
| “21. Jamalpur | Existing boundary of the district | of | Office of the Deputy Commissioner |
| 22. Bandarban | Existing boundary of the district | of | Office of the Deputy Commissioner |



|                                  |   |  |
|----------------------------------|---|--|
| 23. Chittagong Metropolitan Area | The areas within the boundary of the Chittagong Metropolitan Area | Office of the Deputy Police Commissioner (Traffic)." |
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By order of the  
Chief Martial Law Administrator

W. AHMED

*Deputy Secretary (RT).*

**Ports, Shipping and I.W.T. Division**

NOTIFICATION

Dacca, the 26th September 1982

**No. S.R.O. 343-L/82.**—In exercise of the powers conferred by section 10 of the Bangladesh Flag Vessels Ordinance, 1982 (XIV of 1982), the Government is pleased to make the following rules, namely:—

1. **Short title.**—These rules may be called the Bangladesh Flag Vessels (Protection) Rules, 1982.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

(a) "Corporation" means the Bangladesh Shipping Corporation established under the Bangladesh Shipping Corporation Order, 1972 (P.O. No. 10 of 1972); and

(b) "Ordinance" means the Bangladesh Flag Vessels (Protection) Ordinance, 1982 (XIV of 1982).

3. **Prohibition of carriage of cargoes of Bangladesh foreign trade.**—No sea-borne cargoes relating to foreign trade of Bangladesh shall be carried by a vessel, other than Bangladesh flag vessel, unless a general waiver has been announced or a certificate of waiver is issued under these rules.

4. **General waiver.**—(1) The Prescribed Authority may, after consultation with the Corporation and the Shippers Council of Bangladesh, by order, specify certain foreign trades of Bangladesh in respect of which, and certain sea-routes in which, the Bangladesh flag vessel shall not operate or is unable to offer shipping services and shall announce a general waiver in respect of such trades or, as the case may be, such routes.

(2) A general waiver under sub-rule (1) shall remain valid for such period and under such terms and conditions as may be specified in the order issued by the Prescribed Authority.

5. **Grant of a certificate of waiver for foreign trades cargoes.**—(1) Any person, other than an owner of a Bangladesh flag vessel, intending to carry cargo relating to foreign trade of Bangladesh from and to Bangladesh shall, in the form prescribed for this purpose, apply to the Prescribed Authority for issue of a certificate of waiver.

(2) On receipt of an application under sub-rule (1), the Prescribed Authority shall, after making such enquiry as may be necessary in this behalf, grant or reject the application.

(3) Before granting or rejection of an application under sub-section (2), the Prescribed Authority shall, as far as practicable, make endeavour to obtain approval of the Corporation for granting or, as the case may be, rejection of the application.

6. **Grant of certificate of waiver for coastal trade cargoes.**—The provisions of rule 5 shall, *mutatis mutandi*, apply in the case of issue of a certificate of waiver to carry coastal trade cargoes of Bangladesh.

7. **UNCTAD code of conduct.**—In disposing of an application for waiver under these rules, the Prescribed Authority shall give due consideration to such principles of UNCTAD code of conduct for liner conferences as are practicably applicable.

8. **Time of disposal of applications of waiver, etc.**—(1) All applications for a certificate of waiver shall be disposed of within 72 hours from receipt of such application. In case holidays intervenes, the application shall be disposed of within 12 hours of the resumption of office after such holidays.

(2) The decision of refusal to grant a certificate of waiver shall be communicated to the applicant in writing with a statement of reason thereof.

9. **Withdrawal or cancellation of certificate.**—A certificate of waiver issued under rules 5 and 6 may be withdrawn or cancelled if the particulars furnished by the applicant are, at a later stage, detected to be false, inaccurate or incomplete.

10. **Licence for joining or formation of liner conference.**—(1) Every owner of Bangladesh flag vessel shall, if he intends to join a liner conference or form a liner conference, apply in the form prescribed for this purpose for a licence to join or form a liner conference.

(2) No licence under sub-rule (1) shall be granted unless the applicant undertakes to comply with such conditions as may be specified in the application form or as may be issued by executive directions.

(3) The Prescribed Authority may, after making such enquiry and consultation with the Corporation as may be necessary, grant a licence for joining a liner conference on such conditions as may be specified in the licence.

(4) If the Prescribed Authority decides to reject the application, it shall communicate such decision to the applicant in writing with reasons therefor.



11. **Concellation of licence.**—The licence granted under rule 10 may be cancelled by the Prescribed Authority if it is found that the licence has violated any terms or conditions specified in the licence or such other conditions as might have been imposed after the issue of the licence in writing.

12. **Fee for licence, etc.**—No application for a licence under rule 10 shall be accepted unless it is accompanied by a non-refundable fee of Tk. 2,000 paid through bank draft in favour of the Prescribed Authority.

13. **Monitoring Committee.**—(1) There may be formed a Monitoring Committee consisting of such number of representatives from such authority as the Government may determine.

(2) The Monitoring Committee shall perform such functions and discharge such responsibilities as may be decided by the Government to ensure the protection of the Bangladesh flag vessel in accordance with the Ordinance and these rules.

By order of the  
Chief Martial Law Administrator  
AHMED SHAHRIAR CHOWDHURY  
*Deputy Secretary.*