



THE
CEYLON GOVERNMENT
GAZETTE

EXTRAORDINARY.

No. 8,589 — WEDNESDAY, MARCH 13, 1940.

Published by Authority.

PART I.—GENERAL.

GOVERNMENT NOTIFICATIONS.

CF 193.37

THE EMERGENCY POWERS (DEFENCE) ACT, 1939.

DEFENCE Regulation made by the Governor by virtue of the powers vested in him by section 1 of the Emergency Powers (Defence) Act, 1939, of the Imperial Parliament, as adapted, modified and extended to Ceylon by the Emergency Powers (Colonial Defence) Order in Council, 1939.

By His Excellency's command,

E. R. SUDBURY,
Secretary to the Governor.

Colombo, March 13, 1940.

REGULATION.

The Defence (Miscellaneous) Regulations published as a *Supplement to the Ceylon Government Gazette* No. 8,533 of October 20, 1939, are hereby amended as follows:—

1. In regulation 43,

(1) by the addition at the end of paragraph (1) of that regulation, of the following:—

“ Any such order may further provide that it shall be brought into operation in such manner as may be prescribed therein for the purpose of experiment or practice for any occasion of emergency or public danger.”;

(2) by the insertion, immediately after paragraph (1) of that regulation, of the following new paragraph:—

“(1A) For the purposes of the application of the provisions of section 3 of the Lighting Control Ordinance, No. 13 of 1939, compliance with any order under sub-paragraph (a) of paragraph (1) shall be deemed to be compliance with an express command within the meaning of that section of that Ordinance.”;

(3) by the insertion, immediately after paragraph (2) of that regulation, of the following new paragraph :—

“(2A) Where any proceedings are taken against any person in respect of a contravention of, or non-compliance with, an order made under the preceding provisions of this regulation, a certificate issued by or on behalf of the competent authority for any town, place or area to the effect that such order was in operation in that town, place or area on any day or at any time or during any period mentioned in the certificate, shall be conclusive evidence of the fact that such order was in operation in that town, place or area on that day or at that time or during that period, as the case may be.”; and

(4) by the insertion, immediately after paragraph (3) of that regulation, of the following new paragraph :—

“(4) Where any order made under the preceding provisions of this regulation is in conflict with any other written law, the order shall prevail and such written law shall be deemed to be modified by the order for the period during which the order is in operation :

Provided that any written law which is so deemed to be modified by any such order shall, when such order ceases to be in operation, have the same force and effect as if the order had not been made.”.

2. By the insertion, immediately after regulation 42 of the following new regulation :—

Traffic on
highways.

42A. Without prejudice to any other Defence Regulation, the Governor may by order provide for the regulation of traffic on highways, and, without prejudice to the generality of the power aforesaid, any such order may in particular provide—

- (1) for determining the routes to be followed by any particular class of vehicles proceeding on highways, either generally or in such circumstances as may be determined by or in accordance with the order ;
- (2) for prohibiting or regulating the use of vehicles or any class of vehicles on highways or the use by vehicles of specified roads or classes of roads, either generally or in such circumstances as may be so specified ;

and may be made so as to apply either generally or to any specified area, and may make different provision for different parts of the area to which the order applies.