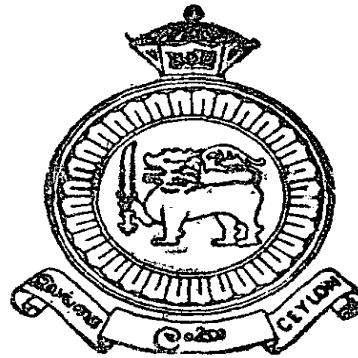


PARLIAMENT OF CEYLON

1st Session 1960-61



Gaming (Amendment) Act, No. 48 of 1961

Date of Assent : June 19, 1961

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Gaming (Amendment) Act, No. 48 of 1961

L. D.—O. 12/59.

AN ACT TO AMEND THE GAMING ORDINANCE.

Chapter 38,
Volume 1,
page 676.

[Date of Assent: June 19, 1961]

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 Gaming (Amendment) Act, No. 48 of 1961.

Short title.

2. Section 3B (inserted by Act No. 26 of 1957) of the Gaming Ordinance, hereinafter referred to as the "principal enactment", is hereby amended as follows:—

Amendment of
section 3B of
Chapter 38.

(a) in sub-section (1) of that section, by the substitution, for the words "shall manufacture", of the words "shall possess or manufacture"; and

(b) in the marginal note to that section, by the substitution, for the words "the manufacture", of the words "the possession or manufacture".

3. The following new section is hereby inserted immediately after section 3B, and shall have effect as section 3c, of the principal enactment:—

Insertion of
new section
3c in the
principal
enactment.

"Conclusive evidence of the fact that an instrument or appliance is one the importation of which is prohibited by Order made under sub-section (1) of section 3A.

3c. (1) Where in any proceedings in any court it has to be determined whether any instrument or appliance is an instrument or appliance the importation of which is prohibited by Order made under sub-section (1) of section 3A, a certificate under the hand of the officer who is, or is acting as, the Government Factory Engineer to the effect that the first-mentioned instrument or appliance is an instrument or appliance the importation of which is prohibited by such Order shall be received in those proceedings as conclusive evidence of the facts stated therein.

(2) The officer who issues a certificate under sub-section (1) shall not be examined or cross-examined with respect to that certificate.

(3) Every certificate issued under sub-section (1) shall be in the following form:—

I, _____, Government Factory Engineer,*/Acting Government Factory Engineer, do hereby certify that I have examined the instrument or appliance marked and that it is an instrument or appliance the importation of which is prohibited by the Order made under sub-section (1) of section 3A of the Gaming Ordinance and published in *Gazette* No. † of ‡

Signature:

Date:

* Delete inapplicable words.

† State the number of the *Gazette*.

‡ State the date of the *Gazette*.”.

Application of section 3c inserted in the principal enactment by this Act.

4. Section 3c inserted in the principal enactment by section 3 of this Act shall apply to proceedings in any court in respect of an offence committed before, on, or after the date of the commencement of this Act.

Insertion of new section 8A in the principal enactment.

5. The following new section is hereby inserted immediately after section 8, and shall have effect as section 8A, of the principal enactment:—

“ When an article is deemed to be in the possession of a person.

8A. For the purposes of this Ordinance, any article in the order, disposition, power or control of any person shall be deemed to be in his possession.”.