

PARLIAMENT OF CEYLON

3rd Session 1954-55



Ceylon Constitution (Special Provisions) Act, No. 35 of 1954

Date of Assent : July 16, 1954

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Ceylon Constitution (Special Provisions) 3
Act, No. 35 of 1954.

L. D.—O. 24/54.

AN ACT TO FIX THE NUMBER OF MEMBERS OF THE HOUSE OF REPRESENTATIVES FOR A SPECIFIED PERIOD AT ONE HUNDRED AND FIVE, TO SUSPEND THE OPERATION OF PART IV OF THE CEYLON (CONSTITUTION) ORDER IN COUNCIL, 1946, RELATING TO THE DELIMITATION OF ELECTORAL DISTRICTS, TO TERMINATE THE SERVICES OF THE EXISTING DELIMITATION COMMISSIONERS, AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[Date of Assent: July 16, 1954]

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 Ceylon Constitution (Special Provisions) Act, No. 35 of 1954.

Short title.

2. The provisions of section 3 of this Act shall cease to be in force on a date in 1966 to be appointed by the Governor-General by Order published in the *Gazette*:

Date on which
this Act shall
cease to be
in force.

Provided that, if there is no dissolution of Parliament in 1966, those provisions shall continue in force until the date of the dissolution of the Parliament for the time being, and shall thereafter cease to have effect.

3. So long as the provisions of this section remain in force, the Ceylon (Constitution) Order in Council, 1946 (hereinafter referred to as the "Order in Council"), shall have effect subject to the following modifications:—

Modifications
of the Ceylon
(Constitution)
Order in
Council, 1946.

(1) As though there were substituted for subsections (1) and (2) of Section 11 of that Order in Council, the following new subsections:—

“(1) The House of Representatives shall consist of—

(a) ninety-five Members elected by the electors of the electoral districts specified in the Proclamation under

Section 43 of this Order published in *Gazette* No. 9,595 of August 30, 1946; and

(b) four Members elected for the Indian and Pakistani electoral district in accordance with the law for the time being in force for the election of such Members.

(2) In addition to the Members specified in sub-section (1) of this Section, there shall be six Members appointed by the Governor-General after every general election to represent any important interest in the Island which in his opinion is not represented or is inadequately represented."

(2) As though in Part IV, the following new section were inserted immediately after Section 44:—

" Suspension
of this Part.

44A. The preceding provisions of this Part shall cease to be in operation."

Termination of
services of
existing
Delimitation
Commissioners.

4. The Delimitation Commission in existence on the day immediately preceding the date of the commencement of this Act shall cease to be in office on that date.

Existing
Proclamation
under
Section 43 of
the Order in
Council to
continue in
force.

5. The Proclamation under Section 43 of the Ceylon (Constitution) Order in Council, 1946, published in *Gazette* No. 9,595 of August 30, 1946, and in force on the day immediately preceding the date of the commencement of this Act shall continue in force after that date until such time as may be fixed by the Governor-General by Order published in the *Gazette*.

Old provisions
of sub-sections
(1) and (2) of
Section 11 and
of Part IV to
come into
operation again.

6. The provisions of sub-sections (1) and (2) of Section 11 and of Part IV of the Order in Council which are in force on the day immediately preceding the date of the commencement of this Act shall come into operation as soon as the provisions of section 3 of this Act cease to be in force under section 2 of this Act.

Majority of
two-thirds of
the House of
Representatives
required for
amendments and
repeals.

7. No Bill for the amendment or repeal of any of the provisions of this Act, or of any modifications of the Order in Council (effected by section 3 of this Act) shall be presented for the Royal Assent unless it has endorsed on it a certificate under the hand of the

Speaker that the number of votes cast in favour thereof in the House of Representatives amounted to not less than two-thirds of the whole number of Members of the House (including those not present).

Every certificate of the Speaker under the preceding provisions of this section shall be conclusive for all purposes and shall not be questioned in any court of law.