



Ceylon Government Gazette

EXTRAORDINARY.

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Part I.—Minutes, Proclamations, Appointments; &c.

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

GOVERNMENT NOTIFICATIONS.

THE following amended rule governing the transport of arrack by railway, made by the Governor with the advice of the Executive Council under the provisions of section 5 of Ordinance No. 9 of 1902, will come into operation on and from March 14, 1904.

All previous rules on the subject are hereby cancelled.

Colonial Secretary's Office,
Colombo, March 12, 1904.

By His Excellency's command,
EVERARD IM THURN,
Colonial Secretary.

Rule referred to.

Senders of arrack are required to produce a permit signed by the Government Agent of the Province, or other duly authorized person, authorizing the despatch of the arrack by railway. Such permits must specify the railway station at which the arrack is to be delivered, and also the names of the persons on whose behalf it is removed, the period within which it is to be removed, the place to which it is to be removed, and the mode in which it is to be removed from the receiving station.

NOTE.—The permit will accompany the railway invoice, and the arrack will only be delivered to consignee in terms of the permit.

WITH reference to Notification No. 92 of 1904, published in the *Gazette* of March 11, 1904, it is hereby notified that His Excellency the Governor has been pleased to appoint Mr. R. G. SAUNDERS to be Office Assistant to the Assistant Government Agent, Mannar, in addition to his other duties, during the Pearl Fishery of Marichchikaddi.

Colonial Secretary's Office,
Colombo, March 12, 1904.

By His Excellency's command,
EVERARD IM THURN,
Colonial Secretary.

DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to amend "The Widows' and Orphans' Pension Fund Ordinance, 1898."

Preamble.

WHEREAS it is expedient to amend the Widows' and Orphans' Pension Fund Ordinance in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance shall be cited as "The Widows' and Orphans' Pension Fund Ordinance, 1904," and shall be read as one with the Ordinance No. 1 of 1898, herein referred to as "the principal Ordinance."

Transfer of fund to account of general revenue.

2 The accumulated debt of the Government of Ceylon to the Civil Service Widows' and Orphans' Fund established under Ordinance No. 20 of 1885 and subsequent amending Ordinances is hereby cancelled, and the total amount standing to the credit of that fund in the Treasurer's books shall be transferred to the account of general revenue.

Pensions charged upon general revenue of colony.

3 Pensions payable out of the said fund, and all future pensions that would hereafter become payable thereout if the fund had been maintained, shall after the passing of this Ordinance be paid out of the general revenue of the colony, and are hereby made charges upon such revenue.

Future contributions to be credited to general revenue.

4 All future contributions and other revenues receivable from public officers under the provisions of the principal Ordinance shall be carried to the credit of the general revenue account of the colony, provided that the sums so received shall not be assessable for military contribution under Ordinance No. 2 of 1898.

Revision of prospective and existing pensions and disposal of surplus of fund.

5 (1) The prospective pensions of the widows and orphans of public officers contributing to the fund on the 31st March, 1904, and the existing pensions of the widows and orphans of any former public officers who died previous to that date, shall be revised on the basis of the tables attached to this Ordinance as though such tables had been in force since the date of the establishment of the fund; and all existing pensions shall become payable at the revised rate as from the Provided that in any case in which the pension already guaranteed under the tables previously in force would be in excess of the amount to be calculated under the tables attached to this Ordinance, the higher amount shall be allowed and guaranteed.

(2) After the pensions have been fixed according to the preceding sub-section, a valuation of the assets and liabilities of the fund shall be made as on the 31st March, 1904, precisely on the same conditions and assumptions as the valuation previously made under section 23 of the principal Ordinance, and the whole surplus disclosed by such valuation shall be applied in increasing the prospective pensions of the widows and orphans of the contributors to the fund at the date of valuation and the existing pensions of the widows and orphans of those who have died since 31st December, 1898, the date of the last valuation, and of former contributors who have ceased to contribute on attaining the age of sixty-five, in such shares and proportions as shall be recommended by the actuaries, having due regard to the principles laid down in this Ordinance and the principal Ordinance, account being taken in such division of the surplus of the fact that under the proviso of the preceding sub-section certain pensions will have been fixed at a higher rate than is provided for by the tables attached to this Ordinance.

Calculation of future pensions.

6 All pensions accruing after the passing of this Ordinance in respect of increments of salary of existing public officers shall be calculated according to the tables annexed to this Ordinance.

Management of fund.

7 The duties, obligations, and responsibilities imposed upon the directors by the principal Ordinance shall be discharged and undertaken by such person or persons as may be appointed by the Governor to undertake the same, subject to the control of, and to rules for his guidance to be made by, the Governor in Executive Council.

Power of directors to allow persons who have ceased to contribute to resume their contributions.

8 (1) When the contribution of any person who has continued to contribute to the fund under section 13 or 14 of the principal Ordinance after ceasing to hold office in the public service of Ceylon is not paid for six months, it shall be lawful for the directors, with the sanction of the Governor in Council, to allow such person to resume his contributions to the fund at the same rate and subject to the same terms and conditions as if he had not made default in paying his contribution as aforesaid, subject nevertheless to the following conditions, namely:

- (a) The directors shall not extend the benefit of this section to any person unless he satisfies the directors that his default in paying his contribution was due to inadvertence or accident, and unless he has applied to be allowed to resume his contributions within such time as the directors, having regard to the circumstances of the case, shall consider reasonable.
- (b) No person shall be allowed to resume his contributions to the fund unless he has first paid all arrears of contribution up to date.
- (c) The directors may, before allowing any person to resume his contributions to the fund, require him to pay to the credit of the fund, by way of penalty, such sum not exceeding fifty rupees as the directors may think proper.

(2) The provisions of this section shall extend to cases where the default in paying the contribution due to the fund has been made before, as well as to cases where such default shall be made after the commencement of this Ordinance.

Repeal.

9 On and from the day on which this Ordinance comes into operation the following sections of Ordinance No. 1 of 1898 are repealed:—4, 5, 6 (5), 7, 23.

By His Excellency's command,

EVERARD IM THURN,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, March 14, 1904.