



THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

No. 9,568 — THURSDAY, JUNE 13, 1946.

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:—

L.D.—O 29/46.
M.L.A.—BA 525a.

An Ordinance to amend the Town Councils Ordinance, No. 3 of 1946.

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

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| 1. This Ordinance may be cited as the Town Councils (Amendment) Ordinance, No. of 1946. | Short title. |
| 2. The Eighth Schedule to the Town Councils Ordinance, No. 3 of 1946, is hereby amended by the addition, immediately after item 4 thereof, of the following new items in the appropriate columns:— | Amendment of Eighth Schedule to Ordinance No. 3 of 1946. |
| 5. The Vehicles Ordinance. | 5. As if every reference therein to a District Council, or to the Chairman of a District Council, (now construed as Urban Council) includes a reference to the Town Council, or to the Chairman of the Town Council, constituted under this Ordinance. [Cap. 155.] |
| 6. The Butchers Ordinance. | 6. As if every reference therein to a District Council, or to the Chairman of a District Council, (now construed as Urban Council) includes a reference to the Town Council, or to the Chairman of the Town Council, constituted under this Ordinance. [Cap. 201.] |
| 7. The Rabies Ordinance. | 7. As if every reference therein to a District Council, or to the Chairman of a District Council, (now construed as Urban Council) includes a reference to the Town Council, or to the Chairman of the Town Council, constituted under this Ordinance. [Cap. 333.] |
| 8. The Dog Registration Ordinance. | 8. As if every reference therein to a District Council, or to the Chairman of a District Council, (now construed as Urban Council) includes a reference to the Town Council, or to the Chairman of the Town Council, constituted under this Ordinance. [Cap. 334.] |

Objects and Reasons.

It is the intention that the Vehicles Ordinance, the Butchers Ordinance, the Rabies Ordinance and the Dog Registration Ordinance, should be enforceable within the limits of the towns for which the new Town Councils are established under Ordinance No. 3 of 1946. The Eighth Schedule to that Ordinance, however, does not include these Ordinances or provisions as to the construction of these Ordinances for the purposes of application to Town Councils. The object of this Bill is to supply the omission by suitable amendment of the Eighth Schedule to the Ordinance.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.
Colombo, June 7, 1946.

MINUTE.

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

My No. O. 45/45.
M.L.A.—BA. 650.

Cap. 199.
Vol. V.,
page 422.

An Ordinance to amend the Housing and Town Improvement 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 Housing and Town Improvement (Amendment) Ordinance, No. of 1946.

Amendment of section 2 of Chapter 199.

2. Section 2 of the Housing and Town Improvement Ordinance (hereinafter referred to as the "principal Ordinance") is hereby amended in the definition of "local authority", by the substitution, for paragraph (c) thereof, of the following paragraph :—

"(c) within the limits of any Urban Council or Town Council, the Urban Council or Town Council,".

Insertion of new section 109A in the principal Ordinance.

3. The following new section is hereby inserted immediately after section 109, and shall have effect as section 109A, of the principal Ordinance :—

Erection of shelters, roundabouts, &c., by local authority.

109A. Where a local authority, having power in that behalf under any other law, erects—

- (a) any masonry shelter for the use of passengers or intending passengers at or near any stopping place, parking place or public stand appointed or set apart for omnibuses or tram-cars in any street; or
- (b) any roundabout, signpost or other structure of masonry in any street or at the intersection of two or more streets for the purposes of the regulation of traffic,

the local authority or any person acting under the direction of the local authority shall not be deemed to have contravened any of the provisions of this Ordinance, by reason only that such shelter, roundabout, signpost or other structure is within the street lines of the street or streets aforesaid.

Objects and Reasons.

Although section 248 of the Town Councils Ordinance, No. 3 of 1946, provides that every reference in any existing law to a local authority should be construed to include the new Town Councils established under that Ordinance, it seems to be desirable to make the position quite clear by an express amendment in the case of so important a measure as the Housing and Town Improvement Ordinance (Chapter 199). It is accordingly proposed in Clause 2 of this Bill to amend the definition of "local authority" in section 2 of that Ordinance by including in it the new class of local authorities known as "Town Councils".

2. Certain classes of masonry structures within the street lines laid down for a street are either prohibited by the Housing and Town Improvement Ordinance or permitted only subject to conditions and restrictions. Whether such a prohibition would apply to the erection of shelters for omnibus travellers or of roundabouts, by a local authority in the exercise of its own powers, is a matter of some doubt. It is proposed in Clause 3 of this Bill to enact, for the removal of this doubt, that such an act of a local authority is not a contravention of the Ordinance.

S. W. R. D. BANDARANAIKE,
Colombo, June 7, 1946. Minister for Local Administration.