

PARLIAMENT OF CEYLON

4th Session 1955-56



Hospitals Lotteries (Amendment) Act, No. 26 of 1956

Date of Assent: February 17, 1956

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AN ACT TO AMEND THE HOSPITALS LOTTERIES
ACT, NO. 4 OF 1955.

[Date of Assent: February 17, 1956.]

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 Hospitals Lotteries (Amendment) Act, No. 26 of 1956.

Short title.

2. Section 2 of the Hospitals Lotteries Act, No. 4 of 1955, (hereinafter referred to as the "principal enactment"), is hereby amended as follows:—

Amendment of
section 2 of
Act No. 4 of
1955.

(1) by the re-numbering of that section as sub-section (1) of section 2; and

(2) by the insertion, immediately after re-numbered sub-section (1) of that section, of the following new sub-section:—

“(2) The Board shall be a body corporate having perpetual succession and a common seal and may by its name sue and be sued.”.

3. The following new section is hereby inserted immediately after section 5, and shall have effect as section 5A, of the principal enactment:—

Insertion of
new section
5A in the
principal
enactment.

“Property
contracts and
expenditure
of the Board.

5A. (1) The Board may acquire, hold and dispose of any movable or immovable property, and enter into contracts and otherwise do all such acts as may be necessary for the purpose of carrying out the provisions of this Act.

(2) All sums payable by the Board under any contract entered into by the Board or in respect of any movable or immovable property acquired or held by the Board shall be paid out of the Fund of the Board. All sums received by the Board under any such contract or in respect of any such property shall be paid to the Fund of the Board.

(3) All sums payable by the Board for the purpose of defraying any expenditure incurred in the management of the

affairs or the transaction of the business of the Board, or the exercise of the powers or the performance of the duties of the Board under this Act shall be paid out of the Fund of the Board."

Amendment of
section 10 of
the principal
enactment.

4. Section 10 of the principal enactment is hereby amended, in sub-section (1) of that section, by the insertion, immediately after paragraph (a) of that sub-section, of the following new paragraph:—

"(aa) the custody and use of its seal;".

Insertion of
new section
10A in the
principal
enactment.

5. The following new section is hereby inserted immediately after section 10, and shall have effect as section 10A, of the principal enactment:—

"Protection
for action
taken under
this Act
or on the
direction of
the Board."

10A. (1) No suit or prosecution shall lie—

(a) against the Board for any act which in good faith is done or purported to be done by the Board under this Act, or

(b) against any member, officer, servant or agent of the Board for any act which in good faith is done or purported to be done by him under this Act or on the direction of the Board.

(2) Any expense incurred by the Board in any suit or prosecution brought by or against the Board before any court shall be paid out of the Fund of the Board, and any costs paid to, or recovered by, the Board in any such suit shall be credited to such fund.

(3) Any expense incurred by any such person as is referred to in paragraph (b) of sub-section (1) in any suit or prosecution brought against him before any court in respect of any act done or purported to be done by him under this Act or on the direction of the Board shall, if the court holds that such act was so done or purported to be done in good faith, be paid out of the Fund of the Board, unless that expense is recovered by him in such suit or prosecution."