



THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

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PART I.—GENERAL.

GOVERNMENT NOTIFICATIONS.

L. D.—CF. 33/42

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

Appointment of Competent Authority.

BY virtue of the powers vested in me by regulation 3 of the Defence (Miscellaneous) Regulations, I, Andrew Caldecott, Governor of Ceylon, do hereby appoint every Government Agent to be a competent authority for his Province for the purpose of requisitioning bullock carts used or capable of being used in connection with the production, collection or distribution of food under regulation 37 of those Regulations; and accordingly the notification under the said regulation 3 published in *Gazette* No. 9,066 of January 15, 1943, shall be amended in Part I. of the Schedule thereto by the addition, immediately after item 4, of the item set out hereunder.

April 16th, 1944.

A. CALDECOTT,
Governor.

Item referred to.

Column 1. Officer.	Column 2. Area.	Column 3. Article.
4A. Government Agents	Their respective Provinces	Bullock carts used or capable of being used in connection with the production, collection or distribution of food.

CFD. 1193/1/43

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

ORDER made by the Governor under regulation 32 of the Defence (Miscellaneous) Regulations.

By His Excellency's command,
H. A. C. DOBBS,
Acting Secretary to the Governor.

Nuwara Eliya, 18th April, 1944.

Order.

1. This Order may be cited as the Port of Colombo (Dangerous Service Cargo) Order, 1944.

2. The Agent of any merchant vessel containing any Service cargo consisting of petroleum, ammunition or explosives shall communicate by SECRET letter to the Collector the following information as soon as such information is available:—

- (a) The name and approximate time of arrival of the vessel within the port;
- (b) The nature of the Service cargo in the vessel;
- (c) The person by whom such cargo is to be landed; and
- (d) The date on which it is proposed to start the landing of such cargo.

3. Except with the permission of the Collector previously obtained in that behalf, no Service cargo consisting of petroleum shall be discharged or landed from, or loaded into, any merchant vessel or lighter at any place within the port other than the Guide Pier.

4. No Service cargo consisting of petroleum, ammunition or explosives shall be loaded into any

lighter, or be discharged from any merchant vessel into any lighter, or be loaded into any merchant vessel from any lighter, within the Port, unless a Police officer is on board such lighter while such cargo is so loaded or discharged.

5. Except with the permission of the Collector previously obtained in that behalf, no Service cargo consisting of petroleum shall be kept or conveyed in any lighter within the Port between sunset and sunrise; and any such cargo intended to be loaded into any outgoing vessel shall, if it cannot be loaded into that vessel before sunset, be forthwith re-landed.

6. Except with the permission of the Collector previously obtained in that behalf, no lighter containing any Service cargo consisting of ammunition or explosives shall be moored, between sunset and sunrise, at any place within the Port other than the special moorings for dangerous cargo.

7. Every lighter engaged in the conveyance of any Service cargo consisting of petroleum, ammunition or explosives within the Port shall, while so engaged—

- (a) have on board a Police officer;
- (b) fly at its bows and stern a red flag not less than two feet square on a staff not less than six feet above the deck of such lighter; and
- (c) have its hatches securely fastened and covered by tarpaulins.

8. No person shall smoke, or take or light any fire, or light or strike any match, or cause ignition by any other means, within fifty feet of any hatch where any Service cargo consisting of petroleum, ammunition or explosives is being received or discharged, or on any lighter carrying such cargo, or within fifty feet of any place ashore where such cargo is being landed, loaded, or stacked.

9. The driver of any vehicle containing any Service cargo consisting of petroleum, ammunition or explosives—

- (a) shall not halt or park the vehicle within the Customs premises at any place other than a place approved for the purpose by the Collector; and
- (b) shall comply with such direction or notice relating to the halting or parking of such vehicle as may be given or exhibited by or under the authority of the Collector.

10. (1) No person other than—

- (a) a person engaged in the work of landing or loading any Service cargo, or
- (b) a person engaged in the supervision of such work, or
- (c) an officer of His Majesty's Forces detailed for duty in connection with the discharge, landing, loading or shipping of any Service cargo or a Police officer or a Customs officer,

shall enter or be within fifty feet of any prohibited place on land within the Port unless he has first satisfied the officer on duty at that place that he is engaged on business which necessitates his presence at that place.

(2) No person shall enter or be within fifty feet of any prohibited place on land within the Port unless he has surrendered to the officer on duty at that place any matches and all other articles in his possession which are of an inflammable nature or likely to cause or be capable of causing any fire or explosion.

(3) Every person in or in the vicinity of any prohibited place shall comply with such direction or notice as may be given or exhibited by or under the authority of the Collector.

12. Any officer of His Majesty's Forces detailed for duty in connexion with the discharge, landing, loading or shipping of any Service cargo consisting of petroleum, ammunition or explosives, or any Police officer or Customs officer shall have and exercise all such powers as may be necessary for securing compliance with the provisions of this Order or any direction or notice given or exhibited thereunder, and may, in particular, direct in what manner and by what means such cargo shall be discharged, loaded and handled.

13. The person or persons liable for a contravention of such of the provisions of this Order as are specified in Column I hereunder shall be the person or persons specified in the corresponding entry in Column II:—

I.	II.
Para. 3—Discharging or loading petroleum from or loading petroleum into a lighter.	The owner of the lighter.
Discharging or loading petroleum from or loading petroleum into a merchant vessel.	The Master of the vessel.
Para. 4—Discharging Service cargo from a merchant vessel into a lighter, or loading Service cargo into a merchant vessel from a lighter.	The Master of the vessel, as well as the owner of the lighter.
Loading Service cargo into a lighter.	The owner of the lighter.
Para. 5 } 6 } 7 }	The owner of the lighter.

14. In this Order, unless the context otherwise required—

“Agent”, in relation to a merchant vessel, means the person or body of persons acting for the time being as the Agent in Ceylon of the owner of the vessel;

“Collector” means the Principal Collector of Customs;

Cap. 185. “Customs premises” means the Customs premises as defined by notification under section 101 of the Customs Ordinance published in *Gazette* No. 7,755 of January 17, 1930;

“land” includes any pier, jetty, breakwater, or quay;

“lighter” means any vessel which is exclusively used within the port either for the conveyance of cargo, fuel or water or as a floating landing stage alongside any other vessel;

“Master” includes the person for the time being in charge of a vessel;

“merchant vessel” means any vessel other than a British or foreign war vessel or a lighter;

Cap. 141. “Petroleum” shall mean any petroleum as defined by the Petroleum Ordinance having a flashing point below 150° Fahrenheit.

“port” means the port of Colombo;

“port of Colombo” means the area bounded on the North by a line drawn due west from a point on the beach one geographical mile north of Mutwal point to a distance of three geographical miles; on the South by a line drawn due west from a point on the beach one geographical mile south of the Colombo Clock Tower to a distance of three geographical miles; on the West by a line connecting the western ends of the above-named north and south limits; on the East by the shore contained between the north and south limits, and includes the Customs premises;

“prohibited place” means—

(a) any hatch through which any Service cargo is being discharged from or loaded into any merchant vessel; or

(b) any place on land within the port where any Service cargo consisting of petroleum, ammunition or explosives is kept or is being landed or loaded;

“Service cargo” means cargo intended for the use of the forces of His Majesty or of any foreign power allied for the time being with His Majesty.