

ORDINANCE No. 18 OF 1914.

AN ORDINANCE to provide for the proper regulation of the Traffic on Steam Vessels of the Colonial Government and on Steam Vessels worked under Contract with the Colonial Government. A.D. 1914.

[30th June, 1914.]

BE it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

1. This Ordinance may be cited as the Colonial and Contract Steamer Traffic Ordinance, 1914. Short title.

2. In this Ordinance—

Interpreta-
tion of terms.

“ 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.

¹ See Ordinance No. 4 of 1864, p. 59.

² See Ordinance No. 2 of 1895.

“The Contractor” means any person or persons working any Contract Steamer.

Power to the Governor-in-Council to make bye-laws.

3. The Governor-in-Council may make bye-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 such Colonial Steamers, and generally for the purposes of this Ordinance: Provided always that no such bye-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 bye-laws made thereunder.

No. 4 of 1885, repealed by this Ordinance, see Section 13.

Power to the Contractor to make bye-laws.

4. The Contractor may make bye-laws for the proper regulation of the traffic on or by any Contract Steamer, and for keeping the approaches to the stellings provided by the Contractor for the use of any Contract Steamer free from obstruction to their convenient use by such Contract Steamers.

Power to the Inspector General of Police to make bye-laws.

5. The Inspector General of Police may make bye-laws for the proper regulation of the traffic on or by any Colonial or Contract Steamer and on any stelling and on or along any street or road leading to any wharf or stelling at which any Colonial or Contract Steamer stops.

Penalty on infringement of bye-laws and arrest of offender, etc.

6. Any bye-laws made under this Ordinance may impose on offenders against the same a penalty not exceeding twenty-four dollars, and such bye-laws may provide for the detention of any vehicle, animal, craft or thing.

Procedure.

7. Every person offending against any bye-law made under this Ordinance shall be guilty of an offence punishable on summary conviction.

Confirmation of bye-laws.

8. No bye-law made under this Ordinance by the Contractor or by the Inspector General of Police shall take effect unless and until the same has been submitted to and confirmed by the Governor-in-Council, who may allow, or disallow, or alter the same as the Governor-in-Council may think proper.

Steamers temporarily worked by Contractor to be deemed Contract Steamers.

9. Any steamer temporarily worked by the Contractor in pursuance of any Contract with the Government shall during such time as the same may be actually employed be deemed a Contract Steamer and shall be subject to the provisions of this Ordinance and to the Regulations or Bye-laws now or hereafter in force as regards Contract Steamers and shall during such time be deemed to be one of the Steamers referred to in Clause 18 of the Contract of the 30th day of June, 1913, between Messrs. Sproston, Limited, and the Government.

Effect and evidence of order and bye-laws.

10.—(1) Every order made and every bye-law approved by the Governor-in-Council under this Ordinance, when published in the *Gazette*, shall, until the Governor-in-Council revoke or alter the

same, have the same effect as if expressed in an Ordinance and shall be binding on all persons.

(2) The production of the *Gazette* containing any order purporting to be made, or any bye-law purporting to be approved, by the Governor-in-Council shall be conclusive evidence that the same has been rightly made.

11.—(1) Every person who not being employed on any Colonial or Contract Steamer or authorized to do so by any contract now or hereafter existing with the Government of this Colony or by the Governor-in-Council, carries any passenger across the River Demerara, for money or reward, from or to any place on the East Bank of the said River between the Port in Kingston, Georgetown, and the north-side line of Plantation La Penitence, to or from any place on the West Bank of the said River, within one mile on either side of the public Ferry Stelling there, shall be guilty of an offence punishable on summary conviction, and, being convicted thereof, shall be liable to a penalty not exceeding forty-eight dollars, and the boat or craft used by such person may be seized and detained by any police or rural constable until the penalty is paid; and the Magistrate shall order such boat to be sold within eight days after the conviction of such offender, unless such penalty and all costs (including the cost of taking care of such boat or craft) are sooner paid.

Provisions as regards the Demerara River Ferry.

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

(3) If such proceeds are not sufficient, the offender may be committed to prison, with hard labour, for the same period as 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 such proceeds may have been available for that purpose.

12. Where an offence against this Ordinance or any bye-law made thereunder 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 such offence can be more conveniently or fairly heard and determined by the Magistrate of any other district in the Colony it shall be lawful for the Magistrate of such other district in the Colony and he is hereby required, to hear and determine such complaint as if the offence had been committed within his jurisdiction.

Change of venue.

13. The Colonial Steamer Traffic Ordinance, 1885, is hereby repealed: Provided, however, that this repeal shall not affect the validity of any bye-laws made under or by virtue of the said Ordinance and such bye-laws shall continue in force notwithstanding such repeal until duly revoked or altered by the Governor-in-Council.

Repeal No. 4 of 1885 and Saving Clause.