

CHAPTER 120.

COLONIAL AND CONTRACT STEAMER (TRAFFIC).

[No. XVIII of 1914.]

[30th June, 1914.]

- Short title. 1. This Ordinance may be cited as the Colonial and Contract Steamer (Traffic) Ordinance.
- Interpretation. 2. In this Ordinance, unless the context otherwise requires,—
- “ steamer ” includes any vessel mechanically propelled;
 - “ colonial steamer ” means any steamer the property of or chartered by the colonial Government;
 - “ contract steamer ” means any steamer permanently or regularly worked on any river or creek of the colony, or along the coasts of the colony, in pursuance of any contract with or on behalf of the Government of the colony;
 - “ the contractor ” means any person or persons working a contract steamer.
- By-laws by Governor in Council: 3. The Governor in Council may make by-laws for the proper regulation of the traffic on or by any colonial steamer for keeping the approaches to the stellings provided by the colonial Government for the use of any colonial steamer free from obstruction to their convenient use by those steamers, and generally for the purposes of this Ordinance :
- Proviso. Provided that no by-law shall be deemed to affect, curtail, or take away from the contractor, during the continuance of existing contracts, any rights, privileges, powers, or advantages which he enjoys at the time of the passing of this Ordinance under or by virtue of the Colonial Steamer Traffic Ordinance, 1885, or any contract or by-laws made thereunder.
- (No. IV of 1885.)
- By-laws by the contractor. 4. The contractor may make by-laws for the proper regulation of the traffic on or by contract steamers and for keeping the approaches to the stellings provided by him for their use free from obstruction to convenient use by them.

5. The Inspector General of Police may make by-laws for the proper regulation of the traffic on or by colonial or contract steamers and on any stelling and on or along any street or road leading to a wharf or stelling at which any of those steamers stop. By-laws by Inspector General of Police.
6. Any by-laws made under this Ordinance may impose on offenders against them a penalty not exceeding twenty-four dollars, and they may provide for the detention of any vehicle, animal, craft, or thing. Infringement of by-laws. Penalty.
7. Everyone offending against any by-law made under this Ordinance shall be guilty of an offence punishable on summary conviction. Summary jurisdiction.
8. No by-law made under this Ordinance by the contractor or by the Inspector General of Police shall take effect unless and until it has been submitted to and confirmed by the Governor in Council, who may allow, or disallow, or alter it as he thinks proper. Confirmation of by-laws.
9. Any steamer temporarily worked by the contractor in pursuance of any contract with the Government shall, while it is actually employed, be deemed a contract steamer and be subject to the provisions of this Ordinance and to the regulations or by-laws now or hereafter in force relating to contract steamers, and shall during that time be deemed to be one of the steamers referred to in clause eighteen of the Contract of the thirtieth day of June, 1913, between Messrs. Sprostons, Limited, and the Government. Steamers temporarily worked by contractor to be deemed contract steamers.
- 10.—(1) Every order made and every by-law approved by the Governor in Council under this Ordinance, when published in the Gazette shall, until the Governor in Council revokes or alters it, have the same effect as if expressed in an Ordinance and be binding on all persons. Effect and evidence of order and by-laws
- (2) The production of the Gazette containing any order purporting to be made, or any by-law purporting to be approved, by the Governor in Council shall be conclusive evidence that the order or by-law was rightly made.
- 11.—(1) Everyone not employed on any colonial or contract steamer who, without authority to do so by any contract now or hereafter existing with the Government or by Provisions as regards the Demerara river ferry.

Penalty.

the Governor in Council, carries any passenger across the Demerara river for money or reward, from or to any place on the east bank thereof between the fort in Kingston, in the city of Georgetown, and the north-side line of plantation La Penitence, to or from any place on the west bank thereof within one mile on either side of the public ferry stelling there, shall be guilty of an offence punishable on summary conviction, and on conviction shall be liable to a penalty not exceeding forty-eight dollars, and the boat or craft used by that person may be seized and detained by any police or rural constable until the penalty is paid.

(2) The magistrate shall order the boat or craft to be sold within eight days after the conviction of the offender, unless the penalty and all costs (including the cost of taking care of the boat or craft) are sooner paid.

(3) When the boat or craft is sold, the proceeds arising from the sale, after deducting all expenses aforesaid, shall, so far as they suffice for the purpose, be applied to paying those costs and thereafter to paying the penalty.

(4) If the proceeds are not sufficient, the offender may be committed to prison, with hard labour, for the same period as that for which he might have been committed in default of paying a fine equal to the amount of the penalty remaining unpaid, after deducting whatever portion of the proceeds may have been available for that purpose.

Change of venue.

12. Where an offence against this Ordinance or any by-law made under it has been committed within the jurisdiction of one magistrate in the colony and the Attorney General certifies in writing that in his opinion the complaint for that offence can be more conveniently or fairly heard and determined by the magistrate of any other district in the colony, the magistrate of that other district may, and he is hereby required to do so, hear and determine the complaint as if the offence had been committed within his jurisdiction.

Saving.

13. The repeal of the Colonial Steamer Traffic Ordinance, 1885, shall not affect the validity of any by-laws made under or by virtue of that Ordinance and those by-laws shall continue in force notwithstanding that repeal until duly revoked or altered by the Governor in Council.