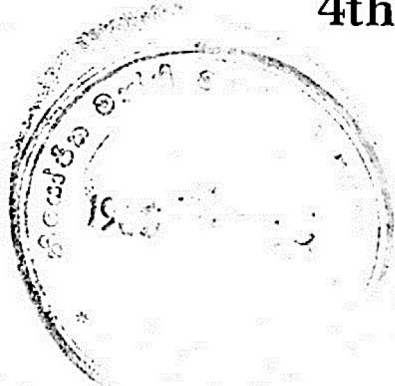


PARLIAMENT OF CEYLON

4th Session 1963-64



Conciliation Boards (Amendment) Act, No. 12 of 1963

Date of Assent : December 24, 1963



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 500, 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 : 30 cents

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Conciliation Boards (Amendment)
Act, No. 12 of 1963

L. D.—O. 49/62.

AN ACT TO AMEND THE CONCILIATION BOARDS ACT,
No. 10 OF 1958, AND THE CRIMINAL PROCEDURE CODE

[Date of Assent: December 24, 1963]

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 Conciliation Boards
(Amendment) Act, No. 12 of 1963. Short title.

2. Section 2 of the Conciliation Boards Act, No. 10
of 1958, hereinafter referred to as the "principal
Act", is hereby amended by the addition at the end
thereof, of the following new sub-section:— Amendment of
section 2 of
Act No. 10 of
1958.

' (3) In sub-section (1), the expression "village
area" has the same meaning as in the Village
Councils Ordinance. ' .

3. Section 3 of the principal Act is hereby
amended as follows:— Amendment of
section 3 of
the principal
Act.

(1) by the substitution, for sub-section (1), of the
following sub-section:—

' (1) For the purposes of this Act, the
Minister of Justice may from time to time
by Order published in the *Gazette*, consti-
tute for any area in which the Act is in
operation, or for any part of such area, such
area or part thereof being hereinafter
referred to as a "Conciliation Board area",
a Panel of Conciliators of not less than
twelve persons from which Conciliation
Boards for that Conciliation Board area
shall be constituted as hereinafter pro-
vided. ' ;

(2) by the substitution, for sub-section (3), of the following sub-section:—

“(3) Where the area of administrative authority or activity, as the case may be, of any local authority, Rural Development Society, Praja Mandalaya or Co-operative Society which is registered under the Co-operative Societies Ordinance or of any Divisional Revenue Officer or Grama Sevaka, is situated, in whole or part, within any Conciliation Board area for which a Panel of Conciliators is to be constituted, then each such body or person may, within the time allowed therefor by the notice under sub-section (2), recommend in writing to the Minister of Justice such persons as are, in the opinion of the recommending body or person, fit to be members of such Panel.”; and

(3) by the addition at the end of that section, of the following new sub-section:—

“(9) In sub-section (3), the expression “local authority” means any Municipal Council, Urban Council, Town Council or Village Council.”.

Amendment of sections 3, 4, 5, 6, 13 and 14 of the principal Act.

4. Sections 3, 4, 5, 6, 13 and 14 of the principal Act are hereby amended by the substitution, for the expression “village area”, wherever that expression occurs in those sections, of the expression “Conciliation Board area”.

Amendment of section 5 of the principal Act.

5. Section 5 of the principal Act is hereby amended in sub-section (2) thereof, by the substitution, for the word “nominated”, of the words “nominated in writing”.

Amendment of section 7 of the principal Act.

6. Section 7 of the principal Act is hereby amended as follows:—

- (1) by the deletion of paragraph (b) thereof; and
- (2) by the renumbering of paragraphs (c) and (d) thereof as paragraphs (b) and (c).

7. Section 8 of the principal Act is hereby amended in sub-section (4) thereof as follows:—

Amendment of
section 8 of
the principal
Act.

(1) by the deletion of paragraph (b);

(2) by the renumbering of paragraph (c) as paragraph (b); and

(3) by the substitution, for the words “punishable with a fine”, of the words “and shall, on conviction after summary trial before a Magistrate, be liable to a fine”.

8. Section 10 of the principal Act is hereby amended by the substitution, for the words “police officer”, of the words “police officer or Grama Sevaka”.

Amendment of
section 10 of
the principal
Act.

9. Section 12 of the principal Act is hereby amended in paragraph (b) of sub-section (2) thereof, by the substitution, for the word “Board”, of the words “Chairman of the Panel of Conciliators”.

Amendment of
section 12 of
the principal
Act.

10. Section 13 of the principal Act is hereby amended as follows:—

Amendment of
section 13 of
the principal
Act.

(1) by the renumbering of that section as sub-section (1) of that section;

(2) in the renumbered sub-section (1), by the substitution, for the words “may in writing”, of the words “may, within thirty days after the date of settlement of such dispute, in writing”;

(3) by the insertion immediately after sub-section (1), of the following new sub-sections:—

“(2) Where the written notification referred to in sub-section (1) is not received by such Chairman within thirty days after the date of settlement of such dispute, such Chairman shall forthwith transmit to the District Court or the Court of Requests or the Rural Court, as the case may be, having jurisdiction to

hear and adjudicate upon such dispute, a copy of the settlement recorded by that Board. Such copy shall be signed and certified by the President of that Board.

(3) (a) Immediately upon the receipt by the District Court or the Court of Requests, as the case may be, of the copy of the settlement referred to in sub-section (2), the District Judge or the Commissioner of Requests of that court shall cause such copy to be filed of record in such court. Such settlement shall, with effect from the date of such filing, be deemed to be a decree of that court, and such of the provisions of the Civil Procedure Code as relate to the execution of decrees shall, as far as may be practicable, apply *mutatis mutandis* to and in relation to such settlement which is deemed to be a decree.

(b) Immediately upon the receipt by the Rural Court of the copy of the settlement referred to in sub-section (2), it shall be the duty of the President of such court to file such copy in the records of such court. Such settlement shall, with effect from the date of such filing, be deemed to be a judgement of such court, and such of the provisions of the rules made under section 52 of the Rural Courts Ordinance as relate to the execution of judgments shall, as far as may be practicable, apply *mutatis mutandis* to and in relation to such settlement which is deemed to be a judgment.”; and

(4) in the marginal note of that section, by the substitution, for the word “Board.”, of the words “Board, and steps to be taken upon non-repudiation.”.

11. Section 20 of the principal Act is hereby repealed.

Repeal of
section 20
of the
principal
Act.

12. Section 290 of the Criminal Procedure Code is hereby amended in the table appearing in that section as follows:—

Amendment of
section 290 of
Chapter 20.

(1) in Part A of that table, by the insertion, immediately after the item relating to sections 409 and 410 of the Penal Code, of the following new items, the several particulars contained therein being inserted in the appropriate columns of that table:—

“ Offences ”	Sections of [1] Penal Code [2] applicable]	Persons by whom offences may be compounded [3]
Mischief by killing or maiming any animal of the value of ten rupees ..	411	} The person in possession of the animal injured.”; and
Mischief by killing or maiming cattle, &c., or any animal of the value of fifty rupees ..	412	

(2) in Part B of that table, by the omission of the following items:—

“ Mischief by killing or maiming any animal of the value of ten rupees ..	411
Mischief by killing or maiming cattle, &c., or any animal of the value of fifty rupees ..	412 ”,