

PARLIAMENT OF CEYLON

4th Session 1955-56



Housing and Town Improvement (Amendment) Act, No. 28 of 1956

Date of Assent: February 17, 1956

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L.D.—O. 35/54.

AN ACT TO AMEND THE HOUSING AND TOWN
IMPROVEMENT ORDINANCE.

Volume V.
Chapter 199,
page 422.

[Date of Assent: February 17, 1956.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Housing and Town Improvement (Amendment) Act, No. 28 of 1956.

Short title.

2. Section 2 of the Housing and Town Improvement Ordinance (as amended by Act No. 53 of 1954), hereinafter referred to as "the principal enactment", is hereby amended by the omission of the definition of "proper authority".

Amendment of
section 2 of
Chapter 199.

3. (1) Sections 5 to 13 (both inclusive) and sections 15 and 17 of the principal enactment and the marginal notes to those sections are hereby amended by the substitution, for the words "proper authority" wherever they occur therein, of the word "Chairman".

Amendment of
sections 5
to 13 and 15
to 17 of the
principal
enactment.

(2) Section 16 of the principal enactment is hereby amended by the substitution, for the words "proper authority" wherever those words occur in that section, of the words "Chairman or Commissioner of Local Government".

4. Section 19 of the principal enactment is hereby amended in sub-sections (3) and (4) of that section by the substitution, for the words "proper authority" wherever they occur in those sub-sections, of the word "Chairman".

Amendment of
section 19
of the
principal
enactment.

5. Section 25 of the principal enactment is hereby amended as follows:—

Amendment of
section 25 of
the principal
enactment.

(1) in sub-section (1) of that section by the substitution, for the words "on the application of the Chairman or the proper authority", of the words "on the application of the Chairman"; and

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(2) in sub-section (2) of that section by the substitution, for the words "the Chairman or the proper authority", of the words "the Chairman".

Amendment of sections 27 and 29 of the principal enactment.

6. Sections 27 and 29 of the principal enactment are hereby amended by the substitution, for the words "the Chairman or the proper authority", of the words "the Chairman".

Amendment of section 32 of the principal enactment.

7. Section 32 of the principal enactment is hereby amended, in sub-section (2) of that section, by the substitution, for all the words from "For the purposes" to "and the Chairman of that Board", of the words "For the purposes of the execution of any improvement scheme, any Board of Improvement Commissioners and the Chairman of that Board".

Amendment of section 60 of the principal enactment.

8. Section 60 of the principal enactment and the marginal note to that section are hereby amended by the substitution, for the words "proper authority", of the words "Chairman of a local authority".

Amendment of section 103 of the principal enactment.

9. Section 103 of the principal enactment is hereby amended as follows:—

(1) by the substitution, for the words "No proper authority or member", of the words "No member"; and

(2) by the substitution, for the words "any such proper authority or local authority", of the words "any such local authority".

Amendment of section 105 of the principal enactment.

10. Section 105 of the principal enactment is hereby amended, in sub-section (1) of that section, by the substitution, for the words "the proper authority or the Chairman", of the words "the Chairman".

Amendment of section 107 of the principal enactment.

11. Section 107 of the principal enactment is hereby amended, in sub-section (1) of that section, by the substitution, for the words "the proper authority, the Chairman," of the words "the Chairman,".

Amendment of section 109 of the principal enactment.

12. Section 109 of the principal enactment is hereby amended as follows:—

(1) in sub-section (1) of that section by the substitution, for the words "the proper authority or the Chairman", of the words "the Chairman"; and

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(2) in sub-section (3) of that section by the omission of the words "proper authority or the".

13. The following new section is hereby inserted immediately after section 109A, and shall have effect as section 110 of the principal enactment:—

Insertion of
new section
110 in the
principal
enactment.

" Default of
Chairman.

110. (1) If the Minister, on representations being made to him in that behalf and after inquiry, is satisfied that the Chairman of any local authority has failed to exercise his power or to perform his duty under any of the provisions of Chapter I of Part II. of this Ordinance the Minister may, by Order published in the *Gazette*, direct the Commissioner of Local Government or any other person to exercise such power or perform such duty in like manner as the Chairman. Such Order shall have the force of law.

(2) For the purpose of the inquiry referred to in sub-section (1) of this section, the Minister may in writing order the Chairman of any local authority

(a) to transmit to him or to any person named by him any plans, specifications or other documents which are in the possession or under the control of such Chairman; or

(b) to permit any person named by the Minister to inspect any plans, specifications or documents, as may be set out in the Order."

14. The rules in the Schedule to the principal enactment are hereby amended by the substitution, for the words "proper authority", wherever they occur therein, of the word "Chairman".

Amendment of
Schedule
to the
principal
enactment.