

No. 16. *Motor Vehicles Insurance (Third-party Risks).* 1935.

TRINIDAD AND TOBAGO.

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No. 16—1935.

I ASSENT

[L.S.]

A. C. HOLLIS,
Governor.
25th June, 1935.

27th June, 1935.

AN ORDINANCE to amend the Motor Vehicles Insurance
(Third-party Risks) Ordinance, 1933.

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof as follows :—

Short title. **1.** This Ordinance may be cited as the Motor Vehicles
Insurance (Third-party Risks) (Amendment) Ordinance,
1935, and shall be construed as one with the Motor Vehicles
Ord. No. 39 of Insurance (Third-party Risks) Ordinance, 1933, hereinafter
1933. referred to as the Principal Ordinance.

New sections
16, 17 and 18
added to
Principal Ord. **2.** The Principal Ordinance is hereby amended by the
addition of the following sections, numbered 16, 17 and 18
respectively :—

Offences and
general
penalty.

16.—(1) Any person who by any act or omission
contravenes or fails to comply with the provisions of
this Ordinance, shall, unless a penalty is otherwise
specifically provided, be liable on summary conviction,

to a fine not exceeding one hundred dollars or to imprisonment with or without hard labour for any term not exceeding three months.

(2) Where a person is, by virtue of any power contained in this Ordinance or in any regulations made thereunder, required to do or to abstain from doing any act or thing and makes default in complying with any such requisition, it shall be lawful for a Magistrate on conviction, in addition to any other penalty which he may impose to order such person to comply with such requisition and to annex to any such order any condition as to time or mode of action or otherwise which he may think necessary to enforce compliance therewith.

(3) Every person who makes default in complying with any such order of the Magistrate may, in the discretion of the Court, be ordered to pay a sum not exceeding five dollars for every day during which he is thereafter in default or to be imprisoned with or without hard labour, until he has remedied his default : Provided that any such person shall not for such non-compliance be liable to the payment of any sums amounting in the aggregate to more than one hundred dollars or to imprisonment for any periods amounting in the aggregate to more than two months in addition to any other fine or term of imprisonment to which he may otherwise be liable.

17. If the driver of any motor vehicle who commits an offence under this Ordinance or any regulations made thereunder, refuses to give his name and address or gives a false name or address he shall be guilty of an offence under this Ordinance ; and it shall be the duty of the owner of the motor vehicle if required to give any information which it is within his power to give and which may lead to the identification and apprehension of the driver and if the owner fails to do so he shall be guilty of an offence under this Ordinance.

Refusing to give name or address or giving false name or address.

18.—(1) If any motor vehicle is used which does not comply with or contravenes any provision of this Ordinance or of any regulation, or of any order lawfully made under this Ordinance or any regulation ; or

Liability of driver and owner for offences.

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(2) If any motor vehicle is used in such a state or condition or in such a manner as to contravene any such provision ; or

(3) If anything is done or omitted in connection with a motor vehicle in contravention of any such provision ; then, unless otherwise expressly provided by this Ordinance —

- (a) The driver of the motor vehicle at the time of the offence shall be guilty of an offence unless the offence was not due to any act, omission, neglect, or default on his part ; and
- (b) The owner of the motor vehicle shall also be guilty of an offence, if present at the time of the offence, or if absent, unless the offence was committed without his consent and was not due to any act or omission on his part, and he had taken all reasonable precautions to prevent an offence.

Passed in Council this thirty-first day of May, in the year of Our Lord one thousand nine hundred and thirty-five.

J. O'CONNOR,
Clerk of the Council.