

CHAPTER 439

RUBBER RESEARCH (AMENDMENT)

AN ACT TO AMEND THE RUBBER RESEARCH ORDINANCE.

Acts
Nos. 8 of 1957,
52 of 1957,
2 of 1959,
58 of 1961.

[Act No. 8 of 1957—18th March, 1957.]

[Act No. 52 of 1957—20th December, 1957.]

[Act No. 2 of 1959—21st January, 1959.]

[Act No. 58 of 1961—19th June, 1961.]

1. This Act may be cited as the Rubber Research (Amendment) Act.

Short title.

2. Section 4 of the Rubber Research Ordinance, hereinafter referred to as the "principal enactment", is hereby amended by the insertion, immediately after subsection (11) of that section, of the following new subsection :—

Amendment
of section
4 of Chapter
439.
[§ 2, 58 of 1961.]

" (11A) The board may establish and maintain a Medical Aid Scheme and a Medical Aid Fund for the benefit of its officers and servants and their wives and children, make contributions to such scheme or fund out of the moneys at the disposal of the board, regulate the management and investment of such moneys, and prescribe the contributions to be made to such scheme or fund by, and the payments to be made from such scheme or fund to, such officers and servants."

3. The amendment made in the principal enactment by section 2 of Act No. 58 of 1961 shall be deemed for all purposes to have had effect from the date of commencement of the principal enactment, and accordingly,—

Validation of
past acts done
and rules
made in
relation to
the Medical
Aid Scheme
and the
Medical Aid
Fund.
[§ 3, 58 of 1961.]

(a) the Medical Aid Scheme and the Medical Aid Fund heretofore established by the Rubber Research Board for its officers and servants and their wives and children, shall be deemed to have been duly established, and all contri-

butions made to and payment made from that scheme and fund and all acts done in the course of the management and conduct of such scheme and fund prior to the date of commencement of Act No. 58 of 1961 shall be deemed to have been duly made and done under the powers conferred by the principal enactment ;

- (b) the rules heretofore made by the said board for the management and regulation of the Senior and Intermediate Staff Medical Scheme and the Assistant Staff Medical Fund of the said board, shall be deemed to have been duly made under the principal enactment and to have been valid and effectual for the purposes for which they were made at all material times prior to the date of commencement of Act No. 58 of 1961 ; and
- (c) from the date of commencement of Act No. 58 of 1961, the said rules shall be in force as if they were rules duly made under the principal enactment and may be amended, rescinded, added to or replaced by rules made under that enactment.

Amendment
of section
6 of the
principal
enactment.

[§ 2, 52 of 1957.]
[§ 4, 58 of 1961.]

4. Section 6 of the principal enactment is hereby amended in subsection (1) (a) of that section, as follows :—

- (1) by the substitution, for the words “one-eighth of a cent”, of the words “one cent” ;
- (2) by the omission of the first proviso to that subsection ; and
- (3) in the second proviso to that subsection, by the substitution, for the words “Provided further”, of the word “Provided”.

Replacement
of section
8 of the
principal
enactment.

[§ 5, 58 of 1961.]

5. Section 8 of the principal enactment is hereby repealed and the following new section is substituted therefor :—

‘Accounts,
audit and
annual report.

8. (1) The board shall cause its accounts to be kept in such form and in such manner as the Minister may direct.

(2) The board shall cause its books to be balanced as on the thirty-first day of December in each year and shall, before the thirtieth day of April of the following year, cause to be prepared a revenue and expenditure account and a balance sheet containing a summary of the assets and liabilities of the board made up to the first-mentioned date. The revenue and expenditure account and the balance sheet shall be signed by the chairman of the board and by such officer of the board as may be authorized by the board to do so.

(3) The accounts of the board shall be audited annually by an auditor (hereinafter referred to as "the auditor") appointed by the Minister on the advice of the Auditor-General. The auditor so appointed shall be a member of the Institute of Chartered Accountants of Ceylon. The auditor shall receive such remuneration from the funds of the board as the Minister may, with the concurrence of the Minister of Finance, determine.

(4) The Auditor-General shall have power—

- (a) to direct the manner in which the accounts of the board shall be audited by the auditor and to give the auditor instructions in regard to any matter relating to the performance of his functions as the auditor, and
- (b) to conduct a supplementary or test audit of the accounts of the board by such person or persons as the Auditor-General may authorize in that behalf, and for the purposes of such audit, to require information or additional

information to be furnished to any person or persons so authorized, on such matters, by such person or persons, and in such form, as the Auditor-General may, by general or special order, direct.

(5) The auditor shall examine the accounts of the board and ascertain the correctness of the balance sheet and furnish a report to the Auditor-General stating—

- (a) whether he has or has not obtained all the information and explanations required by him, and
- (b) whether in his opinion the balance sheet and accounts referred to in the report are properly drawn up so as to exhibit a true and fair view of the affairs of the board.

(6) The Auditor-General shall have the right to comment upon or supplement the auditor's report in such manner as the Auditor-General may think fit.

(7) The Auditor-General shall transmit the auditor's report together with his comments upon, or his supplement to, such report to the board.

(8) The board shall, on receipt of the auditor's report in respect of any year, transmit to the Minister—

- (a) a copy of such report together with the Auditor-General's comments (if any) upon, and his supplement (if any) to, such report,

- (b) a copy of the revenue and expenditure account,
- (c) a copy of the balance sheet, and
- (d) a report by such board on its work for the period for which the revenue and expenditure account and the balance sheet have been made up.

(9) The Minister shall cause copies of each of the documents specified in subsection (8) of this section to be laid before the Senate and the House of Representatives.'

6. (1) The following new sections are hereby inserted immediately after section 9, and shall have effect as sections 9A, 9B, 9c and 9D of the principal enactment :—

Insertion of new sections 9A, 9B, 9c and 9D in the principal enactment.

"Minister's directions to the board.

9A. In the exercise of its powers, the performance of its duties and the discharge of its functions, the board shall be subject to, and act in accordance with, such general directions as the Minister may issue from time to time.

[§ 3, 8 of 1957.]

Acquisition of immovable property under the Land Acquisition Act for the board.

9B. (1) Where any immovable property is required to be acquired for any purpose of the board and the Minister, by Order published in the Gazette, approves of the proposed acquisition, that property shall be deemed to be required for a public purpose and may accordingly be acquired under the Land Acquisition Act, and be transferred to the board.

[§ 3, 2 of 1959.]

Cap. 460.

(2) Any sum payable for the acquisition of any immovable property under the Land Acquisition Act for the board shall be paid by the board.

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| [§ 6, 58 of 1961.] | Exemption from customs duty. | 9c. The board shall be exempt from the payment of any customs duty on any goods imported or purchased out of bond by the board for the purposes of the board, if the Minister in consultation with the Minister of Finance approves of such exemption. |
| [§ 6, 58 of 1961.] | Appointment of public officers to the staff of the board. | 9d. (1) At the request of the board, any officer in the public service may, with the consent of that officer and of the Secretary to the Treasury, be temporarily appointed to the staff of the board for such period as may be determined by the board with like consent, or be permanently appointed to such staff.

(2) Where any officer in the public service is temporarily appointed to the staff of the board, subsection (2) of section 26 of the Government-Sponsored Corporations Act shall, <i>mutatis mutandis</i> , apply to and in relation to him.

(3) Where any officer in the public service is permanently appointed to the staff of the board, subsection (3) of section 26 of the Government-Sponsored Corporations Act shall, <i>mutatis mutandis</i> , apply to and in relation to him." |
| Cap. 146. | | |
| [§ 3, 2 of 1959.] | | (2) The amendment made in the principal enactment by the new section 9B shall be deemed to have taken effect on the date of commencement of that enactment. |