

CHAPTER 296

TEMPLE LANDS (COMPENSATION)

Ordinance
No. 28 of 1944,
Act
No. 9 of 1950.

AN ORDINANCE TO MAKE PROVISION FOR THE PAYMENT TO THE PUBLIC TRUSTEE OF MONEYS PAYABLE AS COMPENSATION UNDER THE LAND ACQUISITION ACT IN RESPECT OF LANDS BELONGING TO TEMPLES; FOR THE APPLICATION OF SUCH MONEYS TO CERTAIN PURPOSES; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[5th September, 1944.]

Short title.

1. This Ordinance may be cited as the Temple Lands (Compensation) Ordinance.

Compensation for acquisition of temple land to be paid to Public Trustee.

2. (1) Where any land belonging to a temple is acquired for public purposes under the Land Acquisition Act—

- (a) the Public Trustee * shall be entitled to claim to be a person interested in that land, and to appear, as a person so interested, in any proceedings taken under that Act in connexion with the acquisition of that land; and
- (b) notwithstanding anything in that Act, all sums of money awarded under that Act as compensation for or in respect of the acquisition of that land, less any costs which a court determining the amount of such compensation orders the Public Trustee * to pay, shall be paid to the Public Trustee. *

(2) Notwithstanding anything in the Buddhist Temporalities Ordinance, no sum of money paid as compensation under the Land Acquisition Act for or in respect of the acquisition of any land belonging to a temple shall vest in the trustee or the controlling *viharadhipati* of that temple.

Application and investment of moneys received by Public Trustee as compensation for acquisition of temple land.

3. (1) All sums received by the Public Trustee * as compensation under the Land Acquisition Act for or in respect of the acquisition of any land belonging to a temple shall be deposited by him in the joint names of himself and of the trustee or controlling *viharadhipati* of such temple in a bank approved by the Minister, and shall,

in consultation with such trustee or controlling *viharadhipati*, be applied by him to one or more of the following purposes:—

- (a) the purchase of land for that temple;
- (b) the maintenance of the *bhikkus* of that temple;
- (c) the construction of buildings for the accommodation of the *bhikkus* of that temple;
- (d) the construction of buildings and other structures necessary for the due performance of religious worship and such customary ceremonies as heretofore maintained in, or by, or in connexion with that temple;
- (e) any other purpose which is likely to promote the aims and activities of that temple and which is approved by the advisory board appointed under the Buddhist Temporalities Ordinance.

(2) Where in any case referred to in subsection (1), the sums received by the Public Trustee * or any part thereof cannot, in the opinion of the Public Trustee* and of the trustee or controlling *viharadhipati*, be applied immediately or at an early date to any of the purposes specified in that

* See also the Buddhist Temporalities (Amendment) Act, No. 42 of 1981.

subsection, such sums or part thereof shall be invested by the Public Trustee,* in the joint names of himself and of the trustee or controlling *viharadhipati*, in any of the securities prescribed in section 20 of the Trusts Ordinance for the investment of trust property which consists of money.

(3) In the event of any disagreement between the Public Trustee* and the trustee or controlling *viharadhipati* as to the purpose to which any sum mentioned in subsection (1) should be applied or as to any investment to be made under subsection (2), the Public Trustee * shall submit the matter in dispute to the Minister for decision, and such decision shall be final.

Vesting of property acquired and of interest from investments.

4. Where any moneys received by the Public Trustee * as compensation under the Land Acquisition Act for or in respect of the acquisition of any land belonging to a temple are applied by him under section 3 to the purchase of any land or to the

construction of any building or other structure, then the land so purchased or the building or structure so constructed, and where any such moneys are invested in securities under that section, then the interest derived from the investment, shall become the property of that temple and shall vest in the trustee or controlling *viharadhipati* of that temple in accordance with the provisions of section 20 of the Buddhist Temporalities Ordinance.

5. In this Ordinance, unless the context Interpretation. otherwise requires—

“controlling *viharadhipati*”, “*paraveni panguwa*”, “Public Trustee”*, “temple”, and “trustee” have the same meaning as in the Buddhist Temporalities Ordinance; and

“land” has the same meaning as in the Land Acquisition Act, but does not include a *paraveni panguwa*.

* See also the Buddhist Temporalities (Amendment) Act, No. 42 of 1981.