

- (b) erects any building or structure on such land ; or
- (c) fells or otherwise destroys any trees standing on such land ; or
- (d) otherwise encroaches on such land,

he shall be guilty of an offence and shall on conviction by a Magistrate be liable to pay a fine not exceeding one hundred rupees :

Provided that no person shall be convicted under this section unless the land in question has been declared to be the property of the Crown under the Land Settlement Ordinance, or under any Ordinance repealed by Ordinance No. 20 of 1931, or has been acquired by the Crown under the Land Acquisition Ordinance, 1876,* or under the Land Acquisition Act.

(2) A conviction under this section shall operate as an order of ejectment made under section 125 and on such conviction the Government Agent may, after the lapse of the appealable time, or, if an appeal has been preferred, after the conviction has been affirmed in appeal, apply to the Magistrate under section 127 for the enforcement of such order of ejectment.

Trusts, &c,
affecting land not
to be recognized.
Succession to be
regulated entirely
by this Ordinance.

169. No trust, fideicommissum, or equitable charge shall be created, declared, recognized or enforced in respect of any land alienated under this Ordinance.

170.

(1) No written law (other than this Ordinance) which provides for succession to land upon an intestacy and no other law relating to succession to land upon an intestacy shall have any application in respect of any land alienated under this Ordinance.

(2) No person shall, by virtue of any appointment in any last will, have or acquire any title to succeed to any land alienated under this Ordinance save and except a life-holder or a successor duly nominated by last will under the provisions of Chapter VII.

Definition of "
middle-class
Ceylonese ".
[2, 49 of 1953.]

171. No person shall for the purposes of this Ordinance be deemed to be a " middle-class Ceylonese " on a particular date if the statutory income of such person computed under the provisions of the Income Tax Ordinance, for the year of assessment ending on the thirty-first day of March preceding such date exceeds a sum of twelve thousand rupees :

Provided that-

(i) in the case of spouses, the statutory income of either spouse shall be computed as though separate assessment had been claimed and made in pursuance of notice duly given under the provisions of section 25 of the Income Tax Ordinance ;

[2, 49 of 1953.] (ii) in the case of spouses who have not been divorced by the decree of a competent court, or who are not living apart under a duly executed deed of separation, neither spouse shall be deemed to be a middle-class Ceylonese for the purposes of this Ordinance if the joint statutory income of both spouses exceeds in the aggregate a sum of twenty-four thousand rupees.

Loans to owners
of holdings.

172. Regulations may be made for lending money to owners of holdings out of funds provided for the purpose by Parliament.[1] Such regulations may prescribe the conditions upon which and the terms for which such money may be lent. Where default is made in the repayment of any money lent to the owner of a holding under this section such money together with the interest, if any, which is due thereon shall be deemed to be money due to the Crown under this Ordinance and may be recovered in the manner herein before provided in Chapter X.

Schedules