



THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

No. 9,054 — MONDAY, DECEMBER 21, 1942.

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:—

An Ordinance to amend the Roman Catholic Archbishop and Bishops of Ceylon Incorporation Ordinance.

Cap 236
(Vol V., p 771.)

WHEREAS a portion of the area hitherto under the Ecclesiastical Jurisdiction of the Roman Catholic Archbishop of Colombo has now been erected into a new Diocese called the Diocese of Chilaw, and the Right Reverend Edmund Peiris has been duly appointed Bishop of Chilaw to administer the same:

Preamble.

And whereas it is expedient to amend the Roman Catholic Archbishop and Bishops of Ceylon Incorporation Ordinance to provide for the Incorporation of the Bishop of Chilaw, and in other respect:

Be it, therefore, 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 Roman Catholic Archbishop and Bishop of Ceylon Incorporation (Amendment) Ordinance, No. of 1942.

Short title.

2. The Roman Catholic Archbishop and Bishops of Ceylon Incorporation Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby amended, by the insertion, immediately after section 2 of that Ordinance, of the following new section, which shall have effect as section 2A of the principal Ordinance:—

Insertion of
new section 2A
in Chapter 236.

2A. The Right Reverend Edmund Peiris, Bishop of Chilaw, and his successors duly appointed according to the laws and usages of the Roman Catholic Church, shall be a body corporate and shall, for all the purposes of this Ordinance, have the name of the Bishop of Chilaw, and by such name shall have perpetual succession and shall have full power to acquire, purchase, take, hold and enjoy movable and immovable property of every description and to sell or otherwise dispose of the same, and may sue or be sued in respect of such property in all Courts of Justice.

Incorporation
of the Bishop
of Chilaw

3. The following sections shall be inserted immediately after section 3 of the principal Ordinance and shall have effect as section 3A and 3B, respectively, of that Ordinance:—

Insertion of
new section 3
in the principal
Ordinance.

3A All property both movable and immovable already acquired, held or possessed by the said Right Reverend Edmund Peiris in his official capacity shall, subject to any trust or condition affecting the same, vest in the said Bishop of Chilaw.

Vesting of
property in
the Bishop
of Chilaw.

3B. Any instrument of conveyance, transfer or assignment executed by the Archbishop of Colombo in favour of the Bishop of Chilaw of all the property movable or immovable which by reason of the erection of the Diocese of Chilaw became, subject to the administration of the Bishop of Chilaw, shall be deemed to be an instrument chargeable under Part I., item 23 (5) of the Stamp Ordinance.

Stamp duty
on Convey-
ances, &c

Cap. 189.

Amendment of section 4 of the principal Ordinance.

4. Section 4 of the principal Ordinance is hereby amended by the addition, at the end of that section, of the following :—

“ Provided further, that the temporary absence from Ceylon of any of them the said Archbishop and Bishops, shall be deemed to create a temporary vacancy in the See until the return to the Island of the absent Archbishop or Bishop, as the case may be ; and the person temporarily administering such Diocese shall during the period of absence be deemed to be the Successor of the said Archbishop or Bishop for all the purposes of this Ordinance ”.

Saving or right of the Crown, &c.

5. Nothing in this Ordinance contained shall affect or be deemed to affect the right of His Majesty the King, His heirs and successors, or of any body politic or corporate, or any other person except such as are mentioned in this Ordinance and those claiming by, from or under them.

Objects and Reasons.

The object of this bill is to amend the Roman Catholic Archbishop and Bishop of Ceylon Incorporation Ordinance by providing for the incorporation of the Bishop of Chilaw. The opportunity has been taken to amend section 4 of the principal Ordinance so as to provide that the temporary absence of the Archbishop or of a Bishop from Ceylon shall be deemed to create a “temporary vacancy” in the See of the Archbishop or Bishop, as the case may be, within the meaning of that section.

January 20, 1942.

R. S. TENNEKON,
Mover of the Bill.