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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 :—

G 17a/L. D.—CF 3/38

An Ordinance to amend the Ordinance intituled An “ Ordinance to amend the Village Communities Ordinance, No. 9 of 1924.”

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 Village Communities (Second Amendment) Ordinance, No. . . . of 1938.

Short title.

2 In the event of the Bill intituled “ An Ordinance to amend the Village Communities Ordinance, No. 9 of 1924 ”, receiving the assent of His Majesty and taking effect as an Ordinance (hereinafter referred to as “ the First Amendment Ordinance ”) upon the signification of such assent by Proclamation published in the *Government Gazette*, the First Amendment Ordinance shall, with effect from the date of the publication of such Proclamation, be amended in section 4 thereof by the substitution for the new section 12 of the Village Communities Ordinance, No. 9 of 1924, (hereinafter referred to as “ the principal Ordinance ”), of the following :—

Clause 4 of the Village Communities Amendment Bill to be amended in the event of that Bill becoming law.

“ 12. At the election of a member for any ward of a village area, every person of either sex shall be qualified to vote, who—

Qualification of voter.

(a) is a British subject ; and

- (b) is not less than twenty-one years of age on the first day of May of the year in which the election is held ; and
- (c) is resident in that ward, and has been so resident for a continuous period of not less than six months during the eighteen months immediately preceding the date of the election :

Provided, however, that no person otherwise qualified under this section to vote at such election shall be entitled or permitted to vote, if such person—

- (i) is a labourer, or an overseer or kangany in charge of labourers, employed on any plantation and in occupation of any building on the plantation provided by the employer for the accommodation of any such labourer, overseer or kangany, or is the spouse or a child or a dependant of any such labourer, overseer or kangany and living with him in any such building on any such plantation ; or
- (ii) has been adjudged by a competent court to be of unsound mind ; or
- (iii) is at the date of the election disqualified by the operation of any order made by a court under section 18.” :

Provided that section 12 of the principal Ordinance as set out in this section shall not come into operation until the date on which the First Amendment Ordinance is brought into operation by Proclamation of the Governor under section 1 of that Ordinance.

Objects and Reasons.

The Bill intituled “ An Ordinance to amend the Village Communities Ordinance ” was passed by the State Council on December 10, 1937, and has been reserved for the signification of His Majesty’s pleasure. Clause 4 of that Bill made provision for the insertion in the Village Communities Ordinance, No. 9 of 1924, of a new section 12 which sets out the qualifications of voters entitled to exercise the franchise under the amended law. Under new section 12 an excepted person as defined in the Bill is not entitled to vote at any election in any ward of a village area provided that after the date on which a land tax is imposed in that area such person can vote if the owner of land within that area on which the land tax is payable.

2. The purpose of this Bill is to substitute a new section 12 for section 12 as set out in the Bill which has been reserved for the Royal Assent and to remove any discrimination against excepted persons in respect of the right to exercise the franchise under the amended law.

New section 12 as set out in this Bill provides that any person who has attained majority and has been resident in a ward for the prescribed period shall be qualified to vote, unless such person is a labourer, overseer or kangany employed on a plantation as defined in the principal Ordinance and in occupation of a building provided for his accommodation on that plantation. The disqualification of residence on a plantation in a building provided for a labourer, overseer or kangany by his employer will attach equally to all persons who are subject to the provisions of the Village Communities Ordinance.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.

Colombo, September 7, 1938.

MINUTE.

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

L. D.—O 54/38

No. 25 of 1909. **An Ordinance to amend the Contagious Diseases (Animals) Ordinance, 1909.**

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 Contagious Diseases (Animals) Amendment Ordinance, No. of 1938.

Amendment of section 5 of Ordinance No. 25 of 1909. **2** Section 5 of the Contagious Diseases (Animals) Ordinance, 1909, is hereby amended in sub-section (3) thereof, by the substitution, for the word “ Governor ”, of the words “ Executive Committee of Agriculture and Lands ”.

Objects and Reasons.

The powers and the functions vested in the Governor or in the Governor in Executive Council by the Contagious Diseases (Animals) Ordinance, 1909, have been delegated to the Executive Committee of Agriculture and Lands. There is no longer any reason for forwarding copies of declarations to the Governor under section 5 (3) of the Ordinance.

2. The object of this Bill is to amend section 5 (3) of the Ordinance by substituting the words "Executive Committee of Agriculture and Lands" for the word "Governor", in order that such copies of declarations may be forwarded to that Executive Committee.

B. H. ALUWIHARE,
Acting Minister for Agriculture and Lands.

Colombo, August 25, 1938.

MINUTE.

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

L. D.—O 58/38

An Ordinance to amend the Quarantine and Prevention of Diseases Ordinance, 1897. No. 3 of 1897.

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 Quarantine and Prevention of Diseases (Amendment) Ordinance, No. of 1938. Short title.

2 Section 3 of the Quarantine and Prevention of Diseases Ordinance, 1897, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the addition, immediately after the definition of "Diseased", of the following new definition :—
Amendment of section 3 of Ordinance No. 3 of 1897.

"aircraft" includes all balloons, whether fixed or free, kites, gliders, airships, airplanes, and other flying machines.

3 Section 5 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for the word "vessels" occurring in each of the paragraphs (a), (b), (c) and (e) of that sub-section, of the words "aircraft, vessels".
Amendment of section 5 of the principal Ordinance.

Objects and Reasons.

The object of this Bill is to extend to aircraft the application of the Quarantine and Prevention of Diseases Ordinance, 1897, and to enable charges to be levied in connexion with sanitary and medical services rendered to aircraft.

The Ministry of Health,
Colombo, August 22, 1938.

W. A. DE SILVA,
Minister for Health.

MINUTE.

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

L. D.—O 77/38

935/7/1 (FSO)

An Ordinance to amend the Tea Cess (Temporary Increase) Amendment Ordinance, No. 8 of 1934.

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 Tea Cess (Temporary Increase) Amendment Ordinance, No. of 1938. Short title.

2 The Tea Cess (Temporary Increase) Amendment Ordinance, No. 8 of 1934, is hereby amended in section 2 thereof by the substitution, for the words and figures "31st day of December, 1938" at the end of paragraphs (1) and (2) of that section, of the words and figures "31st day of December, 1943".
Amendment of section 2 of Ordinance No. 8 of 1934.

Objects and Reasons.

In order to provide an annual income for the Board of the Tea Research Institute of Ceylon, a cess of ten cents on every hundred pounds of tea exported from the Island was imposed by section 11 of the Tea Research Ordinance, No. 12 of 1925. By the Tea Cess (Temporary Increase) Ordinance, No. 12 of 1930, the rate of the cess was temporarily increased from ten cents to fourteen cents for the period January 1, 1931, to December 31, 1933. This period was extended to December 31, 1934, by the Tea Cess (Temporary Increase Continuation) Ordinance, No. 36 of 1933, and again to December 31, 1938, by the Tea Cess (Temporary Increase) Amendment Ordinance, No. 8 of 1934.

2. The Executive Committee of Agriculture and Lands has decided that the cess shall continue to be levied at the existing rate for a further period of five years ending on December 31, 1943.

3. The object of this Bill is to amend the Tea Cess (Temporary Increase) Amendment Ordinance, No. 8 of 1934, in order to give effect to the decision of the Executive Committee.

Colombo, August 27, 1938.

H. J. HUXHAM,
Financial Secretary.