

CHAPTER 141

POOR LAW

AN ORDINANCE RELATING TO THE RELIEF OF THE POOR.

Ordinances
Nos. 30 of 1939.
11 of 1941.
3 of 1946.

[1st January, 1940.]

1. This Ordinance may be cited as the Poor Law Ordinance.

Short title.

PART 1

PRELIMINARY

2. The powers conferred by this Ordinance upon any Municipal Council, Urban Council, *Town Council or *Village Council, shall be in addition to, and not in derogation of, any powers of any such local authority under any other enactment:

Powers under Ordinance to be additional to powers conferred by other enactments.

Provided that in any case in which any provision of this Ordinance is in conflict with any provision of any such other enactment, the provision of this Ordinance shall prevail.

PART II

MUNICIPALITIES, URBAN COUNCILS, AND *TOWN COUNCILS

3. (1) This part of this Ordinance shall apply—
- (a) within the administrative limits of any Municipal Council ;
 - (b) within the administrative limits of any Urban Council or *Town Council in which it shall be declared from time to time to be in force by the Minister by Order published in the Gazette.

Application of Part II.

* See Pradeshiya Sabhas Act, No, 15 of 1987 which repealed and replaced both the Town Councils Ordinance and the Village Councils Ordinance.

(2) Any such Municipal Council, Urban Council, or *Town Council to which this Part of this Ordinance applies shall be called and known as an urban local authority and is so referred to in this Ordinance.

Duty of urban local authority with respect to poor persons.

4. (1) It shall be the duty of an urban local authority—

- (a) to provide such relief as may be necessary for persons of either sex unable to support themselves owing to physical or mental infirmity or incapacity and in need of relief ;
- (b) to provide such relief as may be necessary for the use of, and to assist, orphans or children below a prescribed age of poor parents who are not able to keep and maintain their children in obtaining educational facilities and industrial training and to erect and maintain school buildings and orphanages for this purpose;
- (c) to establish and maintain institutions for the treatment of poor persons;
- (d) to make contributions in aid of any voluntary agencies which appear to render useful aid in the administration of the relief of the poor, of orphans and the children of poor persons, within the administrative limits of the urban local authority and which appear to receive support from the public, provided such agencies agree to register all cases assisted with the registrar to be appointed by the urban local authority and to allow inspection of their accounts and methods of administration by the urban local authority or its officers ;
- (e) to appoint officers to investigate applications for assistance and to administer relief and to delegate to such officers the provision of relief in cases of sudden and urgent necessity;

* See footnote to section 2.

- (f) to recover from the recipient of relief or from prescribed relatives of such recipient who are possessed of sufficient means, the whole or part of the amount expended on his or her relief;
- (g) to do and execute all other things concerning the matters aforesaid as to the urban local authority may seem convenient.

(2) The duties of the urban local authority under this section shall apply to all persons of either sex ordinarily resident within its administrative limits.

5. (1) The purposes for which an urban local authority may expend the funds at its disposal under any enactment regulating its powers and duties (including any sum which may, at any time, be voted by Parliament for the purposes of this Ordinance) shall include the fulfilment of the duties of such urban local authority prescribed by this Part of this Ordinance, and the urban local authority may for the purposes of this Ordinance levy a special rate on all property assessed for the purpose of rates over and above the rates imposed by virtue of any other enactment, and all the relevant provisions of such other enactment, including the provisions for collecting rates, shall apply to such special rate in the same manner and for the same purpose as if they had been inserted herein.

Power of urban local authority to use its funds to carry out duties under this Ordinance.

(2) Where Parliament has at any time attached conditions to the vote of any sum to any urban local authority for the purposes of this Ordinance, such conditions shall, on the acceptance of such sum by that local authority, be deemed to be incorporated in the poor law scheme of that local authority and shall have effect accordingly.

6. (1) It shall be lawful for an urban local authority to borrow such sum or sums of money as may be necessary for carrying out any work of a permanent character undertaken under the provisions of this

Borrowing powers of urban local authority.

Ordinance and for the acquisition of any lands or buildings required for the purposes of or in connexion with any such work on such terms or conditions as may be approved by the Minister.

(2) Any purpose for which an urban local authority may lawfully borrow any sum of money under subsection (1) shall be deemed to be a purpose for which that local authority is authorized to borrow money by the written law under which that local authority is constituted ; and, subject as aforesaid, the provisions of that written law relating to the borrowing of money, the limitation of borrowing powers, the security to be granted for loans, the form of such security and other incidental matters and procedure shall apply accordingly.

Acquisition of land or building.

7. Any private land or building which may be required by an urban local authority for the purposes of this Ordinance may be acquired by the State for such purposes under the provisions of the Land Acquisition Act, or of any other enactment for the time being in force providing for the acquisition of private land or buildings for public purposes. When the urban local authority has paid the compensation awarded, the Minister may vest such land in the urban local authority by writing under the hand of the prescribed officer to the effect that the same has been made over to the urban local authority and any such land or building, when no longer required for the purposes of this Ordinance, may be dealt with by the urban local authority as any other land or building vested in it.

Accounts and audit.

8. Separate accounts shall be kept by the urban local authority of their receipts and expenditure in respect of the functions discharged by such local authority under this Ordinance, and those accounts shall be made up and audited in like manner and subject to the same provisions as in the case of a Municipality, Urban Council or *Town Council, respectively; and the enactments relating to the audit of the accounts of a Municipality, Urban Council or *Town Council, as the case may be, and to all matters incidental thereto and consequential thereon, including penal provisions, if any, shall apply to such accounts.

* See footnote to section 2.

9. (1) For the purpose of discharging the duties prescribed in this Part of this Ordinance, the urban local authority shall each year, when preparing the annual budget or at any other time, prepare and approve of a poor law scheme and shall vote and provide from time to time, whenever necessary, a sum sufficient from the funds at its disposal (in addition to any sum which may be voted by Parliament for the purpose) to defray the cost which will be incurred in carrying out the poor law scheme.

Poor law scheme.

(2) Such sum or sums of money as may be voted or provided by an urban local authority, including any sum placed at its disposal by Parliament for the purpose, shall be spent by such urban local authority or under its direction in carrying the poor law scheme so prepared and approved into execution, subject to the provisions of this Ordinance and any rules prescribed thereunder.

10. The poor law scheme—

Delegation.

(a) shall provide for the delegation by the urban local authority to a committee (hereinafter referred to as the public assistance committee) with or without any conditions or limitations as the urban local authority thinks fit, of all the functions conferred or imposed upon or vested in it by this Ordinance except the power of voting or providing or borrowing money or levying a rate or acquiring lands or appointing officers or keeping and auditing accounts; and

(b) may provide for the discharge, on behalf of and subject to the general direction and control of the public assistance committee, of any of the functions of that committee by a sub-committee (hereinafter referred to as the local sub-committee) to be appointed for a defined area within the administrative limits of the urban local authority, within that defined area.

Appointment
of officers.

11. The poor law scheme shall provide for—

- (a) the appointment of such paid officers as may be necessary to investigate applications for assistance and administer relief and the delegation to such officers of the provision of relief in cases of sudden and urgent necessity; and
- (b) in particular, the appointment of a registrar who shall register in a prescribed book full particulars of all cases assisted by the urban local authority and by voluntary agencies who agree to co-operate in such registration.

Public
assistance
committee.

12. (1) The public assistance committee shall be composed of the prescribed number of members for the prescribed period.

(2) One-half of the committee shall consist of members of the urban local authority nominated by such local authority and the other half of persons of either sex (not being members of the urban local authority) nominated by the Minister.

(3) The public assistance committee shall elect a chairman who shall preside at its meetings and a vice-chairman, and shall, subject to such rules as may be prescribed, exercise, perform and discharge such functions as may be delegated to it by the urban local authority.

Local sub-
committees.

13. (1) Where the poor law scheme provides for the appointment of local sub-committees the administrative limits of the urban local authority shall be divided into such areas as may be specified in the poor law scheme, and for every such area there shall be a local sub-committee.

(2) Every local sub-committee shall be constituted in such manner as may be provided for in the poor law scheme and shall consist of the number of members fixed in the poor law scheme for the prescribed period, provided the member or members of the urban local authority for the ward or wards or electoral division or divisions falling wholly or partly within the area shall be included in such local sub-committee.

(3) Each local sub-committee shall elect a chairman, who shall preside at its meetings, and a vice-chairman, and shall, subject to such rules as may be prescribed, exercise, perform and discharge such functions as may be delegated to it by the poor law scheme under the general direction and control of the public assistance committee.

PART III

***VILLAGE COUNCILS**

14. (1) This Part of this Ordinance shall apply within a Divisional Secretary's Division in which it shall be declared from time to time to be in force by the Minister by Order published in the Gazette:

Application of Part III.

Provided, however, that this Part of this Ordinance shall not apply within the administrative limits or part thereof, if any, included in such Divisional Secretary's Division, of any Municipal Council, Urban Council or *Town Council, in which Part II of this Ordinance is in force, and such administrative limits or part, if any, shall be deemed to be excluded from such Divisional Secretary's Division for the purposes of this Part of this Ordinance.

(2) All *Village Councils within any area so proclaimed to which this Part of this Ordinance applies acting jointly shall be called and known as a rural local authority and are so referred to in this Ordinance.

15. (1) Each *Village Council shall be a unit of the rural local authority, and it shall be the duty of the rural local authority and of each such unit—

Duty of rural local authority in respect to poor persons.

(a) to provide such relief as may be necessary for persons unable to support themselves owing to physical or mental infirmity or incapacity and in need of relief;

* See footnote to section 2.

- (b) to provide such relief as may be necessary for the use of, and to assist, orphans or, children below a prescribed age of poor parents who are not able to keep and maintain their children in obtaining educational facilities and industrial training and to erect and maintain school buildings and orphanages for this purpose;
- (c) to establish and maintain institutions for the treatment of poor persons ;
- (d) to make contributions in aid of any voluntary agencies which appear to render useful aid in the administration of relief of the poor, of orphans and the children of poor persons, within the administrative limits of such rural local authority or such unit and which appear to receive support from the public, provided that such agencies agree to register all cases assisted with the registrar to be appointed as hereinafter provided and to allow inspection of their accounts and methods of administration by the prescribed officers;
- (e) to do and exercise all other things concerning the matters aforesaid as to the rural local authority or each unit of the rural local authority may seem fit.

(2) The duties of the rural local authority or each unit of the rural local authority under this section shall apply to all persons of either sex ordinarily resident within its administrative limits.

Delegation of functions of rural local authority.

16. All the functions by this Ordinance conferred or imposed upon, or vested in, the rural local authority and each unit of the rural local authority shall stand referred to and be delegated to a joint committee (as hereinafter constituted and known as the rural local committee) except the power of voting or providing or borrowing money or levying a rate or acquiring lands.

17. (1) A rural local committee shall be composed—

Composition,
of rural local
committee,

(a) as to one-half thereof, of the Chairman of each *Village Council within the Divisional Secretary's Division declared under section 14, and two members from each such *Village Council nominated by such Council; and

(b) as to the other half, of such inhabitants within the said Divisional Secretary's division as the Minister shall nominate.

(2) The members of the rural local committee shall hold office for the prescribed period and shall elect a chairman, who shall preside at its meetings, and a vice-chairman, and shall, subject to such rules as may be prescribed, exercise, perform and discharge the functions delegated to such committee under the preceding section.

18. For the purpose of performing and discharging the functions prescribed under section 16 of this Ordinance, the rural local committee shall each year within the prescribed time prepare and approve a poor law scheme which shall set forth the probable cost which will be incurred in carrying out that scheme.

Poor law
schemes.

19. (1) Each unit of the rural local authority shall from time to time contribute such prescribed proportionate amount from the funds at its disposal as will be sufficient to enable it to discharge its functions under this Ordinance as set forth in the poor law scheme, with such modifications in the scheme as may be made from time to time in the prescribed manner.

Contributions
for carrying
out the poor
law scheme.

(2) All such sums contributed by each unit (in addition to any sum which may be voted by Parliament for the purpose) shall form a central fund, and it shall be the duty of the rural local committee to administer such central fund as hereinafter provided.

* See footnote to section 2.

Appointment of officers, &c.

20. The poor law scheme shall provide —

- (a) for the appointment of such paid officers as may be necessary to investigate applications for assistance and to administer relief and the delegation to such officers of the provision of relief in cases of sudden and urgent necessity;
- (b) for the recovery from the recipient of relief or from prescribed relatives of such recipient who are possessed of sufficient means either the whole or a part of the amount expended on his or her relief ;
- (c) for the appointment of a registrar who shall register in a prescribed form full particulars of all cases assisted by the rural local committee and by voluntary agencies who agree to co-operate in such registration.

Power of unit of rural local authority to use its funds to perform functions under this Ordinance.

21. (1) The purposes for which any unit of a rural local authority may expend the funds at its disposal under any enactment regulating its powers and duties (including any sum which may be voted by Parliament for the purposes of this Ordinance) shall include the fulfilment and performance of the functions of such unit prescribed by this Part of this Ordinance; and such unit may, for the purposes of this Ordinance, levy a special rate on all property assessed for the purpose of rates over and above the rates imposed by virtue of any other enactment; and all the relevant provisions of such other enactment, including the provisions for collecting rates, shall apply to such special rate in such manner and for the same purpose as if they had been inserted herein:

Provided, however, that a unit of a rural local authority shall not have the power to levy a special rate for the purposes of this Ordinance, unless the power to levy a rate has been conferred on it by any other enactment for the purposes of that enactment.

(2) Where Parliament has at any time attached conditions to the vote of any sum to any rural local committee for the purposes of this Ordinance, such conditions shall, on the acceptance of such sum by that committee, be deemed to be incorporated in the poor law scheme of that committee and shall have effect accordingly.

22. (1) It shall be lawful for a unit of a rural local authority to borrow such sum or sums of money as may be necessary for carrying out any work of a permanent character undertaken under the provisions of this Ordinance and for the acquisition of any lands or buildings required for the purpose of or in connexion with any such work on such terms or conditions as may be approved by the Minister .

Borrowing powers of a unit of rural local authority.

(2) Any purpose for which a unit of a rural local authority may lawfully borrow any sum of money under subsection (1) shall be deemed to be a purpose for which that unit is authorized to borrow money by the written law under which that unit is constituted; and, subject as aforesaid, the provisions of that written law relating to the borrowing of money, the limitation of borrowing powers, the security to be granted for loans, the form of such security and other incidental matters and procedure shall apply accordingly.

23. Any private land or building which may be required by a unit of a rural local authority for the purposes of this Ordinance may be acquired by the State for such purposes under the provisions of the Land Acquisition Act or of any other enactment for the time being in force providing for the acquisition of private lands or buildings for public purposes. When the unit of the rural local authority has paid the compensation awarded, the Minister may vest such land in such unit by writing under the hand of the prescribed officer to the effect that the same has been made over to such unit; and any such land or building when no longer required for the purposes of this Ordinance may be dealt with by such unit as any other land or building vested in it.

Acquisition of lands or buildings.

Audit of
accounts.

24. Separate accounts shall be kept by the rural local committee of the receipts and expenditure in respect of functions discharged by such committee under this Ordinance, and those accounts shall be made up and audited by the Auditor-General or an officer authorized by him in the manner prescribed by rules under this Ordinance.

Confirmation
of poor law
scheme.

25. (1) The poor law scheme as finally approved shall be valid only when it has been confirmed by the Minister and such confirmation has been notified by notification published in the Gazette.

(2) When a poor law scheme has been so confirmed and notified—

(a) all the functions of the rural local authority and each unit thereof under this Ordinance shall stand referred to and be delegated to the rural local committee without any restrictions or conditions except the power of voting and borrowing money or levying a rate or acquiring lands ; and the rural local authority and each unit thereof shall be deemed to have discharged all their functions under this Ordinance except the function of providing funds and voting money for the due execution of the poor law scheme; and

(b) it shall be the duty of the rural local committee to discharge all the functions of the rural local authority and each unit thereof under this Ordinance with reference to such poor law scheme throughout the administrative limits of the rural local authority and of each unit of the Divisional Secretary's division in which this Part of this Ordinance is in force ; and

(c) the rural local committee shall have full power to give effect to the poor law scheme and to have control of the central fund referred to in subsection (2) of section 19 and to spend from such fund subject to prescribed rules.

PART IV

GENERAL

26. This Part of this Ordinance shall apply within the administrative limits of an urban local authority in which Part II of this Ordinance is in force and within a Divisional Secretary's division in which Part III of this Ordinance is in force.

Application of Part IV to areas under urban and rural local authorities.

27. (1) It shall be the duty of the father, mother, husband, or child of a poor person or of an orphan if possessed of sufficient means, to relieve and maintain that person or orphan.

Duty of family to relieve and maintain poor persons.

(2) The mother of an illegitimate child, so long as she is unmarried or a widow, shall be bound to maintain the child as part of her family until the child attains the age of sixteen :

Provided that, as respects any female child who is married under the age of sixteen, this subsection shall not apply after the marriage.

(3) A man who marries a woman having a child (whether legitimate or illegitimate) at the time of the marriage shall be liable to maintain the child as part of his family, and shall be chargeable with all relief granted to, or on account of, the child until the child attains the age of sixteen or until the death of the mother of the child, and the child shall, for the purposes of this Ordinance, be deemed to be part of the husband's family accordingly.

(4) A married woman having separate property shall be subject—

(a) to all such liability for the maintenance of her husband and children as her husband is by law subject to for the maintenance of herself and her children;

(b) to the same liability for the maintenance of her parent or parents as an unmarried woman :

Provided that nothing in this subsection shall relieve her husband from any liability imposed on him by law to maintain her children and grandchildren.

Relief to wife or child treated as relief to husband or parent.

28. All relief given to or on account of a wife shall be considered as given to her husband, and all relief given to or on account of any child under the age of sixteen, not being a poor person, shall be considered as given to the father of the child or to the husband of the mother, or, if the mother of the child is unmarried or a widow, to the mother of the child, as the case may be:

Provided that—

- (a) nothing in this section shall discharge the father or mother of any child from liability to relieve and maintain the child in pursuance of the provisions of this Ordinance ; and
- (b) where the husband of a woman is beyond the seas, or in legal custody, or in confinement in a mental hospital as a person of unsound mind or is living apart from her, all relief given to her or to her child shall, notwithstanding her coverture, be considered as given to her in the same manner and subject to the same conditions as if she were a widow, without prejudice however to the liability of her husband in respect of the relief.

Reimbursement from persons liable to maintain.

29. (1) In any case in which a person in receipt of relief under this Ordinance is liable to be maintained or relieved by a member of his family by virtue of this Ordinance or of any prescribed rules, it shall be lawful for the urban local authority or the rural local committee to recover from such latter person so much as will reimburse such authority or committee for the amount expended on the relief of that person during the period of six months before the institution of the proceedings for the recovery thereof.

(2) Any such sum may on application by the prescribed officer be recovered for the use of the urban local authority or the rural local committee from the person liable to pay such sum as if it were a fine imposed under this Ordinance by any Magistrate having jurisdiction over the place where that person may for the time being be resident; and such amount

may be recovered notwithstanding that it may exceed the amount of fine which a Magistrate may in his ordinary jurisdiction impose.

(3) A certificate of chargeability in the prescribed form may be issued by an urban local authority or a rural local committee and every such certificate purporting to be signed by the prescribed officer shall, unless the contrary is shown, be sufficient evidence, of the truth of all statements contained therein, and shall, within the period of twenty-one days from the date of the certificate, be received in evidence accordingly by all courts of law and for all purposes without proof of the signature or of the official character of the person signing it.

30. (1) Where any person in receipt of relief under this Ordinance has in his possession or belonging to him any money or valuable security for money or jewellery or valuable movables, the urban local authority or the rural local committee of the administrative limits to which he is chargeable may take and appropriate or recover as a debt in the prescribed manner so much of the money or produce of the security jewellery or movables as will reimburse the urban local authority or the rural local committee for the amount expended in the relief of that person during the period of six months before the taking and appropriation or the institution of the proceedings for the recovery thereof, as the case may be.

Reimbursement of relief out of property of person relieved.

(2) In the event of the death of any person in receipt of relief having in his possession or belonging to him any money or property, the urban local authority or the rural local committee of the area in which he dies may reimburse themselves therefrom the expenses incurred in and about his burial, and in and about his maintenance at any time during the twelve months before his death.

(3) Every person who applies for relief under this Ordinance having at the time of application in his possession and under his immediate control any money or other property of which, on inquiry made by or on behalf of an urban local authority or a rural local

committee, he does not make correct and complete disclosure, shall be guilty of an offence and shall be liable on summary conviction to be punished with imprisonment of either description for a period not exceeding six months or with a fine not exceeding one hundred rupees or both.

Rules.

31. (1) The Minister may make rules for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make rules for or in respect of all or any of the following matters :—

- (a) all matters stated or required in this Ordinance to be prescribed;
- (b) the management of the poor ;
- (c) the government of institutions for the treatment of poor persons, of orphanages and schools, the preservation of order therein, the classification of persons to be relieved therein, the nature and amount of the relief to be given to and the labour, if any, to be exacted from, the persons relieved therein;
- (d) the guidance and control of urban and rural local authorities, public assistance committees and local sub-committees and rural local committees, and their officers, so far as relates to the management and relief of the poor, of orphans and children of poor persons, and subject to the provisions of this Ordinance, the extent of their duties;
- (e) the making and entering into contracts in all matters relating to such management or relief or to any expenditure for the relief of the poor or orphans and children of poor persons;

- (f) the keeping, examining, auditing and allowing of accounts;
- (g) the form and method and conditions subject to which contracts of service of officers and servants employed under this Ordinance may be entered into;
- (h) the method of disposal of property acquired under this Ordinance when such property is no longer required for the purposes of this Ordinance;
- (i) the composition and duration of office of public assistance committees and local sub-committees and rural local committees ;
- (j) the procedure and regulation of meetings of public assistance committees and local sub-committees and rural local committees ;
- (k) the giving of relief in cases of sudden and urgent necessity by relieving officers ;
- (l) the mode in which a contract for the lodging, boarding or maintenance or education of any poor person, or orphan or child of a poor person, may be entered into with the proprietor or manager of a private boarding-house or establishment or school or orphanage, the terms and duration of any such contract and the management and government of any such boarding-house, establishment, school or orphanage and the inspection and visitation of any such boarding-house, establishment, school or orphanage ;
- (m) the method of recovery of sums expended in relief of a poor person or of an orphan or of a child of a poor person from the property of such person or from his relative legally liable to maintain such poor person, orphan or child;
- (n) the manner in which and conditions subject to which contributions may be made in aid of voluntary agencies.

(3) No rule made under this section shall have effect until it has been approved by Parliament, nor until notification of such approval has been published in the Gazette.

(4) Every rule made by the Minister shall, upon the publication of a notification of the approval of that rule as provided for in subsection (3) be as valid and effectual as if it were herein enacted.

Penalty on persons disobeying, &c., rules.

32. If any person wilfully neglects or disobeys or contravenes any rule made under this Ordinance, he shall be guilty of an offence and shall be liable on summary conviction for the first offence to a fine not exceeding fifty rupees and for a second or subsequent offence to a fine not exceeding one hundred rupees.

Right of auditor to inspect.

33. (1) The auditor may at any time, inspect the accounts and books of account of any urban local authority or of a public assistance committee or of a local sub-committee or of a rural local committee or of any officer concerned in the relief of the poor or of orphans or children, of poor persons who is liable to account.

(2) If any member of an urban local authority or of a public assistance committee or of a local sub-committee or of a rural local committee or any officer refuses to allow any such auditor when so authorized or required, to make the inspection or obstructs him in his inspection or conceals any such account or book for the purpose of preventing inspection thereof, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred rupees.

Every member and officer a public officer.

34. Every member of a public assistance committee or a local sub-committee or of a rural local committee and every officer and servant appointed under this Ordinance shall be deemed to be a public officer within the meaning of the Penal Code.

35. (1) Save in accordance with the provisions of this Ordinance relating to cases of sudden or urgent necessity or of any rules made under this Ordinance relating to such cases, it shall not be lawful for any relieving officer or any other person concerned with the relief of the poor or the relief of orphans or of children of poor persons to give any relief under this Ordinance to any poor person or orphan or a child of a poor person except such as may be provided, under Part II or Part III of this Ordinance.

Relief not to be given save in accordance with Part II or Part III.

(2) Any relieving officer or other person acting in contravention of this section shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding one hundred rupees.

36. (1) If any difficulty arises in connexion with the application of this Ordinance to any urban or rural local authority or in bringing into operation any of the provisions of this Ordinance, the Minister may make such order for removing the difficulty as he may judge to be necessary for that purpose, and any such order may modify the provisions of this Ordinance so far as may appear to him necessary for carrying the Order into effect.

Power to remove difficulties.

(2) Every order made under this section shall come into operation upon the date specified therein in that behalf, but shall be laid before Parliament as soon as may be after it is made and shall cease to have effect upon the expiration of a period of three months from the date upon which it came into operation, unless at some time before the expiration of that period it has been approved by a resolution passed by Parliament:

Provided that, in reckoning any such period of three months as aforesaid, no account shall be taken of any time during which Parliament is adjourned for more than seven days or the time taken for the election of new members of Parliament.

Provisions as to orders and schemes.

37. (1) Any order or scheme made under this Ordinance may contain such incidental, consequential or supplemental provisions as may appear necessary or proper for the purposes of the order or scheme.

(2) Any order or scheme made under this Ordinance may be altered or revoked by an order or scheme made in like manner and subject to the like provisions as the original order or scheme.

Interpretation.

38. In this Ordinance, unless the context otherwise requires—

"appointment", "appointing", with its grammatical variations and cognate expressions, includes the power to dismiss or discontinue ;

"functions" includes powers and duties ;

"Magistrate " includes a Municipal Magistrate ;

"officer" includes any clergyman, priest, school-master, duly qualified medical practitioner, treasurer, master or matron or warden of an institution or school or orphanage or any other person who is for the time being employed within the administrative limits of an urban or rural local authority or unit thereof in carrying this Ordinance into execution;

"orphan" means a child below the prescribed age whose parents are dead or cannot be found, or one of whose parents is dead or cannot be found and who, in the opinion of the poor relief authority, is in need of relief under this Ordinance;

"poor", "poor persons", with its grammatical variations and cognate expressions means persons of either sex unable to maintain themselves owing to physical or mental infirmity or incapacity and in need of relief;

" poor law scheme " when used with reference to an urban local authority means the poor law scheme referred to in section 9 and when used with reference to a rural local committee means the poor law scheme referred to in section 18;

"poor relief authority " means an urban local authority or the public assistance committee or a rural local committee ;

" prescribed " means prescribed by this Ordinance or by the rules made thereunder;

" Urban Council" means an Urban Council established under the Urban Councils Ordinance.