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1st Session 1960-61



Coconut Research (Amendment) Act, No. 53 of 1961

Date of Assent : June 19, 1961

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*Coconut Research (Amendment) Act,
No. 53 of 1961*

L. D.—O. 28/60.

AN ACT TO AMEND THE COCONUT RESEARCH ORDINANCE.

[Date of Assent: June 19, 1961]

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 Coconut Research (Amendment) Act, No. 53 of 1961.

Short title.

2. Section 3 of the Coconut Research Ordinance (hereinafter referred to as the "principal enactment"), is hereby amended as follows:—

Amendment of
section 3 of
Chapter 303.

(1) in sub-section (1) (a) of that section, by the substitution, for the words "The Director of Agriculture, who shall be Chairman of the Board.", of the words "The Director of Agriculture."; and

(2) by the insertion, immediately after sub-section (2) thereof, of the following new sub-section:—

“(2A) The Chairman of the Board shall be elected by the members of the Board from themselves.”.

3. Section 4 of the principal enactment, as amended by Ordinance No. 62 of 1946, is hereby amended by the insertion, immediately after sub-section (7A) of that section, of the following new sub-section:—

Amendment of
section 4 of
the principal
enactment.

“(7B) The Board may establish and maintain a Medical Aid Fund for the benefit of its officers and servants and their wives and children, make contributions to such Fund out of the moneys at the disposal of the Board, regulate the management and investment of such moneys, and prescribe the contributions to be made to such Fund by, and the payments to be made from such Fund to, such officers and servants.

Validation of
past acts done
and rules made
in relation to
the Medical
Aid Fund.

4. The amendment made in the principal enactment by section 3 of this Act shall be deemed for all purposes to have had effect from the date of commencement of the principal enactment, and accordingly,—

(a) the Medical Aid Fund heretofore established by the Coconut Research Board for its officers and servants and their wives and children, shall be deemed to have been duly established, and all contributions made to and payments made from that Fund and all acts done in the course of the management and conduct of such Fund prior to the date of commencement of this Act shall be deemed to have been duly made and done under the powers conferred by the principal enactment;

(b) the rules heretofore made by the said Board for the management and regulation of its Medical Aid Fund shall be deemed to have been duly made under the principal enactment and to have been valid and effectual for the purposes for which they were made at all material times prior to the date of commencement of this Act; and

(c) from the date of commencement of this Act, the said rules shall be in force as if they were rules duly made under the principal enactment and may be amended, rescinded, added to or replaced by rules made under that enactment.

Replacement
of section 8
of the
principal
enactment.

5. Section 8 of the principal enactment is hereby repealed and the following new section is substituted therefor:—

‘Accounts,
audit and
annual
report.

8. (1) The Board shall cause its accounts to be kept in such form and in such manner as the Minister may direct.

(2) The Board shall cause its books to be balanced as on the thirty-first day of December in each year and shall, before the thirtieth day of April of the following year, cause to be prepared a revenue and expenditure account and a balance-sheet containing a summary of the assets and liabilities of the Board made up to the first-mentioned date. The revenue

and expenditure account and the balance-sheet shall be signed by the Chairman of the Board and by such officer of the Board as may be authorised by the Board to do so.

(3) The accounts of the Board shall be audited annually by an auditor (hereinafter referred to as "the auditor") appointed by the Minister on the advice of the Auditor-General. The auditor so appointed shall be a member of the Institute of Chartered Accountants of Ceylon. The auditor shall receive such remuneration from the funds of the Board as the Minister may, with the concurrence of the Minister of Finance, determine.

(4) The Auditor-General shall have power—

(a) to direct the manner in which the accounts of the Board shall be audited by the auditor and to give the auditor instructions in regard to any matter relating to the performance of his functions as the auditor, and

(b) to conduct a supplementary or test audit of the accounts of the Board by such person or persons as the Auditor-General may authorise in that behalf, and for the purposes of such audit, to require information or additional information to be furnished to any person or persons so authorised, on such matters, by such person or persons, and in such form, as the Auditor-General may, by general or special order, direct.

(5) The auditor shall examine the accounts of the Board and ascertain the correctness of the balance-sheet and furnish a report to the Auditor-General stating—

(a) whether he has or has not obtained all the information and explanations required by him, and

(b) whether in his opinion the balance-sheet and accounts referred to in the report are properly drawn up so as to exhibit a true and fair view of the affairs of the Board.

(6) The Auditor-General shall have the right to comment upon or supplement the auditor's report in such manner as the Auditor-General may think fit.

(7) The Auditor-General shall transmit the auditor's report together with his comments upon, or his supplement to, such report to the Board.

(8) The Board shall, on receipt of the auditor's report in respect of any year, transmit to the Minister—

(a) a copy of such report together with the Auditor-General's comments (if any) upon, and his supplement (if any) to, such report,

(b) a copy of the revenue and expenditure account,

(c) a copy of the balance-sheet, and

(d) a report by such Board on its work for the period for which the revenue and expenditure account and the balance-sheet have been made up.

(9) The Minister shall cause copies of each of the documents specified in subsection (8) of this section to be laid before the Senate and the House of Representatives.'.

6. The principal enactment, as amended by Act No. 2 of 1959, is hereby further amended by the insertion, immediately after section 10B of that enactment, of the following new sections which shall have effect as sections 10C and 10D of that enactment:—

Addition of
new sections
10C and 10D
to the
principal
enactment.

" Exemption
from
customs
duty.

10C. The Board shall be exempt from the payment of any customs duty on any goods imported or purchased out of bond by the Board for the purposes of the Board, if the Minister in consultation with the Minister of Finance approves of such exemption.

Appointment
of public
officers
to the
staff of
the Board.

10D. (1) At the request of the Board, any officer in the public service may, with the consent of that officer and of the Secretary to the Treasury, be temporarily appointed to the staff of the Board for such period as may be determined by the Board with like consent, or be permanently appointed to such staff.

(2) Where any officer in the public service is temporarily appointed to the staff of the Board, sub-section (2) of section 26 of the Government-Sponsored Corporations Act, No. 19 of 1955, shall, *mutatis mutandis*, apply to and in relation to him.

(3) Where any officer in the public service is permanently appointed to the staff of the Board, sub-section (3) of section 26 of the Government-Sponsored Corporations Act, No. 19 of 1955, shall, *mutatis mutandis*, apply to and in relation to him.

(4) Where the Board employs any person who has entered into a contract with the Government by which he has agreed to serve the Government for a specified period, any period of service to the Board by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such contract."