

VERNMENT GAZETTE CEYLON

EXTRAORDINARÝ

No. 9,249 — TUESDAY, MARCH 21, 1944.

Published by Authority.

PART I.—GENERAL.

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

GOVERNMENT NOTIFICATIONS.

L. D.-CF. 8A/42.

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

ORDER made by the Governor under regulation 43D of the Defence (Miscellaneous) Regulations.

By His Excellency's command,

H. A. C. Dobbs,

21st March, 1944.

Acting Secretary to the Governor.

Order.

1. This Order may be cited as the Controlled Articles (Paper) Order, 1944, and shall come into force on the date of its publication in the Gazette.

2. In this Order unless the context otherwise requires-

"advertising circular" means anything composed of or containing paper and distributed in substantially identical form to more than 12 persons for purposes of advertising, but shall be deemed not to include

of advertising, but shall be deemed not to include any diary containing advertising matter on not more than eight pages thereof;

"Controller" means the person for the time being holding the office of Controller of Paper by virtue of appointment made by the Governor, and includes any person for the time being holding the office of Deputy or Assistant to the Controller;

"Tanger" includes all descriptions (whether herecepeans and

includes all descriptions (whether homogeneous or laminated) of paper, paperboard, pulpboard, wallboard, and fibreboard, which are produced wholly or mainly either from vegetable fibres or a pulp thereof or both from such fibres and such pulp; but does not include carbon paper, typewriting stencils, duplicating paper imported as such, toilet paper or

crepe paper;
"permit" means a permit issued by the Controller under

this Order.
"print" with its grammatical variations and cognate expressions includes the modes of taking impressions by letter press and lithography.

Paper is hereby declared to be a controlled article within the meaning and for the purposes of regulation 43p of the Defence (Miscellaneous) Regulations.

PART I.

Control of use of Paper generally.

4. (1) Except with written permission granted by the Minister for Labour, Industry and Commerce under this Order no person shall print or publish any magazine, journal

or ephemeris, or any book, brochure, pamphlet, price-list, sale catalogue or other similar matter.

(2) Nothing in the preceding provisions of this paragraph shall apply to the printing or publication, by the Government Printer, of any book, journal, brochure, pamphlet or other similar matter.

similar matter.

(1) No person shall purchase from any printer or order any printer to print or rule any form, bill-head, voucher, note paper for commercial purposes or other similar paper intended to be written upon, unless such person is authorised by a permit issued to him by the Controller to make such purchase from or to place such order with such printer. , (2) No printer shall—

(a) print or rule any description of paper referred to in subparagraph (1) upon the order of any person unless the printer is satisfied that that person has been authorised by a permit, issued under that sub-

paragraph, to place such order; or

(b) sell or supply any description of paper referred to in
sub-paragraph (1) to any person unless that person
is the bolder of a permit authorising him to purchase

such paper.

6. (1) No person shall print or rule or order any form, billhead, voucher, note paper for commercial purposes or other similar paper intended to be written upon, unless the size of such form, bill-head, voucher, note paper or other such paper is reduced as follows, that is to say, where the corresponding form, bill-head, voucher, note paper or other such paper printed, ruled or used by such person prior to the fifth day of March, 1943, is of a size specified in column 1 hereunder, the size of the new form, bill-head, voucher, note paper or other such paper does not exceed that specified in the corresponding entry in column 2:-

. 2 Larger than folio folio Folio or any size between folio and quarto quarto Quarto or any size between quarto and sexto sexto Sexto or any size between sexto and octavo octavo Octavo or any size between octavo and 12mo 12mo 12mo or any size between 12mo and 16mo 16mo 16mo or any size between 16mo and 24mo 24mo or any size between 24mo and 32mo 24mo32mo 32mo or any size between 32mo and 48mo 48mo 48mo or any size between 48mo and 64mo 64mo

(2) Every printer shall print or affix the imprint furnished by him under paragraph 17 (6) of this Order on every form, bill-head, voucher, note paper or other such paper as aforesaid printed by him after the date on which this Order comes into force, and shall forward to the Controller, before the tenth day of each month, a copy of every such form, bill-head, voucher, note paper or other such paper printed or ruled by him during the preceding month, together with a copy of the corresponding form, bill-head, voucher, note paper or other such paper last printed or ruled by him for the same person prior to the fifth day of March, 1943.

(3) In any case where it is not possible to comply with the terms of the foregoing sub-paragraph by reason of the fact (2) Every printer shall print or affix the imprint furnished

(3) In any case where it is not possible to comply with the terms of the foregoing sub-paragraph by reason of the fact that no form, bill-head, voucher, note paper or other such paper as aforesaid was previously printed or ruled by the printer for the customer in question, such printer shall, before printing or ruling any form, bill-head, voucher, note paper, or other such paper for that customer, submit the "copy" thereof (stating the size) to the Controller for his approval to be certified in writing upon the said "copy".

(4) The Controller may in his discretion order the variation of the format, or the further reduction of the size, of any form,

of the format, or the further reduction of the size, of any form, bill-head, voucher, note paper, or other such paper as afore-said the superficial area of which, notwithstanding the reduction in size effected in compliance with the terms of the foregoing sub-paragraphs, is still, in his opinion, excessive.

7. (1) No person shall manufacture or print any diary, calendar or almanac intended for gratuitous distribution.

(2) Except under the authority of a permit, no person shall manufacture or print any diary, calendar or almanac intended for sale. intended for sale.

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- 8. No person shall, in connexion with the printing, publication, distribution, sale or other disposal of any magazine or periodical, insert therein any loose advertising matter unless that advertising matter was printed or made before the sixteenth day of January, 1943.
 - 9. No person shall-
 - (a) print or make any poster exceeding 788 square inches in area:
 - (b) exhibit any poster exceeding 788 square inches in area unless that poster was printed or made before the sixteenth day of January, 1943;
 - (c) affix any poster within 100 feet of any other poster displaying identical or substantially identical advertising matter unless each poster is affixed within or at any entrance to any premises and the matter displayed on each poster relates to services rendered in those premises; or
 - (d) print or make any poster or exhibit any poster advertising or relating to the business of any moneylender, or to any race meeting or totalizator.
- (1) No person shall print or make any advertising or trade circular relating to the sale of any goods, or to any profession, trade or business.
- (2) Nothing in sub-paragraph (1) shall apply to the printing or making of-
 - (a) circulars relating to sales by auction;
 - (b) circulars relating to the letting or sale of premises;
 - (c) insurance particulars to be sent in response to a request;
 - (d) lists of stocks and shares;
 - (e) circulars relating to seeds, plants or fertilisers to be sent in response to a request.
- No person shall produce from paper except from paper specially cut or prepared for the purpose before the sixteenth day of January, 1943,—
 - (a) any greeting card or other paper greeting or any invitation, wedding or funeral card exceeding 41 inches by 31 inches in size;
 - (b) any greeting card, view card or picture postcard intended to be exposed or offered for sale;
 - (c) any serviette, d'oyley, handkerchief (other than hand-kerchiefs for use in any hospital or sanatorium or for any dental or medical purposes), facial t ssue, cleansing tissue, cup, saucer, plate, table-cloth, table-mat, drip mat, or other table stationery, festoon, lantern, decoration, confetti or cracker;
 - (d) any advertising show card, advertising display card, advertising novelty, counter display or window display device;
 - (e) any menu card or bill of fare having a total area (measured on one side of each of its sheets including any cover) greater than 40 square inches;
 - (f) any carton designed for use as a dummy carton;
 - (g) any programme relating to any entertainment or race or sports or athletic meeting and having a total area (measured on one side of each of its sheets including any cover) greater than 80 square inches;
 (h) any compliment slip or visiting card other than a
 - visiting card apparently intended for use solely in connexion with a trade, business or profession;
 - (i) any card or ticket, intended to be used for the purposes of a system of rationing any articles among the members of any club, hostel or other institution, exceeding 2½ inches by 1¾ inches in size;

 (j) any sweep ticket, coupon or voucher exceeding 3½ inches
 - by 21 inches in size;
- 12. Except under the authority of a permit, no person shall-
 - (a) use or permit to be used clean newsprint for the purpose of wrapping or packing goods or as draft or scribbling
 - (b) sell or offer for sale any clean newsprint.
- 13. No person shall in wrapping or packing any article in the course of manufacture or for wholesale distribution—
 - (a) use any greater quantity of paper wrapping or packing material than such as is reasonably required for the protection of the article; or
 - (b) use any paper wrapper, carton or container, the substance or caliper of which exceeds what is reasonably
 - required for the protection of the article; or
 (c) separately wrap or pack in or with paper any single
 wooden or metal container or collapsible metal tube, except for the purpose of securing its safe transit as a separate parcel when it is to be sent by rail
- (1) No person who carries on the business of selling goods by retail shall provide any paper (other than old newspaper) for the wrapping or packing of those goods except in the case of foodstuffs or of an article which he has agreed to deliver by rail or post at some place other than the premises at which he carries on such business.

- (2) No person shall, in connexion with or for the purposes of any sale by retail or any delivery otherwise than in the course of wholesale distribution-
 - (a) wrap or pack in or with paper any article which does not reasonably require any such packing for its protection: or
 - (b) use in the wrapping or packing of any article any greater quantity of paper wrapping or packing than is reasonably required for the protection of the article (including such as is reasonably required for its safe transit if the article is to be sent by rail or post;
 - (c) separately wrap or pack in or with paper any single wooden or metal container or collapsible metal tube, except for the purpose of securing its safe transit as a separate parcel when it is to be sent by rail or post.
- 15. No person shall use or permit to be used any paper for the purpose of wrapping or packing any laundry soap, household soap or toilet soap.
- (1) No person shall, in wrapping or packing any article in connexion with or for the purposes of any sale (whether wholesale or retail) or any delivery—
- (a) insert inside any wrapping or packing or carton or container any advertising matter;
- (b) affix to any wrapping or packing or carton or container any label or other paper, unless-
 - (i.) the label or other paper so affixed is necessary for the identification, transport or use of the, article or articles contained in the wrapping packing, carton or container to which it is affixed, and either the matter printed or made on the label or other paper cannot reasonably be printed or made on the wrapping, packing, carton or container itself or the wrapping, packing, carton or container is intended to be returned; and
 - (ii.) the aggregate area of any labels or paper so affixed does not exceed 20 square inches, provided that in calculating that area there shall be excluded therefrom any part of the label or paper upon which there is printed or made any instruction for the use of any article.
- (2) Notwithstanding the provisions of sub-paragraph (1) any person may insert inside any wrapping or packing or carton or container any circular which was printed or made before the sixteenth day of January, 1943, or which under
- paragraph 10 of this Order a person is entitled to print.

 (3) For the purposes of this paragraph the expression "advertising matter" does not include instructions for the use of any article.
- (1) After such date as the Controller may specify by notification published in the Gazette, no person shall carry on business as a printer, binder or ruler of paper unless he is for the time being registered under this Order as a printer, binder or ruler of paper.
- (2) No person shall carry on business as a retail trader in paper unless he is for the time being registered under this Order or under any Order rescinded by this Order as a retail
- (3) After such date as the Controller may specify by notification published in the Gazette, no person shall carry on business as a manufacturer of paper unless he is for the time being registered under this Order as a manufacturer. In this sub-paragraph, " person " includes a Government Department.

(4) Every application for registration under this Order as a printer, binder or ruler of paper or as a retail trader in paper or as a manufacturer of paper shall be made to the Controller in writing and shall specify the premises at which the applicant carries on or proposes to carry on his business.

(5) The Controller may in his discretion decide whether

- or not any applicant for registration under sub-paragraph (1), sub-paragraph (2) or sub-paragraph (3) is to be registered, and shall forthwith notify to such person his decision in writing. The Controller shall issue to every person who is registered by him as a printer, binder or ruler of paper or as a retail trader in paper or as a manufacturer of paper a certificate to the effect that such person has been so registered.
- (6) Every person who is registered under this Order as a printer shall forthwith furnish to the Controller a specimen of the imprint used by him on matter printed by him.
- (7) The Controller may cancel the registration of any person as a printer, binder or ruler of paper or as a retail person as a princer, officer of ruler of paper of as a retain trader in paper or as a manufacturer of paper if the Controller is satisfied, after such inquiry as he may deem necessary, that such person has contravened or failed to comply with any provision of this Order. The Controller shall forthwith notify in writing to such person that his registration has been cancelled.
- (8) If the Controller refuses to register any applicant for registration under the preceding provisions of this paragraph, or cancels, any registration granted to any person under

those provisions, such applicant or person may appeal to the Minister for Labour, Industry and Commerce within 14 days from the date of the receipt of the notice communicating the decision of the Controller. Every such appeal shall be made in the English Sinhalese or Tamil language, and shall contain a concise statement of the ground upon which the appeal is

- 18. Except under the authority of a permit, no printer, binder or ruler of paper or retail trader in paper shall appropriate to his own use any quantity of paper kept by him for the purposes of trade or business.
- (1) No retail trader in paper or manufacturer of paper shall sell or supply any quantity of paper to any person unless that person is the holder of a permit authorising him to purchase or acquire that quantity of paper or otherwise than in accordance with such terms and conditions as may be specified in the permit.

(2) No person shall purchase or otherwise acquire any quantity of paper unless he is the holder of a permit authorising him to purchase or otherwise acquire that quantity of paper.

20. Except under the authority of a permit, no printer binder or ruler of paper or retail trader in paper shall produce from paper or cut up any paper for the purpose of manufacturing any account book, check roll, writing pad, scribbling block, exercise book, drawing book or any blank or ruled book or stationery of any description.

In this paragraph "stationery" includes envelopes and

covers, of any description whatsoever, for enclosing letters or

other documents.

21. (1) The Controller may in his discretion-

(a) refuse to grant a permit under this Order to any appli-

cant therefor;

(b) determine and specify in any permit granted under paragraph 18 or paragraph 19 or paragraph 20 the quantity of paper which any such applicant may be authorised to appropriate or purchase or cut up or use, as the case may be;

(c) determine and specify in any permit granted under this Order the terms and conditions subject to

which such permit is granted;
(d) alter, add to, or rescind any of the terms and conditions of any permit.

(2) Every person to whom a permit is granted under this Order shall comply with the terms and conditions specified in such permit.

- (3) No person to whom a permit is granted under this Order shall use any paper obtained on such permit for any purpose other than the purpose specified in the application made in respect of that permit.
- (1) Every printer, binder and ruler of paper and every retail trader in paper shall-
 - (u) keep and maintain, in such form as may be approved by the Controller for the purpose, such records, relating to stocks of paper printed, held, purchased, acquired, sold, used or otherwise disposed of by him in the course or for the purposes of his business, as the Controller may from time to time require for the purposes of this Order;

(b) keep and maintain a job register and shall, before commencing to print, bind or rule any paper upon the order of any customer, enter therein, the name of that customer, the date on which the order of that customer was received and a full description of the

work to be done for that customer;
(c) furnish to the Controller such returns and information, relating to such stocks and to the printing, purchase, acquisition, use or disposal of such stocks, as the Controller may from time to time require for the purposes of this Order.

- (2) Every manufacturer of paper shall keep and maintain in such form as may be approved by the Controller for the purpose, such records relating to stocks of paper manufactured by him as the Controller may from time to time require for the purposes of this Order.
- 23. Nothing in this Order shall be taken to prohibit or restrict-
 - (a) the printing, making, publication, distribution or production of any article intended for export;
 - (b) the insertion of loose advertising matter in any newspaper, news-bulletin, magazine or periodical intended for
 - (c) the insertion of advertising matter inside the wrapping, packing, carton or container of any article intended for export or the affixing to any such article of any advertising matter; or
- (d) the wrapping or packing of any article for the purposes of or in connexion with export trade or business.
- 24. The Controller or any officer authorised by him in writing may, for the purpose of verifying the correctness of any information furnished or any record maintained by any printer, binder or ruler of paper or retail trader in paper or

manufacturer of paper in pursuance of this Order, or for the purpose of securing compliance with the provisions of this Order—

- (a) enter the premises at which such printer, binder, ruler, trader or manufacturer carries on business; and
- (b) inspect any stock of paper kept on the premises and inspect and take copies of any records, books or accounts kept by such printer, binder, ruler, trader or manufacturer (whether in pursuance of this Order or otherwise) in relation to his stock of paper.
- 25. Every return furnished under this Order shall be verified by a declaration, signed by the person furnishing the return, to the effect that the particulars set out in such return are true and accurate.
- 26. In any case where it is proved to the satisfaction of the Controller that special circumstances exist, he may, by granting a licence or issuing special or general directions, authorise the doing of any act which would otherwise be prohibited by any provision of this Order.

PART II.

Control of use of newsprint for newspapers.

- 27. In this Part, unless the context otherwise requires-
- "bi-weekly newspaper" means a newspaper which is ordinarily published twice in each week;
- "daily newspaper" means a newspaper which is ordinarily

published not less than six times in each week; "fortnightly newspaper" means a newspaper which is ordinarily published once in two weeks;

"newspaper" means any periodical publication which con-tains public news or comments on public news and which is published at intervals of not more than fifteen days, and includes a news bulletin;

"week" means a period of seven days beginning with a Monday;

- "weekly newspaper" means a newspaper which is ordinarily published once in each week.
- 28. Except with the written permission granted by or under the authority of the Minister for Labour Industry and Commerce under this Order or under any Order rescinded by this Order, no person shall-
 - (a) print or publish any newspaper that was not printed in Ceylon and published therein before August 17, 1942;
- (b) publish any newspaper at more frequent intervals than those at which it was being published in Ceylon during the year immediately preceding that date or with more pages over any period of four weeks than were included in its issues during the four weeks immediately preceding the date on which this Order comes into force.
- 29. (1) The area of a page of a newspaper which was printed or published in Ceylon before the date on which this Order comes into force shall not exceed the area of the largest page which that newspaper had on any day during the 30 days immediately preceding that date.

(2) The area of a page of a newspaper which was not printed or published in Ceylon before the date on which this Order comes into force shall not exceed such area as the Controller may determine for a page of that newspaper.

(1) No person shall print or publish a daily newspaper in which the space occupied by advertisements during a week exceeds the space occupied by news during that week:

(2) No person shall print or publish a bi-weekly weekly, or (2) No person shall print or publish a bi-weekly weekly, or fortnightly newspaper in which the space occupied by advertisements during a period of 4 weeks exceeds the space occupied by news during that period.

(3) No person shall print or publish a newspaper in which any advertisement exceeding 44 column-inches in size is included

31. (1) Subject to the provisions of sub-paragraph (2), the aggregate of the number of pages in the issues of a daily newspaper during any week shall not exceed the maximum number of pages specified in the appropriate column in Part I. of the Schedule hereto.

(2) Where during any week, a daily newspaper is not published on any day on which it would ordinarily have been published or on any day which is a public holiday within the meaning of the Holidays Ordinance (Chapter 135), the maximum number of pages, relating to that newspaper, specified in Part I. of the Schedule hereto shall be proportionately reduced either in respect of that week or in respect of the

next succeeding week.

(3) The number of editions in any day of a daily newspaper which was printed or published in Ceylon before the date on which this Order comes into force shall not exceed the largest number of editions which such newspaper had on any day during the 30 days immediately preceding that date.

(1) Subject to the provisions of sub-paragraph (2), the aggregate of the number of pages in the issues of a bi-weekly, weekly or fortnightly newspaper during any period of four weeks shall not exceed the maximum number of pages speci-

weeks shall not exceed the maximum number of pages specified in the appropriate column in Part II. of the Schedule hereto.

(2) Where during any period of four weeks a bi-weekly, weekly or fortnightly newspaper is not published on any day on which it would ordinarily have been published or on any day which is a public holiday within the meaning of the Holidays Ordinance (Chapter 135), the maximum number of pages, relating to that newspaper, specified in Part II. of the Schedule hereto shall be proportionately reduced either in respect of that period or in respect of the next succeeding period of four weeks. period of four weeks.

(3) The number of editions in any day of a bi-weekly, weekly or fortnightly newspaper which was printed or published before the date on which this Order comes into force shall not exceed the largest number of editions which such newspaper had on any day during the 30 days immediately

preceding that date.

33. The persons liable for a contravention of the provisions of paragraph 29, 31 or 32 in the case of any newspaper shall be the printer and the publisher of that newspaper.

- 34. No person shall, in connexion with the printing, publication, distribution, sale or other disposal of any newspaper, insert therein any loose advertising matter, unless that advertising matter was printed or made before January 16, 1943.
- . 35. (1) No proprietor or publisher of any newspaper shall either directly or through an agent accept in any calendar month the return of unsold copies in excess of one per centum of the total number of copies of such newspaper printed and distributed for sale by him in that month, nor shall any allowance, payment, repayment or other consideration be eason of any copies in excess of such proportion

being unsold.

(2) Nothing in sub-paragraph (1) of this paragraph shall be taken to restrict or prohibit the purchase, sale, requisition or disposal of any newspapers as waste paper, subject to any provisions which may be in force in relation to waste paper.

36. Nothing in the preceding provisions of this Order shall apply to any newspaper intended exclusively for circulation outside Ceylon.

PART III.

Repeals and savings.

37. The following Orders under regulation 43D of the Defence (Miscellaneous) Regulations are hereby rescinded:—

The Controlled Articles (Paper) Order published in Gazette No. 8,919 of April 24, 1942.

The Controlled Articles (Paper) (No. 2) Order published in Gazette No. 8,988 of August 17, 1942.

The Controlled Articles (Paper) (No. 3) Order published in Gazette No. 9,067 of January 16, 1943.

The Controlled Articles (Paper) (No. 2) Amendment Order published in Gazette No. 9,088 of February 19, 1943.

The Controlled Articles (Paper) (No. 3) Amendment Order published in Gazette No. 9,094 of March 5, 1943:

Provided that such rescission shall not affect or be deemed

- (a) any permission granted under the Controlled Articles (Paper) (No. 2) Order to any person to print or publish any newspaper;
- (b) any permission granted by the Governor under the Controlled Articles (Paper) (No. 2) Amendment Order, to any person to print or publish any book journal, brochure, pamphlet, price list, sale catalogue or other similar matter, and any permission so granted shall be deemed to have been granted by the Minister for Labour, Industry and Commerce under paragraph 4 of this Order; or
- (c) the registration of any person, under the Controlled Articles (Paper) (No. 3) Order, as a retail trader in paper.

Schedule.

PART I.

Maximum number of pages allowed in respect of a daily newspaper for any week.

	Where price of newspaper does not exceed 5 cents.	Where price of newspaper exceeds 5 cents but does not exceed 10 cents
Class A newspaler	24	36
Class B newspaper	12	24
Class C newspaper	, 24	

PART II.

Maximum number of pages allowed for any period of four weeks.

	Where price of newspaper does not exceed 5 cents.	Where price of newspaper exceeds 5 cents but does not exceed 10 cents.	a newspaper exceeds 10 cents but does not
Bi-weekly news-paper Class B newspape Class B newspape Class C newspape Class C newspape Class C newspape Class B newspape Class C newspape Class B newspape Class B newspape Class B newspape Class C newspape C n	r 32 r 16 r 12 r 16	64 32 24 32 	64

In this Schedule-

"Class A newspaper" means a newspaper, the area of each page of which is not less than 390 square inches,
"Class B newspaper" means a newspaper, the area of each page of which is less than 390 square inches, but is not less than 200 square inches, "Class C newspaper" means a newspaper, the area of each page of which is less than 200 square inches;

and in computing the area of any page of such newspaper, margins and other spaces clear of print shall be included.

UNDER Regulation 17 (1), (2) and (3) of the Controlled Articles (Paper) Order, 1944, printers, binders, rulers, retail traders in paper and manufacturers of paper are hereby required to make application for registration. Applications should be addressed to the Controller of Paper, No. 47, Ward place, Colombo.

Applications for registration as printers, binders and rulers should be forwarded as above to reach this Office not later than 12 noon of April 5, 1944, and such applications should

- (1) Full name and address of the printer, binder or ruler. (2) Address of the premises at which it is proposed to carry on business.
- (3) Applicants should state whether it is proposed to carry on business as printer, binder or ruler or all or any one of these businesses.

Applications for registration as Retail Traders in paper may be made at any time, should give reasons in support and the address at which it is proposed to carry on business.

Applications for registration as manufacturers of paper should reach this Office not later than 12 noon on Saturday, April 29, 1944, should state the full name and address of the applicant, and the address at which it is proposed to carry on

business as a manufacturer of paper.

The name of the town or village (if there is no post office in the village, the name of the post office serving the village) should be stated.

Receipt of application will be acknowledged within ten days, Should no acknowledgment be received within 15 days, attention should be invited, giving date and details of application.

Office of the Controller of Paper, 47, Ward place, Colombo, March 21, 1944.

A. C. RICHARDS. Controller of Paper.