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EXTRAORDINARY

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DRAFT ORDINANCES. MINUTE.

The following* Draft of a proposed Ordinance is published for general information:—

L. D.—O. 45/43

An Ordinance to declare that the Land Registry established at Rajagiriya is identical for all legal purposes with the Land Registry previously maintained in Colombo.

WHEREAS the decision to remove the public records kept in the branch land register office, which was situated prior to the first day of April, 1942, within the limits of the Municipal town of Colombo and was known as "the Land Registry, Colombo", to a place of greater safety during the emergency created by the war in which His Majesty is at present engaged, has through an error been implemented by the closing of that office and the establishment of an office, at Rajagiriya in the village of Welikada, in the Colombo District, purporting to be a new branch register office under the name of "the Land Registry, Rajagiriya":

And whereas it is expedient to remedy the consequences of the aforesaid error and to declare that the Land Registry, Rajagiriya, notwithstanding its situation and its name, is for all purposes identical with the Land Registry, Colombo:

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 Colombo Land Registry (Change of Situation) Ordinance, No. of 1944.

2. The Land Registry, Colombo, shall for all purposes be deemed to have been removed on the first day of April, One thousand nine hundred and forty-two, from its situation within the limits of the Municipal town of Colombo to Rajagiriya in the village of Welikada in the Colombo District and to be lawfully maintained and conducted at Rajagiriya with effect from that date:

Provided, however, that with the prior approval of the Governor, the Registrar-General may, whenever he deems it expedient so to do, remove the Registry from Rajagiriya to its former situation within the limits of the Municipal town of Colombo or to any other convenient situation within the limits of the registration district referred to in section 5.

3. The Land Registry, Rajagiriya, shall be deemed, for all purposes, to have been at all times from the date of its establishment, and to be during its continuance hereafter, identical with the Land Registry, Colombo; and accordingly—

- (a) the registers and other books kept and used at the Land Registry, Rajagiriya, shall be deemed to be the registers and books required to be kept at the Land Registry, Colombo;
- (b) every entry made at Rajagiriya in the aforesaid registers or books shall be deemed to be an entry made in the registers or books kept in the Land Registry, Colombo;
- (c) every document stamped at the Land Registry, Rajagiriya, with the words "LAND REGISTRY, RAJAGIRIYA" or endorsed in writing with those words, in order to indicate that it has been registered thereat, shall be deemed for all purposes to have been registered at the Land Registry, Colombo,

Short title.

Situation of Land Registry, Colombo, to be deemed to have been changed on April 1, 1942.

Land Registry, Rajagiriya, to be deemed to be identical with Land Registry, Colombo.

and to have accordingly been stamped or endorsed, as the case may be, with the words "LAND REGISTRY, COLOMBO";

- (d) every entry, endorsement or document signed by or on behalf of the officer describing himself as "the Registrar of Lands, Rajagiriya" shall be deemed for all purposes to have been signed by or on behalf of the Registrar of Lands, Colombo, at the Land Registry, Colombo;
- (e) every reference contained in any document, order, notice or notification to the Land Registry, Rajagiriya, shall, unless the context otherwise requires, be read and construed for all purposes as a reference to the Land Registry, Colombo; and
- (f) generally, in every case where a document affecting land or other property situated within the registration district referred to in section 5 has prior to the date of the commencement of this Ordinance been, or is hereafter during the continuance of the Land Registry, Rajagiriya, registered by the Registrar of Lands, Rajagiriya, such document shall, for all the purposes of the Registration of Documents Ordinance, be deemed to have been registered by the Registrar of Lands, Colombo, in the registers or other books required by that Ordinance to be kept in the Land Registry, Colombo.

Cap. 101.

Resumption of use of the rubber-stamps and endorsements of the Land Registry, Colombo.

4. (1) The Registrar-General may, by notification published in the *Gazette*, appoint any date that appears to him to be most convenient for the purpose, as the date on and after which the use of the rubber-stamp and the form of endorsement formerly used by the Land Registry, Colombo, shall be resumed by the Land Registry, Rajagiriya.

(2) Where the Registrar-General appoints a date under sub-section (1)—

- (a) every document registered on or after that date at the Land Registry, Rajagiriya, or at any other place to which that Registry may be removed under the proviso to section 2, shall be stamped, or endorsed in writing, with the words "LAND REGISTRY, COLOMBO"; and
- (b) with effect from that date, the Registrar in charge of that Registry shall, notwithstanding anything in the letter or notification by which he was appointed, assume the designation of Registrar of Lands, Colombo, and describe himself by that designation whenever he affixes his signature for the purpose of authenticating any endorsement stamped or made in accordance with paragraph (a).

Interpretation.

5. In this Ordinance, unless the context otherwise requires—

"the Land Registry, Colombo" means the branch land register office for the registration district which comprises Alutkuru Korale South, Siyane Korale West, Siyane Korale East, Hewagam Korale, Salpiti Korale Mudaliyar's Division, Colombo Mudaliyar's Division and the Municipal town of Colombo, (and is commonly known as the registration district of Colombo), being the branch office for that district in existence at the date of the commencement of the Registration of Documents Ordinance and deemed, by virtue of section 2 thereof to be duly established under that Ordinance;

"the Land Registry, Rajagiriya" means the branch land register office established in pursuance of directions given by the Governor under section 2 of the Registration of Documents Ordinance as published by notification in *Gazette* No. 8,896 of March 27, 1942.

Objects and Reasons.

Early in 1942, it was decided that, as a measure of precaution during the present war, certain Government offices having the custody of important public records should be moved from Colombo to places of greater safety. Among the Government offices to be so removed was the branch Land Registry established for the Registration District of Colombo. Owing to an error, however, the step that was actually taken was to close the branch office in Colombo and to establish a new branch at Rajagiriya in the village of Welikada. As a result, documents, which relate to property situated within the Registration District of Colombo and which should, therefore, be registered in the Registry established for that District, are now endorsed with words that indicate that they have been registered in the books of the new Land Registry at Rajagiriya, although there is no Registration

District of that name actually in existence. In order to remedy such consequences of the error that has been made, it is proposed in this Bill to declare that the Land Registry at Rajagiriya, although it purports to be a new branch, is identical for all legal purposes with the Land Registry formerly situated in Colombo.

Power is also to be taken to resume the use at Rajagiriya of the rubber-stamps and the form of endorsement previously used by the Land Registry, Colombo, from a date to be appointed for the purpose by the Registrar-General.

G. C. S. COREA,
Minister for Labour, Industry and Commerce.
Colombo, 22nd September, 1944.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

L. D.—O. 13/42

**An Ordinance to amend the War Risks (Goods)
Insurance Ordinance, No. 1 of 1942.**

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 War Risks (Goods) Insurance Amendment Ordinance, No. of 1944. Short title.
2. Section 5 of the War Risks (Goods) Insurance Ordinance, No. 1 of 1942, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :— Amendment of section 5 of Ordinance No. 1 of 1942.
 - (1) in sub-section (3) thereof—
 - (a) in paragraph (b), by the substitution, for the word "prescribed", of the words "fixed by the Commissioner with the approval of the Executive Committee"; and
 - (b) in paragraph (c), by the substitution, for the word "prescribed", of the words "so fixed";
 - (2) in sub-section (5) thereof, by the substitution, for the word "prescribed", of the words "prescribed or fixed".
3. Section 10 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the addition, at the end of that sub-section, of the following :— Amendment of section 10 of the principal Ordinance.

"In the exercise of his powers under this sub-section, the Commissioner may, either orally or in writing, require any person aforesaid to produce such accounts, books or other documents for examination at the office of the Commissioner, or to furnish such information, on or before such date as may be specified by him."
4. Section 16 of the principal Ordinance is hereby amended in sub-section (2) thereof, by the substitution, for paragraph (c), of the following new paragraph :— Amendment of section 16 of the principal Ordinance.

"(c) the forms of policies of insurance and the maximum period in respect of which such policies shall be issued."

Objects and Reasons.

Under sections 5 and 16 of the War Risks (Goods) Insurance Ordinance, No. 1 of 1942, read with the definition of "prescribed" in section 17, regulations have to be made by the Executive Committee fixing the rates of premium payable on policies of insurance which are issued for the purposes of the Ordinance. In view of the guarantee obtained in respect of the Ceylon War Risks (Goods) Insurance Fund under the Colonial War Risks Insurance (Guarantees) Act, 1941, of the Imperial Parliament, the rates fixed by regulation are rates which have been approved by the Secretary of State. But, as regulations made by the Executive Committee do not have any effect until they are approved by the State Council and ratified by the Governor (section 16 (3)), the necessary regulations fixing such rates cannot be brought into force at a time when the State Council is not sitting. It is therefore proposed by clauses 2 and 4 to amend sections 5 and 16 of the principal Ordinance so as to enable the Commissioner to fix such rates with the approval of the Executive Committee.

2. Under section 10 of the War Risks (Goods) Insurance Ordinance, No. 1 of 1942, the Commissioner may enter any premises in which the business of fire insurance or of a seller or supplier of goods is being carried on, and require the

person in charge to produce for inspection any books or documents relating to the business or to furnish any information required by the Commissioner for the purposes of the Ordinance.

In some cases, it has been found that the necessary books and documents are not kept on the premises, and the information required cannot therefore be obtained.

The object of clause 3 is to amend section 10 so as to enable the Commissioner in such cases to require the books or documents to be produced for examination, or the information to be furnished, at his office, on or before a specified date.

G. C. S. COREA,
Minister for Labour, Industry and Commerce.
Colombo, September 21, 1944.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

L. D.—O. 34/36

An Ordinance to extend the operation of section 2 (1) of the Galle Municipal Council (Differential Rates) Ordinance, No. 31 of 1938.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Galle Municipal Council (Differential Rates) (Third Extension) Ordinance, No. of 1944.

Continuation of the operation of section 2 (1) of Ordinance No. 31 of 1938.

2. Notwithstanding anything contained in sub-section (2) of section 2 of the Galle Municipal Council (Differential Rates) Ordinance, No. 31 of 1938, sub-section (1) of that section shall continue in operation until the thirty-first day of December, 1945.

Objects and Reasons.

The object of this Bill is to extend the operation of section 2 (1) of the Galle Municipal Council (Differential Rates) Ordinance, No. 31 of 1938, till the end of the year 1945. The power to make and assess different rates in different parts of the town of Galle will be necessary for a further period of one year, because there are still certain areas in that town which are not benefited by some of the public services provided by the Council, such as electric lighting and water service.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.
Colombo, September 22, 1944.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

L. D.—O. 7/44

An Ordinance to validate certain Proclamations issued under the Dried Meat Ordinance.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Dried Meat (Validation of Proclamations) Ordinance, No. of 1944.

Retrospective validation of Proclamations.

2. No Proclamation issued before the date of the commencement of this Ordinance under section 3 or section 9 of the Dried Meat Ordinance (Chapter 337) shall be deemed—

- (a) to have been invalid at any time heretofore at which it purported to be in force, or
- (b) where it purports to be in force at the date of the commencement of this Ordinance, to be invalid at any time hereafter,

by reason only that after the issue thereof it was not laid on the table of the State Council in accordance with the provisions of section 12 of that Ordinance.

Objects and Reasons.

The object of this Bill is to validate those Proclamations issued under the Dried Meat Ordinance (Chapter 337), which, through inadvertence, were not laid on the table of the State Council in accordance with the provisions of section 12 of that Ordinance.

D. S. SENANAYAKE,
Minister for Agriculture and Lands.
Colombo, September 25, 1944.

MINUTE

The following Draft of a proposed Ordinance is published for general information :—

L. D.—O. 56/43.

An Ordinance to amend the Births and Deaths Registration Ordinance (Chapter 94).

Chapter 94.
(Vol. III,
page 83).

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 Births and Deaths Registration (Amendment) Ordinance, No. of 1944.

Short title.

2. Section 10 of the Births and Deaths Registration Ordinance (hereinafter referred to as "the principal Ordinance") is hereby amended in sub-section (1), by the substitution, for the words "sign the register.", of the following :—

Amendment of section 10 of Chapter 94.

"sign the register :

Provided, however, that where a child is born in a Government Hospital, no person other than the officer in charge of that Hospital shall be required to give the information aforesaid concerning that birth to the Registrar of the division."

3. Section 22 of the principal Ordinance is hereby amended in paragraph (a) of sub-section (1), by the substitution, for the words "sign the register ; or ", of the following :—

Amendment of section 22 of the principal Ordinance.

"sign the register :

Provided, however, that where a person dies in a Government Hospital, no person other than the officer in charge of that Hospital shall be required to give the information aforesaid concerning that death to the Registrar of the division ; or "

4. Section 23 of the principal Ordinance is hereby repealed and the following new section substituted therefor :—

Replacement of section 23 of the principal Ordinance.

23. (1) In the event of the death of any person who has been attended during his last illness by a medical practitioner, a certificate in form I set out in the Schedule stating to the best of that practitioner's knowledge and belief the cause of the death, shall—

Certificate as to the cause of death.

(a) where the death has occurred in any place other than a Government Hospital, be forthwith issued by that practitioner under his hand to some person required by this Ordinance to give information concerning the death to a Registrar ; and such person shall at the time he gives such information to the Registrar, deliver such certificate to the Registrar. On the receipt of such certificate the Registrar shall enter the cause of death as stated in such certificate in the register together with the name of the medical practitioner who issued such certificate ; or

(b) where the death has occurred in a Government Hospital, be forthwith issued by that practitioner under his hand to some person who, if the death had occurred in any place other than a Government Hospital, would have been required by this Ordinance to give information concerning the death to a Registrar.

(2) Any medical practitioner who neglects or refuses to issue a certificate as required by sub-section (1), and any person who neglects or refuses to deliver a certificate to a Registrar as required by sub-section (1) (a), shall be guilty of an offence, and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding fifty rupees.

5. Section 31 of the principal Ordinance is hereby amended in sub-section (2), by the substitution, for the words "or medical practitioner, or the order of the Inquirer into Deaths, shall be made out and issued in duplicate.", of the following :—

Amendment of section 31 of the principal Ordinance.

"or medical practitioner (other than a certificate by a medical practitioner attached to a Government Hospital stating the cause of the death of a person who has died in that Hospital), or the order of the Inquirer into Deaths, shall be made out and issued in duplicate."

6. Section 40 of the principal Ordinance is hereby amended, by the substitution, for the words "or a Registrar, or by a Registrar", of the words "or a Registrar, or a Medical Officer of Health, or by a Medical Officer of Health to a Registrar, or by a Registrar".

Amendment of section 40 of the principal Ordinance.

Amendment of section 48 of the principal Ordinance.

7. Section 48 of the principal Ordinance is hereby amended as follows:—

(1) in sub-section (1)—

- (a) by the substitution, for the words “in a place proclaimed under section 30,” of the words “in a town, district or place proclaimed under section 30, or in an area to which the provisions of sub-sections (1) to (4), both inclusive, of this section have been applied by a Proclamation under sub-section (5),”;
- (b) by the substitution, for the words “thirty-six hours”, of the words “twenty-four hours”;
- and
- (c) by the substitution, for the words “to the Registrar of the division in which it occurred.”, of the words “to the Medical Officer of Health within whose area such birth or still-birth occurred.”;

(2) by the substitution, for sub-section (2), of the following new sub-section:—

“(2) If a person required by sub-section (1) to give information regarding a birth or a still-birth to a Medical Officer of Health cannot conveniently attend before that Officer, such person may send such information to that Officer in writing in the form X set out in the Schedule.”;

(3) in sub-section (3), by the substitution, for the words “registration of births.”, of the words “registration of births and still-births.”; and

(4) by the addition, immediately after sub-section (3), of the following new sub-sections:—

“(4) Every Medical Officer of Health who, in accordance with the provisions of this section, receives information of the particulars specified in the form X set out in the Schedule regarding a birth or a still-birth which has occurred within his area shall, within seven days of the receipt thereof, send such information to the Registrar of the division in which such birth or still-birth occurred.

(5) The Governor may from time to time, by Proclamation published in the *Gazette*, declare that the provisions of sub-sections (1) to (4), both inclusive, of this section shall apply in any area specified in the Proclamation and appoint the date on and after which such sub-sections shall apply in such area.”.

Amendment of section 49 of the principal Ordinance.

8. Section 49 of the principal Ordinance is hereby amended in paragraph (b) thereof, by the substitution, for the words “or superintendent of an estate relating to the particulars”, of the following:—

“officer in charge of a Government Hospital or any other officer of that Hospital acting on behalf of such officer in charge, or superintendent of an estate relating to the particulars”.

Replacement of section 54 of the principal Ordinance.

9. Section 54 of the principal Ordinance is hereby repealed and the following new section substituted therefor:—

54. Notwithstanding anything in section 10 or section 22, or in form C or form H set out in the Schedule, it shall not be necessary for a declaration under either of those sections made by a Government officer in charge of a Hospital, jail or other public institution to bear a stamp of the value of twenty-five cents or to be attested by two witnesses.

Amendment of section 55 of the principal Ordinance.

10. Section 55 of the principal Ordinance is hereby amended, by the addition, immediately after the definition “Inquirer into Deaths”, of the following new definition:—

““Medical Officer of Health” includes a Field Medical Officer;”.

Amendment of the Schedule to the principal Ordinance.

11. The Schedule to the principal Ordinance is hereby amended in form X set out therein, by the substitution, for the words “Registrar of ——— Division.”, of the words “Medical Officer of Health for the ——— area.”.

Objects and Reasons.

The object of this Bill is to effect in the Births and Deaths Registration Ordinance (Chapter 94), certain amendments which experience in the administration of the Ordinance has shown to be necessary.

Sections 10 and 22 of the principal Ordinance are to be amended so as to make the officer in charge of a Government

Hospital at which a birth or a death has occurred solely responsible for giving the information required by those sections concerning such birth or death to a Registrar of a division (Clauses 2 and 3).

Section 48 of the principal Ordinance which requires that information of a birth or a still-birth which has occurred in a place proclaimed under section 30 of that Ordinance must be given to the Registrar within whose division such birth or still-birth has occurred, is to be amended, so as to enable that information to be given in the first instance to a Medical Officer of Health and to make it the duty of that Officer to forward the information to the proper Registrar. Provision is also to be made to enable the Governor by Proclamation to extend the application of section 48 to any specified area (Clause 7).

By Clauses 4, 5, 6, 8, 9, 10 and 11 it is proposed to make certain consequential amendments in the principal Ordinance.

G. C. S. COREA,
Minister for Labour, Industry and Commerce.
Colombo, September 14, 1944.

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