



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. — 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, Western Province, the proper authority in that behalf, on February 22, 1946.

Colombo, 23 February, 1946.

HENRY MOORE,
Governor.

Schedule.

All that part of Hewagam Korale of the Colombo District bounded as follows:—

North: by Mahinda Estate;
East: by Nadungasdeniya Kumbura and Kottanuwu paddy field;
South: by Minuwanwila Kumbura; and
West: by Puwakgaha Kumbura paddy field.

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, Western Province, the proper authority in that behalf, on February 22, 1946.

Colombo, 23 February, 1946.

HENRY MOORE,
Governor.

Schedule.

All that part of Siyane Korale West (Adikari Pattuwa) of the Colombo District bounded as follows:—

North: by the land called Gonnagahawatta owned by D. Simon;
East: by the Village Committee Road leading from Gona-hena to Meegahawatta;
South: by the land called Delgahawatta owned by S. P. Jane Nona and others; and
West: by the land called Katukurundawatta owned by S. Pararajasmham.

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 localities" specified in the Schedule hereto, made by the Deputy Mayor of Galle, the proper authority in that behalf, on February 19, 1946.

Colombo, 21 February, 1946.

HENRY MOORE,
Governor.

Schedule.

I. The whole area of the Fort of Galle.
II. The portion of the Municipal Town of Galle bounded as follows:—

North: by Kanampitiya Road;
East: by Moragoda Ela;
South and West: by Circular Road.

L.D.—CF. 14/45

THE EMERGENCY LAWS (TRANSITIONAL PROVISIONS) ACT, 1946.

ORDER made by the Governor by virtue of the powers vested in him by the Emergency Laws (Transitional Provisions) (Colonies, &c.) Order in Council, 1946, made by His Majesty in Council in pursuance of section 18 of the Emergency Laws (Transitional Provisions) Act, 1946.

By His Excellency's command,

J. A. MULHALL,
Secretary to the Governor.

February 23rd, 1946.

Order.

The Emergency Laws (Transitional Provisions) Order, 1946, published in *Gazette* No. 9,523 of February 22, 1946, is hereby amended in Part I. of the Schedule thereto, as follows:—

(a) by the substitution, for the entry relating to Regulation 33. "Power to do work on land", of the following entry:—

I.

33. Power to do work on land.

II.

(1) In paragraph (1), for all the words from "for any purpose" to "community", there shall be substituted the words "for the purpose of the removal of war works or the demolition and clearance of property damaged by war operations".

(2) In paragraph (2), for all the words from "in the interests" to "community", there shall be substituted the words "for the purpose of the removal of war works or the demolition and clearance of property damaged by war operations".

(3) The following new paragraph shall be inserted immediately after paragraph (2):—

(2A) In paragraphs (1) and (2), "works" includes buildings, structures, improvements, underground works and telegraph lines.

(b) by the substitution for the entry relating to Regulation 34. "Occupation and use of land", of the following entry:—

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| I. | II. |
| 34. Occupation and use of land, | (1) The following paragraph shall be substituted for paragraph (1) of the regulation:— |

"(1) Where possession of any land had at any time prior to the twenty-fourth day of February, 1946, been taken by a competent authority by virtue of the powers conferred by any defence regulation in force at such time, and such land was immediately prior to that day in the possession of a competent authority by virtue of such powers, possession of such land may be continued after the aforesaid day if it appears to the authority that such continuance is necessary or expedient."

(2) Paragraph (1A) shall be omitted.

(3) In paragraph (2), for all the words from "the competent authority for such purpose" to "community", there shall be substituted the words "the competent authority for the purposes of the public service or in any manner in which the land was being used immediately prior to the twenty-fourth day of February, 1946";

- (e) every day on which the employer fails to provide work for the worker;
- (f) every day of absence due to a strike or lockout that is not illegal and that does not continue for more than thirty days; and
- (g) every day of absence authorised by or under the provisions of any written law other than the Wages Boards Ordinance;

but shall not include the day fixed as the weekly holiday under section 24.

2. If a worker is entitled in any year to six holidays or more he shall be allowed and he shall take those six holidays or six of those holidays on consecutive days.

3. A worker shall be allowed his holiday or holidays on a day or days to be mutually agreed upon between him and his employer.

4. The remuneration for each holiday shall be the average daily wage of the worker obtained by dividing the total wage (excluding overtime and bonuses) earned by the worker in the last four weeks of the qualifying year by the number of days on which he has actually worked during such period.

5. Where the number of holidays allowed to any worker at one time exceeds five days, one-half of the remuneration due to such worker in respect of the holidays shall be paid on the last pay day preceding the commencement of the holidays, and the other half on the first pay day after resumption of work by such worker.

6. Where a worker leaves of his own accord or is discontinued or dismissed from employment, he shall, at the time of such leaving, discontinuance or dismissal, be paid wages for the number of holidays to which he was entitled at the date of his leaving, discontinuance or dismissal.

7. In these paragraphs, "year" means a continuous period of twelve months.

8. The foregoing decisions shall not apply in respect of employment at any time more than twelve months prior to the date on which the decisions come into force.

L. D.—B. 80/44

THE WAGES BOARDS ORDINANCE, NO. 27 OF 1941.

Notification.

IT is hereby notified, under section 27 (3) of the Wages Boards Ordinance, No. 27 of 1941, that the decisions of the Wages Board for *Tea Export Trade* made under sections 24 and 25 of that Ordinance and specified in the Schedule hereto have been approved by the Acting Minister for Labour, Industry and Commerce.

The decisions shall come into force on *1st March, 1946.*

R. COOMARASWAMY,

Secretary to the Minister for Labour, Industry and Commerce.

Colombo, 21st February, 1946.

Schedule.

Weekly Holiday (section 24).

Every employer shall allow each Sunday as the weekly holiday to all workers employed under him:

Provided, however, that an employer may employ any worker on a Sunday, subject to the conditions—

- (1) that a day within the six days next succeeding such Sunday shall be allowed to that worker as a holiday;
- (2) that in respect of work done on a Sunday that worker shall be paid as remuneration one and a half times the minimum rate of wages for a normal working day; and
- (3) that no worker shall be employed on such Sunday for more than nine hours (inclusive of one hour for a meal).

The remuneration due to a worker for work done on the weekly holiday shall be paid along with the wages payable for that week.

Annual Holidays (section 25).

1. If a worker has been in continuous employment and has worked under the same employer for more than 218 days in any year (hereinafter called the "qualifying year"), he shall be allowed in the next succeeding year a holiday or holidays calculated at the rate of one holiday for each unit of five days by which the number of days on which the worker has worked exceeds 218:

Provided, however, that it shall not be obligatory on an employer to allow any such holiday in respect of any period of work in excess of 288 days.

In this paragraph, "days on which the worker has worked" includes—

- (a) every holiday allowed by the employer to the worker under section 25, at any earlier time in any year under consideration;
- (b) every day of absence on any grounds approved by the employer;
- (c) every day of absence due to any injury to the worker caused by an accident arising out of and in the course of his employment;
- (d) every day of absence due to any occupational disease specified in Schedule III of the Workmen's Compensation Ordinance (Cap. 117);

L. D.—B. 80/44

THE WAGES BOARDS ORDINANCE, NO. 27 OF 1941.

Notification.

IT is hereby notified, under section 27 (3) of the Wages Boards Ordinance, No. 27 of 1941, that the decisions of the Wages Board for the *Rubber Export Trade* made under sections 24 and 25 of that Ordinance and specified in the Schedule hereto have been approved by the Acting Minister for Labour, Industry and Commerce.

The decisions shall come into force on *1st March, 1946.*

R. COOMARASWAMY,

Secretary to the Minister for Labour, Industry and Commerce.

Colombo, 21st February, 1946.

Schedule.

Weekly Holiday (section 24).

Every employer shall allow each Sunday as the weekly holiday to all workers employed under him:

Provided, however, that an employer may employ any worker on a Sunday, subject to the conditions—

- (1) that a day within the six days next succeeding such Sunday shall be allowed to that worker as a holiday;
- (2) that in respect of work done on a Sunday that worker shall be paid as remuneration one and a half times the minimum rate of wages for a normal working day; and
- (3) that no worker shall be employed on such Sunday for more than nine hours (inclusive of one hour for a meal).

The remuneration due to a worker for work done on the weekly holiday shall be paid along with the wages payable for that week.

Annual Holidays (section 25).

1. If a worker has been in continuous employment and has worked under the same employer for more than 218 days in any year (hereinafter called the "qualifying year"), he shall be allowed in the next succeeding year a holiday or holidays calculated at the rate of one holiday for each unit of five days by which the number of days on which the worker has worked exceeds 218:

Provided, however, that it shall not be obligatory on an employer to allow any such holiday in respect of any period of work in excess of 288 days.

In this paragraph, "days on which the worker has worked" includes—

- (a) every holiday allowed by the employer to the worker under section 25, at any earlier time in any year under consideration;
- (b) every day of absence on any grounds approved by the employer;

- (c) every day of absence due to any injury to the worker caused by an accident arising out of and in the course of his employment ;
- (d) every day of absence due to any occupational disease specified in Schedule III of the Workmen's Compensation Ordinance (Cap. 117) ;
- (e) every day on which the employer fails to provide work for the worker ;
- (f) every day of absence due to a strike or lockout that is not illegal and that does not continue for more than thirty days ; and
- (g) every day of absence authorised by or under the provisions of any written law other than the Wages Boards Ordinance ;

but shall not include the day fixed as the weekly holiday under section 24.

2. If a worker is entitled in any year to six holidays or more he shall be allowed and he shall take those six holidays or six of those holidays on consecutive days.

3. A worker shall be allowed his holiday or holidays on a day or days to be mutually agreed upon between him and his employer.

4. The remuneration for each holiday shall be the average daily wage of the worker obtained by dividing the total wage (excluding overtime and bonuses) earned by the worker in the last four weeks of the qualifying year by the number of days on which he has actually worked during such period.

5. Where the number of holidays allowed to any worker at one time exceeds five days, one-half of the remuneration due to such worker in respect of the holidays shall be paid on the last pay day preceding the commencement of the holidays, and the other half on the first day after resumption of work by such worker.

6. Where a worker leaves of his own accord or is discontinued or dismissed from employment, he shall, at the time of such leaving, discontinuance or dismissal, be paid wages for the number of holidays to which he was entitled at the date of his leaving, discontinuance or dismissal.

7. In these paragraphs, "year" means a continuous period of twelve months.

8. The foregoing decisions shall not apply in respect of employment at any time more than twelve months prior to the date on which the decisions come into force.