

General penalty for offences against Act. 1891, No. 46, sec. 80

89. Every person who is guilty of an offence against this Act shall, when no other penalty is fixed by this Act, be liable to a penalty not exceeding, if he is an owner, agent, or manager, fifty pounds, and if he is any other person ten pounds, for each offence; and, if the Inspector has given written notice of any such offence, to a further penalty not exceeding five pounds for every day after such notice that such offence continues to be committed. 5

General penalty for offences against rules.

Ibid, sec. 81

90. Every person who wilfully violates or neglects any provision of this Act, or any general or special or additional rule established hereby or hereunder, for the violation or neglect of which no penalty is hereby expressly imposed, shall for every such offence be liable to a penalty not exceeding ten pounds. 10

Recovery of penalties.

Ibid, sec. 82

91. (1.) All penalties imposed by this Act may be recovered summarily before two or more Justices of the Peace under "The Justices of the Peace Act, 1882," at the suit of the Inspector or at the suit of any other officer authorised in that behalf by the Minister. 15

Disposal of penalties recovered.

(2.) All penalties imposed by this Act shall, when recovered, be paid to the Public Account, and shall, except as mentioned in the next succeeding section, be carried to and form part of the Consolidated Fund. 20

Governor may direct penalty to be paid to person injured or to relatives of person killed.

Ibid, sec. 83

92. The Governor may direct—

(a.) That any penalty imposed for neglecting to send or cause to be sent notice of any accident as required by this Act, or for any offence against this Act which may have occasioned loss of life or personal injury, shall be paid to any relative, or among any relatives of the deceased person, or to the injured person, not being a person who occasioned or contributed to the accident or committed the offence; or 25

Or that portion be paid to person giving information.

(b.) That any portion of any penalty recovered under this Act shall be paid to the person giving the information whereby such penalty was recovered. 30

Procedure in prosecutions for offences.

Ibid, sec. 84

93. (1.) The description of any offence under this Act in the words of this Act shall be sufficient in law.

(2.) The owner, agent, or manager may, if he think fit, be sworn and examined as an ordinary witness in the case where he is charged in respect of any contravention or non-compliance by another person. 35

(3.) The Court shall, if required by either party, cause minutes of the evidence to be taken and preserved.

Notice may be served by registered letter.

Ibid, sec. 85

94. Except as hereinbefore mentioned in section *sixty*, all notices under this Act may be in writing or print, or partly in writing and partly in print; and all notices and documents required by this Act to be served or sent by or to the Minister or an Inspector may be either delivered personally or served and sent by post as a registered letter, and, if served or sent by post, shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending it shall be sufficient to produce the receipt for the registration of such letter. 40 45

Expenses of administering this Part of Act to be paid out of moneys appropriated.

Ibid, sec. 86

95. All costs and expenses incident to carrying the provisions of this Part of this Act into effect shall be defrayed out of moneys to be from time to time appropriated by the General Assembly for the purpose. 50

Saving of instruments and regulations.

Ibid, sec. 87

96. All Orders in Council, Proclamations, appointments, awards, orders, rules, and regulations made under any of the compiled Acts, and in force at the commencement of this Act, shall continue and be in force until new ones are made under the provisions of this Act. 55