



THE  
CEYLON GOVERNMENT  
GAZETTE

EXTRAORDINARY.

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No. 8,600 – WEDNESDAY, APRIL 10, 1940.

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*Published by Authority.*

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 84/39

**An Ordinance to amend the Lunacy Ordinance.**

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 Lunacy (Amendment) Ordinance, No. of 1940.

2. The following new section shall be inserted immediately after section 19 of the Lunacy Ordinance, and shall have effect as section 19A of that Ordinance:—

19A. (1) The Governor may, by Order, delegate to the Minister for Health any power, authority or function vested in the Governor by any of the preceding sections of this Ordinance, and may, in such Order, direct that for the purposes of such delegation the words "Minister for Health" shall be substituted for the word "Governor" in any place where that word occurs in any of the preceding sections of this Ordinance; and, where any such direction is given, the section of this Ordinance to which the direction relates shall be read and construed accordingly.

Cap. 177,  
Vol. IV., p. 417.

Short title.

Insertion of  
new section 19A  
in Chapter 177.

Delegation  
of powers,  
&c. of  
Governor.

(2) Every Order made under sub-section (1) shall be published in the Gazette and shall, upon such publication, have the force of law and be as valid and effectual as if it were herein enacted.

*Objects and Reasons.*

Article 94 of the Ceylon (State Council) Order in Council, 1931, empowers the Governor to delegate certain powers, authorities and functions to Officers of State, Executive Committees or Heads of Government Departments, but makes no reference to a delegation of any such power, authority or function to a Minister. It is, however, competent for the State Council to provide by Ordinance that the powers vested in the Governor by any written law may be delegated in such manner or to such person as may be prescribed in such Ordinance (Article 96 of the Order in Council).

2. The objects of this Bill are—

- (a) to enable the Governor to delegate to the Minister for Health any power, authority or function vested in the Governor by any provision of the Lunacy Ordinance (Chapter 177); and
- (b) to provide that, where any such delegation has been made, the relevant provisions of the law should be read and construed with such modifications as may be necessary to give effect to the delegation.

Colombo, April 4, 1940.

W. A. DE SILVA,  
Minister for Health.