

TRINIDAD AND TOBAGO.

No. 49.—1920.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,

Governor.

27th November, 1920.

AN ORDINANCE to amend the Harbours Ordinance.

[27th November, 1920.]

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

Short title and
construction.

Ord. 181.

1. This Ordinance may be cited as the Harbours Ordinance, 1920, and shall be construed as one with the Harbours Ordinance, in this Ordinance called the Principal Ordinance.

Unlawful user
of licensed
boat.

2.--(1.) If any person uses any licensed boat, flat, or other craft (in this Ordinance referred to as a licensed boat) without the consent of the licensed owner of the boat, he shall on conviction by the Harbour Master be liable for each offence to a fine not exceeding two pounds.

(2.) But a person shall not be convicted under this section if he proves either—

- (a.) That he had reasonable cause to believe and did in fact believe in good faith that the owner of the licensed boat would, had he been present, have consented to the licensed boat being used in the manner in which it was used, or
- (b.) That he had reasonable cause to believe and did in fact believe in good faith that he had a right to use the licensed boat.

(3.) If any person is convicted under this section, the Harbour Master may, if he thinks fit, either in addition to or without inflicting any punishment, order that the person convicted do pay to the owner of the licensed boat either or both of the following sums, namely :—

- (a.) Such sum as, in the opinion of the Harbour Master, would have been charged if the licensed boat had been hired by the person convicted.
- (b.) Such sum as, in the opinion of the Harbour Master, represents fair compensation for any damage done to the licensed boat.

(4.) Nothing in this Ordinance shall prevent a prosecution under any other law, but so that a person shall not be punished twice for the same offence.

3. The Harbour Master shall have jurisdiction to settle all disputes between the owner of a licensed boat and any licensed boatman as to the accounting for or division of any fare received in respect of the user or hire of the licensed boat where the amount in dispute does not exceed two pounds, and for that purpose to order the payment of such sum not exceeding two pounds as in the opinion of the Harbour Master shall be due from either party to the other.

Disputes
between boat
owners and
boatmen.

4.—(1.) All offences against the Principal Ordinance or this Ordinance and the jurisdiction to settle disputes conferred on the Harbour Master may be prosecuted and exercised in manner directed by the Summary Conviction Offences (Procedure) Ord. 9 of 1918.

Procedure.

Ord. 9 of 1918.

(2.) Offences for which the fine or penalty does not exceed five pounds may be dealt with by the Harbour Master who for that purpose and for the purposes of his jurisdiction to settle disputes between boat owners and boatmen shall have all the powers and privileges of a magistrate.

Repeal.

5. Section fifty-two of the Principal Ordinance (which relates to the procedure for trying offences against the Principal Ordinance) is hereby repealed.

Passed in Council this nineteenth day of November, in the year of Our Lord one thousand nine hundred and twenty.

G. D. OWEN,
Clerk of the Council.