

*Trust Funds.***No. 20 of 1901.****An Ordinance to facilitate the Investment of Trust and other Funds in the United Kingdom in Ceylon Government Securities.**

## Preamble.

**W**HEREAS by an Act of the Imperial Parliament known as "The Colonial Stock Act, 1900," the securities in which a trustee may invest under the powers of the Act of that Parliament known as "The Trustee Act, 1893," are declared to include any colonial stock which is registered in the United Kingdom in accordance with the provisions of the Colonial Stock Acts, and with respect to which there have been observed such conditions (if any) as the Lords Commissioners of the Treasury of the United Kingdom may, by order notified in the *London Gazette*, prescribe :

And whereas the said Lords Commissioners of the Treasury of the United Kingdom have, by an order dated 6th December, 1900, prescribed as two of the said conditions that a Colony shall provide by legislation for the payment, out of the revenue of the Colony, of any sums which may become payable to stockholders under any judgment, decree, rule, or order of a court in the United Kingdom, and that the Colonial Government should place on record a formal expression of their opinion that any colonial legislation which appears to the Imperial Government to alter any of the provisions affecting the stock to the injury of the stockholder, or to involve a departure from the original contract in regard to the stock, would properly be disallowed :

And whereas it is expedient that provision should be made to enable advantage to be taken of the said Acts in respect of investment of trust funds in Ceylon Government securities :

Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows :

## Definitions.

1 In this Ordinance the expression "Crown Agents" means the person or persons for the time being acting as Crown Agents for the Colonies in England, or any one of them.

The expression "Colonial Stock Acts" means the Acts of the Imperial Parliament known as "The Colonial Stock Acts, 1877 to 1900."

## Application of Ordinance.

2 This Ordinance shall apply to all securities heretofore or hereafter created or issued on behalf of the Government of Ceylon to which for the time being the Colonial Stock Acts apply, and which are for the time being registered in the United Kingdom in accordance with the provisions of those Acts, each and all of which securities are hereinafter referred to as "Ceylon Government Securities."

3 (1) Whenever by the final judgment, decree, rule, or order of any court of competent jurisdiction in the United Kingdom any sum of money is adjudged or declared to be payable by the Government of Ceylon in respect of any Ceylon Government securities, the Government shall forthwith pay that sum out of the funds in the hands of the Crown Agents belonging to the Government, without further appropriation than this Ordinance.

Provisions for payment of money due to stockholders.

(2) For the purposes of this section "final judgment, decree, rule, or order" means in case of appeal the final judgment, decree, rule, or order of the ultimate court hearing the appeal.

4 In order to enable every such payment to be duly made, a certificate under the hands of the Crown Agents, specifying the sum so paid under order of any such court, shall be sufficient authority to the Auditor-General or other officer having the auditing of their accounts for passing such sum without further appropriation.

Certificate by Crown Agents.

5 If at any time hereafter an Ordinance is passed which appears to the Imperial Government to alter any of the provisions affecting the Government securities to the injury of the holder thereof, or to involve a departure from the original contract in regard to those securities, that Ordinance will properly be disallowed.

Any Ordinance affecting injuriously holders of Government securities to be disallowed.

6 This Ordinance may be cited as "The Trustee Investment in Ceylon Government Securities Ordinance, 1901."

Short title.

27th November, 1901.