

[Extract from the "Ceylon Government Gazette" No. 13,529 of February 22, 1963.]

L. D.--B. 55/45/E. C.--LA/P/10.

THE EXCISE ORDINANCE**Excise Notification No. 909**

BY virtue of the powers vested in me by sections 2, 8 and 19 of the Excise Ordinance (Chapter 52), I, Maithripala Senanayake, Minister of Industries, Home and Cultural Affairs, do by this notification, with effect from 9th February, 1963—

(1) appoint—

- (i) all Divisional Revenue Officers, and Village Headmen to perform the acts and duties mentioned in sections 33, 35 and 48 (a) of the Excise Ordinance within their respective Districts or areas;
- (ii) all officers of the Police Force to perform the acts and duties mentioned in sections 33, 35 and 48 (a) of the Excise Ordinance throughout the Island;

(2) set out the designations, powers and duties of officers of the Excise Department as follows:—

- (1) A Deputy Commissioner to exercise all the powers and to perform all the duties of the Excise Commissioner throughout the Island, subject to the control of the Excise Commissioner;
- (2) Assistant Commissioners to exercise all the powers and to perform all the duties of a Government Agent concurrently with the Government Agent and subject to the control of the Excise Commissioner—

- (a) in respect of issue of passes for transport under section 14 of the Excise Ordinance throughout the Island;
- (b) in respect of issue of permits under section 17 of the Excise Ordinance within their respective divisions;
- (c) exercise all the powers set out in section 55 of the Excise Ordinance within their respective divisions;

- (3) Superintendents to exercise all the powers and to perform all the duties of a Government Agent concurrently with the Government Agent and subject to the control of the Assistant Commissioner—

- (a) in respect of the issue of passes for transport under section 14 of the Excise Ordinance throughout the Island;
- (b) in respect of the issue of permits under section 17 of the Excise Ordinance within their respective areas;

- (4) Assistant Commissioners, Superintendents, Chief Inspectors and Inspectors, subject to the control of their superior officers, to exercise the powers referred to in sections 33, 35, 37 and 48 (a) of the Excise Ordinance throughout the Island;

- (5) Excise Sergeants, Excise Corporals and Excise Guards to be Excise Officers for the purpose of sections 35 and 48 (a) of the Excise Ordinance and for the purpose of assisting Excise Officers not below the rank of Inspector in the exercise of their powers under sections 33 and 37 of the Excise Ordinance;

- (6) Divisional Preventive Officers, Chief Preventive Officers and Preventive Officers of the Excise Striking Force to exercise the powers referred to in sections 33, 35, 37 and 48 (a) of the Excise Ordinance throughout the Island;

- (7) Sergeants and Guards of the Excise Striking Force to be Excise Officers for the purpose of sections 35 and 48 (a) of the Excise Ordinance and for the purpose of assisting officers of the Excise Striking Force not below the rank of Preventive Officers in the exercise of their powers under sections 33 and 37 of the Excise Ordinance;

- (3) order that the powers and duties of an Inspector of the Excise Department under section 37 of the Excise Ordinance shall be exercised—

- (i) by all officers of the Police Force throughout the Island; and
- (ii) by Divisional Revenue Officers, and Village Headmen within their respective Districts or areas;

- (4) delegate the following powers to the Excise Commissioner:—

- (1) The power to assign to officers of the Excise Department and Excise Striking Force their respective duties in so far as they are not specifically provided for by the Excise Ordinance or by rules made thereunder;
- (2) The power under section 12 of the Excise Ordinance to permit from time to time the export of liquor on payment of duty, if any, to which it is liable under the Excise Ordinance or the Customs Ordinance, on such terms and conditions as he may think fit, and to cancel such permission;
- (3) The power under section 14 of the Excise Ordinance to prescribe the form, particulars and persons relating to the grant of passes under that section;
- (4) The power to make the declaration referred to in section 20 of the Excise Ordinance and to cancel such declaration;
- (5) The power under section 25 of the Excise Ordinance to determine from time to time, where not already determined by the Minister, the fees, periods, forms, restrictions and conditions relating to the grant of licences, permits and passes under the Excise Ordinance;

- (6) delegate to Government Agents the power to grant the exclusive privilege of selling arrack or toddy by retail and of selling foreign liquor by retail in a foreign liquor tavern within their districts;

- (6) permit the delegation by Government Agents of their powers under sections 17, 28 (1) (a), 31, 33 and 48 (a) of the Excise Ordinance and of their power under section 15 of that Ordinance to issue licences for the drawing of unfermented toddy; and

(7) rescind the following Excise Notifications:—

- (1) Excise Notification No. 1 published in Gazette No. 6,536 of December 13, 1913.
- (2) Excise Notification No. 8 published in Gazette No. 6,554 of March 23, 1913.
- (3) Excise Notification No. 12 published in Gazette No. 6,568 of June 20, 1913.
- (4) Excise Notification No. 22 published in Gazette No. 6,601 of January 9, 1914.
- (5) Excise Notification No. 23 published in Gazette No. 6,605 of February 6, 1914.
- (6) Excise Notification No. 99 published in Gazette No. 7,058 of October 10, 1919.
- (7) Excise Notification No. 164 published in Gazette No. 7,594 of July 15, 1927.
- (8) Excise Notification No. 182 published in Gazette No. 7,572 of November 2, 1928.
- (9) Excise Notification No. 198 published in Gazette No. 7,800 of August 20, 1930.
- (10) Excise Notification No. 201 published in Gazette No. 7,809 of October 10, 1930.
- (11) Excise Notification No. 321 published in Gazette No. 8,296 of June 18, 1937.
- (12) Excise Notification No. 336 published in Gazette No. 8,407 of October 21, 1938.
- (13) Excise Notification No. 414 published in Gazette No. 10,185 of December 8, 1950.
- (14) Excise Notification No. 422 published in Gazette No. 10,454 of September 25, 1952.
- (15) Excise Notification No. 456 published in Gazette No. 10,857 of November 4, 1955.

MAITHRIPALA SENANAYAKE,
Minister of Industries, Home and Cultural Affairs.

Colombo, 9.2.1963.

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