

HOUSING (SPECIAL PROVISIONS)

A LAW TO PROHIBIT THE UNAUTHORIZED TRANSFER OF OCCUPANCY OF PREMISES PROVIDED BY THE COMMISSIONER OF NATIONAL HOUSING OR A LOCAL AUTHORITY OR THE COMMISSIONER OF LOCAL GOVERNMENT OR A PUBLIC CORPORATION FOR OCCUPATION BY ANY PERSON, AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Law Nos,
18 of 1974

[19th,]

Short title. **1.** This Law may be cited as the Housing (Special Provisions) Law.

Application of Law. **2.** The provisions of this Law shall apply to all premises provided by the Commissioner of National Housing (hereinafter referred to as the "Commissioner ") or a local authority or the Commissioner of Local Government or a public corporation for occupation by any person, whether such occupation is upon the payment of rent or not but shall not apply to Government quarters within the meaning of the Government Quarters (Recovery of Possession) Act.

Restrictions as to transfer of occupancy. **3.**

(1) Notwithstanding anything in any other law, the occupancy of any premises referred to in section 2, shall not be transferred by the person for whose occupation such premises was provided by the appropriate authority, to any other person without the prior written permission of the appropriate authority and except in accordance with such conditions as the appropriate authority may impose.

(2) In this section, the expression " appropriate authority "-

(a) in relation to any premises provided by the Commissioner means the Commissioner or any officer authorized by him in writing;

(b) in relation to any premises provided by a local authority means the Municipal Commissioner or any officer authorized by him in writing, if it be a Municipal Council or the Chairman or any officer authorized by him in writing, if it be an Urban Council or Town Council or Village Council, as the case may be;

(c) in relation to any premises provided by the Commissioner of Local Government, means the Commissioner of Local Government or an officer authorized by him in writing; and

(d) in relation to any premises provided by a public corporation, means the head of such corporation or an officer authorized by him in writing.

Regulations. **4.**

(1) The Minister may make regulations for the purpose of carrying

out or giving effect to the principles and provisions of this Law.

(2) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Where regulations are made in respect of (a) any premises provided by a local authority, or (b) any premises provided by the Commissioner of Local Government, such regulations shall be made with the concurrence of the Minister in charge of the subject of Local Government.

(4) Every regulation shall, as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded from the date of its disapproval but without prejudice to anything previously done thereunder. Notification of the date on which any regulation made by the Minister is deemed to be rescinded shall be published in the Gazette.

offences and penalties, **5.** Any person who contravenes the provisions of this Law or any regulation made thereunder shall be guilty of an offence and shall, on conviction after trial before a Magistrate, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a period not exceeding six weeks or to both such fine and imprisonment.

Interpretation. **6.** In this Law, unless the context otherwise requires-

" building " includes a flat;

" flat" means a self-contained domestic suite of rooms in a building of more than one storey;
"local authority" includes a Municipal Council, Urban Council, Town Council or Village Council;

" premises " means any building or part of a building together with the land appertaining thereto; and

"public corporation" means any corporation, board or other body which was or is established by or under any written law, other than the Companies Ordinance*, with capital wholly or partly provided by the Government by way of grant, loan or other form. (*Repealed and replaced by the Companies Act, No 17 of 1982.)