

PARLIAMENT OF CEYLON

1st Session 1953



Ceylon (Parliamentary Elections) Amendment Act, No. 19 of 1953

Date of Assent : April 6, 1953

Printed on the Orders of Government

Printed at the CEYLON GOVT. PRESS, COLOMBO. To be
purchased at the GOVT. 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 : 5 cents

L. D.—O. 18/52.

AN ACT TO AMEND THE CEYLON (PARLIAMENTARY
ELECTIONS) ORDER IN COUNCIL, 1946.

[Date of Assent: April 6, 1953]

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 (Parliamentary Elections) Amendment Act, No. 19 of 1953.

Short title.

2. Section 4 of the Ceylon (Parliamentary Elections) Order in Council, 1946 (hereinafter referred to as "the principal Order"), is hereby amended in sub-section (1), by the substitution in paragraph (f), for the words and figures "Section 52 of this Order; or", of the words and figures "Section 52 or Section 53 of this Order, or by reason of the operation of Section 4A of this Order; or".

Amendment
of section 4
of the
Parliamentary
Elections
Order.

3. The following new section is hereby inserted immediately after section 4, and shall have effect as section 4A, of the principal Order:—

Insertion
of new
section 4A
in the
principal
Order.

" Additional
disqualifications
for registration
or voting.

4A. A person shall, at any time, be incapable of being registered as an elector or of voting at an election under this Order if such person—

(a) is, at that time, disqualified by section 5 of the Public Bodies (Prevention of Corruption) Ordinance, No. 49 of 1943, from voting at an election of members of any public body as defined in that Ordinance, by reason of a conviction, or of a finding of a Commission of Inquiry, referred to in that section; or

(b) has during a period of five years immediately preceding that time been convicted of an offence under the provisions

of any of the following sections of the Local Authorities Elections Ordinance, No. 53 of 1946, namely, sections 75 to 80 (both inclusive). ”

Amendment
of section
38 of the
principal
Order.

4. Section 38 of the principal Order is hereby amended in the first Proviso thereto, by the substitution, for the words and figures “ under Section 52,”, of the following:—

“ under Section 52 or Section 53 of this Order, or by reason of the operation of Section 4A of this Order,”.

Amendment
of section
53 of the
principal
Order.

5. Section 53 of the principal Order is hereby amended, by the addition, immediately after sub-section (6) of that section, of the following new sub-section:—

“ (7) Every person who is convicted of an offence under this Section shall, by conviction, become incapable for a period of seven years from the date of his conviction, of being registered as an elector or of voting at any election under this Order.”.

Amendment
of section 85
of the
principal
Order.

6. Section 85 of the principal Order is hereby amended in sub-section (1) of that section, by the substitution in paragraph (e), for the words and figures “ under Section 52,” of the following:—

“ under Section 52 or Section 53 of this Order, or by reason of the operation of Section 4A of this Order,”.

Savings for
qualifications
of Senators
and Members
of Parliament
already in
office.

7. Where—

(a) in the case of any person who is a Senator at the date of the commencement of this Act, any question arises, at any time prior to the expiration of the period of six years beginning on the date on which he commenced to hold office as a Senator, as to whether or not he is qualified to be a Senator, or

(b) in the case of any person who is a Member of Parliament at the date of the commencement of this Act, any question arises, at any time prior to the first dissolution of Parliament occurring after the aforesaid date, as to whether or not that person is qualified to be a Member of Parliament,

then, notwithstanding anything in the preceding provisions of this Act, that question shall be determined in all respects under and in accordance with the written law in force immediately prior to the date of the commencement of this Act and in like manner as though this Act had not been enacted.

8. Notwithstanding any provision in section 12 of the principal Order prescribing the time within which a claim or objection shall reach the registering officer, a claim under section 19 of that Order for the insertion or retention of any name in any register of electors which is being revised at the date of the commencement of this Act or an objection under the said section 19 to the inclusion, insertion or retention of any name in any such register may be made so as to reach the registering officer within two weeks from the date of the commencement of this Act; and any claim or objection so made shall, if it is in other respects in accordance with the provisions of the principal Order, be deemed for the purposes of that Order to be validly made and be dealt with and determined in accordance with the provisions of that Order.

Further
opportunity for
claims and
objections in
respect of
registers
presently under
revision.