

PARLIAMENT OF CEYLON

2nd Session 1961-62



Tea and Rubber Subsidy (Amendment) Act, No. 66 of 1961

Date of Assent : November 22, 1961

Printed on the Orders of Government

Printed at the GOVERNMENT PRESS, CEYLON. To be
purchased at the GOVERNMENT PUBLICATIONS BUREAU, COLOMBO.

Annual Subscription (including Bills) Rs. 30 (Local), Rs. 40 (Foreign),
payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU,
P O. Box 530, Colombo 1, before 20th December each year in respect of
the year following. Late subscriptions will be accepted on the condition
that Bills issued before the date of payment will not be supplied.

Price : 25 cents

Postage : 10 cents

*Tea and Rubber Subsidy (Amendment) Act,
No. 66 of 1961*

L. D.—O. 11/61.

AN ACT TO AMEND THE TEA SUBSIDY ACT, No. 12 OF 1958, AND THE RUBBER REPLANTING SUBSIDY ACT, No. 36 OF 1953.

[Date of Assent: November 22, 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 Tea and Rubber Subsidy (Amendment) Act, No. 66 of 1961.

Short title.

2. The long title of the Tea Subsidy Act, No. 12 of 1958, hereinafter referred to as the "principal Act", is hereby amended by the substitution, for the words "TEA ESTATES AND SMALL HOLDINGS, THE MARKETING OF GREEN TEA LEAF OF ESTATES AND SMALL HOLDINGS", of the words "TEA ESTATES AND TEA SMALL HOLDINGS, THE REPLANTING OF RUBBER ESTATES AND RUBBER SMALL HOLDINGS WITH TEA, THE MARKETING OF GREEN TEA LEAF OF TEA ESTATES AND TEA SMALL HOLDINGS".

Amendment of long title of Act No. 12 of 1958.

3. Sections 2 and 3 of the principal Act are hereby repealed and the following sections are substituted therefor:—

Replacement of sections 2 and 3 of the principal Act.

"Tea Subsidy Fund.

2. (1) There shall be established a Fund called the Tea Subsidy Fund.

(2) The object of the Fund shall be to subsidise—

(a) the replanting of tea estates and tea small holdings;

(b) the replanting of rubber estates and rubber small holdings;

(c) the rehabilitation of tea estates and tea small holdings;

(d) the marketing of green tea leaf of tea estates and tea small holdings; and

(e) the manufacture of made tea from such green tea leaf.

Payments into and out of the Fund.

3. (1) There shall be paid into the Fund—

- (a) the proceeds of the export duty levied under section 8;
- (b) such sums as may from time to time be granted by Parliament or by resolution of the House of Representatives for the purposes of this Act;
- (c) such sums as may from time to time be credited to the Fund under paragraph (aa) of section 3 (2) of the Rubber Replanting Subsidy Act, No. 36 of 1953; and
- (d) the proceeds of the sale of seed, cuttings, tea plants and fertilizers by the Tea Controller to proprietors of tea estates, tea small holdings, rubber estates and rubber small holdings.

(2) There shall be paid out of the Fund—

- (a) such amounts as are authorised by regulation to be paid as subsidies under a scheme for subsidising the replanting of tea estates and tea small holdings or a scheme for subsidising the rehabilitation of tea estates and tea small holdings;
- (b) such amounts as are authorised by regulation to be paid as subsidies under a scheme for subsidising the replanting of rubber estates and rubber small holdings;
- (c) such amounts as are authorised by regulation to be paid under a scheme for subsidising the marketing of green tea leaf

of tea estates and tea small holdings or a scheme for subsidising the manufacture of made tea from such green tea leaf;

(d) the expenses incurred in connection with the establishment by the Government of nurseries for the supply of high grade planting material to proprietors of tea estates, rubber estates, tea small holdings or rubber small holdings, or in connection with the supply of fertilizers to such proprietors;

(e) such remuneration as may be payable to members of the Tea Subsidy Advisory Board established under this Act;

(f) the prescribed contributions to any provident fund or scheme established for the payment of gratuities to all or any of the officers and servants employed for the purposes of this Act and their dependants; and

(g) the expenses of the administration of this Act.”.

4. Section 10 of the principal Act is hereby amended in sub-section (2) thereof, by the substitution, for paragraphs (a), (b) and (c), of the following paragraphs:—

Amendment of
section 10 of
the principal
Act.

“ (a) scheme for subsidising with moneys of the Fund the replanting of tea estates and tea small holdings or scheme for subsidising with moneys of the Fund the replanting of rubber estates and rubber small holdings;

(b) scheme for subsidising with moneys of the Fund the rehabilitation of tea estates and tea small holdings;

(c) scheme for subsidising with moneys of the Fund the marketing of green tea leaf of tea estates and tea small holdings; ”.

4 *Tea and Rubber Subsidy (Amendment) Act,*
 No. 66 of 1961

Replacement of
section 12 of
the principal
Act.

5. Section 12 of the principal Act is hereby repealed and the following section is substituted therefor:—

‘ Interpretation.

12. In this Act, unless the context otherwise requires—

“ Board ” means the Tea Subsidy Advisory Board established under this Act;

“ cuttings ” mean any such cuttings from any living portions of any tea plants as may be capable of being used for propagation;

“ Fund ” means the Tea Subsidy Fund established under this Act;

“ green tea leaf ” means the leaf, leaf buds and immature stalks of the tea plant before they are subjected to any of the processes (excluding that known as withering) for conversion into made tea;

“ made tea ” means tea manufactured from the leaves, leaf buds and immature stalks of the tea plant;

“ manufacture ” when used with reference to green tea leaf, means any process by which such green tea leaf is converted into made tea;

“ prescribed ” means prescribed by regulation;

“ proprietor ”,—

(a) when used with reference to any tea estate or tea small holding, means a person who has been registered or is deemed to have been registered as a proprietor of such estate or small holding under the Tea Control Act, No. 51 of 1957; and

(b) when used with reference to any rubber estate or rubber small holding, means a person who has been registered or is deemed to have been registered as a proprietor of such estate or small holding under the Rubber Control Act, No. 11 of 1956;

“ regulation ” means a regulation made under this Act;

“ rehabilitation ” when used with reference to any tea estate or tea small holding, means any operation designed to improve the agricultural conditions of such estate or small holding, and includes the application of fertilizers, the adoption of soil conservation measures and the planting of additional tea plants and any other suitable plants in such estate or small holding;

“ replanting ”,—

(a) when used with reference to any tea estate or tea small holding, means the uprooting of all existing tea plants and other vegetation in the whole or any part of such estate or small holding and their replacement by new tea plants, and includes the planting of tea plants in an area which does not form part of such estate or small holding if the tea plants in an equivalent area of

6 *Tea and Rubber Subsidy (Amendment) Act,*
 No. 66 of 1961

such estate or small holding are eradicated within such time as the Tea Controller may specify; and

(b) when used with reference to any rubber estate or rubber small holding, means the uprooting of all existing rubber plants and other vegetation in the whole or any part of such estate or small holding and their replacement by tea plants;

“ rubber estate ” means any rubber estate registered or deemed to have been registered under the Rubber Control Act, No. 11 of 1956;

“ rubber plant ” has the same meaning as in the Rubber Replanting Subsidy Act, No. 36 of 1953;

“ rubber small holding ” means any rubber small holding registered or deemed to have been registered under the Rubber Control Act, No. 11 of 1956;

“ seed ” means the seed of the tea plant;

“ tea ” and “ tea plant ” have the same meanings respectively as in the Tea Control Act, No. 51 of 1957;

“ tea estate ” means any tea estate registered or deemed to have been registered under the Tea Control Act, No. 51 of 1957; and

“ tea small holding ” means any tea small holding registered or deemed to have been registered under the Tea Control Act, No. 51 of 1957. ’.

Tea and Rubber Subsidy (Amendment) Act, 7
No. 66 of 1961

6. Section 3 of the Rubber Replanting Subsidy Act, No. 36 of 1953, as amended by Act No. 5 of 1958, is hereby amended in sub-section (2) thereof, by the insertion, immediately after paragraph (a), of the following new paragraph:—

Amendment of
section 3 of
the Rubber
Replanting
Subsidy Act,
No. 36 of 1953.

“ (aa) such amounts as may be authorised from time to time by the Minister to be paid to the credit of the Tea Subsidy Fund established under the Tea Subsidy Act, No. 12 of 1958; ”.