



# 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 —

L D—O 54/43

**An Ordinance to amend the Rubber Control Ordinance,  
No 63 of 1938**

1941 Supple-  
ment  
Vol II, p 527

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 Rubber Control (Amendment) Ordinance, No of 1943, and shall come into operation on the first day of January, 1944

Short title  
and date of  
operation

2 Section 2 of the Rubber Control Ordinance, No 63 of 1938, (hereinafter referred to as "the principal Ordinance"), is hereby repealed, and the following new section substituted therefor —

Repeal of  
section 2 of  
Ordinance  
No 63 of 1938,  
and substitution  
of a new section  
therefor

2 Except in such circumstances and upon such conditions as may be prescribed, no rubber shall be exported from Ceylon by any person other than the Rubber Commissioner

Restriction  
on export of  
rubber

3 Sections 3, 4 and 5 of the principal Ordinance are hereby repealed

Repeal of  
sections 3,  
4 and 5 of  
the principal  
Ordinance

4 Section 6 of the principal Ordinance is hereby repealed and the following new section substituted therefor —

Repeal of  
section 6 of  
the principal  
Ordinance and  
substitution of  
a new section  
therefor

6 No person shall export any rubber plant from Ceylon except on a permit issued by the Controller

Exportation  
of rubber  
plants

5 Section 16 of the principal Ordinance is hereby repealed

Repeal of  
section 16 of  
the principal  
Ordinance

6 Section 17 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution, in paragraph (d) for the words "International Rubber Regulation Committee in terms of the Agreement", of the words "International Rubber Committee"

Amendment of  
section 17 of  
the principal  
Ordinance

7 Section 18 of the principal Ordinance is hereby amended in sub-section (3) (a) thereof as follows —

Amendment of  
section 18 of  
the principal  
Ordinance

- (1) by the substitution, for the words "to Controller", of the words "to the Controller", and
- (2) by the substitution, for the words "business of which he is the registered dealer contained", of the words "business in respect of which he is the registered dealer, which are contained"

8 Sections 23 to 36 (inclusive) of the principal Ordinance are hereby repealed

Repeal of  
sections 23 to  
36 of the  
principal  
Ordinance

9 Section 39 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution, for the words "permitted exportable amount", of the words "total quantity of the net exports of rubber"

Amendment of  
section 39 of  
the principal  
Ordinance

Repeal of sections 43 to 48 and sections 50 to 52 of the principal Ordinance

10 Sections 43 to 48 (inclusive) and sections 50 to 52 (inclusive) of the principal Ordinance are hereby repealed

Repeal of section 53 of the principal Ordinance and substitution of a new section therefor

11 Section 53 of the principal Ordinance is hereby repealed and the following new section substituted therefor —

New planting

53 No person shall, in the exercise of new-planting rights, plant rubber plants on any land except on a permit issued by the Controller and in accordance with such terms and conditions as may be prescribed

Amendment of section 54 of the principal Ordinance

12 Section 54 of the principal Ordinance is hereby amended by the repeal of sub-section (2) thereof

Amendment of section 58 of the principal Ordinance

13 Section 58 of the principal Ordinance is hereby amended in sub-section (1) thereof as follows —

- (1) by the substitution, in paragraph (d), for the words "International Committee under Article 16 of the Agreement," of the words "International Rubber Committee," and
- (2) in paragraph (e), by the substitution, for the words "International Rubber Regulation Committee", of the words "International Rubber Committee"

Amendment of section 59 of the principal Ordinance

14 Section 59 of the principal Ordinance is hereby amended as follows —

- (1) in sub-section (2), by the substitution, for the words "propaganda as set out in Article 19 (u) of the Agreement", of the word "propaganda", and
- (2) in sub-section (4), by the substitution, for the words "International Rubber Regulation Committee", of the words "International Rubber Committee"

Amendment of section 61 of the principal Ordinance

15 Section 61 of the principal Ordinance is hereby amended in sub-section (2) thereof as follows —

- (1) in paragraph (c), by the substitution for the words "notices, coupons, permits", of the words "notices, permits", and
- (2) by the omission of paragraph (g), and of paragraphs (l) and (m) thereof

Amendment of section 63 of the principal Ordinance

16. Section 63 of the principal Ordinance is hereby amended as follows —

- (1) in sub-section (1)—
  - (a) by the substitution, for the words "Subject to the provisions of sub-section (2), all notices, orders, certificates, coupons, stock export coupons, permits", of the words "All notices, orders, certificates",
  - (b) by the substitution, for the words "all such notices, orders, certificates, coupons, stock export coupons, permits", of the words "all such notices, orders, certificates", and

(2) by the repeal of sub-section (2) thereof

Repeal of section 69 of the principal Ordinance

17 Section 69 of the principal Ordinance is hereby repealed

Amendment of section 71 of the principal Ordinance

18 Section 71 of the principal Ordinance is hereby amended in sub-section (1) thereof as follows —

- (1) by the omission of the definitions of "Agreement", "basic quota", "exportable maximum", "permissible exportable amount", and "standard production",
- (2) by the omission of the definition of "International Rubber Regulation Committee", and the substitution of the following new definition —
 

"International Rubber Committee" means the International Committee constituted under the International Agreement for the time being in force for regulating the production and export of rubber,
- (3) in the definition of "rubber", by the omission of paragraph (b) thereof, and
- (4) in the definition of "rubber plant", by the omission of paragraph (e) thereof

19. Section 72 of the principal Ordinance is hereby amended by the substitution, for the words and figures " for a period of five years reckoned from the first day of January, 1939 ", of the words " until such date as may be appointed by the Governor by Proclamation published in the *Gazette* "

Amendment of  
section 72 of  
the principal  
Ordinance

*Objects and Reasons*

Although the International Agreement for the control of the production and export of rubber will cease to be in force on 31st December this year, negotiations are now proceeding in England for the re-introduction of that control even in a modified form. For the purposes of any such control it will be necessary to keep up-to-date the statistics hitherto collected and recorded in Ceylon, to continue to levy the export duties on rubber and to maintain the Rubber Control Fund, as provided by the Rubber Control Ordinance, No 63 of 1938. As that Ordinance will also expire on 31st December, it is proposed in this Bill to extend its duration after repealing the provisions relating to the present scheme of control and making the necessary minor and consequential amendments.

D S SENANAYAKE,  
Minister for Agriculture and Lands  
Colombo, 30th November, 1943