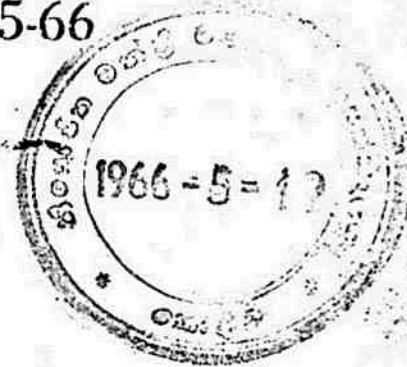


PARLIAMENT OF CEYLON

1st Session 1965-66



Rent Restriction (Amendment) Act, No. 12 of 1966

Date of Assent : May 10, 1966

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*Rent Restriction (Amendment) Act, No. 12
of 1966*

L. D.—O. 34/65.

AN ACT TO AMEND THE RENT RESTRICTION ACT.

[Date of Assent: May 10, 1966]

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 Rent Restriction (Amendment) Act, No. 12 of 1966.

Short title.

2. The following new section is hereby inserted immediately after section 12, and shall have effect as section 12A, of the Rent Restriction Act (hereinafter referred to as the "principal Act"):

Insertion of
new section 12A
in Chapter 274.

" Restriction
of right to
institute
proceedings
for ejectment
from premises
the standard
rent of which
for a month
does not exceed
one hundred
rupees.

12A. (1) Notwithstanding anything in any other law, no action or proceedings for the ejectment of the tenant of any premises to which this Act applies and the standard rent of which for a month does not exceed one hundred rupees shall be instituted or entertained by any court unless where—

(a) the rent of such premises has been in arrear for three months or more after it has become due, or

(b) such premises have been sublet without the written authority of the landlord of such premises, or

(c) such premises have been used by the tenant thereof or by any person residing or lodging with him or being his sub-tenant for an immoral or illegal purpose, or

(d) wanton destruction or wilful damage to such premises has been caused by the tenant thereof or any other person at his instigation, or any other person residing in such premises.

(2) Where any action or proceedings for the ejectment of the tenant of any premises referred to in sub-section (1) is or are instituted on the ground that rent has been in arrear for three months or more after it has become due, the court may, on being satisfied that the rent has been so in arrear on account of the tenant's illness or unemployment or other sufficient cause, make order that a writ for the ejectment of the tenant from those premises shall not issue if the tenant pays to the court the arrears of rent either in a lump sum on such date, or in instalments on such dates, as may be specified in the order; and if the tenant pays to the court the arrears of rent on such date or dates, his tenancy of those premises shall, notwithstanding its termination by the landlord of those premises, be deemed not to have been terminated."

Amendment of
section 13 of
the principal
Act.

3. Section 13 of the principal Act, as amended by Act No. 10 of 1961, is hereby further amended as follows:—

- (1) in sub-section (1) of that section by the substitution, for the words "this Act applies", of the words "this Act applies and the standard rent of which for a month exceeds one hundred rupees";
- (2) in sub-section (1A) of that section by the substitution, for the words "this Act applies", of the words "this Act applies and the standard rent of which for a month exceeds one hundred rupees";
- (3) in sub-section (1B) of that section by the substitution, for the words "this Act applies", of the words "this Act applies and the standard rent of which for a month exceeds one hundred rupees";
- (4) by the insertion, immediately after sub-section (1B), of the following new sub-section:—

"(1c) Notwithstanding anything in any other law, a landlord of any premises referred to in sub-section (1) who requires

such premises for occupation as a residence for himself or any member of his family, or for the purposes of his trade, business, profession, vocation or employment, shall give the tenant of such premises one year's notice in writing of the termination of the tenancy. "; and

- (5) in the marginal note to that section by the substitution, for the words "for ejectment.", of the words "for ejectment from premises the standard rent of which for a month exceeds one hundred rupees. ".

4. (1) The provisions of sections 2 and 3 of this Act shall be deemed to have come into operation on the twentieth day of July, 1962, and accordingly—

Sections 2 and 3 of this Act deemed to be effective from July 20, 1962, and effect on pending actions.

(a) any action which was instituted on or after that date and before the date of commencement of this Act for the ejectment of a tenant from any premises to which the principal Act as amended by this Act applies shall, if such action is pending on the date of commencement of this Act, be deemed at all times to have been and to be null and void,

(b) any appeal preferred to the Supreme Court from any judgment or decree of a court in any such action as is referred to in paragraph (a) and is pending before the Supreme Court on the date of commencement of this Act shall be deemed at all times to have been and to be null and void, and

(c) proceedings shall not be taken for the enforcement of any judgment or decree in any such action as is referred to in paragraph (a), and where such proceedings have begun before the date of commencement of this Act but have not been completed on the date of commencement of this Act, such proceedings shall not be continued.