

*Local Boards of Health.***No. 9 of 1887.****An Ordinance to amend "The Local Board of Health and Improvement Ordinance, 1876."**

Preamble.

WHEREAS it is expedient to amend, in the particulars hereinafter mentioned, "The Local Board of Health and Improvement Ordinance, 1876:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

To be read as one with Ordinance No. 7 of 1876.

1 This Ordinance and "The Local Board of Health and Improvement Ordinance, 1876," herein referred to as the principal Ordinance, shall be construed and read as one Ordinance.

Local boards may be established by Proclamation in towns not mentioned in schedule to Ordinance No. 7 of 1876.

2 It shall be lawful for the Governor, with the advice of the Executive Council, by Proclamation to be for that purpose published in the *Government Gazette*, to bring any town or towns, whether mentioned in the schedule to the principal Ordinance or not, under the operation of the said Ordinance, and to define the limits of such town or towns, respectively, for the purposes of the said Ordinance, and such Proclamation to amend, alter, or revoke as and whenever the Governor shall, with the like advice, determine.

Repeal of section 30 of Ordinance No. 7 of 1876, and substitution therefor of new enactment.

3 From and after the coming into operation of this Ordinance, section 30 of the principal Ordinance shall be repealed, and in lieu thereof the following enactment shall have effect :

From and after the day on which this Ordinance comes into force in any town, it shall be lawful for any board, acting under the authority of this Ordinance, to impose and enforce an annual tax payable in six days' labour, or in money not exceeding two rupees and fifty cents in commutation of such labour, upon all persons residing within the limits of the town who would have been liable under the provisions of the Ordinance No. 10 of 1861 to the performance of labour for the maintenance of the roads or other public means of communication by land or by water, if the principal Ordinance had not been passed.

Repeal of sub-section 15 of section 35 of Ordinance No. 7 of 1876. Board to make by-laws.

4 From and after the coming into operation of this Ordinance, sub-section 15 of section 35 of the principal Ordinance, and all by-laws heretofore made thereunder for the calling out and compelling the performance of labour and payment of commutation, shall be repealed; and it shall be lawful for any board to make by-laws for—

(a) Determining the amount to be paid in commutation of the labour due under section 3 of this Ordinance, and for enforcing the recovery of such commutation ;

Local Boards of Health.

- (b) Calling out and compelling the performance of such labour ;
- (c) Enforcing in case of default the performance of increased or double labour, or the payment of increased or double commutation, and costs ; and
- (d) Recovering all other taxes payable under the principal Ordinance.

Provided that such increased or double labour as aforesaid shall not exceed in the aggregate twelve days' labour, and such increased or double commutation in lieu of the same, exclusive of costs, shall not exceed five rupees from any person in one year.

Provided further that until such by-laws are made by any board under sub-sections (a), (b), and (c) of this section, the provisions of the Ordinance No. 10 of 1861 and of the Ordinance No. 31 of 1884 shall, so far as the same may be made applicable, be acted upon and deemed of force as if the same were inserted herein, and that all the powers and authorities vested under the said Ordinances in the chairman of any district or provincial road committee shall, so far as respects any town, be vested in and exercised by the chairman of the board of such town.

5 The repeal by this Ordinance of the enactments of the principal Ordinance and of the by-laws aforesaid shall not affect—

- (a) The past operation of the said enactments or by-laws, nor anything duly done or suffered thereunder ;
- (b) Nor any right, privilege, obligation, or liability acquired, accrued, or incurred under the said enactments or by-laws ;
- (c) Nor any penalty, forfeiture, or punishment incurred in respect of any offence committed against the said enactments or by-laws ;
- (d) Nor any legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid.

Past operation of repealed enactments saved.

6 This Ordinance shall come into operation, in all towns in which boards have heretofore been established, from and after the First day of January, 1888, and in any other town in which a board may hereafter be established, from and after the date specified in the Proclamation to be issued under section 2.

Commencement.

28th October, 1887.