

CHAPTER 488

DISABLED CEYLON MEN'S FUND

Ordinance
No. 1 of 1925.

AN ORDINANCE TO PROVIDE FOR THE TRANSFER OF THE ASSETS AND LIABILITIES
OF THE DISABLED CEYLON MEN'S FUND TO THE GOVERNMENT.

[11th February, 1925.]

Preamble.

Whereas by the Disabled Ceylon Men's Fund Ordinance, No. 31 of 1916, a corporation was established under the name of *'The Disabled Ceylon Men's Fund " for the relief of duly qualified persons and their dependants as defined in the said Ordinance:

of such pensions and allowances at the rates in force at the times when such arrears became due.

(2) The Deputy Secretary to the Treasury shall continue to pay the aforesaid pensions from the Consolidated Fund.

And whereas the corporation have allotted certain pensions and allowances which have lately been paid at reduced rates:

(3) If any question arises as to the amount or duration of any pension or allowance or as to the amount of any arrears or as to the conditions on which it is payable or as to the identity of the person entitled thereto, the decision of the Minister in charge of the subject of Finance shall be final and conclusive.

And whereas the corporation desire and it is expedient that the payment of such pensions and allowances at the full rates should, as from the 1st day of October, 1924, be undertaken by the Government, and that all the assets of the corporation should be transferred to the Government, and that after such transfer the corporation should be dissolved :

(4) The said pensions and allowances shall be payable at the Treasury;

And whereas it is expedient that effect should be given to the said desire of the said corporation, but this cannot be done without the authority of the Legislative Council:

Provided that the Deputy Secretary to the Treasury may, if he thinks fit, permit any pension or allowance to be paid at any kachcheri or through a bank, or to be paid outside Sri Lanka at such rate of exchange as he shall from time to time prescribe.

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows;—

(5) The Deputy Secretary to the Treasury may, from time to time, require proof to his satisfaction that any person entitled to a pension or allowance is still alive, and that no event has happened whereby the pension or allowance has ceased to be payable or whereby the amount thereof has become altered.

Short title.

1. This Ordinance may be cited as the Disabled Ceylon Men's Fund Ordinance.

Pensions to be paid out of general revenue.

2. (1) The Deputy Financial Secretary shall pay or cause to be paid out of general revenue as from the 1st day of October, 1924, the pensions and allowances already allotted by the corporation as before recited at the full rates thereof, and also any arrears

(6) Whenever a person entitled to a pension or allowance is an infant or under any disability, or whenever the Minister in charge of the subject of Finance considers that it is inexpedient that a pension or allowance should be paid direct to the person entitled thereto, the Deputy

Secretary to the Treasury may, from time to time, appoint and revoke the appointment of some fit and proper person to whom the pension or allowance shall be paid on such conditions as the Deputy Secretary to the Treasury shall think fit for the benefit of the person entitled thereto.

the Minister in charge of the subject of Finance may order that the payment of the whole or any part of such pension or allowance shall be discontinued.

Non-assignability of pensions.

3. No pension or allowance shall be assignable or be affected by any process of execution or sequestration, or vest in any receiver or in any trustee or assignee in bankruptcy or insolvency.

6. (1) The corporation shall, as soon as conveniently may be, at the expense of the Government, transfer or cause to be transferred to such person or persons as may be nominated for the purpose by the Minister in charge of the subject of Finance all property belonging to or held in trust for or to the order of the corporation :

Transfer of the corporation's assets to Government.

Forfeiture of pension.

4. If any person in receipt of a pension or allowance under this Ordinance is sentenced by a competent court to suffer death, or imprisonment for any period exceeding twelve months, the Minister in charge of the subject of Finance may, if he thinks fit, order that the payment of the whole or any part of the pension or allowance shall be discontinued either absolutely or for such period as the Minister in charge of the subject of Finance shall think fit.

Provided that the Minister in charge of the subject of Finance may, if he thinks fit, direct any such property to be sold by the corporation, and the net proceeds thereof to be paid into the Treasury.

(2) All property so transferred shall become part of the assets of Sri Lanka.

Power to reduce or discontinue a pension,

5. Whenever it is shown to the satisfaction of the Minister in charge of the subject of Finance—

7. Everything required to be done by the corporation for carrying this Ordinance into effect may be done by or by the direction of the standing committee holding office at the commencement of this Ordinance, and such standing committee shall continue in office until the corporation is dissolved.

Standing committee to continue in office.

- (a) that any pension or allowance payable under this Ordinance was allotted by the corporation in consequence of any mistake or misrepresentation of facts; or

8. All outstanding expenses and liabilities properly incurred by the corporation shall be discharged out of general revenue.

Outstanding liabilities.

- (b) that any such pension or allowance has by reason of any change in circumstances become unnecessary,

9. Nothing in this Ordinance contained shall prejudice or affect the rights of the Republic, or of any body politic or corporate, or of any other persons, except such as are mentioned in this Ordinance, or those claiming by, from, or under them.

Saving of rights of the Republic and others.