



THE
CEYLON GOVERNMENT
GAZETTE

EXTRAORDINARY.

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PART II.—LEGAL.

DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

An Ordinance to amend the Weights and Measures Ordinance, 1876.

No. 8 of 1876.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

1 This Ordinance may be cited as the Weights and Measures (Second Amendment) Ordinance, No. of 1935.

Short title.

2 The following new section is hereby inserted immediately after section 17, and shall have effect as section 18, of the Weights and Measures Ordinance, 1876 :—

Insertion of new section 18 in Ordinance No. 8 of 1876.

18. (1) For the purposes of any test or verification of the copies of the standard weights and measures preserved under section 2—

Verification of the copies preserved under the Ordinance.

- (a) one set of copies of the standards declared by section 1 may be preserved by the Registrar-General; and
- (b) a person may be appointed by the Governor, by name or by office, to be or to act as Inspector of Weights and Measures for the Island.

(2) The person so appointed may at any time inspect and test or verify the copies of the standards preserved under section 2, and it shall be the duty of the authority by whom such copies are preserved to permit such inspection and to render all such assistance as may be necessary for such test or verification.

Objects and Reasons.

Under the Weights and Measures Ordinance, 1876, copies of the weights and measures declared by that Ordinance to be the standards for the whole Island are preserved by various local authorities and at each Kachcheri. Some of the copies in use have been found to be not quite accurate, owing to the wear and tear caused by frequent use over long periods. There is at present no provision in the Ordinance under which the accuracy of the copies of the standards in use throughout the Island can be tested.

2. Clause 2 of this Bill therefore adds to the principal Ordinance a new section which, by providing for the preservation of one set of copies of the standards by the Registrar-General, and for the appointment of an officer who will be empowered to inspect and test the accuracy of any copies of the standards in use, will make it possible to ensure accuracy and uniformity in the standards used throughout the Island.

PERI SUNDARAM,

Minister for Labour, Industry and

Colombo, September 13, 1935. Commerce.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

An Ordinance to amend the General Loan and Inscribed Stock Ordinance, No. 5 of 1921.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

Short title.

1 This Ordinance may be cited as the General Loan and Inscribed Stock Amendment Ordinance, No. of 1935.

Repeal of section 6 of Ordinance No. 5 of 1921 and substitution of a new section therefor.

2 Section 6 of the General Loan and Inscribed Stock Ordinance, No. 5 of 1921 (hereinafter referred to as "the principal Ordinance"), is hereby repealed and the following new section is substituted therefor :—

Redemption of debentures.

6. The debentures shall be redeemable either—

(a) at par on a fixed date to be declared at the time of issue of the debentures, such date being not later than sixty years from the date of the issue: provided that the Governor or the Crown Agents acting on his behalf may reserve the option to redeem the debentures at some earlier date on such conditions as may be declared at the time of issue; or

(b) by annual drawings at par, or at the option of the Governor or the Crown Agents acting on his behalf of purchase at or below par.

Amendment of section 13 of the principal Ordinance.

3 Section 13 of the principal Ordinance is hereby amended by the substitution for all the words from "after" to "afore-said," of the following :—

"The Governor shall, in the half year ending on the date specified in the terms of issue of the loan as that on which the first contribution to the sinking fund shall be taken, and in each subsequent half year,"

Amendment of section 15 of the principal Ordinance.

4 Section 15 of the principal Ordinance is hereby amended by the substitution for the words "on a date to be named when issuing the debentures", of the words "on a fixed date".

Amendment of section 23 of the principal Ordinance.

5 Section 23 of the principal Ordinance is hereby amended by the substitution for all the words from "and forwarded" where those words occur for the first time to the end of the section, of the following :—

"and disposed of in such manner as the Governor or the Crown Agents acting on his behalf may decide. Any debenture redeemed by purchase shall be cancelled and disposed of in like manner."

6 Section 25 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

Repeal of section 25 of the principal Ordinance and the substitution of a new section therefor.

25. All the inscribed stock which may be created under the provisions of this Ordinance shall be redeemable at par on a date to be named in that behalf by the Crown Agents when issuing the stock, such date not being later than sixty years from the date of issue : Provided that the Governor or the Crown Agents acting on his behalf may reserve the option to redeem the stock in whole or in part, by drawings or otherwise, at any time prior to such date on such conditions as may be declared at the time of issue. From and after the date appointed for the redemption of the stock or any part of it all the interest on the principal moneys represented thereby shall cease and determine whether payment of the principal shall have been demanded or not.

Redemption of inscribed stock.

7 Section 27 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

Repeal of section 27 of the principal Ordinance and the substitution of a new section therefor.

27. The Governor shall, in the half year ending on the date specified in the terms of issue of the loan as that on which the first contribution to the sinking fund shall be taken, and in each subsequent half year, appropriate out of the said revenue and assets of the Colony of Ceylon for the formation of a sinking fund an additional sum equal to one-half of the annual contribution specified in the prospectus or in the case of a loan not issued publicly, in the terms of issue, relating to the loan in respect of the total nominal amount of such inscribed stock including any such inscribed stock as may at any time have been issued in exchange for debentures under the authority of this Ordinance, and shall remit that sum to the Crown Agents with the remittance hereinbefore mentioned.

Mode of providing for repayment of principal of inscribed stock.

8 Section 31 of the principal Ordinance is hereby amended in paragraph (d) thereof by the substitution for the words "any outstanding loans," of the words "any outstanding loans, whether issued before or after the commencement of this Ordinance,".

Amendment of section 31 of the principal Ordinance.

9 The following new section shall be inserted immediately after section 37, and shall have effect as section 37A, of the principal Ordinance :—

Insertion of new section 37A in the principal Ordinance.

37A. Upon the notification in the Gazette of any resolution passed by the State Council and approved by the Governor, that all privileges exemptions and immunities attaching by virtue of any written law in force in Ceylon to any debenture or inscribed stock issued for the purposes of any loan charged on the public revenue of Ceylon at any time prior to the twenty-first day of March, 1932, shall attach to any new debenture or inscribed stock issued in conversion of the earlier debenture or inscribed stock aforesaid, all such privileges exemptions and immunities shall accordingly attach to any such new debenture or inscribed stock issued or duly transferred to any individual not ordinarily resident in Ceylon or to any company or body of persons having its registered or principal office outside Ceylon or having its business actually controlled or managed from any place outside Ceylon.

Exemption from tax and duty in certain cases.

Objects and Reasons.

The General Loan and Inscribed Stock Ordinance, No. 5 of 1921, authorises the issue of debentures or of inscribed stock when power has been taken by Ordinance to raise money for public purposes, but contains no provision enabling an existing loan to be converted into a new loan on terms more advantageous to the Government. Under section 6 debentures must be redeemed either on the date fixed for that purpose at the time of the issue or by annual drawings or by purchase in the open market. Section 25 similarly provides that inscribed stock must be redeemed on the date specified at the time of issue. No provision exists in either case for taking advantage of the fluctuations in the money market, either to discharge or to lighten the burden of debt whenever a suitable opportunity occurs. The power to convert loans appears to be limited by section 31 to the conversion of loans which were outstanding at the time the Ordinance came into force.

