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GAZETTE

EXTRAORDINARY.

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PART II.—LEGAL.

(Separate paging is given to each Part in order that it may be filed separately.)

DRAFT ORDINANCES.

MINUTE.

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

L D.—O 27/38

37/3/1 (FSO)

An Ordinance to enable the law to be modified with retrospective effect in consequence of the separation of Burma from India.

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 Separation of Burma from India (Consequential Provisions) Ordinance, No. of 1941. Short title.

2. (1) The Governor may, by Proclamation published in the *Gazette*, declare that, on and after a date to be specified in such Proclamation, any provision of any written law in which there occurs any expression set out in the first column of the Schedule shall have effect and shall from the date so specified be deemed to have had effect as though there were substituted for such expression, the expression set out in the corresponding item in the second column of that Schedule, and where two expressions are so set out in the second column of that Schedule, then either of such expressions as the circumstances of the case may require.

Governor authorised to modify existing law by Proclamation to give effect to separation of Burma from India.

(2) The date specified in a Proclamation under sub-section (1) may be a date prior to the date of the commencement of this Ordinance, but shall not be a date earlier than the first day of April, 1937, being the date on which Burma ceased to be a part of India under the Government of India Act, 1935, of the Imperial Parliament.

(3) In this section, "provision of any written law" means any provision of any written law which is specified in the Proclamation under sub-section (1) and is in force on the date of the commencement of this Ordinance.

SCHEDULE.

Column I.	Column II.
"India"	"India, Burma", or "India or Burma"
"British India"	"British India or British Burma", or "British India and British Burma"
"Indian Empire"	"India, Burma"
"Indian"	"Indian or Burmese"
"Indians"	"Indians, Burmese"

Objects and Reasons.

By the Government of India (Commencement and Transitory Provisions) Order, No 672 of 1936, April 1, 1937, was appointed as the date of the commencement of Part III of the Government of India Act, 1935 Section 46 (2), which occurs in Part III of the Government of India Act, provides that "Burma shall cease to be part of India." The separation of Burma from India therefore became legally effective on April 1, 1937

2 There are numerous references to India in the various Ordinances, rules, regulations and by-laws of Ceylon. The object of this Bill is to enable the Governor by Proclamation published in the *Gazette* to declare that the words "India, Burma" or "India or Burma" or such variations and combinations of these words as the context and the circumstances of the case may require, should be substituted with retrospective effect not earlier than April 1, 1937, in any provision of written law where the use of the word "India" was intended, to include a reference to Burma.

Colombo, September 10, 1941.

H. J. HUXHAM,
Financial Secretary.