

# PARLIAMENT OF CEYLON

1st Session 1953



## Mortgage (Amendment) Act, No. 11 of 1953

*Date of Assent : March 17, 1953*

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L. D.—O. 4/52.

AN ACT TO AMEND THE MORTGAGE ACT, NO. 6 OF 1949.

[Date of Assent: March 17, 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 Mortgage (Amendment) Act, No. 11 of 1953.

Short title.

2. Section 69 of the Mortgage Act, No. 6 of 1949 (hereinafter referred to as the "principal enactment"), is hereby amended as follows:—

Amendment of section 69 of Act No. 6 of 1949.

(a) by the repeal of sub-sections (2) and (3) of that section; and

(b) by the re-numbering of sub-section (1) of that section as section 69.

3. The following new section is hereby inserted immediately after section 114, and shall have effect as section 114A of the principal enactment:—

Insertion of new section 114A in the principal enactment.

*" Rules.*

**Rules.** 114A. (1) The Minister of Justice may make rules—

(a) providing for the amendment of any of the forms set out in any of the Schedules to this Act or the substitution for any such form of any new form;

(b) authorising the inclusion in any instrument executed under section 69 of any covenants and agreements on the part of the person creating the mortgage or of the agency in whose favour the mortgage is created;

(c) declaring the offices which shall be prescribed offices for the purposes of section 70; and

(d) authorising the use, in lieu of, or in addition to, any of the forms set out in any of the

Schedules to this Act, of such translations thereof in Sinhalese or in Tamil or in both those languages as may be approved by him.

(2) Every rule made under sub-section (1) shall be submitted to the Senate and the House of Representatives for approval. Every rule so approved shall be published in the *Gazette*, and shall come into force upon such publication."