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THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

අංක 11,438—1958 ජූලි 27 වැනි දින—27.7.1958

No. 11,438 — SUNDAY, JULY 27, 1958

(Published by Authority)

PART I: SECTION (I)—GENERAL

Government Notifications

THE PUBLIC SECURITY ORDINANCE, No. 25 OF 1947.

REGULATIONS made by the Governor-General under section 5 of the Public Security Ordinance, No. 25 of 1947 (as amended by Act No. 22 of 1949 and Act No. 34 of 1953), upon the recommendation of the Prime Minister.

Governor-General's Office,
Colombo, 27th July, 1958.

O. E. GOONETILLEKE,
Governor-General.

Regulations

1. These regulations may be cited as the Emergency (Miscellaneous Provisions and Powers) Regulations. Short title.

2. (1) In any emergency regulation, unless any other definition is expressly provided therein or unless the context otherwise requires— Interpretation of emergency regulations.

“emergency regulation” means any of these regulations or any other regulation made under the Public Security Ordinance, No. 25 of 1947 ;

“essential services” means such services as may for the time being be declared by order of the Governor-General to be of public utility or to be essential for the public safety or essential to the life of the community ;

“explosive” has the same meaning as in the Explosives Act, No. 21 of 1956 ;

“land” includes land covered with water and parts of houses or buildings ;

“requisitioning” means, in relation to any property, taking possession of the property or requiring the property to be placed at the disposal of the requisitioning authority.

(2) The Interpretation Ordinance shall apply to the interpretation of an emergency regulation, and of any orders or rules made thereunder, as it applies to the interpretation of an Ordinance.

(3) Any reference in any document to any emergency regulation shall, unless the contrary intention appears, be construed as a reference to that regulation, as amended by any subsequent regulations made under the Public Security Ordinance, No. 25 of 1947.

3. (1) The appointment of any person as a competent authority for the purposes of any emergency regulation may be made generally for the whole Island or for any area or place specified in the writing by which such person is appointed, and may be limited to such of those purposes as may be specified in that writing : Competent authority.

Provided that nothing in the preceding provisions of this paragraph shall be deemed to preclude the appointment of two or more persons to be competent authorities for any of the purposes of any such regulation or for any specified area or place.

(2) Where the holder of a designated office has been appointed to be the competent authority, then, unless express provision is made to the contrary, the appointment shall be deemed to extend to the person for the time being performing the duties of the office designated.

False
statements.

4. If any person—

- (a) in answer to any request made in pursuance of any emergency regulation or any order made under any such regulation, makes any statement, or furnishes any information, which he knows or has reasonable cause to believe to be false in a material particular, or
- (b) makes such a statement as aforesaid in any account, declaration, estimate, return or other document which he is required by any emergency regulation or by order under any emergency regulation to make,

he shall be guilty of an offence.

Search
warrants.

5. (1) If a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that any offence under any emergency regulation has been or is being committed and that evidence of the commission of the offence or act is to be found at any premises specified in the information, or in any vehicle or vessel so specified, he may grant a search warrant authorising any police officer or any member of the Ceylon Army, Royal Ceylon Navy or Royal Ceylon Air Force, together with any other person named in the warrant and any other police officers or members of the Ceylon Army, Royal Ceylon Navy or Royal Ceylon Air Force, to enter the premises specified in the information, or, as the case may be, any premises upon which the vehicle or vessel so specified may be, at any time within one month from the date of the warrant and to search the premises, or, as the case may be, the vehicle or vessel.

(2) A person authorised by any such warrant as aforesaid to search any premises or any vehicle or vessel may search every person who is found in, or whom he has reasonable ground to believe to have recently left or to be about to enter those premises or that vehicle or vessel, as the case may be, and may seize any article, found in the premises or in the vehicle or vessel, which he has reasonable ground for believing to be evidence of the commission of any such offence or act as aforesaid.

(3) No female shall, in pursuance of any warrant issued under this regulation, be searched except by a female.

Power to
obtain
information
or examine
article.

6. (1) Without prejudice to any special provisions contained in these regulations, any person shall, on being requested so to do by or on behalf of a competent authority appointed by the Prime Minister, furnish or produce to such authority or person as may be specified in the request any such information or article in his possession as may be so specified, being information or an article which the authority or person making the request considers it necessary or expedient to obtain or examine in the interests of the public safety or the maintenance of public order, or for the purposes of any emergency regulation; and if any person fails to furnish or produce any information or article in his possession in pursuance of a request duly made to him under this regulation, he shall be guilty of an offence.

(2) A prosecution in respect of an offence under this regulation shall not be instituted except by, or with the written sanction of, the Attorney-General.

(3) In this regulation, "article" includes any book, account or document.

Prime Minister's
power to
authorise
search, seizure
and removal.

7. (1) The Prime Minister may in writing authorise any person—

- (a) to enter and search any premises, place, vehicle or vessel, and
- (b) to search, and to detain for purposes of search, any person,

and to seize and remove any article, substance or thing whatsoever which is found during such search and which, in the opinion of the person conducting the search, is necessary to be examined or taken charge of in the interests of the public safety or the maintenance of public order or for the purposes of any emergency regulation.

(2) Any person conducting a search under paragraph (1) of this regulation may question any other person present in the premises, place, vehicle or vessel searched, or the person who is searched, in regard to any matter connected with or relating to the purpose of the search.

(3) Every person who is questioned under paragraph (2) of this regulation shall furnish such information as is within his knowledge in regard to the matter on which he is questioned.

(4) The person residing in or in charge of any premises, place, vehicle or vessel which is to be searched under this regulation shall, on demand of the person conducting the search, allow him free ingress thereto and afford all reasonable facilities for a search therein.

(5) A person conducting a search under this regulation may, in order to effect an entrance into the premises, place, vehicle or vessel to be searched, open or break open any outer or inner door or window.

(6) Whenever it is necessary to cause a female to be searched, the search shall be made by another female.

Licences,
permits,
&c.

8. (1) Any person claiming to be the holder of any permit, licence or written permission granted or issued for the purposes of any emergency regulation shall, on demand made in that behalf by any police officer, by any member of the Ceylon Army, Royal Ceylon Navy or Royal Ceylon Air Force, or by any officer authorised by the Prime Minister to act under this regulation, produce the permit, licence or permission, as the case may be, to the person making the demand.

(2) If, with intent to deceive, any person alters or uses, or lends to or allows to be used by any other person, a permit, licence or written permission granted or issued for the purposes of any emergency regulation, or makes or has in his possession any document so closely resembling such a permit, licence or permission as to be calculated to deceive, he shall be guilty of an offence.

(3) Any licence, permit or permission granted for the purposes of any emergency regulation may be revoked at any time by the authority or person empowered to grant it.

9. Without prejudice to any special provisions contained in any emergency regulation, a notice to be served on any person for the purpose of any emergency regulation may be served by sending it by post in a letter addressed to that person at his last or usual place of abode or place of business.

Service of notices.

10. Any power conferred by any emergency regulation to make any order or rules shall be construed as including a power, exercisable in the like manner and subject to the like conditions, if any, to revoke or vary the order or rules.

Revocation and variation of orders, &c.

11. Save as otherwise expressly provided, the powers conferred by any emergency regulation shall be in addition to, and not in derogation of, any other rights or powers vested in the Governor-General, or conferred by law on any other authority or person.

Powers of the Governor-General.

12. Any police officer or any member of the Ceylon Army, Royal Ceylon Navy or Royal Ceylon Air Force may arrest without warrant any person who is committing or has committed or whom he has reasonable ground for suspecting to be committing or to have committed an offence under any emergency regulation.

Power of arrest.

13. (1) Whenever—

(a) the facilities available for communication by telephones operated by means of equipment belonging to or maintained by the Government become restricted, whether by reason of the lack of personnel necessary to maintain such facilities or for any other cause, and

(b) the Director of Telecommunications is of opinion that it is necessary to ensure that such facilities as are available will be used as far as may be only for the purposes of any essential communication,

Restriction of telephone facilities.

the Director may, for the purpose of preventing the use of any telephone which in his opinion is not required for the purpose of effecting any essential communication, withdraw or suspend telephone facilities or take or cause to be taken such other measures as may appear to him to be necessary.

In this paragraph "essential communication" means any communication necessary for purposes connected with or incidental to the maintenance of public order or the maintenance of essential services.

(2) Where the Inspector-General of Police is of the opinion that, with a view to preventing any person from acting in any manner prejudicial to the public safety or to the maintenance of public order, it is necessary that any telephone facilities made available to that person should be withdrawn, he may request the Director of Telecommunications to do so, and such Director shall, upon such request being made, withdraw all telephone facilities from that person.

(3) During any such period as the Permanent Secretary to the Ministry of Defence and External Affairs may from time to time determine, telegraphic or telephonic communication between any such places as he may determine shall not be available for any purpose other than a purpose approved by him.

(4) Notwithstanding anything in any contract relating to the hire or the use of any telephone installation, neither the Government nor the Director of Telecommunications nor any officer acting under his authority shall be liable in damages or incur any other liability whatsoever by reason of any act or thing done in pursuance of the powers conferred by this regulation.

14. (1) The Prime Minister, if satisfied, with respect to any area in Ceylon, that the holding of public processions or public meetings or of any class of such processions or meetings in that area would be likely to cause a disturbance of public order or to promote disaffection, may by order prohibit, for such period as may be specified in the order, the holding in that area of such processions or meetings or processions or meetings of that class, as the case may be, subject to such exemptions as may be made by that order or by any subsequent order made under this regulation.

Prohibition of processions and meetings.

(2) The Prime Minister may give directions prohibiting the holding of any procession or meeting as to which he is satisfied that the holding thereof would be likely to cause a disturbance of public order or to promote disaffection.

(3) Any police officer may take such steps, and use such force, as may be reasonably necessary for securing compliance with any order or directions made or given under this regulation.

15. (1) Every person who, on the day immediately preceding the date on which these regulations come into force, was engaged or employed on any work in connection with any essential service shall be guilty of an offence if he fails or refuses to attend at his usual place of work or employment or at such other place as may from time to time be designated by his employer or a person acting under the authority of his employer, or if he fails or refuses to perform such work as he may be directed by his employer or other person as aforesaid to perform.

Maintenance of essential services.

(2) In any prosecution against any person for an offence under paragraph (1) of this regulation, it shall be a defence for him to prove that he was prevented from attending at his place of work or employment owing to sickness or owing to the fact that transport facilities were not available for him to travel to such place.

(3) Where any employee is alleged to have committed an offence under paragraph (1) of this regulation, his employer shall report in writing the alleged offence to the Commissioner of Labour who shall inquire into it and take such action as he may consider necessary.

Obstruction
of essential
services.

16. Any person who—

(a) by violence to the person or property of the Government or of any other person, or by spoken or written threat, intimidation or insult of any kind to whomsoever addressed, or by molestation of any description, or in any other manner whatsoever—

(i) impedes, obstructs, delays, or restricts any measures taken by the Government or any Department thereof, or by any local authority or company or firm or individual acting under the authority of the Government or any such Department, for securing the maintenance of essential services, or protecting the normal life of the community in any other respect ; or

(ii) compels, incites, induces or encourages any other person employed in or in connection with the carrying out of such measures as aforesaid to surrender or depart from his employment (whether or not such other person does so surrender or depart in consequence) ; or

(iii) prevents any person from offering or accepting employment in or in connection with the carrying out of any such measures as aforesaid ; or

(b) by any physical act, or by any speech or writing incites, induces or encourages any other person to act in contravention of paragraph (a) (whether or not such other person does so act in consequence),

shall be guilty of an offence.

Curfew.

17. (1) The Prime Minister may, as respects any area in Ceylon, by order direct that, subject to such exemptions as may be made by that order or by any subsequent order made under this regulation, no person in that area shall, between such hours as may be specified in the order, be on any public road, railway, public park, public recreation ground or other public ground or the seashore except under the authority of a written permit granted by such person as may be specified in the order.

(2) In paragraph (1) of this regulation, “ public road ” includes any roadway over a public bridge, any pavement, drain, embankment or ditch belonging or appertaining to a public road.

(3) The offence of contravening an order made under this regulation shall be a bailable offence notwithstanding anything to the contrary in regulation 48.

(4) Where a person accused of the offence of contravening an order made under this regulation is ordered by the court to be released on bail or on his executing a bond without sureties for his appearance in court, the amount of the bail bond or of the bond without sureties shall not exceed five hundred-rupees.

Requisitioning
of personal
services.

18. The Minister of Labour, Housing and Social Services may by order under his hand require, or may delegate to any one or more authorities or officers specified in that behalf the power in like manner to require, any person to do any work or render any personal service in aid of, or in connection with, the maintenance of the public safety or the maintenance of essential services.

Prevention of
disaffection.

19. (1) No person shall—

(a) endeavour to cause disaffection among persons engaged in Her Majesty's Service, or in the performance of essential services, or to induce any person to do or omit to do anything in breach of his duty as a person so engaged, or

(b) with intent to contravene, or to aid, abet, or counsel a contravention of sub-paragraph (a), have in his possession or under his control any document of such a nature that the dissemination of copies thereof among any such persons as aforesaid would constitute such a contravention.

(2) A prosecution for a contravention of this regulation shall not be instituted except by, or with the written sanction of, the Attorney-General.

Sedition and
incitement.

20. (1) Any person who by words, whether spoken or written, or by signs or visible representations, or by conduct, or by any other act—

(a) brings or attempts to bring the Sovereign or the Government into hatred or contempt, or excites or incites or attempts to excite or incite feelings of disaffection to, or hatred or contempt of, the Sovereign or the Government ; or

(b) brings or attempts to bring the Constitution of Ceylon or the administration of justice into hatred or contempt, or excites or incites or attempts to excite or incite feelings of hatred or contempt of the Constitution of Ceylon or the administration of justice ; or

(c) excites or incites or attempts to excite or incite the inhabitants of Ceylon or any section, class or group of them to procure, otherwise than by lawful means, the alteration of any matter by law established ; or

(d) raises or creates or attempts to raise or create discontent or disaffection among the inhabitants of Ceylon or any section, class or group of them ; or

(e) promotes or fosters or attempts to promote or foster feelings of hatred or hostility between different sections, classes or groups of the inhabitants of Ceylon ; or

- (f) excites or incites or attempts to excite or incite the inhabitants of Ceylon or any section, class or group of them to the use of any form of physical force or violence, breaches of the peace, disobedience of the law or obstruction of the execution of the law for the purpose thereby of inducing or compelling Parliament or the Government to alter any matter by law established or to do or forbear from doing any act or thing ; or
- (g) assaults or wrongfully restrains, or attempts wrongfully to restrain, or overawes by means of or the show or threat of physical force, or attempts so to overawe the Governor-General, or any member of the Senate or the House of Representatives, or any public servant, intending thereby to induce or compel him to exercise or forbear to exercise any of his lawful powers or functions,

shall be guilty of an offence and punished with rigorous imprisonment which may extend to twenty years and shall also be liable to a fine.

(2) A prosecution for an offence under this regulation shall not be instituted except by or with the written sanction of the Attorney-General.

21. (1) A competent authority appointed by the Prime Minister may take such measures and give such directions as he may consider necessary for preventing or restricting the publication in Ceylon of matter which would or might be prejudicial to the interests of public security or the preservation of public order or the maintenance of supplies and services essential to the life of the community or of matter inciting or encouraging persons to take any action calculated to coerce the Government either directly or by inflicting hardship upon the public or any section thereof, and directions under this paragraph may contain such incidental and supplementary provisions as appear to the competent authority to be necessary or expedient, including provisions for securing that documents, pictorial representations, photographs or cinematograph films shall, before publication, be submitted or exhibited to the competent authority.

Control of publications.

(2) Every person who contravenes the provisions of any directions given under paragraph (1) of this regulation shall be guilty of an offence ; and if any person is convicted of such an offence by reason of his having published a newspaper, the Prime Minister may by order direct that, during such period as may be specified in that order, that person shall not publish any newspaper in Ceylon.

(3) If a competent authority appointed by the Prime Minister is satisfied that there is or has been in any newspaper publication of matter which is, in his opinion, calculated to be prejudicial to the interests of public security or the preservation of public order or the maintenance of supplies and services essential to the life of the community, or matter inciting or encouraging persons to take action calculated to coerce the Government either directly or by inflicting hardship upon the public or any section thereof, he may by order apply the provisions of this regulation to that newspaper.

(4) Where a competent authority appointed by the Prime Minister has, by order, applied the provisions of this regulation to any newspaper specified by name in the order, such provisions shall apply not only to any newspaper published under that name, but also to any newspapers published under any other name if the publication thereof is in any respects in continuation of, or in substitution for, the publication of the newspaper specified in the order.

(5) No person shall print, publish or distribute or be in any way concerned in the printing, publication or distribution of any newspaper to which this regulation applies.

(6) At any time after an order has been made under this regulation, the Prime Minister may direct that the operation of the order be suspended, subject to such conditions as the Prime Minister thinks fit, and may at any time revoke such direction.

(7) If a competent authority appointed by the Prime Minister is of opinion that any printing press, or a printing press under the control of any person, has been or is likely to be used for the production of any document containing matter which is in his opinion calculated to prejudice the interests of the public safety or the preservation of public order or the maintenance of essential services and supplies, or matter inciting or encouraging persons to take any action calculated to coerce the Government either directly or by inflicting hardship upon the public or any section thereof, the competent authority may by order direct that the printing press, or all or any of the printing presses under the control of that person, as the case may be, shall not be used so long as the order is in force ; and any such order may authorise any persons specified therein to take such steps (including the taking possession of any printing press with respect to which the order is made or of any premises in which it is contained or of any part of such printing press or premises) as appear to the persons so authorised to be necessary for securing compliance with the order.

(8) For the purposes of paragraphs (3) and (7) of this regulation, there shall be one or more Advisory Committees consisting of persons appointed by the Prime Minister, and any person dissatisfied with any order made under either of those paragraphs may make his objections in respect thereof to the appropriate Advisory Committee.

(9) It shall be the duty of the competent authority appointed by the Prime Minister to secure that, in any case where an order is made under paragraph (3) or paragraph (7) of this regulation, the proprietor of the newspaper or the owner of the printing press affected thereby is informed that he may make representations to the Prime Minister in writing with respect to that order and that he may, whether or not such representations are made, make objections to the appropriate Advisory Committee.

(10) Any meeting of an Advisory Committee held to consider such objections as aforesaid shall be presided over by a chairman nominated by the Prime Minister, and it shall be the duty of the Chairman to afford to the objector an opportunity of making representations in person in support of his objections.

(11) The report of an Advisory Committee upon any such objections as aforesaid shall be submitted to the Prime Minister, who may after consideration thereof revoke the order to which the objections relate.

(12) Where any newspaper is printed, published or distributed in contravention of any provision of this regulation or of any condition attached to a direction given under paragraph (6) of this regulation, the proprietor, the manager, the editor and the publisher of that newspaper shall, whether or not the direction is revoked in consequence of the contravention, be severally guilty of an offence.

(13) In this regulation—

- (a) "cinematograph films" includes a sound-track and any other article on which sounds have been recorded for the purpose of their being reproduced in connection with the exhibition of such a film ;
- (b) "publication" means, in relation to a cinematograph film, the exhibition of the film to the public, and includes the mechanical or electrical reproductions of any sounds in connection with the exhibition of the film as aforesaid ;
- (c) "newspaper" includes any journal, magazine, pamphlet or other publication ; and
- (d) "printing press" includes any machinery, apparatus or plant capable of being used for printing, lithography, photography, or other mode of representing or reproducing words in a visible form, or any type or other article belonging to such machinery, apparatus or plant.

Arson, looting and trespass.

22. (1) Any person who—

- (a) does, with fire or any combustible matter or any explosive or corrosive substance or with any missile, weapon or instrument of any description, any act which causes the destruction of or damage to property, whether movable or immovable, or any such change in any such property as destroys or diminishes its value or utility, whether it be property of the Government or any local authority or any individual or body of persons ; or
- (b) commits theft of any article in any premises which have been left vacant or unprotected ; or
- (c) does any act intending or knowing or having reasonable cause to believe that such act is likely to impair the efficiency or to impede the working of any vehicle, machinery, apparatus, or other thing, used or intended to be used in the performance of essential services, or to impair the usefulness of any work, structure or premises used or intended to be used as aforesaid ; or
- (d) commits any offence under any of the sections 427 to 446 of the Penal Code or illegally removes or attempts to remove any goods or articles from any premises ; or
- (e) is a member of an unlawful assembly as defined in section 138 of the Penal Code the object of which assembly is to do any act referred to in any of the preceding sub-paragraphs,

shall be guilty of an offence and, notwithstanding anything in the Penal Code or in these regulations, shall, on conviction thereof before the Supreme Court, be liable to suffer death or imprisonment of either description for life.

(2) Section 96 of the Penal Code (which relates to the right of private defence of property and prescribes the circumstances in which death or other harm can be caused to a wrongdoer in the exercise of such right) shall have effect as though there were added at the end of that section the following :—

"Fifthly.—Any offence under regulation 22 of the Emergency (Miscellaneous Provisions and Powers) Regulations."

(3) A prosecution for any offence under this regulation shall not be instituted except by, or with the written sanction of, the Attorney-General or Solicitor-General or a Deputy Solicitor-General or any Crown Counsel authorized in that behalf by the Attorney-General ; and such sanction may be granted by any such officer as aforesaid if he is satisfied that the offence was committed in furtherance of, or in connection with or in course of, civil disturbance prevailing at or about the time of its commission.

Proscribed organisations.

23. (1) Where the Prime Minister is satisfied with respect to any organisation that there is danger of action by, or of the utilisation of, the organisation or its members or adherents for purposes prejudicial to the public safety, the maintenance of public order, or the maintenance of essential services, the Prime Minister may by order published in the *Gazette* declare that organisation to be a proscribed organisation.

(2) Where any organisation has been declared under paragraph (1) of this regulation to be a proscribed organisation, then this regulation shall also apply to every other organisation and every person or body or group of persons engaged in activities substantially similar to those carried on or formerly carried on by the proscribed organisation in like manner as though it or he or they were also a proscribed organisation.

(3) No person shall—

- (a) make, print, or distribute, or be in any way concerned in the making, printing or distribution of, any written or printed matter which is published or purports to be published by a proscribed organisation or by any member or manager thereof ; or
- (b) communicate or attempt to communicate to any other person, in any manner, any order, decision, declaration or exhortation made or purporting to have been made by the organisation or any manager thereof or any information relating thereto ; or
- (c) summon or attend any meeting of the organisation or of any members or managers thereof ; or
- (d) invite or exhort any other person to join or support the organisation ; or
- (e) invite or collect contributions in money or otherwise for the purposes of the organisation or make any such contribution as aforesaid ; or
- (f) do or attempt to do any act or thing in his capacity as a manager or member of the organisation or in such circumstances as are likely to lead any other person to believe that he is acting in such capacity.

(4) If, upon application being made by the Attorney-General, or by any member or creditor of the organisation, it appears to the Supreme Court that any organisation is an organisation to which this regulation applies, the Court may make such order as appears necessary to prevent any disposition without the leave of the Court of property held by or for the organisation, and may direct an inquiry and report to be made as to any such property as aforesaid, and as to the affairs of the organisation, and make such further orders as appears to the Court to be just and equitable for the winding up and dissolving of the organisation and for the application of any such property as aforesaid in or towards any costs incurred in connection with any such inquiry and report and the winding up and dissolving of the organisation and in or towards the discharge of the liabilities of the organisation lawfully incurred before the date of the application or since that date with the approval of the Court, and shall order that any such property which is not directed by the Court to be so applied as aforesaid shall be forfeited to Her Majesty.

(5) In this regulation, “manager”, in relation to any organisation, means any officer of the organisation and any person taking part in the management or control of the organisation or holding or purporting to hold a position of management or control therein.

24. (1) The Prime Minister, if satisfied, with respect to any particular person, that with a view to preventing that person from acting in any manner prejudicial to the public safety or to the maintenance of public order, it is necessary so to do, may make an order for all or any of the following purposes :—

Supervision of suspected persons.

- (a) for securing that, except in so far as he may be permitted by the order, or by such authority or person as may be specified in the order, that person shall not be in any such area in Ceylon as may be so specified ;
- (b) for requiring him to notify his movements in such manner, at such times, and to such authority or person, as may be specified in the order.

(2) If any person is in any area in contravention of an order made under this regulation, or fails to leave any area in accordance with the requirements of such an order, then, without prejudice to any proceedings which may be taken against him, he may be removed from that area by any officer of police or by any other person authorised in that behalf by the Prime Minister.

25. (1) The Permanent Secretary, if satisfied with respect to any person that, with a view to preventing that person from acting in any manner prejudicial to the public safety or to the maintenance of public order, it is necessary so to do, may make an order—

Restriction orders.

- (a) prohibiting that person from leaving his residence without the permission of the officer in charge of the nearest police station, and prohibiting any other person from entering or leaving such residence except in such circumstances as may be specified in the order or be determined by such officer ;
- (b) prohibiting or restricting the possession or use by that person of any specified articles ; and
- (c) imposing upon him such restrictions as may be specified in the order in respect of his employment or business, in respect of his association or communication with other persons and in respect of his activities in relation to the dissemination of news or the propagation of opinions.

(2) For the purpose of this regulation, there shall be one or more Advisory Committees consisting of persons appointed by the Governor-General, and any person aggrieved by an order made against him under this regulation may make his objections to such a Committee.

(3) It shall be the duty of the Permanent Secretary to secure that any person against whom an order is made under this regulation shall be afforded the earliest practicable opportunity of making to the Permanent Secretary representations in writing with respect thereto and that he shall be informed of his right, whether or not such representations are made, to make his objections to such an Advisory Committee as aforesaid. Rules may be made by the Governor-General in relation to the hearing and disposal of such objections.

(4) Any meeting of an Advisory Committee held to consider such objections as aforesaid shall be presided over by a chairman nominated by the Governor-General, and it shall be the

duty of the chairman to inform the objector of the grounds on which the order under this regulation has been made against him and to furnish him with such particulars as are in the opinion of the chairman sufficient to enable him to present his case.

(5) Where an Advisory Committee consists of three persons, the quorum for any meeting thereof shall be two, and where an Advisory Committee consists of more than three persons, the quorum shall be three.

(6) In this regulation, "Permanent Secretary" means the Permanent Secretary to the Ministry of Defence and External Affairs.

Offensive
weapons and
offensive
substances.

26. (1) Any person who without lawful authority or reasonable excuse, the proof whereof shall lie on him, has in his possession or under his control any offensive weapon or any offensive substance shall be guilty of an offence.

(2) A police officer, a member of the Ceylon Army of a rank not below that of Sergeant, a member of the Royal Ceylon Navy of a rank not below that of Petty Officer, or a member of the Royal Ceylon Air Force of a rank not below that of Sergeant, may remove any offensive weapon or any offensive substance which is in the possession or under the control of any person whom he has reasonable cause to believe to be committing an offence under this regulation.

(3) In this regulation—

"offensive substance" means any inflammable, corrosive or volatile substance; and
"offensive weapon" means a bomb or grenade or any other device or contrivance made or intended for a use or purpose similar to that of a bomb or grenade, or any article capable of being used for causing injury to the person.

(4) Notwithstanding anything in the Firearms Ordinance, any person who is convicted of an offence against that Ordinance by reason of the contravention of the provisions of section 22 of that Ordinance relating to the custody, or possession or use of unlicensed guns shall be liable to a fine not exceeding five thousand rupees or to imprisonment of either description for a term not exceeding five years or to both such fine and imprisonment.

Public
transport
services.

27. (1) Notwithstanding anything in the Motor Traffic Act, No. 14 of 1951, and the Motor Transport Act, No. 48 of 1957, if a competent authority is satisfied that it is expedient so to do for the purpose of maintaining supplies and services essential to the life of the community, he may by order direct that any such public transport service as may be specified in the order shall be carried on in accordance with directions given by him from time to time, and such directions may provide for all such matters as he may deem necessary for the purpose and, in particular, may provide for the alteration, extension or curtailment of the area of operation of such service, or for the operation of emergency and additional services.

(2) Nothing in the aforesaid Acts or any other written law shall prevent or excuse or be deemed to prevent or excuse any person carrying on a public transport service from complying with any order made under paragraph (1) of this regulation.

(3) Notwithstanding anything in the aforesaid Acts, if a competent authority is satisfied that it is expedient so to do for the purpose of maintaining supplies and services essential to the life of the community, he may establish, maintain or operate any public transport service, and may do all such things and take all such measures as he may deem necessary for that purpose and, in particular—

- (a) may establish, maintain and operate all such ancillary services as he may deem necessary for that purpose, including services for the supply or distribution of fuel;
- (b) may employ such number of persons as he may deem necessary for that purpose on such terms and conditions as may be fixed by him; and
- (c) may require any company, authority or person supplying or authorised to supply fuel to carry out such work and render such services in connection with such supply as he may deem necessary for that purpose.

(4) The competent authority or any person authorised by him in that behalf may direct any company, authority or person to perform such services in, or in connection with, or incidental to, any public transport service established, maintained or operated by a competent authority under this regulation as may be specified by the direction, being services which that authority, company or person is, in the opinion of the competent authority or person authorised by him in that behalf, capable of performing.

(5) In this regulation—

"competent authority" means the person or each person appointed as such, by name or by office, by the Minister of Transport and Works; and

"public transport service" means any public road transport service for the carriage of passengers or goods.

Restricted
places.

28. (1) If a competent authority is of opinion that special precautions should be taken to prevent the entry of unauthorised persons into any area, place or premises wholly or mainly occupied or used for the maintenance of essential services, that competent authority may by order provide that no person shall, subject to such exemptions as may be specified in the order, enter or remain upon that area or place or those premises without the permission of such authority or person as may be specified in the order.

(2) If any person is in any area, place or premises in contravention of an order made under this regulation, then, without prejudice to any other proceedings that may be taken against him, he may be removed therefrom by any officer of police or any member of the Ceylon Army, Royal Ceylon Navy, or Royal Ceylon Air Force or by any other person authorised in that behalf by a competent authority.

(3) For the purpose of this regulation, “competent authority” —

- (a) in relation to any area, place or premises used or occupied in connection with the maintenance of any essential services referred to in sub-paragraph (1) of paragraph 2 of the Essential Services Order, means a person or every person appointed as such, by name or office, by the Minister of Agriculture and Food ;
- (b) in relation to any area, place or premises used or occupied in connection with the essential services referred to in sub-paragraphs (2), (3), (4), (5) and (7) (a) of paragraph 2 of the Essential Services Order, means a person or every person appointed as such, by name or office, by the Minister of Transport and Works ;
- (c) in relation to any area, place or premises used or occupied in connection with the essential services referred to in sub-paragraph (6) of paragraph 2 of the Essential Services Order, means every person appointed as such, by name or office, by the Minister of Posts, Broadcasting and Information.

(4) In this regulation, “Essential Services Order” means the Essential Services Order made under regulation 2 of these regulations.

29. (1) The Permanent Secretary, if of opinion with respect to any person that, with a view to preventing such person from acting in any manner prejudicial to the public safety or to the maintenance of public order or the maintenance of essential services, it is necessary so to do, may make an order directing that such person be taken into, and detained in, custody.

Detention of persons.

(2) Any police officer or member of the Ceylon Army, Royal Ceylon Navy or Royal Ceylon Air Force shall have the right to carry into effect any order made under paragraph (1) of this regulation and to use all such force as may be necessary for the purpose.

(3) Any person detained in pursuance of an order under paragraph (1) of this regulation shall be deemed to be in lawful custody and shall be detained in such place as may be authorised by the Inspector-General of Police and in accordance with instructions issued by him ; and where any such person is so detained in a prison established under the Prisons Ordinance, the provisions of the Prisons Ordinance and the rules made thereunder shall, subject as hereinafter provided, apply to that person as though he were a civil prisoner within the meaning of that Ordinance :

Provided that the Permanent Secretary may direct that any such rule shall not apply or shall apply subject to such amendments or modifications as may be specified in such direction.

(4) For the purpose of this regulation, there shall be one or more Advisory Committees consisting of persons appointed by the Governor-General, and any person aggrieved by an order made against him under this regulation, may make his objections to such a Committee.

(5) It shall be the duty of the Permanent Secretary to secure that any person against whom an order is made under this regulation shall be afforded the earliest practicable opportunity of making to the Permanent Secretary representations in writing with respect thereto and that he shall be informed of his right, whether or not such representations are made, to make his objections to such an Advisory Committee as aforesaid. Rules may be made by the Governor-General in relation to the hearing and disposal of such objections.

(6) Any meeting of an Advisory Committee held to consider such objections as aforesaid shall be presided over by a chairman nominated by the Governor-General and it shall be the duty of the chairman to inform the objector of the grounds on which the order under this regulation has been made against him and to furnish him with such particulars as are in the opinion of the chairman sufficient to enable him to present his case.

(7) Where an Advisory Committee consists of three persons, the quorum for any meeting thereof shall be two, and where an Advisory Committee consists of more than three persons, the quorum shall be three.

(8) The report of an Advisory Committee with respect to any such objections as aforesaid shall be submitted to the Permanent Secretary who may, after consideration thereof, revoke the order to which the objections relate.

(9) Where the Permanent Secretary certifies in writing that any person in respect of whom an order under paragraph (1) of this regulation is made is suspected by him to be or to have been a member of an organisation proscribed under Regulation 23 of these Regulations, the provisions of paragraphs (4), (5), (6), (7) and (8) of this regulation shall not apply in regard to that person.

(10) Section 45 of the Courts Ordinance shall not apply in regard to any person detained in pursuance of an order made under paragraph (1) of this regulation.

(11) An order under paragraph (1) of this regulation or a certificate under paragraph (9) of this regulation shall not be called in question in any court on any ground whatsoever.

(12) In this regulation, “Permanent Secretary” means the Permanent Secretary to the Ministry of Defence and External Affairs.

(13) Where a person detained in custody under an order made under this regulation is a person who prior to such detention was detained in custody under an order made under regulation 29 of the Emergency (Miscellaneous Provisions and Powers) Regulations published in *Gazette Extraordinary* No. 11,376 of June 27, 1958, then, if he has duly made written objections against the earlier order of detention for the consideration of an Advisory Committee appointed for the purpose and such Committee has not made its report thereon, such objections shall be deemed to be objections duly made by such person against the order under which he is for the time being detained in custody.

Requisitioning
and
acquisition of
property.

30. (1) Subject as hereinafter provided, a competent authority, if it appears to that authority to be necessary or expedient so to do in the interests of public security, the preservation of public order or for the maintenance of supplies and services essential to the life of the community, may requisition any article in Ceylon (including any vessel or aircraft which is owned by any person resident in Ceylon or which is in Ceylon or in any port of Ceylon), and may give such directions as appear to the competent authority to be necessary or expedient in connection with the requisitioning.

(2) Where a competent authority requisitions any property under paragraph (1) of this regulation or any property (other than land) is in the possession or at the disposal of a competent authority by reason of the exercise of any power exercisable by virtue of the prerogative of the Crown or of any power conferred by section 7 of the Telecommunications Ordinance, No. 50 of 1944, or by section 7 of the Air Navigation Act, No. 15 of 1950, the competent authority may use or deal with, or authorise the use of or dealing with, the property for such purpose and in such manner as the competent authority thinks expedient in the interests of public security, the preservation of public order or for the maintenance of supplies and services essential to the life of the community, and may hold, or sell or otherwise dispose of, the property as if the competent authority were the owner thereof and as if the property were free from any mortgage, pledge, lien or other charge, and, in a case where the property requisitioned is a vessel, vehicle, aircraft, excavator, crane, agricultural implement or agricultural machinery, may acquire it by serving on the owner of the vessel, vehicle, aircraft, excavator, crane, agricultural implement or agricultural machinery a notice stating that the competent authority has acquired it in pursuance of this regulation.

(3) Where a notice of acquisition is served under paragraph (2) of this regulation on the owner of any vessel, vehicle, aircraft, excavator, crane, agricultural implement or agricultural machinery, then, at the beginning of the day on which the notice is served,—

(a) the vessel, vehicle, aircraft, excavator, crane, agricultural implement or agricultural machinery shall vest in the competent authority free from any mortgage, pledge, lien or other charge, and

(b) the period of the requisition thereof shall end.

(4) A competent authority, if it appears to that authority to be necessary for the effectual exercise of the powers conferred by paragraph (1) of this regulation so to do, may, by order made as respects the whole of Ceylon or any specified area thereof,—

(a) direct that no person who, at the time when the order takes effect, has in his possession or under his control at any premises in the area to which the order relates, any such article as may be described in the order, shall remove the article, or cause or permit it to be removed, from the premises until the removal of the article therefrom is permitted by such person or authority as may be specified in the order ;

(b) require the owner or occupier of any premises in the said area to send to such person or authority as may be specified in the order a written declaration stating or estimating whether or not, on such date as may be specified in the order, any such article as aforesaid was or will be on the premises, and if so, the number or quantity of such article which was or will be on the premises on that date, according as the order may direct ; or

(c) require persons who may from time to time own, or have in their possession or custody, or under their possession or custody, or under their control, any such vehicle within the said area as may be described in the order to furnish in writing to such authority or person as may be specified in the order, such information relating to the vehicle and its parts (including spare parts) and accessories as may be so specified.

(5) The powers conferred by the preceding provisions of this regulation shall not be exercisable in relation to currency, gold, securities or negotiable instruments.

(6) Any reference in this regulation to articles shall be construed as including a reference to substances, vehicles, or animals.

(7) The Permanent Secretary to the Ministry of Defence and External Affairs may, if it appears to him to be necessary or expedient so to do in the interests of public security or the preservation of public order or for the maintenance of supplies and services essential to the life of the community, requisition any immovable property in Ceylon and give such directions as appear to him to be necessary or expedient in connection with the requisitioning.

(8) Where any immovable property is requisitioned under paragraph (7) of this regulation, the Permanent Secretary to the Ministry of Defence and External Affairs may use or deal with, or authorise the use of or dealing with, that property for such purpose and in such manner as he thinks expedient in the interests of public security or the preservation of public order or for the maintenance of supplies and services essential to the life of the community.

(9) Any officer of police and any other officer of Government shall, upon being requested to do so, aid and assist any person in the exercise of powers conferred on that person by the preceding provisions of this regulation.

(10) For the purposes of this regulation, “ competent authority ”—

(a) in relation to the requisitioning of vehicles (including spare parts) which are required for the operation of passenger transport services and the requisitioning of vessels which are required in the interests of public security or the preservation of public order or for the maintenance of supplies and services essential to the life of the community, means a person or each person appointed as such, by name or by office, by the Minister of Transport and Works ;

- (b) in relation to the requisitioning of vehicles (including spare parts) which are required for the transport of food, means a person or each person appointed as such, by name or by office, by the Minister of Agriculture and Food ;
- (c) in relation to the requisitioning of articles (including vehicles) which are required for the provision of health and medical services, means a person or each person appointed as such, by name or by office, by the Minister of Health ;
- (d) in relation to the requisitioning of vehicles which are required for the preservation of public order, means the Commander of the Army, the Captain of the Navy, the Commander of the Air Force, or the Inspector-General of Police ;
- (e) in relation to the requisitioning of articles which are required for the purposes of agriculture, means a person or each person appointed as such, by name or by office, by the Minister of Agriculture and Food ; and
- (f) in relation to the requisitioning of any other article, means a person or each person appointed as such, by name or by office, by the Prime Minister.

31. No person shall publish any rumour or false statement which is likely to cause public alarm.

Publication of rumours and false statements.

32. (1) No person shall, in any public place, make a speech which is likely to cause a breach of the public peace.

Speeches in public places.

(2) In this regulation, "public place" means any highway, public park or garden, sea beach, and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not, and includes any open space to which for the time being the public have or are permitted to have access, whether on payment or otherwise.

33. (1) No person shall, without the permission of the Inspector-General of Police or of any police officer authorised in that behalf by the Inspector-General of Police, affix in any place visible to the public or distribute among the public any posters, handbills or leaflets.

Distribution of leaflets, &c.

(2) In any proceedings in respect of an offence alleged to have been committed by a person under paragraph (1) of this regulation, a certificate signed by the Inspector-General of Police and stating that such person had no permission of the Inspector-General of Police, or of any Police officer authorised in that behalf by the Inspector-General of Police, to affix in any place visible to the public or distribute among the public any posters, handbills or leaflets, shall be admissible in evidence without proof of the signature of the Inspector-General of Police and shall be *prima facie* evidence of the facts stated in such certificate.

34. No person shall, without lawful authority, cause any obstruction or damage to any public road, bridge or culvert, or to any railway.

Obstruction or damage of roads, railways, &c.

35. (1) No person shall attend at or near a house or place where any other person resides or works or carries on business or happens to be, in such manner as to be calculated to intimidate any person in that house or place, or to obstruct the approach thereto or egress therefrom, or to lead to a breach of the peace.

Prevention of intimidation, &c.

(2) In this regulation, the expression "intimidate" means to cause in the mind of a person a reasonable apprehension of injury to him or to any member of his family or to any of his dependants or of violence or damage to any person or property, and the expression "injury" includes injury to a person in respect of his business, occupation, employment or other source of income, and includes any actionable wrong.

36. No person shall, without lawful authority,—

- (a) climb any post or other contrivance erected or installed for carrying, suspending or supporting any wire used for the purpose of the telegraph or telephone services of Ceylon or for the purpose of distributing electrical energy, or
- (b) dig in or near any place underneath which any cable or wire used for any such purpose is laid.

Climbing telegraph posts, &c.

37. (1) The Inspector-General of Police may, with a view to ensuring the public safety and the maintenance of public order, cause any gun or explosive in the possession of any person to be removed and kept in such custody as he may determine.

Guns and explosives.

(2) During the continuance in force of this regulation—

- (a) no Government Agent or Assistant Government Agent, and no delegate appointed under section 49 of the Firearms Ordinance by any such Agent, shall be a licensing authority for the purposes of that Ordinance, and the licensing authority for the purposes of that Ordinance shall be the Permanent Secretary ; and
- (b) no Government Agent, Additional Government Agent, Assistant Government Agent or Additional Assistant Government Agent, and no public officer authorized in writing in that behalf under section 6 of the Explosives Act, No. 21 of 1956, by any such Agent, shall be a licensing authority for the purposes of that Act, and the licensing authority for the purposes of that Act shall be the Permanent Secretary.

(3) The Permanent Secretary may order the seizure of any guns imported into, or exposed or kept for sale anywhere in, Ceylon by any dealer in guns who is licensed in that behalf under the Firearms Ordinance, and their removal to, and retention in, any such place as may be determined by the Permanent Secretary.

(4) No person shall conceal the arms to which an order issued by the Permanent Secretary under paragraph (3) of this regulation relates or do any other act with a view to prevent the execution of such order.

(5) The Permanent Secretary may order the seizure of any explosives which are imported into, or manufactured or exposed or kept for sale in, Ceylon by any person who is licensed in that behalf under the Explosives Act, No. 21 of 1956, or which are in the possession of any person who is licensed under that Act to carry on the business of a manufacturer of explosives, and their removal to, and retention in, any such place as may be determined by the Permanent Secretary.

(6) No person shall conceal the explosives to which an order issued by the Permanent Secretary under paragraph (5) of this regulation relates or do any other act with a view to prevent the execution of such order.

(7) Any person specified in that behalf in any order issued by the Permanent Secretary under paragraph (3) or paragraph (5) of this regulation may execute such order. For the purpose of executing such order, such person may be assisted by any other person or persons and may enter the premises or place specified in such order and open or break open any outer or inner door or window for the purpose of entering such premises or place, and any receptacle or repository wherein any guns or explosives are suspected by such person to be kept.

(8) During the continuance in force of this regulation, no licence issued under the Explosives Act, No. 21 of 1956, and authorising the carrying on of the business of a manufacturer of explosives shall be in force, and no person shall manufacture any explosives in Ceylon.

(9) Every person—

(a) who is a dealer in guns under the authority of a licence issued under the Firearms Ordinance, or

(b) who is an importer or a manufacturer, vendor or supplier of explosives under the authority of a licence issued under the Explosives Act, No. 21 of 1956, or

(c) who is the holder of a permit granted under the Explosives Act, No. 21 of 1956,

shall, within such time as may be specified by the Permanent Secretary, furnish to the Permanent Secretary such returns as the Permanent Secretary may from time to time require.

(10) During the continuance in force of this regulation, section 25 of the Firearms Ordinance and sections 10 and 22 of the Explosives Act, No. 21 of 1956, shall not be in force.

(11) In this regulation—

“explosives” shall have the same meaning as in the Explosives Act, No. 21 of 1956 ;

“gun” shall have the same meaning as in the Firearms Ordinance ; and

“Permanent Secretary” means the Permanent Secretary to the Ministry of Home Affairs.

Throwing missiles.

38. No person shall throw any thing or substance at any engine, tender, carriage or truck upon any railway, or any vehicle upon any public road, in such manner as to endanger the safety of any person who is in or upon such engine, tender, carriage, truck or vehicle.

Pointing of gun.

39. (1) No person shall, without lawful excuse, point at any other person any gun, whether loaded or unloaded.

(2) In this regulation, the expression “gun” has the same meaning as in the Firearms Ordinance.

Articles suspected to have been stolen.

40. (1) If any person is found, or is proved to have been, in possession or in charge of any article which is suspected to have been stolen, he shall, unless he gives a satisfactory account as to how he came by such article, be guilty of an offence.

(2) No prosecution for an offence under this regulation shall be instituted except by or with the written sanction of the Attorney-General.

Pawnbrokers.

41. (1) During the continuance in force of this regulation, the Pawnbrokers Ordinance, No. 13 of 1942, shall have effect as if sections 18, 19 and 26 of that Ordinance were not in force.

(2) No pawnbroker shall dispose of by sale or otherwise any pledge which has not been redeemed.

(3) In this regulation, the expressions “pawnbroker” and “pledge” shall have the same meaning as in the Pawnbrokers Ordinance, No. 13 of 1942.

Resistance or obstruction of persons in authority.

42. No person shall resist or obstruct any other person in the exercise or discharge of any power or duty conferred or imposed on that other person by or under any emergency regulation.

Delegation of Prime Minister's powers, duties and functions under Emergency Regulations.

43. Any power, duty or function conferred or imposed on the Prime Minister by any emergency regulation may be exercised or performed by any other Minister who is authorised in that behalf by the Prime Minister.

Penalties.

44. (1) If any person contravenes or fails to comply with any emergency regulation, or any order or rule made under any such regulation (other than an order made under paragraph (1) of regulation 17) or any direction given or requirement imposed under any such regulation, he shall be guilty of an offence, and, subject to any special provisions contained in such regulation, shall, on conviction after summary trial before a Magistrate, be liable to rigorous imprisonment for a term not less than three months and not exceeding five years or to a fine not less than five hundred rupees and not exceeding five thousand rupees or to both such imprisonment and such fine.

(2) If any person contravenes an order made under paragraph (1) of regulation 17, he shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to rigorous imprisonment for a term not exceeding one month or to a fine not exceeding one hundred rupees or to both such imprisonment and fine.

(3) Where no punishment is prescribed in any emergency regulation for an offence under that regulation, a person guilty of such offence shall, on conviction after summary trial before a Magistrate, be liable to the same punishment as that specified in paragraph (1) of this regulation.

(4) Section 15B of the Criminal Procedure Code and section 6 of the Payment of Fines (Courts of Summary Jurisdiction) Ordinance, No. 49 of 1938, shall not apply to any person convicted of an offence under any emergency regulation.

45. (1) Any person who attempts to commit, or does any act preparatory to the commission of, any offence under any emergency regulation, shall be deemed to be guilty of an offence under that regulation.

Attempts to commit offences and assisting offenders.

(2) No person knowing or having reasonable cause to believe that any other person is guilty of an offence under any emergency regulation, shall give that other person any assistance with intent thereby to prevent, hinder or interfere with the apprehension, trial or punishment of that person for the said offence.

46. Where an offence under any emergency regulation is committed by a body of persons, then—

Offences by bodies of persons.

(a) if that body is a body corporate, every director of that body corporate, and

(b) if that body is a firm, every partner of that firm,

shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

47. (1) Proceedings in respect of an offence alleged to have been committed by a person under any emergency regulation may be taken before the appropriate court in Ceylon having jurisdiction in the place where that person is for the time being.

Legal proceedings, sittings of courts, &c.

(2) Save as otherwise expressly provided, the provisions of the Criminal Procedure Code shall apply to and in relation to all proceedings in respect of an offence under any emergency regulation.

(3) The Attorney-General may decide in which court any offence shall be inquired into or tried. Such court shall be a court which would have jurisdiction to inquire into or try such offence if such offence had been committed within the local limits of the jurisdiction of such court.

(4) During the continuance in force of this regulation, section 43 of the Courts Ordinance which empowers the Attorney-General to transfer any inquiry into or trial of any criminal offence from any court or place to any other court or place shall have effect as if the proviso to that section were not in force.

(5) If the Minister of Justice deems it expedient so to do, he may by order published in the *Gazette* make provision for any of the following matters :—

(a) The suspension or termination of the holding of the Criminal Sessions of the Supreme Court in any Province.

(b) The transfer of all or any of the cases ready for trial at any such Criminal Sessions of the Supreme Court in any Province as are suspended to any Criminal Sessions of the Supreme Court held in any other Province.

(c) The suspension of the sittings of all or any of the District Courts, Magistrates' Courts and Rural Courts in any Province.

(d) Other matters in respect of which provision is necessary to be made for the purpose of giving full force and effect to the order.

(6) An order made by the Minister of Justice under paragraph (5) of this regulation shall have the force of law notwithstanding anything in any other written law.

48. (1) Notwithstanding anything in any law and subject to the provisions of paragraphs (2) and (3) of this regulation, no court shall release on bail any person accused of any offence under Chapter VI, Chapter VII or Chapter VIII of the Penal Code, or any offence under any emergency regulation, unless the Attorney-General has consented in writing to the release of that person on bail, or a police officer of a rank not below that of Assistant Superintendent informs the court orally or in writing that he does not object to the release of that person on bail.

Bail.

(2) Where any person who is accused of an offence under any emergency regulation has been on remand for fourteen days or more, the court shall release him on bail or on his executing a bond without sureties for his appearance in court, and the amount of the bail bond or of the bond without sureties shall—

(a) where that offence is under regulation 20 or regulation 22, be a reasonable amount not exceeding one thousand rupees, and

(b) where that offence is under any other emergency regulation, be a reasonable amount not exceeding five hundred rupees.

In this paragraph—

(1) the expression "emergency regulation" includes any emergency regulation made and in force when Part II of the Public Security Ordinance, No. 25 of 1947, was in operation by virtue of the Proclamation made under section 2 of that Ordinance and published in *Gazette Extraordinary* No. 11,321 of May 27, 1958, or of the Proclamation made under that section and published in *Gazette Extraordinary* No. 11,369 of June 24, 1958, and

(2) the expression " regulation 20 or regulation 22 " means regulation 20 or regulation 22 of these regulations or of the Emergency (Miscellaneous Provisions and Powers) Regulations published in *Gazette Extraordinary* No. 11,321 of May 27, 1958, or of the Emergency (Miscellaneous Provisions and Powers) Regulations published in *Gazette Extraordinary* No. 11,376 of June 27, 1958.

(3) Where any person accused of an offence under the Penal Code and on remand for not less than fourteen days is not released by the court on bail, he shall be admitted to bail by the court if the Attorney-General so directs.

Modifications
of the Criminal
Procedure Code.

49. (1) During the continuance in force of this regulation—

- (a) sections 99, 100, 101, 102 and 103 of the Criminal Procedure Code (which relate to the power to disperse unlawful assemblies) shall cease to be in force, and
- (b) any police officer of a rank not below that of Sergeant, any member of the Ceylon Army of a rank not below that of Sergeant, any member of the Royal Ceylon Navy of a rank not below that of Petty Officer, or any member of the Royal Ceylon Air Force of a rank not below that of Sergeant, may order any assembly of persons to disperse if, in the opinion of the officer giving the order, such assembly is likely to create a breach of the peace, and, upon such order being made, the members of such assembly shall disperse.

(2) If, upon being ordered to disperse by any officer empowered by this regulation to issue such order, any assembly does not disperse or conducts itself in such a manner as to show determination not to disperse, such officer may proceed to disperse such assembly by force, including armed force, and may, if necessary, cause the members of such assembly to be arrested and confined in order to disperse such assembly or in order that they may be punished according to law.

(3) During the continuance in force of this regulation, section 325 of the Criminal Procedure Code shall not apply to or in relation to any person who is charged with, or is convicted of, any offence under any emergency regulation.

Priority for
proceedings
in respect of
offences under
emergency
regulations.

50. The proceedings in any court in respect of an offence alleged to have been committed by a person under any emergency regulation shall be taken up before any other business of that court unless special circumstances of urgency in such other business render it impossible to do so. Any adjournment of the trial of a person charged with any such offence shall not, except in special circumstances of urgency, be otherwise than from the day of adjournment to the immediately following day.