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PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

**APARTMENT OWNERSHIP
(SPECIAL PROVISIONS) ACT, No.4 OF 1999**

[Certified on 10th March, 1999]

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[Certified on 10 th March, 1999]

L.D. - O . 1/98.

AN ACT TO FACILITATE THE REGISTRATION OF PLANS OF CERTAIN CONDOMINIUM PROPERTIES INTENDED TO BE DISPOSED OF BY THE COMMISSIONER FOR NATIONAL HOUSING OR THE NATIONAL HOUSING DEVELOPMENT AUTHORITY AND TO AMEND THE APARTMENT OWNERSHIP LAW No. 11 OF 1973

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

1. This Act may be cited as the Apartment Ownership (Special Provisions) Act, No.4 of 1999.

Short title.

PART I

2. (1) The Registrar shall be required to register under section 6 of the Apartment Ownership Law, No. 11 of 1973, the plans of all such Condominium Properties as are owned by the Commissioner for National Housing or the National Housing Development Authority and as were constructed prior to December 31, 1994 , the possession of which have been handed over to any person or persons by way of sale, lease, rent or rent purchase, notwithstanding the non availability of -

Registration of certain Condominium Property.

(a) a certificate from the local authority to the effect that the Plan of every such property is in accordance with its by - laws and regulations ; and

(b) an individual assessment number or other symbol for each unit into which each building is divided,

as required under section 5 of the aforesaid Law, and such registration shall be deemed for all purposes to have been and to be lawfully made.

(2)A certificate issued under the hand of the Commissioner for National Housing or the General Manager of the National Housing Development Authority to the effect that a particular Condominium Property is owned bythe

Commissioner for National Housing or the National Housing Development Authority as the case may be, and was constructed prior to December 31, 1994, and that the possession of such property has been handed over to any person by way of sale, lease, rent or rent purchase, shall be *prima facie* proof of the facts contained therein.

(3) For the purpose of this section, the term “Registrar” means the Registrar of Lands appointed under the Registration of Documents Ordinance (Chapter 117) and having jurisdiction over the registration district in which the Condominium property is situated.

Duration of this Part of this Act.

3. The provisions of this Part of this Act, shall be in operation for a period of two years from the date of commencement of this Act.

PART II

Amendment of Section 3 of Law, No.11 of 1973.

4. Section 3 of the Apartment Ownership Law, No.11 of 1973 (hereinafter in this Part referred to as the “principal enactment”) is hereby amended in subsection (1) of that section, by the substitution for the words “ the Condominium Property (hereinafter referred to as “ Condominium Plan”)”, of the words “the Condominium Property”

Amendment of Section 26 of the principal enactment.

5. Section 26 of the Principal enactment as amended by Act No.45 of 1982, is hereby further amended in the definition of the expression “Condominium Plan” , by the substitution for the words “means a plan of registered land” of the words “means a plan of a Condominium Property”

Amendment of the Second Schedule to the principal enactment.

6. The Second Schedule to the principal enactment is hereby amended in by-law 2 of that Schedule, by the insertion immediately after paragraph (d) thereof of the following new paragraph:-

“(dd)not cause damage in any manner to the common elements and not make any structural alterations to such common elements without the written consent of the owners of all other units:

Provided that where such alterations are being carried out by an occupier of a unit, he shall first obtain the approval of the owner of such unit;”.

7. 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.

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