



THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

No. 9,544 — THURSDAY, APRIL 18, 1946.

Published by Authority.

PART I.—GENERAL.

GOVERNMENT NOTIFICATIONS.

L. D.—CF. 28/42.

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

ORDER made by the Officer Administering the Government by virtue of the powers vested in the Governor by Regulation 43c of the Defence (Miscellaneous) Regulations which in accordance with the Supplies and Services (Transitional Powers) Order, 1946, has effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, of the Imperial Parliament.

By His Excellency's command,

C. H. HARTWELL,
Colombo, 18th April, 1946. Secretary to the Governor.

Order.

The Essential Service (Avoidance of Strikes and Lockouts) Order, 1942, published in *Gazette* No. 8,888 of March 19, 1942,
633—J. N. 8716-2,225 (4/46)

is hereby amended by the insertion, immediately after paragraph 7 of that Order, of the following new paragraph:—

7A. In investigating any trade dispute referred to him for settlement, the District Judge shall have regard, *inter alia*, to the following matters:—

- (a) the necessity of ensuring for the workmen terms and conditions of employment which are just and equitable when considered in relation to those applicable to workmen engaged in the same or similar work in other trades carried on in the same district;
- (b) the necessity of ensuring that the terms and conditions of employment to be adopted in the settlement will be such that their observance will not interfere with or prejudicially affect the performance of the essential services carried on by the employer and workmen concerned in the dispute, or the maintenance of supplies and services in a manner necessary to secure a sufficiency of those essential to the well-being of the community and their equitable distribution and their availability at fair prices,

and the District Judge shall consider all such representations in regard to the matters mentioned in sub-paragraph (b) of this paragraph as may be made to him by any party to the dispute or by the Attorney-General or any officer of his Department.

L. D.—C.F. 28/42.

THE SUPPLIES AND SERVICES (TRANSITIONAL
POWERS) ACT, 1945.

ORDER made by the Officer Administering the Government by virtue of the powers vested in the Governor by section 3 of the Supplies and Services (Transitional Powers) Act, 1945, of the Imperial Parliament, as adapted, modified and extended to Ceylon by the Supplies and Services (Transitional Powers) (Colonies, &c.) Order in Council, 1946.

By His Excellency's command,

C. H. HARTWELL,

Colombo, 18th April, 1946. Secretary to the Governor.

Order.

1. The Defence (Port of Colombo) (Trade Disputes) Regulations, 1943, published in *Gazette* No. 9,220 of December 31, 1943, which in accordance with the Supplies and Services (Transitional Powers) Order, 1946, has effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, are hereby amended, in regulation 2 thereof, by the substitution, for all the words from "November 29, 1941" to the end of that regulation, of the following:—

"November 29, 1941 (other than a trade dispute in which the Chairman of the Colombo Port Commission is the employer concerned), the powers, duties or functions

vested in, imposed upon or assigned to the Commissioner of Labour by the Essential Services (Avoidance of Strikes and Lockouts) Order, 1942, or the Industrial Disputes (Conciliation) Ordinance (Chapter 110), may be exercised, performed or discharged either by the Chairman of the Colombo Port Commission or by the Commissioner of Labour.

In this regulation, "Commissioner of Labour" means the officer who in the Order and Ordinance aforesaid is referred to as the Controller of Labour."

2. Regulation 43c of the Defence (Miscellaneous) Regulations which in accordance with the Supplies and Services (Transitional Powers) Order, 1946, has effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, is hereby amended, by the substitution, for paragraph (6) of that regulation, of the following paragraph:—

"(6) No prosecution shall be instituted in respect of any offence against this regulation except by, or with the sanction of, the Commissioner of Labour, or in any case to which the Defence (Port of Colombo) (Trade Disputes) Regulations, 1943, apply, except by, or with the sanction of, the Commissioner of Labour or the Chairman of the Colombo Port Commission.

In this paragraph, "Commissioner of Labour" means the officer who in the Order aforesaid is referred to as the Controller of Labour."