

PARLIAMENT OF CEYLON

2nd Session 1966-67



Development Finance Corporation of Ceylon (Amendment) Act, No. 1 of 1967

Date of Assent : March 23, 1967

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Development Finance Corporation of Ceylon
(Amendment) Act, No. 1 of 1967

L. D.—O. 2/67.

AN ACT TO AMEND THE DEVELOPMENT FINANCE
CORPORATION OF CEYLON ACT.

Chapter 165,
Volume VI,
Page 618.

[Date of Assent: March 23, 1967]

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 Development Finance Corporation of Ceylon (Amendment) Act, No. 1 of 1967.

Short title.

2. Section 4 of the Development Finance Corporation of Ceylon Act (hereinafter referred to as the "principal Act"), as amended by Act No. 8 of 1958, is hereby further amended as follows:—

Amendment of
section 4 of
Chapter 165.

(1) in sub-section (1) of that section, by the substitution, for paragraph (a) of that sub-section, of the following new paragraph:—

"(a) to assist in the promotion, establishment, expansion and modernization of private industrial, agricultural and commercial enterprises in Ceylon, and"; and

(2) in sub-section (2) of that section, by the substitution,—

(a) for the words "Any industrial or agricultural enterprise in Ceylon", of the words "Any industrial, agricultural or commercial enterprise in Ceylon"; and

(b) for the words "a private industrial or agricultural enterprise in Ceylon.", of the words "a private industrial, agricultural or commercial enterprise in Ceylon.".

3. Section 5 of the principal Act is hereby amended as follows:—

Amendment of
section 5 of
the principal
Act.

(1) in paragraph (iii) of that section, by the substitution, for the words "from other private investment sources;", of the words "from investment sources;"; and

(2) by the insertion, immediately after paragraph (iii) of that section, of the following new paragraph:—

“(iiia) nominate a representative of the Corporation to serve on the governing body of any enterprise in which the Corporation has a financial interest;”.

Amendment of
section 7 of
the principal
Act.

4. Section 7 of the principal Act is hereby amended in sub-section (1) of that section, by the substitution, for all the words from “eight million rupees” to the end of that sub-section, of the following:—

“twenty-four million rupees divided into two hundred and forty thousand ordinary shares of one hundred rupees each.”.

Amendment of
section 9 of
the principal
Act.

5. Section 9 of the principal Act is hereby amended in sub-section (5) of that section, by the substitution, for the words “any private industrial or agricultural enterprise”, of the words “any private industrial, agricultural or commercial enterprise”.

Amendment of
section 10 of
the principal
Act.

6. Section 10 of the principal Act is hereby amended in sub-section (4) of that section, by the substitution, for the words “There shall be not less than four and not more than six other directors”, of the words “There shall be not less than six and not more than eight other directors”.

Amendment of
section 13 of
the principal
Act.

7. Section 13 of the principal Act is hereby amended in sub-section (1) of that section, by the substitution, for all the words from “Any loan made under this sub-section” to “by the Government,”, of the following:—

“Any loan made under this sub-section shall be repayable to the Government by the Corporation in fifteen equal annual instalments the first of which shall be due in the twenty-sixth year succeeding the year in which such loan is granted by the Government,”.

8. Section 14 of the principal Act is hereby amended as follows:—

Amendment of
section 14 of
the principal
Act.

(1) in sub-section (1) of that section, by the substitution,—

(a) for the words “ from the International Bank for Reconstruction and Development. ”, of the words “ from the International Bank for Reconstruction and Development, or from any other international or foreign organization approved by the Government. ”; and

(b) for the words “ the equivalent of twenty-four million rupees ”, of the words “ the equivalent of seventy-two million rupees ”;

(2) in sub-section (3) of that section, by the substitution,—

(a) for the words “ from the International Bank for Reconstruction and Development or by the Government ”, of the words “ from the International Bank for Reconstruction and Development or from any other international or foreign organization approved by the Government, or by the Government ”; and

(b) for the words “ other than the International Bank for Reconstruction and Development ”, appearing in the proviso to that sub-section, of the words “ other than the International Bank for Reconstruction and Development or any other international or foreign organization approved by the Government ”;

(3) in sub-section (5) of that section, by the substitution, for the words “ Every guarantee agreement between the Government and the International Bank for Reconstruction and Development ”, of the words “ Every guarantee agreement between the Government and the International Bank for Reconstruction and Development or any other international or foreign organization approved by the Government ”;

(4) in sub-section (6) of that section, by the substitution, for the words “ In the case of any loan made to the Corporation by the International Bank for Reconstruction and Development ”, of the words “ In the case of any loan made to the Corporation by the International Bank for Reconstruction and Development or any other international or foreign organization approved by the Government ”; and

(5) by the insertion, at the end of that section, of the following new sub-sections:—

“ (7) The Governor-General, or any person authorized in that behalf by the Governor-General by instrument under his hand, is hereby empowered, on behalf of the Government, to sign any guarantee agreement between the Government and the International Bank for Reconstruction and Development or any other international or foreign organization approved by the Government.

(8) Notwithstanding anything in any other written law, no agreement, bond or other document executed by the Corporation in respect of any loan which may be raised by the Corporation from the International Bank for Reconstruction and Development, or from any other international or foreign organization approved by the Government, shall be subject to, or be charged with, any stamp duty or duties whatsoever.

(9) As soon as possible after the end of each financial year the Minister of Finance shall cause to be laid before the Senate and the House of Representatives the report on the statement of accounts of the Corporation and of every loan, bond and guarantee entered into under this Act, during the course of that financial year.”

9. Section 18 of the principal Act is hereby amended as follows:—

Amendment of
section 18 of
the principal
Act.

(1) in the definition of “ agricultural enterprise ”,
by the substitution, for the words “ enter-
prise operated on a commercial basis; ”, of
the words “ enterprise operated by a limited
liability company on a commercial basis; ”;
and

(2) by the insertion, immediately after the
definition of “ board of directors ”, of the
following new definitions:—

“ “ commercial enterprise ” includes any
large scale enterprise operated by a
limited liability company, not falling
within the description of an agricul-
tural or industrial enterprise, which
shall be conducive to the economic
development of Ceylon;

“ governing body ”, in relation to any
enterprise, means any body of persons
by whatsoever name or designation
called for the time being charged
with the management or administra-
tion, or any part thereof, of such
enterprise’s business or affairs;

“ industrial enterprise ” means a large
scale enterprise for a productive
purpose operated by a limited
liability company on a commercial
basis;’.