



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

LAND DEVELOPMENT
(AMENDMENT)

ACT, No. 22 OF 1993

[Certified on 31st March, 1993]

(Printed on the Orders of Government)

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L.D—O. 46/88

AN ACT TO AMEND THE LAND DEVELOPMENT ORDINANCE

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Land Development (Amendment) Act, No. 22 of 1993.

Short title.

2. Section 2 of the Land Development Ordinance (hereinafter referred to as the "principal enactment") is hereby amended by the insertion immediately after the definition of "holding", of the following new definition:—

Amendment of section 2 of Chapter 464.

"Housing Development Finance Corporation of Sri Lanka Limited" means the Corporation established under the National Housing Act (Chapter 401);

3. The following new section is hereby inserted immediately after section 23A of the principal enactment and shall have effect as section 23B of that enactment:—

Insertion of new section 23B in the principal enactment.

"Power of Land Commissioner to set aside selections of persons.

23B. The Land Commissioner may, within one year from the date of notification of selection of a person for alienation of state land, set aside such selection if in the opinion of the Land Commissioner, such person has failed or neglected to develop such land or failed to take up residence on such land."

4. Section 39 of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of section 39 of the principal enactment.

"Land alienated on grant and accepted as bail may be seized on court order.

39. No land alienated on a permit or grant shall be seized or sold in execution of the decree of any court:

Provided that the preceding provisions of this section shall not apply to the seizure and sale of land alienated on a grant in the enforcement of a mortgage on that land which is permitted by this Ordinance:

Act, No. 22 of 1993

Provided further that where any land alienated on a grant has been accepted as bail for the release of any person accused of an offence before any court and where such person does not appear as required by such court, such land may be seized and sold for the recovery of such amount as may be fixed as bail by such court."

Insertion of new section 41A in the principal enactment.

5. The following new section is hereby inserted immediately after section 41 of the principal enactment and shall have effect as section 41A of that enactment:—

"Seizure and sale by Banks and prescribed institutions.

41A. Nothing in the preceding provisions of this Chapter shall be deemed to prohibit the seizure and sale, by the People's Bank, the State Mortgage and Investment Bank, the Bank of Ceylon, the Development Finance Corporation of Ceylon, the National Development Bank of Sri Lanka, the National Housing Development Authority, the Housing Development Finance Corporation of Sri Lanka Limited or a registered society or other prescribed institution in accordance with the provisions of the law providing for the establishment of such Bank, Corporation, Authority, society or institution, of any land alienated on a grant, for the enforcement of a mortgage on that land executed in favour of such Bank, Corporation, Authority, society or institution, as the case may be".

Amendment of section 43 of the principal enactment.

6. Section 43 of the principal enactment is hereby amended by the substitution, for paragraph (b) of that section, of the following paragraph:—

"(b) shall not mortgage such holding to any person other than the State Mortgage and Investment Bank, the People's Bank, the Bank of Ceylon, the Development Finance Corporation of Ceylon, the National Development Bank of Sri Lanka, the National Housing Development Authority, the Housing Development Finance Corporation of Sri Lanka Limited, any registered society or other prescribed institution."

Act, No. 22 of 1993

7. Sections 106 and 107 of the principal enactment are hereby repealed and the following sections substituted therefor:—

Replacement of sections 106 and 107 of the principal enactment.

“Notice to permit-holder where there has been a breach of the condition of the permit.

106. If it appears to the Government Agent that a permit-holder has failed to observe a condition of the permit, the Government Agent may issue a notice in the prescribed form intimating to such permit holder that his permit will be cancelled unless sufficient cause to the contrary is shown to the Government Agent on a date and place specified in such notice.

Period allowed for showing cause.

107. The date specified in a notice issued under section 106 shall not be less than thirty days from the date of the issue of such notice on the permit-holder.”

8. Section 118A of the principal enactment is hereby amended by the substitution for the words and figures “under section 23A varies”, of the words and figures “under sections 23A and 23B varies”.

Amendment of section 118A of the principal enactment.

9. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.