

PARLIAMENT OF CEYLON

1st Session 1956



Roads (Transfer of Control) Amendment Act, No. 45 of 1956

Date of Assent : October 10, 1956

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AN ACT TO AMEND THE ROADS (TRANSFER OF CONTROL)
ACT, NO. 11 OF 1951.

[Date of Assent: October 10, 1956.]

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 Roads (Transfer of Control) Amendment Act, No. 45 of 1956.

Short title.

2. (1) Section 4 of the Roads (Transfer of Control) Act, No. 11 of 1951, (hereinafter referred to as "the principal Act"), is hereby amended as follows:—

Amendment of
section 4
of Act No. 11
of 1951.

(a) by the repeal of sub-section (1) of that section and the substitution therefor of the following new sub-section:—

"(1) Where any person holding a pensionable appointment under any Provincial or District Committee is appointed to any post in the service of the Government with effect from the appointed date or any later date,—

(a) each pensionable appointment held by him under any such Committee shall be deemed, for the purposes of the Minutes on Pensions, to have been a permanent office in the service of the Island separately provided for in the Estimates and declared to be pensionable by notification published in the *Gazette*, and

(b) each post held by him in the service of the Government on or after that date shall, while it is held by him, be deemed, for the purposes of the Minutes on Pensions, to be a permanent office in the service of the Island separately provided for in the Estimates and declared to be pensionable by notification published in the *Gazette*."; and

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(b) in sub-section (3) of that section by the substitution, for all the words and the figure from "is appointed" to "daily paid employee," of the words "is, with effect from the appointed date or any later date, appointed to any post in the service of the Government or employed by the Government as a daily paid employee,".

(2) The amendments made in section 4 of the principal Act by sub-section (1) of this section shall be deemed to have come into force on the date of operation of the principal Act.

Insertion
of new
section 4A
in the
principal Act.

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

" Provisions
relating to
retirement
from the
service of
the Government
of officers who
before their
appointment
to that service
held appoint-
ments under
Provincial or
District
Committees.

4A. Where any person—

(a) who before the appointed date held a pensionable appointment under any Provincial or District Committee, or

(b) who before the appointed date held any appointment under any Provincial or District Committee while being a member of the Local Government Service and who would have been eligible for a pension under the Local Government Service Pension Scheme Regulations, 1952, if he had continued to be a member of the Local Government Service when such Regulations came into force,

is appointed to any post in the service of the Government with effect from the appointed date or any later date, he may retire from the service of the Government within such period as shall be determined by the Minister of Transport and Works with the concurrence of the Minister of Finance and be notified in the *Gazette*; and such person shall, upon such retirement, be deemed to have retired on the ground of abolition of office, and accordingly section 7 of the Minutes on Pensions shall apply to him."