



THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

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PART I.—GENERAL.

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

GOVERNMENT NOTIFICATIONS.

L. D.—CF. 35/44.

C. S. O.—CFD. 1398/44.

THE EMERGENCY POWERS (DEFENCE) ACTS,
1939 AND 1940.

DEFENCE Regulation made by the Governor by virtue of the powers vested in him by the Emergency Powers (Defence) Acts, 1939 and 1940, of the Imperial Parliament as adapted, modified and extended to Ceylon by the Emergency Powers (Colonial Defence) Order in Council, 1939, and the Emergency Powers (Colonial Defence) (Amendment) Order in Council, 1940.

By His Excellency's command,

H. A. C. DOBBS,

Acting Secretary to the Governor.

Colombo, 2nd March, 1945.

Regulation.

The Defence (Miscellaneous) Regulations published in the *Supplement to Gazette* No. 8,533 of October 20, 1939, as amended by any subsequent defence regulation, are hereby further amended, by the insertion, immediately after regulation 29A, of the following new regulations:—

Control 29B. (1) The following provisions shall apply to sailing ships leaving Ceylon on a voyage to any port or place outside Ceylon:—

- (a) No such ship shall start or proceed on any such voyage from any port or place in Ceylon other than an authorised port.
- (b) No such ship shall start or proceed on any such voyage from an authorised port in Ceylon unless the master of such ship—
 - (i.) has first appeared in person along with every member of the crew of such ship before the proper officer at that port and has supplied the proper officer with such particulars relating to the ship, the cargo, the voyage and each member of the crew as may be required by the proper officer; and
 - (ii.) has obtained from such proper officer and has in his possession a certificate containing the aforesaid particulars signed by such proper officer in token of his approval thereof.
- (c) On and after the appointed date—
 - (i.) every member of the crew of such ship shall carry a document establishing his identity, issued to him by a proper officer at any authorised port in Ceylon; or
 - (ii.) the master of such ship shall carry a document establishing the identity of all the members of the crew of such ship, issued to him by a specified officer at any specified port or place outside Ceylon.
- (d) No such ship shall start or proceed on any such voyage if she has on board as a member of the crew—
 - (i.) any person in respect of whom particulars have not been specified

in the certificate which the master of such ship is required to have in his possession by sub-paragraph (b); or

- (ii.) on and after the appointed date, any person whose identity is not established by either of the documents required by sub-paragraph (c).

(2) In addition to the provisions of the foregoing paragraph (1), the following provision shall apply to sailing ships leaving Ceylon on a voyage to any port or place in India:—

No such ship shall start or proceed on any such voyage if she has on board any person other than a person who is a member of the crew.

(3) (a) No sailing ship sailing from any port or place outside Ceylon on a voyage to Ceylon shall save as hereinafter provided, call at any port or place in Ceylon other than an authorised port:

Provided, however, that nothing in the preceding provisions of this sub-paragraph shall apply to any such ship which is compelled by stress of weather or other emergency to call at any port or place in Ceylon, not being an authorised port.

(b) The master of every sailing ship referred to in sub-paragraph (a) which is compelled by stress of weather or other emergency to call at any port or place in Ceylon, not being an authorised port, shall forthwith give information to that effect to an authorised officer.

(4) In addition to the provisions of the foregoing paragraph (3), the following provisions shall apply to sailing ships sailing from any specified port or place outside Ceylon on a voyage to Ceylon:—

(a) No such ship shall enter Ceylon unless the master of such ship has in his possession a certificate containing such particulars relating to the ship, the cargo, the voyage, and each member of the crew as may be required by the specified officer at that port or place, and signed by such specified officer in token of his approval thereof.

(b) On and after the appointed date—

(i) every member of the crew of such ship shall carry a document establishing his identity, issued to him by a proper officer at any authorised port in Ceylon; or

(ii) the master of such ship shall carry a document establishing the identity of all the members of the crew of such ship, issued to him by a specified officer at any specified port or place outside Ceylon.

(c) No such ship shall enter Ceylon if she has on board as a member of the crew—

(i) any person in respect of whom particulars have not been specified in the certificate which the master of such ship is required to have in his possession by sub-paragraph (a); or

(ii) on and after the appointed date, any person whose identity is not established by either of the documents required by sub-paragraph (b).

(d) The master of such ship shall forthwith, upon the arrival of such ship at her port of destination in Ceylon deliver to the proper officer at that port the certificate which such master is required to have in his possession by sub-paragraph (a).

(e) The master of such ship shall not—

(i) permit any person to disembark from such ship at any port or place in Ceylon other than the authorised port which is her port of destination ; or

(ii) permit any person to disembark from such ship at the authorised port which is her port of destination except with the permission of the proper officer at that port previously obtained in that behalf.

(5) In addition to the provisions of the foregoing paragraphs (3) and (4), the following provision shall apply to sailing ships sailing from any specified port or place in India on a voyage to Ceylon.

No such ship shall, save as hereinafter provided, enter Ceylon, if she has on board any person other than a person who is a member of the crew :

Provided, however, that nothing in the preceding provisions of this paragraph shall apply to any such ship which enters Ceylon having on board any person who is a survivor from any ship which has been wrecked, abandoned or lost.

(6) No person shall—

(a) proceed from Ceylon on board a sailing ship which is on a voyage to any port or place in India ; or

(b) save as hereinafter provided, enter Ceylon on board a sailing ship which is on a voyage from any specified port or place in India,

unless that person is a member of the crew of such ship :

Provided, however, that nothing in the preceding provisions of this paragraph shall apply to any person who, being a survivor from a ship which has been wrecked, abandoned or lost, enters Ceylon on board a sailing ship which is on a voyage from any specified port or place in India.

(7) (a) Every person who desires to obtain a document establishing his identity from any proper officer at any authorised port in Ceylon shall make an application in writing in that behalf to such proper officer.

(b) A proper officer at any authorised port in Ceylon may in his discretion issue or refuse to issue the document referred to in sub-paragraph (a) to any applicant therefor.

(8) (a) An authorised officer may take all such measures as he may deem necessary to prevent any person from acting in contravention of any provision of this regulation.

(b) An authorised officer may, in relation to any sailing ship, take such steps and use such force, as may appear to that officer to be reasonably necessary for securing compliance with any provision of this regulation relating to that ship or, where a contravention of any provision of this regulation has occurred in the case of that ship, for enabling proceedings in respect of the offence to be effectually taken.

(9) In the event of any contravention of any provision of this regulation in the case of a sailing ship, the master of such ship shall be guilty of an offence against this regulation.

(10) Where the master of any sailing ship is convicted of the offence of contravening any provision of this regulation, then the owner of such ship or, where the owner is out of Ceylon, the agent of the owner shall also be guilty of that offence unless he proves to the satisfaction of the court that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence.

(11) In the event of any contravention of any provision of this regulation in the case of a sailing ship—

(a) an authorised officer may seize such ship and detain it until the completion of any proceedings instituted against the master or the owner or the agent in respect of such contravention ; and

(b) the court which convicts such master or owner or agent of the offence constituted by such contravention may make order declaring the ship forfeited to His Majesty.

(12) In this regulation, unless the context otherwise requires—

“ appointed date ” means such date as the Collector may appoint by notification published in the *Gazette* ;

“ authorised officer ” means any police officer, any officer of Customs or any person who, being the holder of a commission in His Majesty's Naval or Military Forces, is in command of the operations of a patrol vessel or is performing security duties ;

“ authorised port ” means any port or place in Ceylon declared to be an authorised port for the purposes of this regulation by the Collector by notification published in the *Gazette*, or any other port specially authorised in writing by the Collector for the purpose of any particular voyage ;

“ Collector ” means the Principal Collector of Customs ;

“ member of the crew ” includes the master and any apprentice ;

“ proper officer ”, in relation to any authorised port in Ceylon, means the chief officer of Customs at that port or any other person appointed in writing by the Collector to be a proper officer for that port ;

“ specified port or place ” means any port or place outside Ceylon specified, for the purposes of this regulation, by the Collector by notification published in the *Gazette*, and “ specified officer ”, in relation to any such port or place, means any officer appointed for that port or place under the law in force therein and specified by the Collector in any such notification.

Control of vessels engaged in coastal traffic.

29c. (1) This regulation shall apply to the following classes of vessels :—

(a) sailing ships other than sailing ships which are used for the purpose of taking fish ; and

(b) boats other than boats which are used for the purpose of taking fish.

(2) No vessel to which this regulation applies shall proceed by sea from any port or place in Ceylon on a voyage to any other port or place in Ceylon unless the master of that vessel—

(a) has first appeared in person along with every member of the crew of that vessel before the proper officer at such first mentioned port or place and has supplied such proper officer with such particulars relating to the ship, the voyage and each member of the crew as may be required by such proper officer ; and

(b) has obtained from such proper officer and has in his possession a certificate containing the aforesaid particulars signed by such proper officer in token of his approval thereof.

(3) The provisions of paragraphs 8 to 11 (inclusive) of regulation 29B shall apply to vessels to which this regulation applies.

(4) In this regulation, unless the context otherwise requires—

“ boats ” has the same meaning as in the Masters Attendant Ordinance ;

“ member of the crew ” has the same meaning as in regulation 29B ;

“ proper officer ”, in relation to any port or place in Ceylon, means the chief officer of Customs at that port or place, or any other person appointed in writing by the Principal Collector of Customs to be a proper officer for that port or place.

Cap. 262.

L. D.—B. 47/33.

THE QUARANTINE AND PREVENTION OF DISEASES ORDINANCE.

Notification.

BY virtue of the powers vested in me by regulation 1 of the regulations under sections 2 and 3 of the Quarantine and Prevention of Diseases Ordinance (Chapter 173), published in the *Supplement to Gazette* No. 7,481 of August 28, 1925, I, Henry Monck-Mason Moore, Governor of Ceylon, do by this Notification confirm the declaration of the "diseased locality" specified in the Schedule hereto, made by the Government Agent, Province of Uva, the proper authority in that behalf, on March 1, 1945.

HENRY MOORE, —
Governor.

Colombo, 5th March, 1945.

Schedule.

North: By Uma-oya and western boundary of Hapathgamuwa.
East: By western boundary of Hapathgamuwa, Beramada Hecma, Curupeella and Kurowana Ulpotha.
South: By Uma-oya.
West: By Uma-oya.

L. D.—B. 47/33.

THE QUARANTINE AND PREVENTION OF DISEASES ORDINANCE.

Notification.

BY virtue of the powers vested in me by regulation 1 of the regulations under sections 2 and 3 of the Quarantine and Prevention of Diseases Ordinance (Chapter 173), published in the *Supplement to Gazette* No. 7,481 of August 28, 1925, I, Henry Monck-Mason Moore, Governor of Ceylon, do by this Notification confirm the declaration of the "diseased locality" specified in the Schedule hereto, made by the Chairman of the Moratuwa Urban Council, the proper authority in that behalf, on February 28, 1945.

HENRY MOORE,
Governor.

Colombo, 5th March, 1945.

Schedule.

Area bounded as follows:—

North: The Northern Boundary of Katukurunda Village starting from the sea beach eastwards along the said boundary up to the centre of Panadura river.

A 2

South: By the Panadura river up to the sea.
East: Centre of Panadura river.
West: The sea.

L. D.—CF. 35/44.

C.S.O.—CFD. 1398/44.

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

Notification.

BY virtue of the powers vested in me by paragraph (12) of regulation 29B of the Defence (Miscellaneous) Regulations, I, Henry Samuel Malortie Hoare, Acting Principal Collector of Customs, do hereby—

- (1) declare each of the ports mentioned in the First Schedule hereto to be an authorised port for the purposes of that regulation;
- (2) specify, for the purposes of that regulation, each of the ports mentioned in column I of the Second Schedule hereto; and
- (3) further specify, for the purpose of sub-paragraph (a) of paragraph (4) of that regulation, in respect of each of the ports mentioned in column I of the Second Schedule hereto the officer mentioned in the corresponding entry in column II of that Schedule.

H. S. M. HOARE,
Acting Principal Collector of Customs.

Colombo, 3rd March, 1945.

First Schedule.

Colombo
Galle
Jaffna
Kankasanturai
Kayts
Point Pedro
Trincomalee

Second Schedule.

I.	II.
Port.	Officer.
Adirampatnam ..	} Customs Collector
Amrapatnam ..	
Badagara ..	
Baruva ..	
Bimlipatam ..	
Calicut ..	
Calngapatam ..	
Cannanore ..	
Cocanada ..	
Coondapur ..	

I.	II.	
Port.	Officer.	
Cuddalore	} Customs Collector
Karikal	
Kasargod	
Kilakarai	
Kulasekarapatnam	
Malpe	
Mangalore	
Masulipatam	
Mulki	
Negapatam	
Pamban	
Pondicherry	
Ponnani	
Porto Novo	
Tellicherry	
ThirumalavasaI	
Thopputhurai	
Tondi	} Inspector of Customs
Vizagapatam	
Hangarakotta	
Cochin	
Dhanushkodi	
Tuticorin	} Inspector of Customs, Tuticorin Port Circle

(ii.) no vehicle other than an omnibus shall—

- (a) enter or be upon that highway unless the person in charge of the vehicle has obtained permission in that behalf from an authorised officer, after satisfying that officer that such person has legitimate business to transact at any premises adjoining or abutting on the highway and that the use of the highway by the vehicle is necessary for the purposes of entry into or departure from such premises ; or
- (b) be driven on any part of the highway other than such traffic lane as may be demarcated by any fence or posts, or indicated by notices or signs in that behalf exhibited on the highway ; or
- (c) proceed on the highway in any direction other than such direction as may be indicated by notices or signs as aforesaid or orally by an authorised officer.
- (3) No pedestrian shall enter into or be upon any part of the controlled highway other than the footpath along the southern side of the highway : Provided that a pedestrian may with the permission of an authorised officer enter any other part of the highway in order to have access to any premises which adjoin the highway and at which he has any legitimate business to transact.
- (4) In the case of a person in charge of a bicycle—
- (a) if he is riding the bicycle, the provisions of paragraphs (1) and (2) relating to vehicles shall apply ; and
- (b) if he is on foot wheeling the bicycle, the provisions of paragraph (3) relating to pedestrians shall apply.
- (5) Every person permitted to enter or be upon the controlled highway shall comply with all such directions as may be given whether orally by an authorised officer acting in the course of his duty as such, or by means of notices exhibited.

CLOSURE OF MCCALLUM ROAD.

UNTIL further notice McCallum road has been closed between the points—

- (a) 310 yards east of its junction with Parsons road, and
(b) 550 yards west of its junction with Darley road, as set out below :—

- (1) During the hours of darkness, that is to say, the hours between sunset and sunrise, no vehicle of any description shall enter or be upon or be driven on the controlled highway.
- (2) During the hours of daylight, that is to say, the hours between sunrise and sunset—
- (i.) no omnibus shall enter or be upon or be driven on the controlled highway ; and