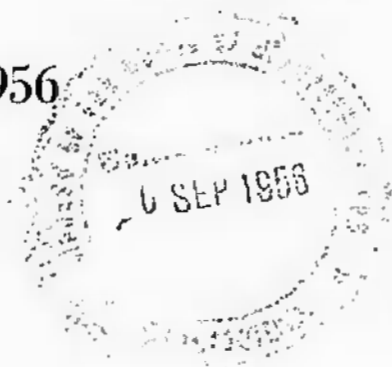


PARLIAMENT OF CEYLON

1st Session 1956



National Planning Council Act, No. 40 of 1956

Date of Assent : September 14, 1956

Printed on the Orders of Government

Printed at the GOVERNMENT PRESS, CEYLON. To be purchased at the GOVERNMENT PUBLICATIONS BUREAU, COLOMBO

Annual Subscription (including Bills) Rs. 25, payable in advance to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, POST OFFICE BOX 500, Secretariat, Colombo 1

Price : 15 cents.

Postage : 10 cents

National Planning Council Act, No. 40 of 1956. 3

L. D.—O. 19/56.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL PLANNING COUNCIL AND A PLANNING SECRETARIAT AND FOR MATTERS CONNECTED THEREWITH.

[Date of Assent: September 14, 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 National Planning Council Act, No. 40 of 1956.

Short title.

2. (1) There shall be established a council which shall be called the National Planning Council (hereinafter referred to as "the Council") and which shall consist of—

Constitution of the National Planning Council.

(a) the Prime Minister,

(b) the Minister of Finance, and

(c) not more than fifteen other persons appointed as members of the Council by the Prime Minister.

(2) A member of the Council who is appointed by the Prime Minister shall, unless he earlier resigns or his appointment is terminated under sub-section (3), hold office as such member for three years commencing on the date of his appointment.

(3) The appointment of any person as a member of the Council may at any time be terminated by the Prime Minister.

3. The Prime Minister shall be the Chairman, and the Minister of Finance shall be the Deputy Chairman, of the Council.

Chairman and Deputy Chairman of the Council.

4. The Chairman of the Council may delegate any of his powers and functions to the Deputy Chairman of the Council.

Delegation of powers and functions of the Chairman of the Council

5. The Council shall advise the Cabinet on the planning of agriculture, industry, commerce, education, housing, health and social services, public utilities, and all other matters pertaining to the national economy.

Functions of the Council

4 *National Planning Council Act, No. 40 of 1956.*

Cabinet's powers in respect of the Council.

6. The Council shall be subject to the general direction and control of the Cabinet.

Rules.

7. The Council may make rules relating to the meetings of the Council, the procedure for the transaction of business, and any other matter connected with the affairs of the Council.

Constitution of the Planning Secretariat.

8. (1) There shall be established a Planning Secretariat which shall be a Government department consisting of such staff as may be necessary for performing the functions specified in section 9.

(2) There shall be appointed a fit and proper person to be the head of the Planning Secretariat, and he shall be designated and shall serve as Secretary of the National Planning Council.

Functions of the Planning Secretariat.

9. The Planning Secretariat shall obtain for the Council such information, provide such advisory services, and render in other ways such assistance, as the Council may require for the performance of its functions.

Chairman's powers in respect of the Planning Secretariat.

10. The Planning Secretariat shall be subject to the general direction and control of the Chairman of the Council.

Appointment of consultative bodies and engagement of experts.

11. The Council may appoint consultative bodies, or engage experts, to inquire into and report on such aspects of planning the economy of Ceylon as may be specified by the Council.

Power to obtain information.

12. (1) The Chairman of the Council or any officer of the Planning Secretariat authorised for the purpose by the Chairman may—

(a) require any person to furnish to him such information as he may consider it necessary to obtain for the purposes of the proper discharge of the functions of the Council, or

(b) require any person to produce for inspection any books or records in his possession containing or likely to contain any such information.

(2) Any person who without reasonable cause fails or refuses to comply with any requirement made under sub-section (1) shall be guilty of an offence and shall,

on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding one month, or to both such fine and such imprisonment.

(3) Where any information which is prohibited by any written law from being disclosed is disclosed in compliance with a requirement made under sub-section (1), such disclosure shall not be deemed to be a contravention of such written law.

13. (1) No information supplied by any person in compliance with any requirement made under sub-section (1) of section 12 shall be published without the consent in writing of the owner for the time being of the land, business or undertaking to which such information relates, nor shall such information be communicated to any person except in the discharge of the functions of the Council or the Planning Secretariat.

Restriction of disclosure of information obtained under section 12.

(2) Any person who—

(a) contravenes the provisions of sub-section (1),
or

(b) being in possession of any information which to his knowledge is disclosed in contravention of the provisions of sub-section (1), publishes or communicates that information to any other person,

shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to the same punishment as is prescribed by section 12 for an offence under that section.

14. Where the person convicted of an offence under this Act is a body corporate, every person who at the time of the commission of such offence was a director or an officer of the body corporate shall be deemed to be guilty of such offence unless he proves that such offence was committed without his knowledge or that he exercised all due diligence to avoid the commission of such offence.

Liability of directors and officers of a corporation which commits an offence under this Act.

15. (1) The Chairman of the Council may, in consultation with the Council, make regulations in respect of the following matters:—

Regulations.

(a) the remuneration to be paid to any of the members of the Council who are appointed by the Prime Minister;

6 *National Planning Council Act, No. 40 of 1956.*

(b) the engagement of persons otherwise than as public officers to perform any work for the Council or the Planning Secretariat;

(c) any matter connected with the exercise or discharge of the powers and functions of the Council or the Planning Secretariat.

(2) All regulations made under sub-section (1) shall be published in the *Gazette* and shall come into operation on a date specified in the regulations or, if no date is so specified, upon such publication, and shall, as soon as practicable after their publication in the *Gazette*, be brought before the Senate and the House of Representatives for approval. Where any regulation is not approved either by the Senate or by the House of Representatives, it shall be deemed to be rescinded and the rescission shall take effect on the date on which the regulation is not approved.

(3) The validity of anything done under a regulation shall not be affected by the subsequent rescission of the regulation under sub-section (2).

(4) Notification of the date on which the rescission of a regulation under sub-section (2) takes effect shall be published in the *Gazette*.