

ACTS OF PARLIAMENT 2010

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**SRI LANKA CHAMBER OF SMALL
INDUSTRY (INCORPORATION)
(AMENDMENT) ACT, No. 1 OF 2010**

[Certified on 13th January, 2010]

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*Sri Lanka Chamber of Small Industry
(Incorporation) (Amendment) Act No. 1 of 2010*

[Certified on 13th January 2010]

L. D. — O. 3/2007

AN ACT TO AMEND THE SRI LANKA CHAMBER OF SMALL INDUSTRY
(INCORPORATION) ACT, No. 43 OF 1981

WHEREAS the Sri Lanka Chamber of Small Industry was incorporated by Act, No. 43 of 1981: Preamble.

AND WHEREAS the Sri Lanka Chamber of Small Industry has at its Annual General Meeting resolved to change its name and that certain amendments be made to the aforesaid Act, No. 43 of 1981 for the purpose of more effectually carrying out the objects of the said Corporation:

AND WHEREAS the Council of Management of the said Corporation has requested that amendments be made to the aforesaid Act for the purpose of giving effect to the aforesaid resolution and it is for the public advantage to grant such request:

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

1. This Act may be cited as the Sri Lanka Chamber of Small Industry (Incorporation) (Amendment) Act, No. 1 of 2010. Short title.

2. (1) The Sri Lanka Chamber of Small Industry (Incorporation) Act, No. 43 of 1981 (hereinafter referred to as the “principal enactment”) is hereby amended in the principal enactment and in any other written law, by the substitution for the words “Sri Lanka Chamber of Small Industry (Incorporation) Act”, of the words “Sri Lanka Chamber of Small and Medium Industries (Incorporation) Act”. General amendment to the Sri Lanka Chamber of Small Industry (Incorporation) Act, No. 43 of 1981.

(2) Every reference to the “Sri Lanka Chamber of Small Industry (Incorporation) Act” in any regulation, rule, notice, notification, contract, communication or other document

2 *Sri Lanka Chamber of Small Industry
(Incorporation) (Amendment) Act No. 1 of 2010*

shall, from the date on which this Act comes into operation, be read and construed as a reference to the “Sri Lanka Chamber of Small and Medium Industries (Incorporation) Act.”

(3) Every reference to the “Sri Lanka Chamber of Small Industry” in the principal enactment or of any legal document, notice, contract or any other communication shall, from the date on which this Act comes into operation, be read and construed as a reference to the “Sri Lanka Chamber of Medium and Small Industries”.

(4) The members of the Corporation registered under “Sri Lanka Chamber of Small Industry (Incorporation) Act” shall from the date on which this Act comes into operation, be construed as the members registered under the “Sri Lanka Chamber of Small and Medium Industries (Incorporation) Act.”

Amendment of
section 3 of the
principal
enactment.

3. Section 3 of the principal enactment is hereby amended as follows:—

(1) by the re-lettering of paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q) and (r) of that section as paragraphs (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x) and (y) respectively of that section;

(2) by the insertion immediately before the renumbered paragraph (h) thereof, of following new paragraphs:—

“(a) to foster and promote the small and medium scale industrial sector in Sri Lanka with a view to promoting the growth of the national economy;

(b) to co-ordinate and assist the Government and the relevant Government institutions in the formulation of policies relating to the industrial sector;

- (c) to facilitate the non-governmental organizations to assist the small and medium scale industrial sector;
- (d) to advise and assist members on how to gain access to capital markets and to obtain infrastructure facilities and other necessary assistance, for the development of industrial ventures;
- (e) to sponsor the members to participate in conferences, trade fairs, exhibitions and buyer-seller meetings;
- (f) to organize seminars, workshops and training programmes for the members with a view to improving their entrepreneurial capacities and industrial skills;
- (g) to promote and develop the use of available manufacturing capacity and facilities and to enhance production capabilities to meet export requirements and to expand and develop the sub-contracting exchange.”

4. 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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*Sri Lanka Chamber of Small Industry
(Incorporation) (Amendment) Act No. 1 of 2010*

[Certified on 13th January 2010]

L. D. — O. 3/2007

AN ACT TO AMEND THE SRI LANKA CHAMBER OF SMALL INDUSTRY
(INCORPORATION) ACT, No. 43 OF 1981

WHEREAS the Sri Lanka Chamber of Small Industry was incorporated by Act, No. 43 of 1981: Preamble.

AND WHEREAS the Sri Lanka Chamber of Small Industry has at its Annual General Meeting resolved to change its name and that certain amendments be made to the aforesaid Act, No. 43 of 1981 for the purpose of more effectually carrying out the objects of the said Corporation:

AND WHEREAS the Council of Management of the said Corporation has requested that amendments be made to the aforesaid Act for the purpose of giving effect to the aforesaid resolution and it is for the public advantage to grant such request:

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

1. This Act may be cited as the Sri Lanka Chamber of Small Industry (Incorporation) (Amendment) Act, No. 1 of 2010. Short title.

2. (1) The Sri Lanka Chamber of Small Industry (Incorporation) Act, No. 43 of 1981 (hereinafter referred to as the “principal enactment”) is hereby amended in the principal enactment and in any other written law, by the substitution for the words “Sri Lanka Chamber of Small Industry (Incorporation) Act”, of the words “Sri Lanka Chamber of Small and Medium Industries (Incorporation) Act”. General amendment to the Sri Lanka Chamber of Small Industry (Incorporation) Act, No. 43 of 1981.

(2) Every reference to the “Sri Lanka Chamber of Small Industry (Incorporation) Act” in any regulation, rule, notice, notification, contract, communication or other document

2 *Sri Lanka Chamber of Small Industry
(Incorporation) (Amendment) Act No. 1 of 2010*

shall, from the date on which this Act comes into operation, be read and construed as a reference to the “Sri Lanka Chamber of Small and Medium Industries (Incorporation) Act.”

(3) Every reference to the “Sri Lanka Chamber of Small Industry” in the principal enactment or of any legal document, notice, contract or any other communication shall, from the date on which this Act comes into operation, be read and construed as a reference to the “Sri Lanka Chamber of Medium and Small Industries”.

(4) The members of the Corporation registered under “Sri Lanka Chamber of Small Industry (Incorporation) Act” shall from the date on which this Act comes into operation, be construed as the members registered under the “Sri Lanka Chamber of Small and Medium Industries (Incorporation) Act.”

Amendment of section 3 of the principal enactment.

3. Section 3 of the principal enactment is hereby amended as follows:—

(1) by the re-lettering of paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q) and (r) of that section as paragraphs (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x) and (y) respectively of that section;

(2) by the insertion immediately before the renumbered paragraph (h) thereof, of following new paragraphs:—

“(a) to foster and promote the small and medium scale industrial sector in Sri Lanka with a view to promoting the growth of the national economy;

(b) to co-ordinate and assist the Government and the relevant Government institutions in the formulation of policies relating to the industrial sector;

- (c) to facilitate the non-governmental organizations to assist the small and medium scale industrial sector;
- (d) to advise and assist members on how to gain access to capital markets and to obtain infrastructure facilities and other necessary assistance, for the development of industrial ventures;
- (e) to sponsor the members to participate in conferences, trade fairs, exhibitions and buyer-seller meetings;
- (f) to organize seminars, workshops and training programmes for the members with a view to improving their entrepreneurial capacities and industrial skills;
- (g) to promote and develop the use of available manufacturing capacity and facilities and to enhance production capabilities to meet export requirements and to expand and develop the sub-contracting exchange.”

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

Sinhala text
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*try
of 2010*

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**WARIYAPOLA RAJAMAHA VIHARA
DEVELOPMENT FOUNDATION
(INCORPORATION) ACT, No. 2 OF 2010**

[Certified on 21st January, 2010]

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*Wariyapola Rajamaha Vihara Development
Foundation (Incorporation) Act, No. 2 of 2010*

[Certified on 21st January 2010]

L.D.—O. (Inc.) 27/2008.

AN ACT TO INCORPORATE THE WARIYAPOLA RAJAMAHA VIHARA
DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as the Wariyapola Rajamaha Vihara Development Foundation has been established in Sri Lanka for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted several objects and matters for which it was established and has applied to be incorporated, and it will be expendent to grant the application:

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

1. This Act may be cited as the Wariyapola Rajamaha Vihara Development Foundation (Incorporation) Act, No. 2 of 2010.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the Wariyapola Rajamaha Vihara Development Foundation (hereinafter referred to as the "Foundation") or shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate (hereinafter referred to as the "Corporation") with perpetual succession under the name and style of the "Foundation", and by that name may sue and be sued with full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation
of the
Wariyapola
Rajamaha
Vihara
Development
Foundation.

2 *Wariyapola Rajamaha Vihara Development
Foundation (Incorporation) Act, No. 2 of 2010*

General objects
of the
Corporation.

3. (1) The general objects for which the Corporation is constituted are hereby declared to be—

- (a) to take necessary steps to develop the Wariyapola Rajamaha Viharaya in every aspect for the spiritual advancement of the people and also to take steps to make new additions to the Viharaya when required;
- (b) to assist to develop the moral values of the community and to take relevant measures in this regard;
- (c) to take steps to establish, maintain, manage and develop pirivenas and other relevant religious institutions for the academic development of Bhikkus;
- (d) to implement programmes in respect of pre-schools, day-care centers, homes for children and their religious education;
- (e) to assist to enhance the welfare facilities and benefits for Sri Lankan students who are unable to pursue their education due to poverty and disability;
- (f) to conduct necessary classes, lectures, seminars, conferences, workshops, discussions, dialogues, educational tours and exhibitions with a view to promoting education for Buddhist bikkus and bikkunies;
- (g) to provide housing for the benefit of the poor, elderly, destitute, and those with physical or mental disabilities, inaugurate and maintain language training and vocational training courses in order to deploy the youth in productive services and to provide facilities for the purpose of generating income in order to maintain and continue such training course;

- (h) to implement programmes for health camps for disease control, exercise, sports and medical aid with a view to ensuring welfare of the community;
- (i) to create an awareness in the community in respect of promotion and preservation of literature, art, craft and natural resources and to commence and carry out natural programmes in order to protect the traditions of Sri Lanka;
- (j) to collaborate with other institutions whether in Sri Lanka or abroad having objects similar to those of the Corporation.

(2) In the implementation of the objects of the Act as are specified in subsection (1) the Corporation shall ensure that such implementation is carried out.

4. (1) The management of the affairs of the Corporation shall subject to the provisions of this Act, and such rules as are made under section 7, be administered by a Board of Management (hereinafter referred to as the 'Board') consisting of the President, Executive Director, Vice President, Secretary, Deputy Secretary, Assistant Secretary, Treasurer, Chief Organizer and six committee members elected in accordance with the rules of the Corporation.

Management of the affairs of the Corporation

(2) The Board shall have the power to do all or any of such functions as may be assigned to it.

(3) The first Board shall consist of the Board of Directors of the Foundation holding office on the day immediately preceding the date of commencement of this Act.

5. The Board shall cause a register to be kept of the members, in which every person on the day preceding the date of commencement of this Act is a member of the Foundation and every person thereafter duly admitted as a member of the Corporation shall have his name inscribed.

Membership and Register of members.

4 *Wariyapola Rajamaha Vihara Development
Foundation (Incorporation) Act, No. 2 of 2010*

Power of the
Corporation.

6. Subject to the provisions of this Act, and any other written law, the Corporation shall have the power—

- (a) to purchase, rent, construct and otherwise obtain lands or buildings which may be required for the purposes of the Corporation;
- (b) to borrow or raise money from the Government approved Banks and other institutions for the purposes of the Corporation with the approval of the Board;
- (c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close bank accounts;
- (d) to invest any funds not immediately required for the purposes of the Corporation, in such a manner as the Board may think fit;
- (e) to solicit and receive subscriptions, grants, donations and gifts of all kinds;
- (f) to enter into agreements or contracts with any person, company or body of persons;
- (g) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any real or personal property;
- (h) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purpose of the Corporation; and

- (j) to do all such acts and things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation from time to time at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting to make rules not inconsistent with the provisions of this Act or any other written law, for the following matters:—

Rules of the Corporation.

- (a) the admission and classification of membership, fees payable by members, expulsion or resignation;
- (b) for the election of members to the Board or vacation of or, removal from office of office bearers and powers, duties and conduct of the Executive Board;
- (c) for appointment, powers, duties, functions and conduct of various officers, agents and servants of the Corporation;
- (d) for the procedure to be observed at the summoning and holding of meeting of the Corporation, the time, place, notice and agenda of such meetings, the quorum therefore and the conduct of business;
- (e) the qualifications for membership of the Board and of the Corporation;
- (f) the administration and management of the property of the Corporation and the accomplishment of the objects of the Corporation.

(2) The rules of the Corporation may be amended, altered, added to, or rescinded at a like meeting and in like manner, as a rule made under subsection (1) of this section.

(3) The members of the Corporation shall be subject to the rules of the Corporation.

6 *Wariyapola Rajamaha Vihara Development
Foundation (Incorporation) Act, No. 2 of 2010*

Fund of the
Corporation.

8. (1) The Corporation shall have its own fund.

(2) All moneys received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the Corporation shall be deposited in a bank approved by the Board to the credit of the Corporation.

Audit and
Accounts.

9. (1) The financial year of the Corporation shall be the calendar year.

(2) The Corporation shall cause proper books of accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor.

(4) In this section, “qualified auditor” means—

(i) an individual, who being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute; or

(ii) a firm of Accountants, each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute.

Debts due by
and payable to
the Corporation.

10. All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation, and all debts due to, and subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

- 11.** If upon the dissolution of the corporation, there remains after the satisfaction of all debts and liabilities, any property, whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to some other institute or institutes having objects similar to those of the corporation and which is or are by the rules prohibited from distributing any income or profit among its or their members. Such society or societies shall be determined by the members of the corporation at or immediately before the time of dissolution of the Corporation.
- Property remaining on dissolution.
- 12.** The Corporation shall be able and capable in law to acquire and hold any property, movable or immovable which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such property shall be held by the Corporation subject to the rules of the Corporation made under section 7 and for the purpose of the Act with full power to sell mortgage, lease, exchange or otherwise dispose of the same.
- Corporation may hold property movable and immovable.
- 13.** The seal of the Corporation shall be in the custody of such person as may be determined by the Board and shall not be affixed to any instrument whatsoever except in the presence of the President and another member of the Board as may be provided in the rules who shall sign their names on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.
- Seal of the Corporation.
- 14.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate.
- Saving of the rights of the Republic and others.
- 15.** In the event of any inconsistency between the Sinhala and the Tamil texts of this Act, the Sinhala text shall prevail.
- Sinhala text to prevail in case of inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
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**HAMPTON VILLAGE SRI LANKA TRUST
(INCORPORATION) ACT, No. 3 OF 2010**

[Certified on 09th February, 2010]

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Hampton Village Sri Lanka Trust
(Incorporation) Act, No. 3 of 2010

[Certified on 09th February, 2010]

L.D.—O. (Inc.) 21/2007.

AN ACT TO INCORPORATE THE HAMPTON VILLAGE SRI LANKA TRUST

WHEREAS a Trust called and known as “The Relief Fund Hampton Sri Lanka Trust” has heretofore been established in Sri Lanka for the purpose, *inter alia*, of constructing model village to be named as the “Hampton Village- Sri Lanka” for the Tsunami victims in Sri Lanka in the District of Galle according to the rules agreed to by its members:

Preamble.

AND WHEREAS the Board of Trustees of the said Trust has applied for the incorporation of the said Trust and it will be to the public advantage to Grant the application:

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

1. This Act may be cited as the Hampton Village Sri Lanka Trust (Incorporation) Act, No. 3 of 2010.

Short Title.

2. From and after the date of commencement of this Act, such and so many persons as are now members of “The Relief Fund Hampton Sri Lanka Trust” (hereinafter referred to as “The Relief Fund Hampton Sri Lanka Trust”) or shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession and a common seal under the name and style of The Hampton Village Sri Lanka Trust and by that name may sue and be sued, with full power and authority to have and to use a common seal and to alter the same at its pleasure.

Incorporation of the Hampton Village Sri Lanka Trust.

3. The General Objects for which the Corporation is constituted are hereby declared to be—

General objects of the Corporation.

(a) to construct a model Village named Hampton Village-Sri Lanka consisting of fifty houses, a

2 *Hampton Village Sri Lanka Trust
(Incorporation) Act, No. 3 of 2010*

community centre including a play ground, place of worship, facilities for the sale of necessaries and groceries and other buildings or structures that may be required for the said village;

- (b) to take all necessary measures for the maintenance, improvement and management of the said village;
- (c) to promote cultural relationships between the residents of Hampton Village Sri Lanka and the residents in Hampden Middlesex, England;
- (d) to advance the education and training of students and young persons in particular of those residents in the Village;
- (e) to promote the economic, social and cultural advancement, in particular of those residents in the Village.

Management of
the affairs of the
Corporation.

4. (1) The affairs of the Corporation shall be subject to the rules of the Corporation to be made under section 6, be administered by a Board of Directors (hereinafter referred to as the "Board") consisting of the Chairman, Vice Chairman and other office bearers elected or appointed in accordance with the rules of the Corporation.

(2) The first Board shall consist of the members of the Board of Trustees of the Relief Fund Hampton Sri Lanka Trust on the day immediately preceding the date of commencement of this Act.

(3) The members of the Board shall act purely in an honorary capacity and shall not be entitled to receive any remuneration by way of salary, allowance or honorarium, but shall be re-imbursed for expenses actually incurred by them in the performance of their duties.

(4) A person shall be disqualified from being appointed or continuing in office as a member of the Board, if he :—

- (a) is a person who having been declared an insolvent or bankrupt under any law in force in Sri Lanka, or any other country, is an undercharged insolvent or bankrupt;
- (b) is convicted of an offence involving moral turpitude;
- (c) is under any law in force in Sri Lanka found or declared to be of unsound mind or mentally deficient;
- (d) is absent from Sri Lanka for a continuous period exceeding one year without previously obtaining the consent of the Board; or
- (e) neglects or fails to act as a Director.

5. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things whatsoever, as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them including the power to:—

General powers
of the
Corporation.

- (a) acquire, hold, take or give on lease or hire, mortgage, pledge, sell, exchange, or otherwise alienate or dispose of any immovable property for the purpose of the Corporation;
- (b) enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the Corporation, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the Corporation;

4 *Hampton Village Sri Lanka Trust
(Incorporation) Act, No. 3 of 2010*

- (c) accept gifts, donations and bequests in cash or in kind;
- (d) invest its funds, and to maintain current deposits and savings accounts in any bank;
- (e) borrow or invest money for the purposes of the Corporation in such manner and upon such security as the Corporation may think fit; and
- (f) appoint, employ, transfer, exercise disciplinary control over and dismiss officers and servants required for the carrying out of the objects of the Corporation.

Rules of the Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting of the Corporation and by a majority of not less than two thirds of the members present and voting, to make rules not inconsistent with the provisions of this Act or other written law on all or any of the following matters :—

- (a) the classification of members and membership and the admission, withdrawal or expulsion of members ;
- (b) the election of office-bearers, the resignation from, vacation of, or removal from office and their powers and duties ;
- (c) the election of members to the Board and its powers conduct and duties ;
- (d) the powers, duties and functions of the various officers, agents and servants of the Corporation ;
- (e) the procedure to be observed at meetings of the Board or the summoning and holding of meetings of the Board, the time, places, notices and agenda

of such meetings and the quorum therefore and the conduct of business thereat ; and

(f) the administration and management of the property of the Corporation and the custody of its funds.

(2) Any rule made by the Corporation may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under subsection (1).

(3) The members of the Corporation shall at all times be subject to the rules of the Corporation.

7. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter received by way of gifts, testamentary dispositions, transfers, donations, subscriptions, contributions, fees or grants or any financial investment shall be deposited to the credit of the fund of the Corporation in one or more Banks as may be determined by the Board.

Fund of the Corporation.

(2) All expenses incurred by the Corporation in exercising and discharging its powers and functions shall be paid out of the fund.

8. (1) The financial year of the Corporation shall be the calendar year.

Audit and Accounts.

(2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Board.

(4) In this section “qualified auditor” means-

(a) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other institute

established by law, possesses a certificate to practice as an accountant issued by such Institute; or

- (b) a firm of accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other institute established by law, possesses a certificate to practice as an accountant issued by such Institute.

Seal of the Corporation.

9. The seal of the Corporation shall be in the custody of the Secretary and shall not be affixed to any instrument whatsoever except in the presence of the President and the Secretary of the Corporation or such other person duly authorized by the Board who shall sign their names on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Debts due by and payable to the Trust.

10. All debts and liabilities of the Relief Fund Hampton Sri Lanka Trust existing on the day preceding the date of commencement of this Act shall be paid by the Corporation hereby constituted and all debts due to, subscriptions and contributions payable to the Relief Fund Hampton Sri Lanka Trust on that day shall be paid to the Corporation for the purpose of this Act.

Limitation of Liability of members.

11. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

Application of moneys and property.

12. The moneys and property of the Corporation howsoever derived shall be applied solely towards the promotion of its objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, profit or otherwise howsoever to the members of the Corporation.

13. Subject to the provisions of this Act, the Corporation shall be able and capable in law to acquire and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of the Corporation and subject to the rules of the Corporation made under section 6, with full power to sell, mortgage, lease, exchange or otherwise dispose of, the same.

Corporation may hold property movable and immovable.

14. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to some other association or associations having objects similar to the objects of the Corporation, and which is, or are by the rules thereof prohibited from distributing any income or profit among its or their members. Such association or associations shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Property remaining on dissolution.

15. Nothing in this Act contained shall prejudice or affect the rights of the Republic or any body politic or corporate.

Saving of the rights of the Republic and others.

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

Sinhala Text to prevail in case of inconsistency.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**SIRINIWES PRAJAMITHRA SAHAYOGITHA
KENDRAYA (INCORPORATION)
ACT, No. 4 OF 2010**

[Certified on 09th February, 2010]

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*Siriniwes Prajamithra Sahayogitha
Kendraya (Incorporation) Act, No. 4 of 2010*

[Certified on 09th February, 2010]

L.D.—O. (Inc.) 11/2008.

AN ACT TO INCORPORATE THE SIRINIWES PRAJAMITHRA SAHAYOGITHA
KENDRAYA.

WHEREAS a “Kendraya” called and known as the Siriniwes Prajamithra Sahayogitha Kendraya has heretofore been established at Sri Priyadarshanarama Purana Rajamaha Viharasthanaya at Kobbewala, Gampola for the purpose of effectually carrying out and transacting all matters connected with the said Kendraya according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Kendraya has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be incorporated and it will be for the public advantage to grant the application :

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

1. This Act may be cited as the Siriniwes Prajamithra Sahayogitha Kendraya (Incorporation) Act, No. 4 of 2010.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the Siriniwes Prajamithra Sahayogitha Kendraya (hereinafter referred to as “Kendraya”) or shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate, (hereinafter referred to as “the Corporation”) with perpetual succession, under the name and style of “Siriniwes Prajamithra Sahayogitha Kendraya” and by that name may sue and be sued with full power and authority to have and use a common seal and alter the same at its pleasure.

Incorporation of the Siriniwes Prajamithra Sahayogitha Kendraya.

2 *Siriniwes Prajamithra Sahayogitha*
Kendraya (Incorporation) Act, No. 4 of 2010

General objects
of the
Corporation.

3. The general objects for which the Corporation is constituted are hereby declared to be to —

- (a) improve the economic standards of the poor families living within Sri Lanka ;
- (b) collaborate with the Government activities to improve and maintain standard of education of these poor families;
- (c) assist and support the activities to eliminate poverty and improve the financial standards of the poor;
- (d) support the activities in the protection and conservation of the environment;
- (e) improve health and nutrition levels through social activation projects and to provide assistance for social welfare activities;
- (f) collaborate with any other Institution or Organization in Sri Lanka or abroad having objects similar to those of the Corporation and to exchange views and programmes with them;
- (g) assist in the provision of books, instrument, clothing, loans and other financial assistance to children in lower income families which need assistance;

General Powers
of the
Corporation.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things whatsoever, as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them including the power to open, operate and close bank accounts to borrow or raise money with or without security

to receive or collect grants and donations to invest its funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the provisions of this Act and the rules of the Corporation made under section 7 be administered by a Committee of management consisting of the Executive Director, President, Administrative Secretary, Treasurer and Committee Members consisting not less than nineteen members and not more than twenty three members elected in accordance with such rules.

The Management of the affairs of the Corporation.

(2) The first Committee of Management of the Corporation shall consist of the members of the Kendraya holding office on the day prior to the date of commencement of this Act and who shall hold office until a new Committee of Management is elected under the rules of the Corporation.

6. (1) The Viharadhipathi of the Sri Priyadarshanarama Purana Rajamaha Viharasthanaya at Kobbewala, Gampola shall be the Executive Director of the Corporation.

Executive Director.

(2) Where the Executive Director of the Corporation, due to ill health or any other cause, is temporarily unable to discharge the duties as Executive Director, he shall nominate the most senior bikku in the Sri Priyadarshanarama Purana Rajamana Viharasthanaya to discharge such duties during such absence.

(3) Ven. Kobbewala Siriniwasa Nahimi, the Viharadhipathi of the Sri Priyadarshanarama Purana Rajamaha Viharasthanaya, who was the life patron and the Executive Director of the Kendraya, shall be the first Executive Director of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by majority of not less than two thirds of the members present and voting to make rules,

Rules of the Corporation.

not inconsistent with the provisions of this Act or any other written law for all or any of the following matters :—

- (a) the classification of membership and the admission, withdrawal, resignation or expulsion of members;
- (b) the election of the office-bearers, the resignation from or vacation of or removal from office of office-bearers and their powers, functions and duties;
- (c) the election of the members of the Committee of Management and the powers, functions and duties and the terms of office of members of the Committee of Management;
- (d) the powers, conduct, duties and functions of the officers, agents and servants of the Corporation;
- (e) the procedure to be observed for the summoning and holding of meetings of the Committee of Management, the time, place, notice and agenda of such meeting, the quorum therefore and the conduct of business thereat;
- (f) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audit of its accounts; and
- (g) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule made by the Corporation may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under subsection (1).

(3) The Members of the Corporation shall be subject to the rules of the Corporation.

Seal of the
Corporation.

8. The seal of the Corporation shall—

- (a) be in the custody of the executive Director and the President Priest;

- (b) not be affixed to any document except with the sanction of the Committee of Management and in the presence of two members of the Committee of Management who shall sign the document in token of their presence.

9. (1) The financial year of the Corporation shall be the calendar year. Accounts and Audit.

(2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor.

(4) In this section, “qualified auditor” means—

- (i) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute ; or
- (ii) a firm of Accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute.

10. The Corporation shall be able and capable in law to acquire and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, lease, testamentary disposition and all such property shall be held by the Corporation for the purposes of this Act, and subject to the rules of the Corporation made under section 7 with full power to sell, mortgage, lease, exchange or otherwise dispose of the same. Corporation may hold property movable or immovable.

Limitation of liability of members.

11. No member of the Corporation shall for purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution other than what may be due from him to the Corporation.

Funds of the Corporation.

12. (1) The Corporation shall have its own fund and all moneys received by way of gifts, testamentary dispositions, transfers, donations or contributions shall be deposited in the name of the Corporation in one or more banks as may be decided by the Council.

(2) All expenses incurred by the Corporation in the exercise and discharge of the powers and functions of the Corporation shall be paid out of the fund of the Corporation.

Saving of the rights of the Republic and Others.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate.

Sinhala text to prevail in case of inconsistency.

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

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**MALIGAWATTA JANA ZA AND WELFARE
SOCIETY (INCORPORATION)
ACT, No. 5 OF 2010**

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*Maligawatta Janaza and Welfare Society
(Incorporation) Act, No. 5 of 2010*

[Certified on 09th February 2010]

L. D.—O. (Inc.) 12/2007

AN ACT TO INCORPORATE THE MALIGAWATTA JANAZA AND
WELFARE SOCIETY

WHEREAS an Association called and known as the “Maligawatte Janaza and Welfare Society” has heretofore been formed at Colombo for the purpose of effectually carrying out all objects and matters connected with the said association according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Association has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated, and it will be for the public advantage to grant such application :

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

1. This Act may be cited as the Maligawatta Janaza and Welfare Society (Incorporation) Act, No. 5 of 2010.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Maligawatta Janaza and Welfare Society (hereinafter referred to as the “Society”) and such other persons as shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the “Maligawatta Janaza and Welfare Society” (hereinafter referred to as the “Corporation”) and by that name may sue and be sued with full power and authority to have and use a common seal and to alter the same at its will and pleasure..

Incorporation of the Maligawatta Janaza and Welfare Society.

3. The general objects for which the Corporation is constituted are hereby declared to be—

General objects of the Corporation.

(a) to provide financial assistance in the event of the death of a member to the beneficiaries nominated

2 *Maligawatta Janaza and Welfare Society
(Incorporation) Act, No. 5 of 2010*

by such member for the purpose of meeting the Janaza expenses ;

- (b) to promote thrift among the membership ;
- (c) to make contributions for the welfare of the Muslim community of Maligawatte ;
- (d) to bury bodies of Muslims which remain unclaimed at Government hospitals ;
- (e) to foster inter-communal amity ;
- (f) to encourage the practical observance of Islam among Muslims ;
- (g) to organize programmes for the Muslim community focusing on education, social upliftment, co-operative enterprise, health and livelihood programmes.

General powers
of the
Corporation.

4. Subject to the provisions of this Act, and any other written law, the Corporation shall have the power—

- (a) to purchase, acquire, rent, construct and otherwise obtain lands or buildings which may be required for the purposes of the Corporation ;
- (b) to borrow or raise money for the purpose of the Corporation ;
- (c) to make, draw, accepts, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close bank accounts ;
- (d) to invest any funds not immediately required for the purpose of the Corporation, in such manner as the Committee may think fit ;

- (e) to solicit and receive subscriptions, grants, donations and gifts of all kinds ;
- (f) to enter into agreements or contracts with any person or body of persons ;
- (g) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation ;
- (h) to appoint sub-committees to carry out the objects of the Corporation ; and
- (i) to do all such other acts and things as are necessary or expedient for the carrying out of the objects of the Corporation.

5. (1) The administration and management of the affairs of the Corporation shall, subject to the provisions of this Act and rules of the Corporation made under section 7, be vested in the Committee of Management (hereinafter referred to as the "Committee") consisting of a President, Vice President, General Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and five other Committee members as may be provided for in such rules and elected in accordance therewith.

Management of the affairs of the Corporation.

(2) In the event of any vacancy arising in the Committee due to resignation, removal or death of any office bearer, such vacancy shall be filled according to the rules of the Corporation.

(3) The first Committee of the Corporation shall consist of the members of the Committee of the Society holding office on the day preceding the date of commencement of this Act.

6. (1) The Corporation shall have a Board of Trustees consisting of all the past Presidents, Secretaries and founder members who are presently engaged in the activities of the Society.

Board of Trustees.

4 *Maligawatta Janaza and Welfare Society
(Incorporation) Act, No. 5 of 2010*

(2) The President, General Secretary and Treasurer appointed under section 5 shall be the *ex-officio* members of the Board of Trustees.

Rules of the
Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting to make rules which are not inconsistent with the provisions of this Act or any other written law, for all or any of the following matters :—

- (a) the classification of membership and the admission, withdrawal or expulsion of members ;
- (b) the election, resignation, vacation or removal of office bearers ;
- (c) the powers, conduct, duties and functions of the office bearers, agents and officers and servants of the Corporation ;
- (d) the procedure to be observed at the summoning and holding of meeting of the Corporation and any sub committee, the time, place, notice and agenda of such meetings, the quorum therefor and the conduct of business, thereat ;
- (e) the administration and management of the property of the Corporation and the custody of its funds ;
- (f) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule of the Corporation may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under subsection (1).

(3) All members of the Corporation shall be subject to the rules of the Corporation.

8. (1) The Corporation shall have its own fund and all monies heretofore or hereafter received by way of gift, bequest, testamentary disposition, transfer, contribution, donations, subscription, fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Committee shall determine.

Fund of the Corporation.

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

(3) There shall be paid out of the fund any expenditure incurred by the Corporation in the exercise, performance and discharge of the powers, duties and functions under this Act.

9. (1) The financial year of the Corporation shall be the calendar year.

Audit and Accounts.

(2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor who shall be an associate member of the Chartered Institute of Sri Lanka and appointed by the Corporation for that purpose.

10. The Corporation shall be able and capable in law to acquire and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such property shall be held by the Corporation for the purposes of this Act and subject to the rules made under section 7, shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable or immovable.

6 *Maligawatta Janaza and Welfare Society
(Incorporation) Act, No. 5 of 2010*

Debts due by
and payable to
the Society.

11. All debts and liabilities of the Society existing on the day preceding the date of commencement of this Act shall be paid by the Corporation hereby constituted, and all debts due to, and subscriptions and contributions payable to the Society on that day shall be paid to the Corporation for the purpose of this Act.

Property
remaining on
dissolution.

12. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among members of the Corporation, but shall be given or transferred to some other association or associations having objects, similar to the objects of the Corporation and which is or are by the rules prohibited from the distribution of any income or profit among its or their members. Such association or associations shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Application of
moneys and
property of the
Corporation.

13. The moneys and property of the Corporation, howsoever derived, shall be applied solely, towards the promotion of its objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or profits to the members of the Corporation.

Limitation of
liabilities of
members.

14. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation, or for any other purpose, be liable to make any contribution exceeding the amount payable as membership fees as may be due from him to the Corporation.

Seal of the
Corporation.

15. (1) The seal of the Corporation shall be in the custody of the Secretary and may be altered in such manner as may be determined by the Committee

(2) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the President and the General Secretary who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Maligawatta Janaza and Welfare Society 7
(Incorporation) Act, No. 5 of 2010

16. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporation.

Saving of the rights of the Republic and others.

17. 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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**PARLIAMENT OF THE DEMOCRATIC
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**PULATHISI DARUWO FOUNDATION
TRUST (INCORPORATION)
ACT, No. 6 OF 2010**

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*Pulathisi Daruwo Foundation Trust
(Incorporation) Act, No. 6 of 2010*

[Certified on 09th February, 2010]

L. D.—O. (Inc.) 5/2008

AN ACT TO INCORPORATE THE PULATHISI DARUWO FOUNDATION TRUST

WHEREAS a Foundation called and known as the “Pulathisi Daruwo Foundation Trust” has been established in Polonnaruwa for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted several objects and matters for which it was established and has applied to be incorporated, and it will be for the public advantage to grant the application :

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

1. This Act may be cited as the Pulathisi Daruwo Foundation Trust (Incorporation) Act, No. 6 of 2010.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the “Pulathisi Daruwo Foundation Trust” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate (hereinafter referred to as the “Corporation”), with perpetual succession, under the name and style of the “Pulathisi Daruwo Foundation Trust” and by that name may sue, and be sued, with full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation of Pulathisi Daruwo Foundation Trust.

3. The general objects for which the Corporation is constituted are hereby declared to be—

General objects of the Corporation.

- (a) to organize, conduct and develop the educational activities and pre-training activities for the poor children and youth ;

- (b) to promote skills of youths ;
- (c) to encourage the farmers and to establish young Farmers Organizations ;
- (d) to grant opportunities for training for youth in pre-vocational education, sports activities, leadership, computer, media and Tamil, English and other languages ;
- (e) to train persons engaged in activities in furtherance of national unity by conducting seminars, discussions and workshops ;
- (f) to commemorate and honour outstanding persons who have contributed towards national unity, by grant of awards, prizes, scholarships and fellowships ;
- (g) to establish libraries, archives and centres to preserve and to protect the cultural heritage of all communities in Sri Lanka ;
- (h) to promote welfare activities for the benefit of children, women and orphans;
- (i) to provide assistance by way of scholarships, loans advances and grants to deserving students to pursue studies and research in Sri Lanka and abroad;
- (j) to establish and maintain Institutions for the welfare and rehabilitation of the destitute, the disable, the aged, the sick and displaced Persons ;
- (k) to promote mutual understanding and co-operation among people irrespective of race and religion ; and
- (l) to establish and maintain projects for the protection, management and conservation of the environment ;

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to — Powers of the Corporation.

- (a) acquire, hold, take or give on lease or hire, mortgage, pledge, sell, exchange, or otherwise alienate, encumber or dispose of, any immovable property for the purpose of the Corporation ;
- (b) enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the Corporation, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the Corporation ;
- (c) accept gifts, donations and bequests in cash or in kind ;
- (d) invest its funds, create and administer Trusts and to maintain current deposits and savings accounts in any bank ;
- (e) publish or cause to be published books, journals, magazines and other literature and establish and maintain libraries, bookshops and printing presses;
- (f) advance or lend and to borrow money for the purposes of the Corporation in such manner and upon such security as the Corporation may think fit; and
- (g) appoint, employ, transfer, exercise disciplinary control over and dismiss officers and servants required for the carrying out of the objects of the Corporation and to prescribe their terms and conditions of services.

4 *Pulathisi Daruwo Foundation Trust
(Incorporation) Act, No. 6 of 2010*

Management of
the affairs of the
Corporation.

5. (1) The affairs of the Corporation shall subject to the rules of the Corporation, made under section 6 be administered by a Board of Management (hereinafter referred to as “Board”) consisting of the Chairman, Vice Chairman, Hon. Secretary, Hon. Assistant Secretary, the Treasurer and nine other members elected in accordance with such rules of the Corporation.

(2) The first Board of Control of the Corporation shall be the Board of Control of the Foundation, holding office on the day immediately proceeding the date of commencement of this Act.

(3) Mr. Maithripala Sirisena shall, until a Chairman is elected in terms of this Act, be the Chairman of the first Board of Management of the Corporation.

Rules of the
Corporation.

6. (1) It shall be lawful for the Corporation from time to time at an Annual General Meeting or at any Special General Meeting of the Corporation convened for that purpose within two weeks notice and by a majority of not less than two thirds of the members present and voting to make rules not inconsistent with the provisions of this Act or any other written law, for the admission, withdrawal and expulsion of members of the Corporation, the powers, conduct and duties of the office bearers, the procedure to be observed in the transaction of business at the meeting of the Corporation, the conduct, duties and functions of the officers and employees of the Corporation and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects. Such rules when made may, at a like meeting and in like manner be altered, added to, amended or rescinded.

(2) The members of the Corporation shall be subject to the rules of the Corporation.

Debts due by
and payable to
the Foundation.

7. All debts and liabilities of the Foundation on the day preceding the date of commencement of this Act shall be paid to the Corporation hereby constituted and all debts due

to, subscriptions and contributions payable to the Foundation on the day shall be paid to the Corporation for the purpose of this Act.

8. (1) The Corporation shall have its own fund (hereinafter called and referred to as the “Fund”). Funds of the Corporation.

(2) There shall be credited to the Fund—

(a) all such sums of money as may be received by the Corporation in the exercise, discharge and performance of its powers, functions and duties under this Act; and

(b) all such sums of money as may be received by the Corporation, by way of loans, donations, gifts or grants from any source, whether in Sri Lanka or abroad.

9. (a) The financial year of the Corporation shall be the calendar year ; Audit and Accounts.

(b) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation;

(c) The accounts of the Corporation shall be audited by a qualified auditor ,

(d) in this section, “Qualified Auditor” means—

(i) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute ; or

6 *Pulathisi Daruwo Foundation Trust
(Incorporation) Act, No. 6 of 2010*

- (ii) a firm of Accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law possesses a certificate to practice as an Accountant issued by the Council of such Institute.

Seal of the Corporation.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of President and the Secretary or such other person duly authorized by the Board of Management who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Indemnity for acts done in good faith.

11. No person shall be liable in any suit or other legal proceeding for any act done, or purporting to be done in good faith in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act.

Property remaining on the dissolution.

12. If upon the dissolution of the Corporation, there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other Association or Associations having objects similar to the objects of the Corporation, and which is or are by the rules made under section 6 prohibited from distributing any income or property among its or their members of the Corporation at, or immediately before, the time of the dissolution of the Corporation.

Saving of the rights of the Republic and others.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or anybody or politic or corporate.

Sinhala text to prevail in case of inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

APPROPRIATION ACT, No. 7 OF 2010

[Certified on 13th July, 2010]

Printed on the Order of Government

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Appropriation Act, No. 7 of 2010

[Certified on 13th July 2010]

L.D.—O. 7 /2010.

AN ACT TO PROVIDE FOR THE SERVICE OF THE FINANCIAL YEAR 2010 ; TO AUTHORISE THE RAISING OF LOANS IN OR OUTSIDE SRI LANKA, FOR THE PURPOSE OF SUCH SERVICE ; TO MAKE FINANCIAL PROVISION IN RESPECT OF CERTAIN ACTIVITIES OF THE GOVERNMENT DURING THAT FINANCIAL YEAR ; TO ENABLE THE PAYMENT BY WAY OF ADVANCES OUT OF THE CONSOLIDATED FUND OR ANY OTHER FUND OR MONEYS, OF OR AT THE DISPOSAL OF THE GOVERNMENT, OF MONEYS REQUIRED DURING THAT FINANCIAL YEAR FOR EXPENDITURE ON SUCH ACTIVITIES ; TO PROVIDE FOR THE REFUND OF SUCH MONEYS TO THE CONSOLIDATED FUND AND TO MAKE PROVISION FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Appropriation Act, No. 7 of 2010. Short title.

2. (1) Without prejudice to any other law authorising any expenditure and subject to the provisions of subsection (4) of this section, the expenditure of the Government which it is estimated will be rupees nine hundred and eighty two thousand two hundred and forty eight million three hundred and eighty five thousand for the service of the period beginning on January 01, 2010 and ending on December 31, 2010 (in this Act referred to as the “financial year 2010”), shall be met — Appropriation for financial year, 2010.

- (a) from payments which are hereby authorised to be made out of the Consolidated Fund or any other fund or moneys of or at the disposal of the Government ; and
- (b) from the proceeds of loans which are hereby authorised to be raised, whether in or outside Sri Lanka, for and on behalf of the Government, so however that the aggregate of such proceeds does not exceed rupees nine hundred eighty thousand million.

(2) The sum of rupees nine hundred and eighty two thousand two hundred and forty eight million three hundred and eighty five thousand referred to in subsection (1), may be expended as specified in the First Schedule to this Act.

(3) The provisions of subsection (1) shall have effect without prejudice to the provisions of any other written law, authorising the raising of loans for and on behalf of the Government.

(4) The estimated expenditure of the Government authorized by law to be charged on the Consolidated Fund, will be rupees eight hundred and six thousand one hundred and six million three hundred and eighty two thousand, for the service of the period beginning on January 01, 2010 and ending on December 31, 2010. The expenditure Heads and the law under which such expenditure is authorized to be made, are as specified in the Second Schedule to the Act.

Financial provisions in respect of certain activities of the Government for the financial year 2010.

3. (1) The receipts of the Government during the financial year 2010, from each activity specified in Column I of the Third Schedule to this Act shall be credited to the account of such activity, but the aggregate of receipts so credited shall not be less than the minimum limit specified in the corresponding entry in Column III of that Schedule. The net surplus, if any, of such activity, shall be paid to the Consolidated Fund before the expiry of six months after the close of the financial year 2010.

(2) For the purpose of determining the net surplus under subsection (1), the following charges shall be set off against the revenue of each activity :—

- (a) the working, establishment and other expenses of the activity whether paid or accrued, properly chargeable to the revenue of the activity ; and
- (b) provision to cover the depreciation of the movable and immovable property of the activity.

(3) The expenditure incurred by the Government during the financial year 2010 on each activity specified in Column I of the Third Schedule to this Act, shall be paid out of the receipts of the Government from such activity during

that financial year, but such expenditure shall not exceed the maximum limit specified in the corresponding entry in Column II of that Schedule.

(4) The debit balance outstanding at the end of the financial year 2010 of any activity specified in Column I of the Third Schedule to this Act, shall not exceed the maximum limit specified in the corresponding entry in Column IV of that Schedule and the total liabilities of that activity at the end of that financial year, shall not exceed the maximum limit specified in the corresponding entry in Column V of that Schedule.

4. Whenever at any time during the financial year 2010, the receipts of the Government from any activity specified in Column I of the Third Schedule to this Act are insufficient to meet the expenditure incurred by the Government on such activity, the Minister may from time to time by Order, direct that such sums as he may deem necessary to meet such expenditure shall be payable by way of advances, out of the Consolidated Fund or any other fund or moneys of or at the disposal of the Government, so however that the aggregate of the sums so advanced shall not exceed the maximum limit of expenditure specified in the corresponding entry in Column II of that Schedule. Any sum so advanced in respect of such activity shall be refunded to the Consolidated Fund in such manner, as the Minister may by Order direct.

Payment from the Consolidated Fund or any other fund or moneys of or at the disposal of the Government, of advances for expenditure on the activities referred to in section 3, during the financial year 2010.

5. (1) Any moneys which by virtue of the provisions of the First Schedule to this Act, have been allocated to Recurrent Expenditure under any Programme appearing under any Head specified in that Schedule, but have not been expended or are not likely to be expended, may be transferred to the allocation of Capital Expenditure within that Programme or to the allocation of Recurrent Expenditure or Capital Expenditure under any other Programme within that Head, by Order of the Secretary to the Treasury or by Order either of a Deputy Secretary to the Treasury or the Director General of the National Budget Department, who may be authorized in that behalf by the Secretary to the Treasury.

Power to transfer unexpended moneys allocated to Recurrent Expenditure, to another allocation within the same Programme or to another Programme under the same Head of expenditure.

(2) No moneys allocated to Capital Expenditure under any Programme appearing under any Head specified in the First Schedule to this Act, shall be transferred out of that Programme or to any allocation of Recurrent Expenditure of that Programme.

Money allocated to the “Development Activities” Programme may be transferred to any other Programme under any other Head.

6. (1) Any money allocated to Recurrent Expenditure or Capital Expenditure under the “Development Activities” Programme appearing under the Head “Department of National Budget” specified in the First Schedule, may be transferred subject to guidelines stipulated in printed Budget Estimates approved by Parliament for the relevant year, to any other Programme under any other Head in that Schedule, by Order of the Secretary to the Treasury or by Order either of a Deputy Secretary to the Treasury or the Director General of the National Budget Department, who may be authorized in that behalf by the Secretary to the Treasury. The money so transferred shall be deemed to be a supplementary allocation made to the particular Ministry and a report containing the amount of money so transferred and the reasons for the transfer, shall be submitted to Parliament within two months of the date of the said transfer.

(2) Details of all transfers made under subsection (1) including the reasons for such transfers, shall be incorporated in the reports relating to the Government’s fiscal performance, which are required to be tabled in Parliament under the Fiscal Management (Responsibility) Act, No. 3 of 2003.

Power of Minister to limit expenditure previously authorized.

7. Where the Minister is satisfied —

- (a) that receipts from taxes and other sources will be less than the amounts anticipated to finance authorised expenditure ; or
- (b) that amounts originally appropriated for a particular purpose or purposes are no longer required,

he may with the approval of the Government, withdraw in whole or in part any amounts previously released for expenditure under the authority of a warrant issued by him,

from the Consolidated Fund or from any other fund or moneys of or at the disposal of the Government, to meet any authorized expenditure.

8. (1) The Minister with the approval of the Government may, on or before May 31, 2011, by Order vary or alter—

- (a) any of the maximum limits specified in Column II, Column IV and Column V ;
- (b) the minimum limits specified in Column III,

Power of Minister to vary the maximum and minimum limits specified in the Third Schedule to this Act.

of the Third Schedule to this Act.

(2) No Order made under subsection (1) shall have effect, unless it has been approved by Parliament by resolution.

(3) Any Order made under subsection (1) shall, if so expressed therein, be deemed to have had effect from such date prior to the date of making such Order, as may be specified therein.

9. Parliament may by Resolution amend the Third Schedule to this Act, by adding to the appropriate Columns of that Schedule any activity and providing for —

- (a) all or any of the maximum limits relating to such activity;
- (b) the minimum limit relating to such activity.

Power of Parliament to amend the Third Schedule to this Act.

10. Notwithstanding anything in the Resolution passed by Parliament under paragraph (2) of Article 150 of the Constitution on November 05, 2009, making financial provision for expenditure for the period commencing on January 01, 2010 and ending on April 30, 2010 :—

- (a) all sums of money which have been expended during that period and any moneys which have not been expended on the day immediately prior to the expiry date of the Resolution, out of the moneys allocated by the Resolution to any Programme appearing under any Head specified in the First

Certain expenditure and advances made under Resolution passed under Article 150(2) of the Constitution deemed to be included in the First Schedule and Third Schedule to this Act.

Schedule to that Resolution, shall for all purposes be deemed to be included in the moneys allocated to the corresponding Programme appearing under the corresponding Head, as specified in the First Schedule to this Act; and

- (b) any sums paid by way of advances out of the Consolidated Fund during that period in respect of advance accounts activities specified in the Second Schedule to the Resolution, shall for all purposes be deemed to be included in the moneys of allocated to the corresponding activities appearing in the Third Schedule to this Act.

Expenditure and advances authorized under article 150 (3) of the Constitution to be deemed to be included in the First Schedule and Third Schedule to this Act.

11. The President acting under paragraph (3) of Article 150 of the Constitution, has authorized financial provision for public services for the period commencing on April 22, 2010, being the date on which then new Parliament was summoned to meet, until the expiry of three months from that date, and :—

- (a) all sums of money which have been expended during that period and any moneys which have not been expended on the day immediately prior to the date of commencement of this Act, out of date of moneys allocated by the authorization to any Programme appearing under any Head specified in the First Schedule to that authorization, shall for all purposes be deemed to be included in the moneys allocated to the corresponding Programme appearing under the corresponding Head, as specified in the First Schedule to this Act; and
- (b) any sums paid by way of advances out of the Consolidated Fund during that period in respect of advance accounts activities specified in the Second Schedule to the authorization, shall for all purposes be deemed to have been included in the moneys allocated to the corresponding activities appearing in the Third Schedule to this Act.

Sinhala text to prevail in case of inconsistency.

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

FIRST SCHEDULE — Estimate — 2010
Sums Payable for General Services

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Head 1 - 22 - 229 and 230		
	Recurrent	9,721,885,000	
	Capital		5,766,040,000
Made up as follows :—			
Head 1	His Excellency the President		
	Programme 01 Operational Activities	2,313,757,000	1,214,950,000
	Programme 02 Development Activities	—	3,815,000,000
Head 2	Office of the Prime Minister		
	Programme 01 Operational Activities	151,180,000	31,400,000
Head 3	Judges of the Superior Courts		
	Programme 01 Operational Activities	52,220,000	—
Head 4	Office of the Cabinet of Ministers		
	Programme 01 Operational Activities	37,979,000	10,050,000
Head 5	Parliament		
	Programme 01 Operational Activities	1,417,567,000	142,500,000
Head 6	Office of the Leader of the House of Parliament		
	Programme 01 Operational Activities	19,000,000	1,650,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 7	Office of the Chief Govt. Whip of Parliament Programme 01 Operational Activities	25,175,000	1,600,000
Head 8	Office of the Leader of the Opposition of Parliament Programme 01 Operational Activities	54,585,000	1,250,000
Head 11	The Constitutional Council Programme 01 Operational Activities	12,862,000	200,000
Head 12	Public Service Commission Programme 01 Operational Activities	109,801,000	6,600,000
Head 13	Judicial Service Commission Programme 01 Operational Activities	33,343,000	400,000
Head 14	National Police Commission Programme 01 Operational Activities	42,629,000	550,000
Head 15	Administrative Appeals Tribunal Programme 01 Operational Activities	11,775,000	225,000
Head 16	Commission to Investigate Allegations of Bribery or Corruption Programme 01 Operational Activities	114,050,000	85,860,000
Head 17	Department of Elections Programme 01 Operational Activities	4,170,929,000	40,000,000
Head 18	Auditor General Programme 01 Operational Activities	552,200,000	308,000,000

Head 19	Office of the Parliamentary Commissioner for Administration Programme 01 Operational Activities	5,513,000	155,000
Head 20	Office of the Finance Commission Programme 01 Operational Activities	33,950,000	49,450,000
Head 21	National Education Commission Programme 01 Operational Activities	25,880,000	5,150,000
Head 22	Human Rights Commission of Sri Lanka Programme 01 Operational Activities	91,840,000	4,550,000
Head 229	Department of Attorney General Programme 01 Operational Activities	399,600,000	13,000,000
Head 230	Department of Legal Draftsman Programme 01 Operational Activities	46,050,000	33,500,000
	Ministry of Buddha Sasana and Religious Affairs Recurrent Capital		641,693,000 570,125,000
Made up as follows :—			
Head 101	Minister of Buddha Sasana and Religious Affairs Programme 01 Operational Activities Programme 02 Development Activities	74,901,000 —	141,090,000 215,000,000
Head 201	Department of Buddhist Affairs Programme 01 Operational Activities Programme 02 Development Activities	25,444,000 362,300,000	64,900,000 —

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 202	Department of Muslim Religious and Cultural Affairs Programme 02 Development Activities	41,289,000	61,650,000
Head 203	Department of Christian Religious and Cultural Affairs Programme 02 Development Activities	52,177,000	10,925,000
Head 204	Department of Hindu Religious and Cultural Affairs Programme 02 Development Activities	58,605,000	75,530,000
Head 205	Department of Public Trustee Programme 01 Operational Activities	26,977,000	1,030,000
	Ministry of Finance and Planning		
	Recurrent		30,263,064,000
	Capital		33,219,891,000
	Made up as follows :—		
Head 102	Minister of Finance and Planning Programme 01 Operational Activities Programme 02 Development Activities	489,275,000 —	70,450,000 960,000,000
Head 237	Department of National Planning Programme 01 Operational Activities	62,180,000	95,840,000
Head 238	Department of Fiscal Policy Programme 01 Operational Activities	1,735,660,000	1,108,000

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Head 239	Department of External Resources			
	Programme 01	Operational Activities	157,725,000	16,330,000
Head 240	Department of National Budget			
	Programme 01	Operational Activities	61,020,000	3,050,000
	Programme 02	Development Activities	10,000,000,000	17,704,000,000
Head 241	Department of Public Enterprises			
	Programme 01	Operational Activities	32,516,000	1,000,000
Head 242	Department of Management Services			
	Programme 01	Operational Activities	27,745,000	1,375,000
Head 243	Department of Development Finance			
	Programme 01	Operational Activities	642,110,000	237,000
	Programme 02	Development Activities	120,000,000	118,265,000
Head 244	Department of Trade Tariff and Investment Policy			
	Programme 01	Operational Activities	1,002,639,000	519,000
Head 245	Department of Public Finance			
	Programme 01	Operational Activities	295,082,000	6,750,000
Head 246	Department of Inland Revenue			
	Programme 01	Operational Activities	1,364,463,000	386,549,000
Head 247	Sri Lanka Customs			
	Programme 01	Operational Activities	1,550,180,000	817,300,000
Head 248	Department of Excise			
	Programme 01	Operational Activities	384,400,000	22,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 249	Department of Treasury Operations		
	Programme 01 Operational Activities	11,386,570,000	1,303,150,000
	Programme 02 Development Activities	—	11,133,200,000
Head 250	Department of State Accounts		
	Programme 01 Operational Activities	30,155,000	3,050,000
Head 251	Department of Valuation		
	Programme 01 Operational Activities	202,441,000	7,650,000
Head 252	Department of Census and Statistics		
	Programme 01 Operational Activities	605,550,000	536,358,000
Head 280	Department of Foreign Aid and Budget Monitoring		
	Programme 02 Development Activities	55,955,000	30,610,000
Head 296	Department of Import and Export Control		
	Programme 01 Operational Activities	35,508,000	350,000
Head 323	Department of Legal Affairs		
	Programme 01 Operational Activities	7,780,000	500,000
Head 324	Department of Management Audit		
	Programme 01 Operational Activities	14,110,000	250,000

Ministry of Defence
Recurrent
Capital

191,287,930,000
10,929,550,000

Made up as follows :—

Head 103	Minister of Defence			
	Programme 01	Operational Activities	1,539,750,000	
	Programme 02	Development Activities	710,000,000	
Head 222	Sri Lanka Army			
	Programme 01	Operational Activities	2,013,300,000	2,861,000,000
Head 223	Sri Lanka Navy			
	Programme 01	Operational Activities	—	2,315,000,000
Head 224	Sri Lanka Air Force			
	Programme 01	Operational Activities	102,507,500,000	1,882,500,000
Head 225	Department of Police			
	Programme 01	Operational Activities	23,837,000,000	1,225,000,000
Head 226	Department of Immigration and Emigration			
	Programme 01	Operational Activities	18,266,250,000	159,300,000
Head 227	Department of Registration of Persons			
	Programme 01	Operational Activities	35,577,970,000	80,500,000
Head 320	Department of Civil Security			
	Programme 01	Operational Activities	502,760,000	116,000,000
Head 325	Department of Coast Guard			
	Programme 01	Operational Activities	183,025,000	40,500,000
			8,381,450,000	18,675,000

<i>Head No.</i>		<i>Recurrent Expenditure</i> Rs.	<i>Capital Expenditure</i> Rs.
	Ministry of Economic Development		
	Recurrent	19,116,083,000	
	Capital	49,220,532,000	
	Made up as follows :—		
Head 105	Minister of Economic Development		
	Programme 01 Operational Activities	68,339,000	4,600,000
	Programme 02 Development Activities	8,337,979,000	48,237,142,000
Head 218	Department of Commissioner General of Samurdhi		
	Programme 01 Operational Activities	9,952,440,000	6,900,000
Head 284	Department of Wildlife Conservation		
	Programme 01 Operational Activities	453,063,000	552,950,000
Head 294	Department of National Zoological Gardens		
	Programme 02 Development Activities	133,939,000	267,350,000
Head 305	Department of Up-Country Peasantry Rehabilitation		
	Programme 02 Development Activities	16,145,000	1,000,000
Head 322	Department of National Botanical Gardens		
	Programme 02 Development Activities	154,178,000	150,590,000

<i>Head No.</i>		<i>Recurrent Expenditure</i> Rs.	<i>Capital Expenditure</i> Rs.
Head 228	Courts Administration Programme 01 Operational Activities	2,278,500,000	559,130,000
Head 231	Department of Debt Conciliation Board Programme 01 Operational Activities	5,260,000	200,000
Head 233	Department of Government Analyst Programme 01 Operational Activities	64,650,000	228,870,000
Head 234	Registrar of Supreme Court Programme 01 Operational Activities	67,170,000	4,500,000
Head 235	Department of Law Commission Programme 01 Operational Activities	8,770,000	2,550,000
	Ministry of Health		
	Recurrent		43,875,148,000
	Capital		9,221,400,000
	Made up as follows :—		
Head 111	Minister of Health		
	Programme 01 Operational Activities	39,357,718,000	544,800,000
	Programme 02 Development Activities	4,517,430,000	8,676,600,000

Ministry of External Affairs			
	Recurrent	5,517,095,000	
	Capital	956,279,000	
Made up as follows :—			
Head 112	Minister of External Affairs		
	Programme 01 Operational Activities	117,863,000	17,984,000
	Programme 02 Development Activities	5,399,232,000	938,295,000
Ministry of Ports and Aviation			
	Recurrent	269,320,000	
	Capital	30,631,015,000	
Made up as follows :—			
Head 113	Minister of Ports and Aviation		
	Programme 01 Operational Activities	155,690,000	6,865,000
	Programme 02 Development Activities	—	30,405,000,000
Head 291	Department of Coast Conservation		
	Programme 01 Operational Activities	113,630,000	219,150,000
Ministry of Transport			
	Recurrent	12,913,254,000	
	Capital	22,186,450,000	
Made up as follows :—			
Head 114	Minister of Transport		
	Programme 01 Operational Activities	117,850,000	30,100,000
	Programme 02 Development Activities	4,211,500,000	1,820,200,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 306	Department of Sri Lanka Railways Programme 02 Development Activities	7,810,750,000	19,225,600,000
Head 307	Department of Motor Traffic Programme 02 Development Activities	773,154,000	1,110,550,000
	Ministry of Petroleum Industries		
	Recurrent Capital		92,440,000
			4,475,000
	Made up as follows :—		
Head 115	Minister of Petroleum Industries Programme 01 Operational Activities	92,440,000	4,475,000
	Ministry of Co-operatives and Internal Trade		
	Recurrent Capital		610,335,000
			1,010,260,000
	Made up as follows :—		
Head 116	Minister of Co-operatives and Internal Trade Programme 01 Operational Activities	418,108,000	463,855,000
Head 298	Department of Measurement Units, Standards and Services Programme 01 Operational Activities	52,150,000	59,500,000
Head 300	Department of Food Commissioner Programme 01 Operational Activities	85,267,000	22,929,000

Head 301	Department of Co-operative Development (Registrar of Co-operative Societies)			
	Programme 01 Operational Activities	44,290,000	463,650,000	
Head 302	Co-operative Employees Commission			
	Programme 01 Operational Activities	10,520,000	326,000	
	Ministry of Highways			
	Recurrent			111,420,000
	Capital			83,400,900,000
	Made up as follows :—			
Head 117	Minister of Highways			
	Programme 01 Operational Activities	111,420,000	101,800,000	
	Programme 02 Development Activities	—	83,299,100,000	
	Ministry of Agriculture			
	Recurrent			35,358,682,000
	Capital			2,545,255,000
	Made up as follows :—			
Head 118	Minister of Agriculture			
	Programme 01 Operational Activities	218,628,000	19,425,000	
	Programme 02 Development Activities	30,289,005,000	1,551,670,000	
Head 281	Department of Agrarian Development			
	Programme 01 Operational Activities	173,550,000	32,000,000	
	Programme 02 Development Activities	2,667,850,000	165,500,000	
Head 285	Department of Agriculture			
	Programme 01 Operational Activities	201,972,000	20,800,000	
	Programme 02 Development Activities	1,559,590,000	530,560,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 289	Department of Export Agriculture		
	Programme 02 Development Activities	248,087,000	225,300,000
	Ministry of Power and Energy		
	Recurrent		1,396,646,000
	Capital		24,888,140,000
	Made up as follows :—		
Head 119	Minister of Power and Energy		
	Programme 01 Operational Activities	1,396,646,000	1,676,640,000
	Programme 02 Development Activities	—	23,211,500,000
	Ministry of Child Development and Women's Affairs		
	Recurrent		603,883,000
	Capital		138,656,000
	Made up as follows :—		
Head 120	Minister of Child Development and Women's Affairs		
	Programme 01 Operational Activities	222,455,000	71,326,000
	Programme 02 Development Activities	241,800,000	60,650,000
Head 217	Department of Probation and Child Care Services		
	Programme 01 Operational Activities	11,943,000	625,000
	Programme 02 Development Activities	127,685,000	6,055,000

Ministry of Public Administration and Home Affairs
Recurrent 93,488,625,000
Capital 2,050,554,000

Made up as follows :—

Head 121	Minister of Public Administration and Home Affairs Programme 01 Operational Activities	402,100,000	525,250,000
Head 253	Department of Pensions Programme 01 Operational Activities	84,094,100,000	28,350,000
Head 254	Department of Registrar General Programme 01 Operational Activities	517,275,000	66,000,000
Head 255	District Secretariat, Colombo Programme 01 Operational Activities	401,075,000	97,500,000
Head 256	District Secretariat, Gampaha Programme 01 Operational Activities	534,125,000	27,800,000
Head 257	District Secretariat, Kalutara Programme 01 Operational Activities	447,400,000	51,750,000
Head 258	District Secretariat, Kandy Programme 01 Operational Activities	596,775,000	59,550,000
Head 259	District Secretariat, Matale Programme 01 Operational Activities	306,500,000	30,500,000
Head 260	District Secretariat, Nuwara-Eliya. Programme 01 Operational Activities	243,450,000	119,650,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 261	District Secretariat, Galle Programme 01 Operational Activities	548,050,000	47,700,000
Head 262	District Secretariat ,Matara Programme 01 Operational Activities	446,000,000	82,050,000
Head 263	District Secretariat , Hambantota Programme 01 Operational Activities	340,400,000	37,750,000
Head 264	District Secretariat/ Kachcheri - Jaffna Programme 01 Operational Activities	297,925,000	60,200,000
Head 265	District Secretariat/ Kachcheri - Mannar Programme 01 Operational Activities	90,950,000	33,050,000
Head 266	District Secretariat/ Kachcheri - Vavuniya Programme 01 Operational Activities	96,750,000	43,050,000
Head 267	District Secretariat/ Kachcheri - Mullaitivu Programme 01 Operational Activities	68,625,000	30,770,000
Head 268	District Secretariat/ Kachcheri - Killinochchi Programme 01 Operational Activities	76,650,000	45,550,000
Head 269	District Secretariat/ Kachcheri - Batticaloa. Programme 01 Operational Activities	260,200,000	36,150,000
Head 270	District Secretariat, Ampara Programme 01 Operational Activities	435,125,000	88,400,000

Head 271	District Secretariat/ Kachechi - Trincomalee Programme 01 Operational Activities	179,525,000	53,784,000
Head 272	District Secretariat, Kurunegala Programme 01 Operational Activities	839,450,000	53,400,000
Head 273	District Secretariat, Puttalam Programme 01 Operational Activities	350,400,000	116,300,000
Head 274	District Secretariat, Anuradhapura Programme 01 Operational Activities	437,075,000	41,150,000
Head 275	District Secretariat - Polonnaruwa Programme 01 Operational Activities	199,425,000	32,250,000
Head 276	District Secretariat - Badulla Programme 01 Operational Activities	345,250,000	74,150,000
Head 277	District Secretariat, Moneragala Programme 01 Operational Activities	241,400,000	101,150,000
Head 278	District Secretariat, Ratnapura Programme 01 Operational Activities	381,350,000	31,550,000
Head 279	District Secretariat, Kegalle Programme 01 Operational Activities	311,275,000	35,800,000
	Ministry of Mass Media and Information Recurrent		1,502,925,000
	Capital		448,000,000
	Made up as follows :—		
Head 122	Minister of Mass Media and Information Programme 01 Operational Activities	96,320,000	22,150,000
	Programme 02 Development Activities	251,150,000	200,500,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 210	Department of Information		
	Programme 01 Operational Activities	130,835,000	114,150,000
Head 211	Department of Government Printer		
	Programme 01 Operational Activities	1,024,620,000	111,200,000
	Ministry of Construction, Engineering Services, Housing and Common Amenities		
	Recurrent Capital	537,455,000	
		268,900,000	
	Made up as follows :—		
Head 123	Minister of Construction, Engineering Services, Housing and Common Amenities		
	Programme 01 Operational Activities	137,518,000	5,290,000
	Programme 02 Development Activities	33,550,000	194,000,000
Head 309	Department of Buildings		
	Programme 01 Operational Activities	52,787,000	3,140,000
	Programme 02 Development Activities	132,365,000	13,980,000
Head 310	Government Factory		
	Programme 01 Operational Activities	24,295,000	11,780,000
	Programme 02 Development Activities	20,800,000	17,660,000
Head 311	Department of National Physical Planning		
	Programme 01 Operational Activities	136,140,000	3,050,000
	Programme 02 Development Activities	—	20,000,000

<i>Head No.</i>		<i>Recurrent Expenditure</i> Rs.	<i>Capital Expenditure</i> Rs.
	Ministry of Labour Relations and Productivity Improvement		
	Recurrent	1,058,684,000	
	Capital	243,355,000	
	Made up as follows :—		
Head 127	Minister of Labour Relations and Productivity Improvement		
	Programme 01 Operational Activities	88,542,000	34,380,000
	Programme 02 Development Activities	231,746,000	37,325,000
Head 221	Department of Labour		
	Programme 01 Operational Activities	396,092,000	66,700,000
	Programme 02 Development Activities	342,304,000	104,950,000
	Ministry of Traditional Industries and Small Enterprises Development		
	Recurrent	493,018,000	
	Capital	194,340,000	
	Made up as follows :—		
Head 128	Minister of Traditional Industries and Small Enterprises Development		
	Programme 01 Operational Activities	493,018,000	120,925,000
	Programme 02 Development Activities	—	73,415,000

Ministry of Local Government and Provincial Councils
Recurrent 85,165,210,000
Capital 28,097,800,000

Made up as follows :—

Head 130	Minister of Local Government and Provincial Councils Programme 01 Operational Activities Programme 02 Development Activities	165,210,000 —	37,670,000 5,504,800,000
Head 312	Western Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	6,100,000,000 —	— 2,205,600,000
Head 313	Central Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	13,000,000,000 —	— 2,554,650,000
Head 314	Southern Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	10,500,000,000 —	— 2,123,040,000
Head 315	Northern Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	8,400,000,000 —	— 3,107,170,000
Head 316	North Western Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	12,300,000,000 —	— 1,932,800,000
Head 317	North Central Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	7,300,000,000 —	— 2,609,850,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 318	Uva Provincial Council		
	Programme 01 Operational Activities	8,300,000,000	—
	Programme 02 Development Activities	—	2,306,860,000
Head 319	Sabaragamuwa Provincial Council		
	Programme 01 Operational Activities	9,000,000,000	—
	Programme 02 Development Activities	—	2,117,600,000
Head 321	Eastern Provincial Council		
	Programme 01 Operational Activities	10,100,000,000	—
	Programme 02 Development Activities	—	3,597,760,000
	Ministry of Technology and Research		
	Recurrent	1,082,478,000	
	Capital	1,387,245,000	
	Made up as follows :—		
Head 133	Minister of Technology and Research		
	Programme 01 Operational Activities	259,523,000	129,650,000
	Programme 02 Development Activities	822,955,000	1,257,595,000
	Ministry of National Languages and Social Integration		
	Recurrent	214,751,000	
	Capital	141,890,000	
	Made up as follows :—		
Head 134	Minister of National Languages and Social Integration		
	Programme 01 Operational Activities	101,075,000	117,700,000
	Programme 02 Development Activities	57,406,000	1,000,000

Head 236	Department of Official Languages			
	Programme 01	Operational Activities	56,270,000	23,190,000
	Ministry of Plantation Industries			
	Recurrent		1,853,980,000	
	Capital		2,317,940,000	
	Made up as follows :—			
Head 135	Minister of Plantation Industries			
	Programme 01	Operational Activities	132,349,000	16,290,000
	Programme 02	Development Activities	1,344,611,000	2,020,650,000
Head 293	Department of Rubber Development			
	Programme 02	Development Activities	377,020,000	281,000,000
	Ministry of Sports			
	Recurrent		442,908,000	
	Capital		763,040,000	
	Made up as follows :—			
Head 136	Ministry of Sports			
	Programme 01	Operational Activities	80,531,000	4,275,000
	Programme 02	Development Activities	87,774,000	91,540,000
Head 219	Department of Sports Development			
	Programme 01	Operational Activities	69,913,000	8,500,000
	Programme 02	Development Activities	204,690,000	658,725,000

<i>Head No.</i>		<i>Recurrent Expenditure</i> Rs.	<i>Capital Expenditure</i> Rs.
	Ministry of Indigenous Medicine		
	Recurrent		773,250,000
	Capital		300,000,000
	Made up as follows :—		
Head 138	Minister of Indigenous Medicine		
	Programme 01 Operational Activities	169,150,000	64,990,000
	Programme 02 Development Activities	—	80,010,000
Head 220	Department of Ayurveda		
	Programme 01 Operational Activities	185,438,000	9,700,000
	Programme 02 Development Activities	418,662,000	145,300,000
	Ministry of Fisheries and Aquatic Resources Development		
	Recurrent		747,105,000
	Capital		4,757,970,000
	Made up as follows :—		
Head 139	Minister of Fisheries and Aquatic Resources Development		
	Programme 01 Operational Activities	121,275,000	43,725,000
	Programme 02 Development Activities	415,000,000	4,676,520,000
Head 290	Department of Fisheries and Aquatic Resources		
	Programme 01 Operational Activities	210,830,000	37,725,000

Ministry of Livestock and Rural Community Development
Recurrent 443,742,000
Capital 1,444,103,000

Made up as follows :—

Head 140	Minister of Livestock and Rural Community Development		
	Programme 01 Operational Activities	150,421,000	23,203,000
	Programme 02 Development Activities	17,555,000	989,950,000
Head 292	Department of Animal Production and Health		
	Programme 01 Operational Activities	69,175,000	15,650,000
	Programme 02 Development Activities	206,591,000	415,300,000

Ministry of National Heritage and Cultural Affairs
Recurrent 1,230,149,000
Capital 1,422,114,000

Made up as follows :—

Head 142	Minister of National Heritage and Cultural Affairs		
	Programme 01 Operational Activities	153,683,000	8,195,000
	Programme 02 Development Activities	364,342,000	1,092,965,000
Head 206	Department of Cultural Affairs		
	Programme 01 Operational Activities	53,422,000	5,200,000
	Programme 02 Development Activities	163,658,000	56,210,000
Head 207	Department of Archaeology		
	Programme 01 Operational Activities	38,488,000	9,200,000
	Programme 02 Development Activities	322,669,000	57,850,000

<i>Head No.</i>		<i>Recurrent Expenditure</i> Rs.	<i>Capital Expenditure</i> Rs.
Head 208	Department of National Museums		
	Programme 01 Operational Activities	13,492,000	900,000
	Programme 02 Development Activities	69,639,000	17,300,000
Head 209	Department of National Archives		
	Programme 01 Operational Activities	19,398,000	4,325,000
	Programme 02 Development Activities	31,358,000	169,969,000
	Ministry of Parliamentary Affairs		
	Recurrent Capital	324,770,000	
		44,650,000	
	Made up as follows :—		
Head 143	Minister of Parliamentary Affairs		
	Programme 01 Operational Activities	324,770,000	44,650,000
	Ministry of Re-settlement		
	Recurrent Capital		
		1,182,591,000	
		1,891,739,000	
	Made up as follows :—		
Head 145	Minister of Re-settlement		
	Programme 01 Operational Activities	130,518,000	23,657,000
	Programme 02 Development Activities	1,052,073,000	1,868,082,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 282	Department of Irrigation		
	Programme 01 Operational Activities	295,850,000	33,300,000
	Programme 02 Development Activities	910,740,000	4,689,900,000
	Ministry of Land and Land Development		
	Recurrent	2,206,307,000	
	Capital	1,552,736,000	
	Made up as follows :—		
Head 153	Minister of Land and Land Development		
	Programme 01 Operational Activities	102,840,000	9,534,000
	Programme 02 Development Activities	124,990,000	1,185,130,000
Head 286	Department of Land Commissioner		
	Programme 02 Development Activities	171,776,000	269,200,000
Head 287	Department of Land Settlement		
	Programme 02 Development Activities	168,425,000	5,080,000
Head 288	Department of Surveyor General		
	Programme 01 Operational Activities	136,320,000	12,192,000
	Programme 02 Development Activities	1,501,956,000	71,600,000

Ministry of Yourth Affairs			
	Recurrent	3,135,931,000	
	Capital	1,999,298,000	
Made up as follows :—			
Head 156	Minister of Yourth Affairs		
	Programme 01 Operational Activities	93,753,000	12,558,000
	Programme 02 Development Activities	2,081,903,000	1,772,940,000
Head 215	Department of Technical Education and Training		
	Programme 01 Operational Activities	98,800,000	8,000,000
	Programme 02 Development Activities	861,475,000	205,800,000
Made up as follows :—			
Ministry of Environment			
	Recurrent	1,231,110,000	
	Capital	1,725,558,000	
Made up as follows :—			
Head 160	Minister of Environment		
	Programme 01 Operational Activities	163,010,000	13,500,000
	Programme 02 Development Activities	327,000,000	1,427,558,000
Head 283	Department of Forests		
	Programme 01 Operational Activities	741,100,000	279,500,000
	Programme 02 Development Activities	—	5,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Water Supply and Drainage		
	Recurrent		139,193,000
	Capital		25,000,000,000
	Made up as follows :—		
Head 166	Minister of Water Supply and Drainage		
	Programme 01 Operational Activities	97,568,000	11,000,000
	Programme 02 Development Activities	41,625,000	24,989,000,000
	Ministry of Higher Education		
	Recurrent		11,993,360,000
	Capital		8,116,890,000
	Made up as follows :—		
Head 171	Minister of Higher Education		
	Programme 01 Operational Activities	110,540,000	5,100,000
	Programme 02 Development Activities	474,820,000	4,611,790,000
Head 214	University Grants Commission		
	Programme 02 Development Activities	11,408,000,000	3,500,000,000
	Ministry of Public Management Reforms		
	Recurrent		71,230,000
	Capital		12,050,000
	Made up as follows :—		
Head 173	Minister of Public Management Reforms		
	Programme 01 Operational Activities	71,230,000	12,050,000

Second Schedule - Estimate 2010
Expenditure of the Government, Authorised by Law and to be Charged on the Consolidated Fund

<i>Head No.</i>	<i>Spending Unit under which provision included in printed estimates</i>	<i>Base Legislation</i>	<i>Expenditure Programme</i>	<i>Recurrent Rs.</i>	<i>Capital Rs.</i>	<i>Total Rs.</i>
1	His Excellency the President	Article 36 of the Constitution	Programme 01 - Operational Activities	1,470,000	—	1,470,000
3	Judges of the Superior Courts	Article 108 of the Constitution	Programme 01 - Operational Activities	27,000,000	—	27,000,000
5	Parliament	Article 65 of the Constitution	Programme 01 - Operational Activities	970,000	—	970,000
11	The Constitutional Council	Article 41 of the Constitution	Programme 01 - Operational Activities	6,720,000	—	6,720,000
12	Public Service Commission	Article 54 of the Constitution	Programme 01 - Operational Activities	3,660,000	—	3,660,000
13	Judicial Service Commission	Article 111 of the Constitution	Programme 01 - Operational Activities	1,227,000	—	1,227,000
14	National Police Commission	Article 155 of the Constitution	Programme 01 - Operational Activities	3,113,000	—	3,113,000
16	Commission to Investigate Allegations of Bribery or Corruption	Bribery or Corruption Commission Act No. 19 of 1994	Programme 01 - Operational Activities	2,400,000	—	2,400,000
17	Department of Elections	Article 103 of the Constitution Operational Activities	Programme 01 -	3,098,000	—	3,098,000
18	Auditor General	Article 153 of the Constitution	Programme 01 - Operational Activities	742,000	—	742,000

19	Office of the Parliamentary Commissioner for Administration	Article 156 of the Constitution	Programme 01- Operational Activities	680,000	—	680,000
111	Minister of Health	Medical Ordinance (Chp. 105)	Programme 01- Operational Activities	2,000	—	2,000
239	Department of External Resources No. 10, 1978 (Special Provision)	The Bretton Woods Agreement of Operational Activities	Programme 01-	378,000,000	460,000,000	838,000,000
249	Department of Treasury Operations	Ceylon Development Loans Act (Chp. 407), National Development Loan Ordinance 1945 (Chp. 408), National Development Loan 1950 Act (Chp. 409), Registered Stock and Securities Ordinance 1937 (Act as Amended) Foreign Loans Act (as Amended)	Programme 01- Operational Activities	330,207,000,000	456,380,300,000	786,587,300,000
253	Department of Pensions	Widow's and Orphan's Pension Fund Ordinance (Chp. 431) No. 01 of 1890 and subsequent amendments, Widowers and Orphans Pensions Act No. 24 of 1983, Widowers and Orphans Pension Scheme (Armed Forces) Act No. 18 of 1970, School Teacher's Pensions Ordinance (Chp. 432)	Programme 01- Operational Activities	18,630,000,000	—	18,630,000,000

THIRD SCHEDULE — ESTIMATE — 2010

Limits of Advance Account Activities — 2010

SRL No.	Ministry/Department	Item No.	I Activities of the Government	II		III		IV		V	
				Maximum Limits of Expenditure of Activities of the Government	Rs.	Minimum Limits of Receipts of Activities of the Government	Rs.	Maximum Limits of Debit Balances of Activities of the Government	Rs.	Maximum Limits of Liabilities of Activities of the Government	Rs.
1	His Excellency the President	00101	Advances to Public Officers	25,000,000		12,000,000		90,000,000		—	
2	Office of the Prime Minister	00201	Advances to Public Officers	7,000,000		3,300,000		30,000,000		—	
3	Judges of the Superior Courts	00301	Advances to Public Officers	2,200,000		1,450,000		10,000,000		—	
4	Office of the Cabinet of Ministers	00401	Advances to Public Officers	1,600,000		1,500,000		15,000,000		—	
5	Parliament	00501	Advances to Public Officers	37,500,000		18,500,000		165,000,000		—	
6	Office of the Leader of the House of Parliament	00601	Advances to Public Officers	1,500,000		900,000		6,000,000		—	
7	Office of the Chief Government Whip of Parliament	00701	Advances to Public Officers	2,000,000		900,000		8,000,000		—	
8	Office of the Leader of the Opposition of Parliament	00801	Advances to Public Officers	2,000,000		1,100,000		9,000,000		—	
9	Public Service Commission	01201	Advances to Public Officers	7,441,000		3,000,000		31,000,000		—	
10	Judicial Service Commission	01301	Advances to Public Officers	4,000,000		1,800,000		17,500,000		—	
11	National Police Commission	01401	Advances to Public Officers	3,500,000		1,000,000		12,000,000		—	

12	Administrative Appeals Tribunal	01501	Advances to Public Officers	1,334,000	200,000	3,500,000	—
13	Commission to Investigate Allegations of Bribery or Corruption	01601	Advances to Public Officers	10,131,000	3,000,000	35,000,000	—
5	14 Commission to Investigate Allegations of Bribery or Corruption	01602	Advancing moneys to be used in bribery detection as bribes	7,000,000	1,500,000	7,500,000	—
15	15 Department of Elections	01701	Advances to Public Officers	30,000,000	19,000,000	80,000,000	—
16	16 Auditor-General	01801	Advances to Public Officers	73,000,000	37,000,000	300,000,000	—
17	17 Office of the Parliamentary Commissioner for Administration	01901	Advances to Public Officers	1,000,000	220,000	4,000,000	—
18	18 Office of the Finance Commission	02001	Advances to Public Officers	5,000,000	1,500,000	15,000,000	—
19	19 National Education Commission	02101	Advances to Public Officers	2,000,000	780,000	7,000,000	—
20	20 Human Rights Commission of Sri Lanka	02201	Advances to Public Officers	2,500,000	292,000	4,000,000	—
21	21 Minister of Buddhasasana and Religious Affairs	10101	Advances to Public Officers	7,000,000	1,900,000	19,000,000	—
22	22 Minister of Finance and Planning	10201	Advances to Public Officers	28,300,000	10,100,000	96,000,000	—
23	23 Minister of Defence	10301	Advances to Public Officers	63,800,000	31,300,000	224,000,000	—
24	24 Minister of Economic Development	10501	Advances to Public Officers	113,500,000	34,200,000	358,000,000	—
25	25 Minister of Disaster Management	10601	Advances to Public Officers	4,000,000	1,600,000	8,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
26	Minister of Ports and Telecommunications	10801	Advances to Public Officers	10,000,000	2,200,000	40,000,000	—	—	—	—	
27	Minister of Justice	11001	Advances to Public Officers	14,000,000	5,500,000	52,000,000	—	—	—	—	
28	Minister of Health	11101	Advances to Public Officers	960,000,000	624,000,000	2,000,000,000	—	—	—	—	
29	Minister of External Affairs	11201	Advances to Public Officers	38,000,000	29,600,000	121,000,000	—	—	—	—	
30	Minister of Ports and Aviation	11301	Advances to Public Officers	9,000,000	5,600,000	41,000,000	—	—	—	—	
31	Minister of Transport	11401	Advances to Public Officers	12,000,000	8,200,000	35,000,000	—	—	—	—	
32	Minister of Petroleum Industries	11501	Advances to Public Officers	5,000,000	1,400,000	11,000,000	—	—	—	—	
33	Minister of Co-operatives and Internal Trade	11601	Advances to Public Officers	9,000,000	4,100,000	30,000,000	—	—	—	—	
34	Minister of Highways	11701	Advances to Public Officers	5,890,000	1,900,000	20,000,000	—	—	—	—	
35	Minister of Agriculture	11801	Advances to Public Officers	20,000,000	9,000,000	75,000,000	—	—	—	—	
36	Minister of Power and Energy	11901	Advances to Public Officers	9,400,000	2,900,000	31,000,000	—	—	—	—	
37	Minister of Child Development and Women's Affairs	12001	Advances to Public Officers	35,000,000	6,000,000	80,000,000	—	—	—	—	
38	Minister of Public Administration and Home Affairs	12101	Advances to Public Officers	36,000,000	13,000,000	100,000,000	—	—	—	—	

39	Minister of Mass Media and Information	12201	Advances to Public Officers	10,000,000	4,000,000	30,000,000	—
40	Minister of Construction, Engineering Services, Housing and Common Amenities	12301	Advances to Public Officers	26,000,000	7,400,000	155,000,000	—
41	Minister of Social Services	12401	Advances to Public Officers	14,100,000	3,300,000	40,000,000	—
42	Minister of Education	12601	Advances to Public Officers	900,000,000	650,000,000	2,700,000,000	—
43	Minister of Labour Relations and Productivity Improvement	12701	Advances to Public Officers	33,000,000	9,200,000	85,000,000	—
44	Minister of Traditional Industries and Small Enterprises Development	12801	Advances to Public Officers	8,000,000	1,900,000	25,000,000	—
45	Minister of Local Government and Provincial Councils	13001	Advances to Public Officers	10,000,000	4,000,000	35,000,000	—
46	Minister of Technology and Research	13301	Advances to Public Officers	31,000,000	12,500,000	62,000,000	—
47	Minister of National Languages and Social Integration	13401	Advances to Public Officers	11,000,000	3,400,000	50,000,000	—
48	Minister of Plantation Industries	13501	Advances to Public Officers	8,800,000	3,300,000	32,000,000	—
49	Minister of Sports	13601	Advances to Public Officers	7,000,000	2,400,000	20,000,000	—
50	Minister of Indigenous Medicine	13801	Advances to Public Officers	14,000,000	3,300,000	36,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
51	Minister of Fisheries and Aquatic Resources Development	13901	Advances to Public Officers	8,000,000	4,000,000	40,000,000	—	—	—	—	
52	Minister of Livestock and Rural Community Development	14001	Advances to Public Officers	13,200,000	5,800,000	46,500,000	—	—	—	—	
53	Minister of National Heritage and Cultural Affairs	14201	Advances to Public Officers	30,000,000	11,000,000	85,000,000	—	—	—	—	
54	Minister Parliamentary Affairs	14301	Advances to Public Officers	7,000,000	2,000,000	16,000,000	—	—	—	—	
55	Minister of Resettlement	14501	Advances to Public Officers	9,000,000	5,000,000	25,000,000	—	—	—	—	
56	Minister of Industry and Commerce	14901	Advances to Public Officers	18,000,000	7,400,000	73,000,000	—	—	—	—	
57	Minister of Irrigation and Water Resources Management	15201	Advances to Public Officers	10,000,000	5,400,000	34,000,000	—	—	—	—	
58	Minister of Land and Land Development	15301	Advances to Public Officers	27,000,000	9,100,000	75,000,000	—	—	—	—	
59	Minister of Youth Affairs	15601	Advances to Public Officers	32,500,000	10,900,000	105,000,000	—	—	—	—	

60	Minister of Environment	16001	Advances to Public Officers	11,000,000	4,600,000	40,000,000	—
61	Minister of Water Supply and Drainage	16601	Advances to Public Officers	6,000,000	2,500,000	24,000,000	—
62	Minister of Higher Education	17101	Advances to Public Officers	5,000,000	3,100,000	21,000,000	—
63	Minister of Public Management Reforms	17301	Advances to Public Officers	1,000,000	100,000	3,000,000	—
64	Minister of Rehabilitation and Prison Reforms	17401	Advances to Public Officers	1,000,000	100,000	3,000,000	—
65	Minister of State Resources and Enterprise Development	17501	Advances to Public Officers	6,000,000	1,600,000	20,000,000	—
66	Department of Buddhist Affairs	20101	Advances to Public Officers	22,000,000	6,600,000	55,000,000	—
67	Department of Muslim Religious and Cultural Affairs	20201	Advances to Public Officers	3,000,000	900,000	12,000,000	—
68	Department of Christian Religious Affairs	20301	Advances to Public Officers	1,750,000	400,000	6,500,000	—
69	Department of Hindu Religious and Cultural Affairs	20401	Advances to Public Officers	5,000,000	1,500,000	11,500,000	—
70	Department of Public Trustee	20501	Advances to Public Officers	5,781,000	1,600,000	20,000,000	—
71	Department of Cultural Affairs	20601	Advances to Public Officers	30,000,000	7,600,000	71,000,000	—
72	Department of Archaeology	20701	Advances to Public Officers	49,000,000	19,000,000	145,000,000	—
73	Department of National Museums	20801	Advances to Public Officers	15,000,000	4,800,000	47,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
74	Department of National Archives	20901	Advances to Public Officers	7,000,000	2,400,000	23,400,000	—	—	—	—	
75	Department of Information	21001	Advances to Public Officers	13,000,000	5,200,000	45,000,000	—	—	—	—	
76	Department of Government Printer	21101	Advances to Public Officers	80,000,000	38,000,000	300,000,000	—	—	—	—	
77	Department of Examinations	21201	Advances to Public Officers	27,000,000	13,500,000	112,000,000	—	—	—	—	
78	Department of Educational Publications	21301	Advances to Public Officers	9,000,000	3,500,000	34,000,000	—	—	—	—	
79	Department of Educational Publications	21302	Printing, Publicity and Sales of Publications	3,800,000,000	3,800,000,000	4,000,000,000	100,000,000	—	—	—	
80	Department of Technical Education and Training	21501	Advances to Public Officers	83,724,000	42,000,000	290,000,000	—	—	—	—	
81	Department of Social Services	21601	Advances to Public Officers	26,000,000	11,300,000	99,000,000	—	—	—	—	
82	Department of Probation and Child Care Services	21701	Advances to Public Officers	18,000,000	6,000,000	66,000,000	—	—	—	—	
83	Department of Commissioner General of Samurdhi	21801	Advances to Public Officers	22,791,000	7,200,000	82,000,000	—	—	—	—	
84	Department of Sports Development	21901	Advances to Public Officers	8,000,000	4,200,000	33,000,000	—	—	—	—	

85	Department of Ayurveda	22001	Advances to Public Officers	60,000,000	17,200,000	171,000,000	—
86	Department of Labour	22101	Advances to Public Officers	98,000,000	45,000,000	245,000,000	—
87	Sri Lanka Army	22201	Advances to Public Officers	2,460,000,000	1,000,000,000	4,950,000,000	—
88	Sri Lanka Navy	22301	Advances to Public Officers	754,000,000	202,000,000	1,000,000,000	—
89	Sri Lanka Navy	22302	Stores Advance Account (Explosive items)	446,000,000	420,000,000	330,000,000	—
90	Sri Lanka Air Force	22401	Advances to Public Officers	650,000,000	360,000,000	1,550,000,000	—
91	Department of Police	22501	Advances to Public Officers	2,100,000,000	1,000,000,000	3,600,000,000	—
92	Department of Immigration and Emigration	22601	Advances to Public Officers	30,000,000	18,700,000	142,000,000	—
93	Department of Registration of Persons	22701	Advances to Public Officers	27,000,000	14,000,000	72,000,000	—
94	Courts Administration	22801	Advances to Public Officers	180,000,000	160,000,000	650,000,000	—
95	Department of Attorney General	22901	Advances to Public Officers	24,000,000	9,600,000	79,000,000	—
96	Department of Legal Draftsman	23001	Advances to Public Officers	6,000,000	2,000,000	23,000,000	—
97	Department of Debt Conciliation Board	23101	Advances to Public Officers	1,000,000	270,000	12,000,000	—
98	Department of Prisons	23201	Advances to Public Officers	155,000,000	95,000,000	400,000,000	—
99	Department of Prisons	23202	Prisons Industrial and Agricultural undertakings	153,000,000	175,000,000	35,000,000	15,000,000
100	Department of Government Analyst	23301	Advances to Public Officers	10,000,000	3,400,000	34,000,000	—
101	Registrar of Supreme Court	23401	Advances to Public Officers	14,000,000	3,600,000	46,000,000	—
102	Department of Law Commission	23501	Advances to Public Officers	1,500,000	430,000	6,000,000	—
103	Department of Official Languages	23601	Advances to Public Officers	10,000,000	3,200,000	30,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
104	Department of National Planning	23701	Advances to Public Officers	10,500,000	2,600,000	33,000,000	—	—	—	—	
105	Department of Fiscal Policy	23801	Advances to Public Officers	4,000,000	1,200,000	10,000,000	—	—	—	—	
106	Department of External Resources	23901	Advances to Public Officers	9,000,000	3,000,000	35,000,000	—	—	—	—	
107	Department of National Budget	24001	Advances to Public Officers	12,500,000	3,700,000	40,000,000	—	—	—	—	
108	Department of Public Enterprises	24101	Advances to Public Officers	5,000,000	1,500,000	18,000,000	—	—	—	—	
109	Department of Management Services	24201	Advances to Public Officers	6,500,000	2,000,000	23,000,000	—	—	—	—	
110	Department of Development Finance	24301	Advances to Public Officers	4,000,000	650,000	17,000,000	—	—	—	—	
111	Department of Trade Tariffs and Investment Policy	24401	Advances to Public Officers	3,000,000	2,000,000	19,000,000	—	—	—	—	
112	Department of Public Finance	24501	Advances to Public Officers	6,500,000	1,800,000	26,000,000	—	—	—	—	
113	Department of Inland Revenue	24601	Advances to Public Officers	78,900,000	46,000,000	325,000,000	—	—	—	—	
114	Sri Lanka Customs	24701	Advances to Public Officers	87,000,000	33,500,000	364,000,000	—	—	—	—	

115	Sri Lanka Customs	24702	Expenses in connection with Seized and Forfeited Goods	5,500,000	1,200,000	18,000,000	—
116	Department of Excise	24801	Advances to Public Officers	53,000,000	20,100,000	190,000,000	—
117	Department of Treasury Operations	24901	Advances to Public Officers	9,500,000	2,800,000	38,000,000	—
118	Department of State Accounts	25001	Advances to Public Officers	9,500,000	2,400,000	30,000,000	—
119	Department of State Accounts	25002	Advances for Payments on behalf of other Governments	5,550,000	5,550,000	4,800,000	—
120	Department of State Accounts	25003	Miscellaneous Advances	50,000,000	250,000,000	200,000,000	—
121	Department of Valuation	25101	Advances to Public Officers	15,000,000	11,000,000	67,000,000	—
122	Department of Census and Statistics	25201	Advances to Public Officers	55,000,000	19,500,000	215,000,000	—
123	Department of Pensions	25301	Advances to Public Officers	45,000,000	6,000,000	150,000,000	—
124	Department of Registrar General	25401	Advances to Public Officers	72,000,000	29,000,000	205,000,000	—
125	District Secretariat, Colombo	25501	Advances to Public Officers	49,000,000	35,000,000	170,000,000	—
126	District Secretariat, Gampaha	25601	Advances to Public Officers	63,000,000	50,000,000	234,000,000	—
127	District Secretariat, Kalutara	25701	Advances to Public Officers	65,000,000	42,000,000	227,000,000	—
128	District Secretariat, Kandy	25801	Advances to Public Officers	70,000,000	37,000,000	214,000,000	—
129	District Secretariat, Matale	25901	Advances to Public Officers	46,000,000	32,000,000	150,000,000	—
130	District Secretariat, Nuwara-Eliya	26001	Advances to Public Officers	35,000,000	17,000,000	105,000,000	—
131	District Secretariat, Galle	26101	Advances to Public Officers	58,000,000	41,300,000	211,000,000	—
132	District Secretariat, Matara	26201	Advances to Public Officers	47,000,000	33,000,000	183,000,000	—
133	District Secretariat, Hambantota	26301	Advances to Public Officers	45,000,000	23,000,000	147,000,000	—
134	District Secretariat/Kacheheri, Jaffna	26401	Advances to Public Officers	40,000,000	23,000,000	98,000,000	—

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				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
135	District Secretariat/Kacheheri, Mannar	26501	Advances to Public Officers	15,000,000	5,800,000	50,000,000	—	—	—	—	
136	District Secretariat/Kacheheri, Vavuniya	26601	Advances to Public Officers	13,500,000	5,500,000	42,000,000	—	—	—	—	
137	District Secretariat/Kacheheri, Mullaitivu	26701	Advances to Public Officers	13,600,000	2,800,000	32,000,000	—	—	—	—	
138	District Secretariat/Kacheheri, Killinochchi	26801	Advances to Public Officers	13,233,000	2,100,000	35,000,000	—	—	—	—	
139	District Secretariat/ Kacheheri, Batticaloa	26901	Advances to Public Officers	34,000,000	19,000,000	50,000,000	—	—	—	—	
140	District Secretariat, Ampara	27001	Advances to Public Officers	57,500,000	30,000,000	198,000,000	—	—	—	—	
141	District Secretariat/Kacheheri, Trincomalee	27101	Advances to Public Officers	30,000,000	15,000,000	88,000,000	—	—	—	—	
142	District Secretariat, Kurunegala	27201	Advances to Public Officers	103,000,000	65,000,000	330,000,000	—	—	—	—	
143	District Secretariat, Puttalam	27301	Advances to Public Officers	51,000,000	29,000,000	165,000,000	—	—	—	—	
144	District Secretariat, Anuradhapura	27401	Advances to Public Officers	65,000,000	40,000,000	200,000,000	—	—	—	—	
145	District Secretariat, Polonnaruwa	27501	Advances to Public Officers	29,000,000	13,500,000	92,000,000	—	—	—	—	
146	District Secretariat, Badulla	27601	Advances to Public Officers	45,000,000	21,000,000	136,000,000	—	—	—	—	

147	District Secretariat, Monaragala	27701	Advances to Public Officers	35,000,000	21,000,000	100,000,000	—
148	District Secretariat, Ratnapura	27801	Advances to Public Officers	53,000,000	30,000,000	146,000,000	—
149	District Secretariat, Kegalle	27901	Advances to Public Officers	50,000,000	27,500,000	150,000,000	—
150	Department of Foreign Aid and Budget Monitoring	28001	Advances to Public Officers	5,000,000	1,800,000	20,000,000	—
151	Department of Agrarian Development	28101	Advances to Public Officers	350,000,000	100,000,000	885,000,000	—
152	Department of Irrigation	28201	Advances to Public Officers	165,000,000	106,500,000	450,000,000	—
153	Department of Forests	28301	Advances to Public Officers	78,000,000	40,000,000	375,000,000	—
154	Department of Wild Life Conservation	28401	Advances to Public Officers	45,000,000	24,000,000	127,000,000	—
155	Department of Agriculture	28501	Advances to Public Officers	180,000,000	93,000,000	500,000,000	—
156	Department of Agriculture	28502	Maintenance of Agricultural Farms and Seed Sales	260,000,000	260,000,000	50,000,000	—
157	Department of Land Commissioner	28601	Advances to Public Officers	25,000,000	9,900,000	88,000,000	—
158	Department of Land Settlement	28701	Advances to Public Officers	14,000,000	5,100,000	29,000,000	—
159	Department of Surveyor General	28801	Advances to Public Officers	160,000,000	77,100,000	499,000,000	—
160	Department of Export Agriculture	28901	Advances to Public Officers	32,000,000	16,000,000	116,000,000	—
161	Department of Fisheries and Aquatic Resources	29001	Advances to Public Officers	26,900,000	13,000,000	117,000,000	—
162	Department of Coast Conservation	29101	Advances to Public Officers	19,000,000	7,000,000	63,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
163	Department of Animal Production and Health	29201	Advances to Public Officers	29,217,000	13,000,000	109,000,000	—	—	—	—	
164	Department of Rubber Development	29301	Advances to Public Officers	18,500,000	10,000,000	52,000,000	—	—	—	—	
165	Department of National Zoological Gardens	29401	Advances to Public Officers	16,600,000	7,000,000	56,000,000	—	—	—	—	
166	Department of Commerce	29501	Advances to Public Officers	5,000,000	1,800,000	20,000,000	—	—	—	—	
167	Department of Import and Export Control	29601	Advances to Public Officers	5,200,000	2,300,000	20,000,000	—	—	—	—	
168	Department of the Registrar of Companies	29701	Advances to Public Officers	4,500,000	2,100,000	32,000,000	—	—	—	—	
169	Department of Measurement Units, Standards and Services	29801	Advances to Public Officers	10,000,000	3,000,000	34,000,000	—	—	—	—	
170	National Intellectual Property Office of Sri Lanka	29901	Advances to Public Officers	4,000,000	1,400,000	13,000,000	—	—	—	—	
171	Department of Food Commissioner	30001	Advances to Public Officers	10,000,000	3,700,000	52,000,000	—	—	—	—	
172	Department of Co-operative Development (Registrar of Co-operative Societies)	30101	Advances to Public Officers	6,000,000	2,100,000	22,000,000	—	—	—	—	

173	Co-operative Employees Commission	30201	Advances to Public Officers	2,000,000	300,000	6,000,000	—
174	Department of Textile Industries	30301	Advances to Public Officers	9,000,000	3,800,000	35,000,000	—
175	Department of Meteorology	30401	Advances to Public Officers	12,000,000	6,700,000	55,000,000	—
176	Department of Up-Country Peasantry Rehabilitation	30501	Advances to Public Officers	2,000,000	900,000	7,000,000	—
177	Department of Sri Lanka Railways	30601	Advances to Public Officers	625,000,000	320,000,000	2,100,000,000	—
178	Department of Sri Lanka Railways	30602	Railway Stores Advance Account	1,300,000,000	800,000,000	4,067,000,000	500,000,000
179	Department of Motor Traffic	30701	Advances to Public Officers	29,000,000	15,000,000	65,000,000	—
180	Department of Posts	30801	Advances to Public Officers	700,000,000	517,300,000	1,760,000,000	—
181	Department of Buildings	30901	Advances to Public Officers	23,000,000	13,000,000	86,000,000	—
182	Government Factory	31001	Advances to Public Officers	32,000,000	18,000,000	117,000,000	—
183	Government Factory	31002	Government Factory Stores Advance Account	120,000,000	120,000,000	10,000,000	—
184	Government Factory	31003	Government Factory Work Done Advance Account	260,000,000	280,000,000	180,000,000	—
185	Department of National Physical Planning	31101	Advances to Public Officers	16,500,000	8,000,000	106,000,000	—
186	Department of Civil Security	32001	Advances to Public Officers	190,000,000	50,000,000	218,000,000	—
187	Department of National Botanical Gardens	32201	Advances to Public Officers	20,000,000	8,100,000	49,000,000	—
188	Department of Legal Affairs	32301	Advances to Public Officers	500,000	100,000	1,000,000	—
189	Department of Management Audit	32401	Advances to Public Officers	2,000,000	1,100,000	10,000,000	—
190	Department of Community Based Correction	32601	Advances to Public Officers	3,000,000	1,800,000	13,000,000	—
Total				20,756,442,000	13,256,442,000	45,093,500,000	615,000,000

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the Superintendent, Government Publications Bureau, Department of Government Information, No. 163, Kirulapona Mawatha, Polhengoda, Colombo 05 before 15th December each year in respect of the year following.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**WIDOWS' AND ORPHANS' PENSION FUND
(AMENDMENT) ACT, No. 8 OF 2010**

[Certified on 17th August, 2010]

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*Widows' and Orphans' Pension Fund
(Amendment) Act, No. 8 of 2010*

[Certified on 17th August, 2010]

L. D.—O. 6/2006.

AN ACT TO AMEND THE WIDOWS' AND ORPHANS' PENSION FUND
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 Widows' and Orphans'
Pension Fund (Amendment) Act, No. 8 of 2010.

Short title.

2. Section 7 of the Widows' and Orphans' Pension Fund
Ordinance (Chapter 431) (hereinafter referred to as 'the
principal enactment') is hereby repealed and the following
section substituted therefor:—

Replacement of
section 7 of
Chapter 431.

"Minister to
make
regulations.

7. (1) The Minister may make regulations
in respect of all matters required by this Act to
be prescribed or in respect of which regulations
are authorized to be made under this Act.

(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 therein.

(3) Every regulation shall, as soon as
convenient after the publication in the *Gazette*,
be brought before Parliament for approval. Any
regulation which is not so approved shall
deemed to be rescinded from the date of such
disapproval but without prejudice to anything
previously done thereunder.

(4) Notification of the date in which any
regulation made by the Minister is deemed to
be rescinded shall be published in the
Gazette."

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(Amendment) Act, No. 8 of 2010*

Amendment of section 13 of the principal enactment.

3. Section 13 of the principal enactment is hereby amended in subsection (2) of that section by the substitution for the words “contributor under this Ordinance”, of the following:—

“contributor under this Ordinance:

“Provided however any person who became a contributor under this Ordinance on or after the relevant date and who has completed ten years of service prior to the retirement or removal or otherwise leaves the public service without a pension in the manner referred to in subsection (1), shall be eligible to the benefits under subsection (1).”.

Insertion of new sections 27A and 27B in the principal enactment.

4. The following new sections are hereby inserted immediately after section 27 of the principal enactment, and shall have effect as section 27A and 27B of that enactment :—

“Payment of pension to public officers &c., who die due to acts which constitute an offence under the emergency regulations &c.,

27A. (1) Where any public officer who is a contributor to the Fund dies before reaching his age of retirement due to an act which constitutes an offence under any Emergency Regulation for the time being in force, or due to any natural disaster, the widow and the children of such officer shall notwithstanding any other provisions of this Ordinance be entitled—

- (a) from the date of such death, to receive a pension calculated in accordance with the provisions of this Ordinance, based on the salary such officer was drawing at the time of his death, till the date on which, had he lived, he would have reached his age of retirement; and

(b) from and after the date on which he would have reached his age of retirement, to receive a pension calculated in accordance with the provisions of this Ordinance based on the revised salary with all the increments to which, had he lived, he would have been entitled to receive till he reached his age of retirement.

(2) In calculating the pension for the purpose of subsection (1), the age of retirement shall be determined by the Director-General of Pensions, taking into consideration the circumstances of the death of the officer concerned, his period of service and any other material particulars applicable to each individual case.

(3) Where any person who is a male and who holds a temporary or casual post in the public service dies while in service, due to an act which constitutes an offence under the Emergency Regulations or due to any natural disaster, before being made permanent in his post, such person shall, notwithstanding any other provisions of this Ordinance be deemed to be an officer to whom the provision of section 27 of this Ordinance applies from the date of his death and, the widow and, children of such person shall, notwithstanding any other provisions of this Ordinance be entitled—

(a) from the date of such death, to receive a pension calculated in accordance with the provisions of this Ordinance, based on the salary such person was drawing at the time of his death, till the date on which had he lived, he would reach fifty-five years of age;

*Widows' and Orphans' Pension Fund
(Amendment) Act, No. 8 of 2010*

(b) from and after the date on which he would have reached fifty-five years of age, to receive a pension with all the increments, to which had he lived he would have been entitled to receive till he reached fifty-five years of age.

(4) Any person to whom the provision of subsection (3) applies shall be deemed to be a contributor under the Ordinance as from the date he joined the public service.

(5) Notwithstanding any other provisions of this Ordinance for the purpose of granting pension under this section, the officers referred to in subsection (1) and the persons referred to in subsection (3), of this section shall be deemed to have paid the contributions due to the Fund in full as at the date of their death.

(6) For the purpose of this section—

“emergency regulations” means any regulation made by the President under section 5 of the Public Security Ordinance (Chapter 40);

“natural disaster” shall have the same meaning as in the Sri Lanka Disaster Management Act, No. 13 of 2005.

Payment of pension to widow of officer specified in Schedule GQ of Minutes on Pensions.

27B. Notwithstanding the provisions of section 27, a widow of any officer—

- (a) who is specified in the Schedule GQ of the Minutes on Pensions; and
- (b) who is entitled to a pension on the completion of five years of service,

shall be entitled, on the demise of such officer, to receive a pension computed on the salary drawn by such officer on retirement in accordance with the provisions of this Ordinance. The amount of the contributions shall be computed on the basis of the salary drawn by such officer on his retirement and shall be made to the Fund with interest, for the total period of five years and unless and until such contributions are paid with interest accrued on such contributions, the payment of pension under this section shall not commence.”.

5. Section 29 of the principal enactment is hereby amended by the substitution for the words “or an unmarried female orphan” of the words “or a female orphan”.

Amendment of section 29 of the principal enactment.

6. Section 34 of the principal enactment is hereby repealed and the following new section is substituted therefor :—

Replacement of section 34 of the principal enactment.

“Provisions in case of widow remarrying. 34. (1) The widow of a contributor shall, on her remarriage, receive as pension after the date of such subsequent marriage—

(a) half the amount of the pension which she was receiving at the time of such subsequent marriage; or

(b) where she was entitled to receive a pension but was not in actual receipt of the same, half the amounts she was to receive in her capacity as a widow prior to such subsequent marriage.

(2) The children of the first marriage of the widow shall receive the remaining portion of

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(Amendment) Act, No. 8 of 2010*

the pension received by the widow after the payment to the widow is made in terms of paragraphs (a) or (b) above.

(3) Where the spouse of such subsequent marriage is also a contributor to the Fund and where such widow becomes entitled to receive a pension upon the death of such spouse in respect of the contributions made to the Fund by such spouse, the payment of such amount as she was receiving as pension in terms of paragraphs (a) and (b) of subsection (1) shall be terminated with effect from the date of death of such spouse of such subsequent marriage:

Provided that, where the payment of the pension is terminated as provided above, the children of the first marriage of the widow shall, as from the date of death of the spouse of their mother's subsequent marriage, be entitled to receive the shares they were receiving in terms of subsection (2) and the amount which their mother was receiving in terms of subsection (1), prior to such termination:

Provided further that in the event of the dissolution of such subsequent marriage, the widow shall be entitled to receive as pension the half share she received in terms of subsection (1) and the entitlement of the children under subsection (2) remains unchanged.”.

Amendment of
section 43 of
the principal
enactment

7. Section 43 of the principal enactment is hereby amended as follows:—

- (1) by renumbering that section as subsection (1) thereof;

- (2) by the addition of the following new subsection immediately after the renumbered subsection (1), thereof:—

“(2) Notwithstanding the provisions of subsection (1), a public officer who has retired from public service before the date of his optional or compulsory retirement on abolition of posts and who has ceased to make contributions to the Fund may continue to make contributions to the Fund commencing from the date on which he retired until he reaches fifty-five years of age in respect of a marriage contracted by such officer after the date of such retirement.”.

8. Section 51A of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of section 51A of the principal enactment.

“Special provisions applicable to married public officers who become contributors on or after the relevant date and leave the public service without pension.

51A. Where a public officer—

- (a) who becomes contributor on or after the relevant date; and
(b) who is not a bachelor,

leaves the public service, he shall not be granted a refund of the entirety or part of his contributions if he is not eligible for a pension under the Minutes on Pensions. However if he had completed ten or more years of such service before leaving the service, his widow or orphans shall upon his death be entitled to a pension on the basis of the contributions made by him calculated in accordance with the provisions of this Ordinance.

9. (1) The provisions of subsection (1) of section 27A shall *mutatis mutandis* apply to the widow and children of any public officer who had been a contributor to the Fund and had died before the date of coming into operation of this Act, under the circumstances specified in the aforesaid subsection.

Application of the provisions of section 27A of the principal enactment to persons who had died before the date of operation of this Act.

(2) The provisions of subsection (3) of section 27A shall *mutatis mutandis* apply to the widow and children of any person who is a male and had held a temporary or casual post in the public service and had died while in service, before the date of coming into operation of this Act under the circumstances specified in the aforesaid subsection.

(3) Any person to whom the provisions of subsection (2) of this section applies, shall be deemed to be a contributor under the principal enactment.

(4) For the purpose of granting a pension under subsections (1) and (2) of this section, the officers referred to in subsection (1) and the persons referred to in subsection (2) of this section shall be deemed to have paid all contributions due to the Fund from them, in full, as at the date of death of each such person.

Claims to be forwarded to the Director-General.

10. Any widow or any child or children of any officer or person referred to in section 9 of this Act shall, on or before the date to be appointed by the Minister by Order published in the *Gazette* shall forward their claims to the Director-General in such form as may be prescribed and issued by the Director-General.

Retrospective effect.

11. The provisions of sections 6, 7 and 8 of this Act shall be deemed to have come into effect as from the date on which the principal enactment came into operation.

Sinhala text to prevail in case of inconsistency.

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

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**WIDOWERS' AND ORPHANS' PENSION
(AMENDMENT) ACT, No. 9 OF 2010**

[Certified on 17th August, 2010]

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*Widowers' and Orphans' Pension
(Amendment) Act, No. 9 of 2010*

[Certified on 17th August, 2010]

L.D.—O. 60/2006

AN ACT TO AMEND THE WIDOWERS' AND ORPHANS' PENSION
ACT, No. 24 OF 1983

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

1. This Act may be cited as the Widowers' and Orphans' Pension (Amendment) Act, No. 9 of 2010. Short title.

2. The Widowers' and Orphans' Pension Act, No. 24 of 1983 (hereinafter referred to as the "principal enactment") is hereby amended by the insertion immediately after section 9 of that enactment, of the following new sections :— Insertion of new sections 9A and 9B in Act, No. 24 of 1983.

"Payment of pension to public officers &c., who die due to any act which constitutes an offence under Emergency Regulations &c.,

9A. (1) Where any officer who is subject to deductions under this Act dies before reaching her age of retirement due to any act which constitutes an offence under the Emergency Regulations for the time being in force or due to any natural disaster, the widower and the children of such officer shall notwithstanding any other provisions of this Act be entitled—

(a) from the date of such death, to receive a pension calculated in accordance with the provisions of this Act, based on the salary such officer was drawing at the time of her death, till the date on which had she lived, such officer would have reached her age of retirement ; and

(b) from and after the date on which she would have reached her age of retirement, to receive a pension calculated in accordance with the provision of this Act based on the revised salary, with all the increments to which, had she lived,

*Widowers' and Orphans' Pension
(Amendment) Act, No. 9 of 2010*

such officer would have been entitled to receive till she reached her age of retirement.

(2) In calculating the pension for the purpose of subsection (1), the age of retirement shall be determined by the Director-General of Pensions, taking into consideration the circumstances of the death of the officer concerned, her period of service, and any other material particulars as applicable to each individual case.

(3) Where any person who is a female and who holds a temporary or casual post in the public service dies while in service due to any act which constitutes an offence under the Emergency Regulations or due to any natural disaster before being made permanent in her post, such person shall notwithstanding any other provisions of this Ordinance be deemed to be an officer to whom the provisions of section 9 of this Act applies as from the date of her death, and the widower and children of such person shall notwithstanding any other provisions of this Act, be entitled—

- (a) from the date of such death, to receive a pension calculated in accordance with the provisions of this Act, based on the payment such person was drawing at the time of her death, till the date on which had she lived, she would have reached fifty-five years of age ; and
- (b) from and after the date on which she would have reached fifty-five years of age, to receive a pension with all the increments to which, had she lived, she would have been entitled to receive till she reached fifty-five years of age.

(4) Any person to whom the provisions of subsection (3) applies shall be deemed to be a contributor under the Act, as from the date she joined the public service.

(5) Notwithstanding any other provisions of this Act, for the purpose of granting a pension under this section the officers referred to in subsection (1) of this section and the persons referred to in subsection (3) of this section shall be deemed to be contributors as from the date they joined the public service and shall be deemed to have paid the contributions due to the Fund in full, as at the date of their death.

(6) For the purpose of this section—

“emergency regulation” means any regulation made by the President under section 5 of the Public Security Ordinance (Chapter 40) ;

“natural disaster” shall have the same meaning as in Sri Lanka Disaster Management Act, No. 13 of 2005.

Payment of pension to widowers of officers specified in Schedule GQ of Minutes on Pensions.

9B. Notwithstanding the provisions of section 9, a widower of any officer—

(a) who is specified in the Schedule GQ of the Minutes on Pensions ; and

(b) who is entitled to a pension on the completion of five -years of service,

shall be entitled, on the demise of such officer, to receive a pension computed on the basis of the salary drawn by such officer on her retirement, in accordance with the provisions

*Widowers' and Orphans' Pension
(Amendment) Act, No. 9 of 2010*

of this Act. The amount of such contributions shall be made to the Consolidated Fund with interest, for the total period of service and unless and until such contributions are paid with interest, the payment of pension under this section shall not commence.”.

Amendment of section 12 of the principal enactment.

3. Section 12 of the principal enactment is hereby amended in its proviso by the substitution for the words “an unmarried female orphan” of the words “female orphan.”

Replacement of section 18 of the principal enactment.

4. Section 18 of the principal enactment is hereby repealed and the following new section substituted therefor :—

“Provisions in case of widower remarrying.

18. (1) The widower of a contributor shall in his re-marriage receive as pension after the date of such subsequent marriage—

- (a) half the amount of the pension which he was receiving at the time of such subsequent marriage ; or
- (b) where he was entitled to receive a pension but was not in actual receipt of the same, half the amount he was to receive in his capacity as a widower prior to such subsequent marriage.

(2) The children of the first marriage of the widower shall receive the remaining portion of the pension received by the widower, after payment to the widower is made in terms of paragraph (a) or (b) of subsection (1).

(3) Where the spouse of such subsequent marriage is a contributor under this Act, and where such widower becomes entitled to

receive a pension upon the death of such spouse in respect of the contributions made to the Pension Scheme by such spouse, the payment of such amount as he was receiving as pension in terms of paragraphs (a) and (b) of subsection (1) shall be terminated with effect from the date of death of such spouse of such subsequent marriage :

Provided that, where the payment of the pension is terminated as provided above, the children of the first marriage of the widower shall, as from the date of death of the spouse of their father's subsequent marriage, be entitled to receive the share they were receiving in terms of subsection (2) and the amount which their father was receiving in terms of subsection (1), prior to such termination :

Provided further that, in the event of the dissolution of such subsequent marriage, the widower shall be entitled to receive as pension the half share he received in terms of subsection (1) and the entitlement of the children under subsection (2) remains unchanged.”.

5. Section 25 of the principal enactment is hereby amended by the substitution for the words “any pension under this Act” of the following :—

Amendment of section 25 of the principal enactment.

“any pension under this Act :

Provided however that in the case of a contributor who has been retired prematurely due to abolition of post and who has ceased to make contributions as required by the Act, such contributor may, if she contracts a marriage before reaching the age of fifty-five years, be entitled to receive a pension calculated in accordance with the provisions of this Act, after paying the entirety of the contributions due, with interest thereon.”

Insertion of new section 26A in the principal enactment.

6. The following new section is hereby inserted immediately after section 26 of the principal enactment and shall have effect as section 26A of that enactment :—

“Special provisions applicable to married public officers who are contributors and who leave the public service without pension.

26A. A public officer, who being a contributor to the Pension Scheme and who leaves the public service prior to reaching her compulsory age of retirement, having completed ten or more years of service but not being eligible to receive a pension, shall not be eligible to a refund of the entirety or part of the contributions made by her to the Pension Scheme. However the widower and orphans of such public officer shall, upon her death, become entitled to receive a pension on the contributions made by her, calculated in accordance with the provisions of this Act.”.

Insertion of new section 31A in the principal enactment.

7. The following new section is hereby inserted immediately after section 31 of the principal enactment and shall have effect as section 31A of that enactment :—

“Regulations.

31A. (1) The Minister may make regulations in respect of all matters required by this Act to be prescribed or in respect of which regulations are authorized to be made under this Act.

(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 therein.

(3) Every regulation shall, as soon as convenient after publication in the *Gazette* be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of

Widowers' and Orphans' Pension 7
(Amendment) Act, No. 9 of 2010

such disapproval but without prejudice to anything previously done thereunder.

(4) Notification of the date on which any regulation made by the Minister is deemed to be rescinded shall be published in the *Gazette*.”.

8. (1) The Provisions of subsection (1) of section 9A shall *mutatis mutandis* apply to the widower and children of any public officer who had been a contributor to the Pension Scheme and had died before the date of the coming in operation of this Act, under the circumstances specified in the aforesaid subsection.

Application of the provisions of Section 9A of the principal enactment to persons who had died before the date of operation of this Act.

(2) The provisions of subsection (3) of section 9A shall *mutatis mutandis* apply to the widower and children of any person who is a female and had held a temporary or casual post in the public service and died while in service, before the date of the coming in operation of this Act, under the circumstances specified in the aforesaid subsection (3).

(3) Any person to whom the provisions of subsection (2) of this section applies, shall be deemed to be a contributor under the principal enactment.

(4) For the purpose of granting of pension under subsections (1) and (2) of this section, the officers referred to in subsection (1) and the persons referred to in subsection (2) of this section shall be deemed to have paid all contributions due to the Pension Scheme from them, in full, as at the date of death of each such person.

9. Any widower or any child or children as the case may be, of any officer or person referred to in section 8 of this Act shall, on or before the date, to be appointed by the Minister by Order published in the *Gazette*, forward their claims to the Director-General of pensions in such form as may be prescribed by the Director-General.

Claims to be made to the Director-General.

*Widowers' and Orphans' Pension
(Amendment) Act, No. 9 of 2010*

Retrospective
effect.

10. The provisions of section 4, 5 and 6 of this Act shall be deemed to have come into effect as from the date of coming into operation of the principal enactment.

Sinhala text to
prevail in case
of inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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**JUDICATURE (AMENDMENT)
ACT, No. 10 OF 2010**

[Certified on 18th August, 2010]

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Judicature (Amendment) Act, No. 10 of 2010

[Certified on 18th August, 2010]

L. D. —O. 17/2010.

AN ACT TO AMEND THE JUDICATURE ACT, NO. 2 OF 1978

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

- 1.** This Act may be cited as the Judicature (Amendment) Act, No. 10 of 2010 and shall come into operation on such date as the Minister may, by Order published in the *Gazette* appoint.

Short title and date of operation.
- 2.** Section 4 of the Judicature Act, No. 2 of 1978 is hereby amended in paragraph (a) of that section, by the substitution for the words “not more than sixty Judges,” of the words “not more than seventy-five Judges,”.

Amendment of section 4 of Act No. 2 of 1978.
- 3.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala texts to prevail in case of inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC
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**CIVIL PROCEDURE CODE (AMENDMENT)
ACT, No. 11 OF 2010**

[Certified on 05th October, 2010]

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Civil Procedure Code (Amendment)
Act, No. 11 of 2010

[Certified on 05th October, 2010]

L. D.—O. 52/2007.

AN ACT TO AMEND THE CIVIL PROCEDURE CODE

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

1. This Act may be cited as the Civil Procedure Code (Amendment) Act, No. 11 of 2010. Short title.
2. Section 338 of the principal enactment is hereby amended in subsection (3) thereof, by the substitution for paragraph (b) thereof, of the following paragraph :— Amendment of section 338 of the principal enactment.

‘ “legal representative” means an executor or administrator or in the case of an estate below the value of rupees four million, the next of kin who have adiated the inheritance:

Provided however, that in the event of any dispute arising as to who is the legal representative the provisions of section 397 shall, *mutatis mutandis*, apply.’.
3. Section 394 of the principal enactment is hereby amended in subsection (2) thereof by the substitution for the definition for the expression “legal representative” of the following definition:— Amendment of section 394 of the principal enactment.

‘ “legal representative” means an executor or administrator or in the case of an estate below the value of rupees four million, the next of kin who have adiated the inheritance.’.
4. Section 524 of the principal enactment is hereby amended by the repeal of subsection (4) of that section and the substitution therefor, of the following subsection :— Amendment of section 524 of the principal enactment.

“(4) The petitioner shall tender with the petition proof of payment of charges to cover the cost of publication of the notice under section 529.”.

2 *Civil Procedure Code (Amendment)*
Act, No. 11 of 2010

Amendment of section 525 of the principal enactment.

5. Section 525 of the principal enactment is hereby amended by the substitution for the words “five hundred thousand rupees” of the words “four million rupees”.

Amendment of section 527 of the principal enactment.

6. Section 527 of the principal enactment is hereby amended by the substitution, for the words “five hundred thousand rupees” of the words “four million rupees.”

Amendment of section 528 of the principal enactment.

7. Section 528 of the principal enactment is hereby amended in subsection (3) of that section, by the addition immediately after paragraph (b) thereof of the following paragraph :—

“(c) notices on the respondents who have not consented to the application, requiring them to file objections if any, to the application on or before the date specified in the notice under section 529. Such notice shall be sent by the probate officer by registered post.”.

Amendment of section 529 of the principal enactment.

8. Section 529 of the principal enactment is hereby amended as follows:—

- (1) in subsection (2) of that section, by the substitution for the words “incorporating the information relating to—” of the words, “relating to—”;
- (2) in subsection (3) of that section, by the substitution for the words “to any person to whom the notice relates” of the words “to any person specified in the application made under section 524 or 528.

Amendment of section 530 of the principal enactment.

9. Section 530 of the principal enactment is hereby amended by the substitution for the words “named in such notice” of the words “of the deceased”.

Amendment of section 541 of the principal enactment.

10. Section 541 of the principal enactment is hereby amended in subsection (2) of that section by the substitution for the words “the respondents to the original petition for

probate or letters of administration or certificates of heirship” of the words “the heirs of the deceased or other persons who have objected to the application”.

11. Section 545 of the principal enactment is hereby repealed and the following section substituted therefor:—

Amendment of section 545 of the principal enactment.

“No transfer to be effected in certain cases. 545. No person shall effect any transfer of any property movable or immovable, in Sri Lanka, belonging to or included in, the estate or effects of any person dying testate or intestate in or out of Sri Lanka within five years prior to the effecting of the transfer, unless grant of probate has been issued in the case of a person dying testate, or letters of administration or certificates of heirship have been issued in the case of a person dying intestate and leaving an estate amounting to, or exceeding four million rupees in value.”.

12. Section 554 of the principal enactment is hereby amended as follows:—

Amendment of section 554 of the principal enactment.

- (1) in subsection (2) thereof by the substitution for the words “which is over rupees five hundred thousand” of the words “which is over rupees four million,”;
- (2) in subsection (3) thereof for the substitution for the words “which is less than rupees five hundred thousand” of the words “which is less than rupees four million.”.

13. The First Schedule to the principal enactment is hereby amended as follows:—

Amendment to First Schedule to the principal enactment.

- (1) by the substitution for Form 82 thereof of the following Form:—

4 *Civil Procedure Code (Amendment)*
Act, No. 11 of 2010

“No. 82 (Section 517/524)

FORM OF APPLICATION FOR PROBATE OR FOR
ADMINISTRATION WITH THE WILL ANNEXED

In the matter of the will of *A. B.* deceased
C. D. of Petitioner

1. *A. B.* late of.....died on the..... day of.....
20.....

2. The said *A. B.* duly executed his last will dated the.....day of
.....20..... (now deposited in this court or and the said will is
appended hereto or as the case is.....see section 524).

3. To the best of your petitioner’s knowledge the heirs of the
said *A. B.*, deceased, are :

4. Full and true particulars of the property left by the deceased, so
far as your petitioner has been able to ascertain the same, are contained
in the Schedule hereto annexed.

5. Your petitioner claims as (executor, creditor, &c., *as the case
is*)

Your petitioner therefore humbly prays for an order declaring the
said will proved, and that he may be declared executor of the said
will, and that probate thereof may be issued to him accordingly (or,
where the case is so, for a grant of administration with copy of the will
annexed, &c.). (If a limited grant is asked for, set out to that effect.)

(Formal conclusion).

SCHEDULE

(Support paragraph 2 and 5 by affidavit or oral evidence. If the
testator died out of Sri Lanka, state that the applicant has obtained an
Order appointing the court to have sole testamentary jurisdiction.)”.

(2) by the substitution, for Form 83 thereof, of the following Form :—

“No 83 (Section 517)

FORM OF APPLICATION FOR ADMINISTRATION WHERE
THERE IS NO WILL OR FOR CERTIFICATE OF HEIRSHIP

(Formal parts proceed as in last form)
In the matter relating to the will of
A. B. deceased

C. D. of Petitioner

V

(For respondents name intestate heirs of the deceased to the best of the petitioner’s knowledge)

1. The said. A. B., late of.....died on the..... day of..... 20.....
2. The said A. B. did not execute a last will/no last will of the said A. B. can be found.
3. To the best of the petitioner’s knowledge the heirs of the said A. B. deceased, are:
4. Full and true particulars of the property left by the deceased, so far as your petitioner has been able to ascertain the same, are contained in the schedule hereto annexed.
5. Your petitioner claims as (creditor, &c. as the case is).

Your petitioner therefore humbly prays for an order declaring that he is entitled as such (creditor, or as the case is) to administer the estate of the said intestate and directing that letters of administration of the said estate or certificates of heirship thereto be granted to him accordingly. (If a limited grant is asked for, set out to that effect).

(Formal conclusion).

SCHEDULE

(Support paragraphs 2 and 5 by affidavit or oral evidence and if the deceased died out of Sri Lanka, state that the applicant has obtained an Order appointing the Court to have sole jurisdiction.); and

6 *Civil Procedure Code (Amendment)*
Act, No. 11 of 2010

(3) by the substitution, for Form 84 thereof, of the following Form:—

“No. 84 (Section 529 (2))

FORM OF NOTICE TO BE PUBLISHED BY THE PROBATE OFFICER

Notice under section.....of the Civil Procedure Code.

It is hereby notified that the following applications have been made for the proof of will/probate/grant of letters of administration/ issue of certificates of heirship, in respect of the estates of the deceased persons described in the Schedule hereto.

Any person having objections to the making of an Order declaring a will proved or the grant of probate or letters of administration with or without a will annexed or the issue of certificates of heirship to the persons named in the petitions, shall make such objections in writing supported by affidavit and filed on or before the dates fixed by the respective District Courts specified below:

SCHEDULE

DISTRICT COURT OF			
<i>Last date for filling of objections:.....day of.....20.....</i>			
SCHEDULE			
<i>Column I</i>	<i>Column II</i>	<i>Column III</i>	<i>Column IV</i>
<i>District Court Registration No.</i>	<i>Name and Address of Deceased</i>	<i>Whether Deceased left will</i>	<i>Name and Address of Applicant</i>

Date:.....

Signed Probate Officer
District Court of.....”.

Sinhala text to prevail in case of inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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**NATIONAL INSTITUTE OF LABOUR
STUDIES ACT, No. 12 OF 2010**

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*National Institute of Labour Studies
Act, No. 12 of 2010*

[Certified on 06th October, 2010]

L.D.—O. 59/2006.

AN ACT TO ESTABLISH A NATIONAL INSTITUTE OF LABOUR STUDIES; TO ESTABLISH A BOARD OF GOVERNORS FOR THE ADMINISTRATION OF THE INSTITUTE; TO ESTABLISH TECHNICAL COMMITTEES AND A DIVISION OF STUDIES FOR TRADE UNIONS; TO CONDUCT RESEARCH, CARRY OUT SURVEYS AND PROVIDE TRAINING FOR THE PROMOTION OF LABOUR STUDIES IN SRI LANKA; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the National Institute of Labour Studies Act, No. 12 of 2010. Short title.

ESTABLISHMENT OF THE NATIONAL INSTITUTE OF LABOUR STUDIES

2. (1) There shall be established, in accordance with the provisions of this Act, an Institute which shall be called the National Institute of Labour Studies (hereinafter referred to as the “Institute”). Establishment of the National Institute of Labour Studies.

(2) The Institute shall, by the name assigned to it by subsection (1), be a body corporate with perpetual succession and a common seal and may sue and be sued in such name.

3. The objects of the Institute shall be— Objects of the Institute.

- (a) to implement workers education programmes with the collaboration of local or foreign institutes, to take measures to ensure welfare of workers in order to make them active partners in the development process;
- (b) to conduct seminars, workshops, conferences and meetings on labour studies and publish magazines, journals, periodicals and books in relation thereto;

2 *National Institute of Labour Studies*
 Act, No. 12 of 2010

- (c) to undertake research, carry out surveys and provide courses of studies relating to labour studies;
- (d) to establish and maintain libraries and information services;
- (e) to work in close collaboration with institutions, organizations, associations and societies both national and foreign, with similar objectives;
- (f) to conduct courses including Diploma Courses on Labour Studies with the assistance of Universities and similar institutions and award certificates and diplomas where so required; and
- (g) to engage in and promote activities aimed at maintaining industrial harmony.

Powers of the
Institute.

4. The Institute shall have such powers as may be necessary for the discharge of its objects and functions and in particular shall have the power to do all or any of the following:—

- (a) to acquire, hold, take or give on lease or hire, mortgage, pledge and sell or otherwise dispose of, any movable or immovable property;
- (b) to open and maintain current, savings or deposit accounts in any bank or banks;
- (c) to accept grants or donations from persons or bodies of persons, whether in or outside Sri Lanka;
- (d) to enter into or perform, all such contracts as may be necessary for the exercise of its powers or the discharge of its functions;

- (e) to invest any money belonging to the Institute including any unapplied income, in any security or to invest any such money in the purchase of immovable property in Sri Lanka or vary such investments, or to place in fixed deposits in any bank; any portion of such money as are not required for immediate expenditure;
- (f) to borrow such sums of money as may be necessary for the purpose of discharging its functions;
- (g) to enter into agreements with other institutions, whether in Sri Lanka or abroad, having objects wholly or partly similar to those of the Institute for the exchange and training of personnel, research and advisory services; and generally, for such purposes as may be in furtherance of their common objectives;
- (h) to appoint, employ, remunerate and exercise disciplinary control over and dismiss such officers and servants as are necessary for the discharge of the functions of the Institute under this Act;
- (i) to charge fees for the services and assistance provided by the Institute; and
- (j) to do all such other things which in the opinion of the Institute are necessary to facilitate the discharge of its functions.

5. (1) The administration, management and control of the affairs of the Institute shall be vested in the Board of Governors of the Institute (hereinafter referred to as the "Board").

Administration of the Institute to be vested in the Board.

(2) The Board shall for the purpose of administering the affairs of the Institute exercise, perform and discharge the powers, duties and functions conferred or imposed on or assigned to the Institute by this Act.

Constitution of
the Board.

- 6.** (1) The Board shall consist of the following :—
- (a) six *ex-officio* members, namely—
- (i) the Secretary to the Ministry of the Minister in charge of the subject of Labour;
 - (ii) Commissioner-General of Labour;
 - (iii) the Secretary to the Ministry of the Minister in charge of the subject of Industrial Development or his representative;
 - (iv) a representative from the General Treasury;
 - (v) The Director-General of the Institute; and
 - (vi) a representative from the Universities nominated by the University Grants Commission established by the Universities Act, No. 16 of 1978;
- (b) thirteen members appointed by the Minister (hereinafter referred to as the “appointed members”), namely—
- (i) an officer, not below the rank of a Senior Assistant Secretary, of the Ministry of the Minister in charge of the subject of Public Administration, nominated by that Minister;
 - (ii) an officer, not below the rank of a Senior Assistant Secretary of the Ministry of the Minister in charge of the subject of Education, nominated by that Minister;
 - (iii) an officer, not below the rank of a Senior Assistant Secretary of the Ministry of the Minister in charge of the subject of Vocational Training, nominated by that Minister;

- (iv) four members representing trade unions;
- (v) four members representing employers; and
- (vi) two members distinguished in the field of Labour Studies.

(2) The Secretary to the Ministry of the Minister in charge of subject of Labour shall be appointed by the Minister as the Chairman of the “Board” and the Commissioner-General of Labour shall be as the Vice-Chairman of the Board.

(3) The Chairman and Vice-Chairman shall hold office for a term of three years and shall be eligible for reappointment.

(4) If the Chairman is by reason of illness or absence from Sri Lanka, temporarily unable to perform the duties of his office, the Minister shall appoint Vice-Chairman to act in his place.

(5) If the Vice-Chairman is by reason of illness or absence from Sri Lanka, temporarily unable to perform the duties of his office, the Minister may appoint another member to act in his place.

(6) A person shall be disqualified from being appointed or from continuing as a member of the Board, if he—

- (i) is, or becomes a member of Parliament or a member of a Provincial Council or a member of a Local Authority as the case may be; or
- (ii) directly or indirectly, holds or enjoys any right or benefit under any contract made by or on behalf of the Institute; or
- (iii) has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Board.

(7) The members of the Board holding office on the day immediately preceding the date of commencement of this Act shall continue to hold office until such time the Board is reconstituted under section 6 of the Act.

Duties of the Board.

7. It shall be the duty of the Board to advise the Minister on any or all of the matters related to the objects of the Institute and or any such matter referred to the Board for advice by the Minister.

Power of the Minister to give special or general directions to the Board.

8. (1) The Minister may give special or general directions in writing as to the performance of the duties and the exercise of the powers of the Board, and the Board shall give effect to such directions.

(2) The Minister may in consultation with the Board exempt any member of trade union from the payment of a fee.

Term of office.

9. (1) An appointed member of the Board shall hold office for a period of three years from the date of such appointment.

(2) The Minister may if he considers it expedient to do so, by Order published in the *Gazette*, remove, with reasons assigned therefor, any appointed member of the Board from office.

(3) An appointed member of the Board in respect of whom an Order under subsection (2) is made by the Minister shall vacate his office on the date of the publication of such Order in the *Gazette*.

(4) An appointed member of the Board may at any time resign his office by a letter addressed to the Minister.

(5) In the event of a vacancy occurring in the membership of the Board as a result of any appointed member vacating office by death, resignation, removal from office or otherwise, another person shall, having regard to the provisions of section 6, be appointed to fill such vacancy.

(6) Where another person is appointed to fill a vacancy caused by the death, resignation, removal from office or otherwise of an appointed member, the person so appointed shall hold such office for the unexpired period of the term of office of the member of the Board whom he succeeds.

(7) Where any appointed member is by reason of illness, infirmity or absence from Sri Lanka temporarily unable to perform his duties, for a period of not less than three months, another person may having regard to the provisions of section 6, be appointed to act in his place.

(8) Any appointed member of the Board, who is absent without leave from three consecutive meetings of the Board shall be deemed to have vacated his office.

10. (1) The Chairman or in absence of the Chairman, the Vice-Chairman shall preside at all meetings of the Board. In the absence of the Chairman or Vice-Chairman from any meeting of the Board, the members present at such meeting shall nominate one member from amongst those present, to preside at such meeting.

Meetings of the Board.

(2) In the event of an equality of votes at any meeting of the Board, the Chairman, Vice-Chairman or the member presiding at such meeting shall in addition to his vote, have a casting vote.

(3) The meetings of the Board shall be convened by the Chairman and shall be held as frequently as is necessary for the purpose of effectively discharging the functions of the Institute under this Act.

(4) The quorum for meeting of the Board shall be five members.

(5) The Board may pay any member with the approval of the Minister, such remuneration or allowance, as may be decided by the Board with the concurrence of the Minister in charge of the subject of Finance.

(6) Subject to the provisions of this Act, regulations may be made by the board regulating the procedure to be followed with regard to the conduct of its meetings and the transaction of business at such.

(7) The Board shall in the exercise of its powers, the performance of its duties and the discharge of its functions, be subject to and act in accordance with such directions as the Minister may from time to time issue.

Delegation of powers and duties of the Board.

11. (1) The Board may delegate to any member of the Board any of the powers and duties.

(2) The member to whom such powers and duties have been delegated shall exercise and perform such powers and duties subject to the general or special directions of the Board, which may be issued from time to time.

Proceedings of the Board not to be invalid by reason of any vacancy or defect in the appointment of member.

12. Subject to the provisions of subsection (4) of section 10 the Board shall have the power to act notwithstanding any vacancy in its membership and no act or proceedings of the Board shall be invalid by reason only of the existence of any such vacancy or any defect in the appointment of a member thereof.

Seal of the Board.

13. The seal of the Board—

(a) shall be in the custody of the Chairman of the Board;

(b) shall be of such design and shall be approved by the Board and may be altered in such manner as may be determined by the Board; and

(c) shall not be affixed to any document except in the presence of two members of the Board, both of whom shall sign the document in token of their presence.

STAFF OF THE INSTITUTE

14. Subject to the provisions of this Act and any regulations made thereunder, the Board shall have the power to— Staff of the Institute

- (a) appoint, dismiss, and exercise disciplinary control over the officers and servants of the Institute;
- (b) fix the wages or salaries or other remuneration of the staff;
- (c) determine the terms and conditions of service of such staff; and
- (d) establish and regulate schemes for the benefit of such staff.

15. (1) The Board shall appoint a person to be the Director-General of the Institute, who shall be the Chief Executive Officer of the Institute for a period of three years and eligible for reappointment if the Board decides. Appointment of the Director-General.

(2) The Director-General shall execute or perform such powers, functions and duties as may be delegated to him by the Board.

(3) The Board may appoint such other Directors as may be necessary for the purposes of the Institute.

16. (1) The Board may appoint such number of Technical Committees as are necessary for the purpose of carrying out the functions under this Act. Establishment of Technical Committees.

(2) A Technical Committee appointed by the Board shall carry out its functions and fulfill its obligations as stipulated in the terms of reference given to such Technical Committee by the Board.

(3) The Board shall determine the period of office of each Technical Committee and reconstitute the same wherever necessary.

(4) The Board may where it consider it necessary so to do, co-opt as a member to a Technical Committee any person who possesses the required knowledge and experience in the relevant field.

(5) The Technical Committee shall comprise of three members. Namely, a representative each of the employees, the employers and the public sector.

(6) The Board shall nominate one member to be the Chairman of the Committee.

(7) The Board may pay to any member or co-opted member of a Technical Committee with the approval of the Minister, such remuneration or allowance, as may be decided by the Board.

Establishment of
a Division of
Studies for
Trade Unions.

17. (1) There shall be established a Division of Studies for Trade Unions (hereinafter referred to as “the Division of Studies”) for the implementation of the objects set out in subsection(4). The Division of Studies shall commence the discharge of its functions from such date as the Minister may by Order published in the *Gazette* appoint .

(2) The Board shall appoint a Director who shall function as the Divisional Head of the Division of Studies.

(3) The Board shall appoint officers and servants as may required for the purposes of the Division of Studies.

(4) The objects of the Division of Studies shall be to—

- (a) provide training for members of Trade Unions, employees, employers, representatives of employers and employees and public servants; and

- (b) conduct training courses, seminars, workshops on labour laws, trade unions, finance, commerce, trade, supply of goods and services, labour management and such other courses which in the opinion of the Board will facilitate development of trade unions.

(5) The Divisional Head of the Division of Studies and officers and servants shall act under the general or special directions of the Director-General of the Institute.

(6) The Board may establish such number of branches of the Division of Studies in the regions as are required in its opinion for the achievement of the objects of the Division of Studies.

18. (1) The Institute may make rules in respect of all or any matter for which rules are authorized or required by this Act to be made.

Rules.

(2) Every rule made by the Institute under subsection (1) shall not have effect until it is approved by the Minister and is published in the *Gazette*.

19. Where the Institute employs any person who has entered into a contract with the Government by which he has agreed to serve the Government for a specified period, any period of service to the Institute by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

Service to the institute deemed to be a service to the Government for the purposes of certain contracts.

20. (1) At the request of the Board, any officer in the public service serving in the Ministry of the Minister may, with the consent of the Secretary to the Ministry of the Minister given with the concurrence of the Chairman of the Public Service Commission and of that officer, be temporarily appointed to the staff of the Institute for such period as may be determined by the Board, or with like consent, be permanently appointed to such staff.

Appointment of public officers to the staff of the Institute.

(2) Where any officer in the public service is temporarily appointed to the staff of the Institute, the provisions of subsection (2) of section 14 of the National Transport Commission Act, No. 37 of 1991, shall *mutatis mutandis*, apply to and in relation to him.

(3) Where any officer in the public service is permanently appointed to the staff of the Institute, the provisions of subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991, shall *mutatis mutandis*, apply to and in relation to him.

FINANCE

Fund of the
Institute.

21. (1) The Institute shall have its own fund.

(2) There shall be credited to the fund of the Institute—

- (a) all such sums of money as may be voted from time to time by Parliament for the use of the Institute;
- (b) all such sums of money as may be received by the Institute in the exercise, performance and discharge of its powers, duties and functions; and
- (c) all such sums of money as may be received by the Institute by way of loans, donations, gifts or grants from any source whatsoever, whether in or outside Sri Lanka.

(3) There shall be paid out of the fund of the Institute—

- (a) all such sums of money as are required to defray any expenditure incurred by the Institute in the exercise, performance and discharge of its powers, duties and functions under this Act; and
- (b) all such sums of money as are required to be paid out of such fund, by or under this Act.

Financial year of
the Institute.

22. The financial year of the Institute shall be the calendar year.

23. The provisions of Article 154 of the Constitution relating to the audit of accounts of public corporations shall apply to and in relation to, the audit of the accounts of the Institute.

Audit of Accounts.

GENERAL PROVISIONS

24. (1) The Minister may make regulations in respect of matters for which regulations are required or authorized by this Act to be made or which are required by this Act to be prescribed.

Regulations.

(2) Every regulation made under subsection (1) shall be published in the *Gazette* and shall come into operation on the date of such publication or on such date as may be specified in such regulation.

(3) Every regulation made under subsection (1) shall as soon as convenient after its publication in the *Gazette* be brought before Parliament for approval and any regulation which is not so approved shall be deemed to be rescinded with effect from the date of such disapproval, but without prejudice to anything previously done thereunder.

(4) Notification of the date on which any regulation is deemed to be rescinded shall be published in the *Gazette*.

25. Any expenses incurred by any person brought against him before any court in respect of any act which is done by him under this Act or on the direction of the Board shall, if the Court holds that the act was done in good faith, be paid out of the fund of the Institute.

Expenses incurred by any person to be paid by the Institute.

26. The Institute shall be deemed to be a Scheduled Institution, within the meaning of the Bribery Act and the provisions of that Act shall be construed accordingly.

The Institute deemed to be a scheduled Institution within the meaning of the Bribery Act.

Officers and servants of the Institute deemed to be public servants.

27. All members, officers and servants of the Institute shall be deemed to be public servants within the meaning, and for the purposes of the Penal Code.

Sinhala text to prevail in case of inconsistency.

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

Interpretation.

29. In this Act, unless the context otherwise requires—

“Labour Studies” shall include the subjects of industrial relations, national or international labour standards, laws relating to labour, trade unions, employer-employee relations, employer-employee representative or organizations, worker education, human resource management and development administration, business management, productivity, manufacturing, trade marketing, social development and any study, project, programme, research, consultancy, survey, seminar, workshop, conference, training course or similar work related to labour economics or any other subject relevant thereto as shall be prescribed by the Minister.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**PROVINCIAL COUNCILS
ACT, No. 13 OF 2010**

[Certified on 30th October, 2010]

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*Provincial Councils (Amendment)
Act, No. 13 of 2010*

[Certified on 30th October, 2010]

L.D.—O. 35/2008

AN ACT TO AMEND THE PROVINCIAL COUNCILS ACT, NO. 42 OF 1987

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

- 1.** This Act may be cited as the Provincial Councils (Amendment) Act, No. 13 of 2010. Short title.
- 2.** Section 25 of the Provincial Councils Act, No. 42 of 1987 is hereby amended in subsection (1) of that section by the substitution for the words “three months before the commencement of such financial year”, of the words “one month before the commencement of such financial year”. Amendment of section 25 of Act, No. 42 of 1987.
- 3.** 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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**PARLIAMENT OF THE DEMOCRATIC
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CIVIL AVIATION ACT, No. 14 OF 2010

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Civil Aviation Act, No. 14 of 2010

[Certified on 03rd November, 2010]

L.D. – O. 52/2000.

AN ACT TO MAKE PROVISION FOR THE REGULATION, CONTROL AND MATTERS RELATED TO CIVIL AVIATION; TO GIVE EFFECT TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

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

1. This Act may be cited as the Civil Aviation Act, No. 14 of 2010, and shall come into operation on such date (hereinafter referred to as the “appointed date”) as the Minister may appoint by Order published in the *Gazette*.

Short title and date of operation.

CHAPTER I

PRELIMINARY

2. The Articles of the Convention relating to safety, regularity, efficiency and security of civil aviation as are specified in the Schedule to this Act, shall govern all activities relating to civil aviation within the territory of Sri Lanka.

Convention to govern civil aviation activities within Sri Lanka.

3. (1) The provisions of this Act shall apply in respect of all activities relating to civil aviation within the territory of Sri Lanka and in particular, in respect of the following:—

Application of the provisions of this Act.

- (a) aircraft registered in Sri Lanka and all aviation personnel licensed under this Act, whether such personnel are within or outside the territory of Sri Lanka;
- (b) aircraft other than those registered in Sri Lanka and users of aeronautical services being provided within the territory of Sri Lanka;

- (c) the regulation, administration and safety oversight of activities relating to civil aviation carried out within the territory of Sri Lanka;
- (d) the provision of aeronautical services; and
- (e) other matters relating to the safe and orderly operation and development, including the economic development of civil air navigation and air transport.

(2) The provisions of this Act and any regulations and rules made thereunder, shall not apply in respect of any aircraft or Aerodrome exclusively used in the service of or for the purposes of the Armed Forces.

(3) The application of the provisions of this Act in respect of aircraft in the use of the Government of Sri Lanka shall be to the extent as may be determined by the Minister, by Order published in the *Gazette*.

(4) Notwithstanding the provisions of subsection (2) and subsection (3) of this section, the provisions of this Act shall apply in respect of aircraft operated by the Armed Forces and aircraft in the use of the Government of Sri Lanka, where such aircraft are engaged in the carriage of passengers or cargo for hire or for reward.

Responsibilities
of the Minister.

4. The Minister shall be responsible for the development, regulation and control of civil aviation in Sri Lanka and in the discharge of such responsibilities, the Minister shall —

- (a) make recommendations to the Cabinet of Ministers in regard to the formulation of a National Aviation Policy for Sri Lanka;
- (b) periodically review and analyse the aforesaid National Aviation Policy and where necessary recommend to the Cabinet of Ministers, any changes to such Policy;

- (c) promulgate regulations for the implementation of the provisions of this Act and for the fulfillment of international obligations of Sri Lanka in respect of the SARPS;
- (d) assist and advise the Government to secure by international agreement or otherwise, the rights for Sri Lanka in international air traffic and to initiate and direct negotiations thereon;
- (e) establish, develop, maintain and provide aeronautical services and other facilities and services relating to civil aviation;
- (f) initiate projects, technical researches, studies or investigations which in the opinion of the Minister will promote the development of civil aviation activities in Sri Lanka;
- (g) specify the charges, fees and costs to be paid with respect to the grant of any certificate, licence, permit or authorization or for the rendering of any services under the provisions of this Act and the Civil Aviation Authority of Sri Lanka Act;
- (h) issue directions to the Authority as the Minister may consider necessary to perform any function relating to civil aviation for which no specific provisions are made under this Act or the Civil Aviation Authority of Sri Lanka Act, as the case may be, or in any regulations or rules made under those Acts ; and
- (i) undertake any other activity or function in relation to civil aviation as he may consider appropriate, in concurrence with the Authority.

5. (1) The Minister may delegate all or any of his powers, duties or functions under this Act to the Authority or to the Director General, who shall exercise, perform or

Minister to delegate his powers under the Act.

discharge such powers, duties or functions, subject to such directions as may be issued by the Minister.

(2) The Minister may notwithstanding any delegation under subsection (1), have the power to exercise, perform or discharge any power, duty or functions delegated under that subsection.

CHAPTER II

APPOINTMENT OF SERVICE PROVIDERS

Appointment of
Service
Providers.

6. (1) For the purpose of providing the aeronautical services specified in section 31 of this Act, the Minister in consultation with the Authority may, subject to the provisions of subsection (3), appoint by Order published in the *Gazette*, any person or persons, to be a Service Provider (hereinafter referred to as “Service Provider”) subject to such terms and conditions as may be specified in such Order.

(2) The terms and conditions specified in the Order made under subsection (1) may be amended from time to time by a subsequent Order made in that behalf by the Minister in consultation with the Authority. It shall be the duty of a Service Provider whose terms and conditions are so amended by such Order, to comply with the same.

(3) The following provisions shall apply in regard to the appointment of Service Providers by the Minister under subsection (1) :—

- (a) the Statutory Service Provider shall be appointed as the Service Provider for the purpose of providing the aeronautical services specified in:—
 - (i) paragraph (a) of section 31 and for the provision of aeronautical services specified in paragraphs (c) and (d) of that section at any International Aerodrome referred to in paragraph (a) ; and
 - (ii) paragraphs (e), (f), (g) and (h) of section 31 ;

- (b) where the Statutory Service Provider consents to be appointed to provide in respect of any particular Aerodrome the aeronautical services specified in paragraph (b) of section 31, appoint such Statutory Service Provider, as the Service Provider to provide those aeronautical services and the aeronautical services specified in paragraphs (c) and (d) of that section, in respect of those Aerodromes;
- (c) appoint any other Service Provider to provide in respect of any particular Aerodrome the aeronautical service specified in paragraph (b) of section 31, other than those in respect of which the Statutory Service Provider was appointed as the Service Provider under paragraph (b);
- (d) not more than one Service Provider shall be appointed in respect of a particular Aerodrome, for the provision of the aeronautical services specified in paragraphs (c) and (d) of section 31; and
- (e) appoint a Service Provider which is a public corporation or a company in which the Government holds a majority of shares, for providing the aeronautical services specified in paragraphs (i), (j), (k), (l) or (m) of section 31 at any Aerodrome specified in paragraphs (a) and (b) of that section:

Provided that where a Service Provider appointed under this paragraph does not consent to provide the aeronautical services referred to therein at any Aerodrome specified in paragraph (a) or (b) of section 31, the Minister may appoint any other Service Provider to provide the aeronautical services referred to in this paragraph .

7. (1) A Service Provider being appointed to provide the aeronautical services specified in paragraphs (i), (j), (k), (l) and (m) of section 31 shall be required, before being so appointed, to enter into a service agreement or agreements,

Requirement to enter into service agreements.

as the case be, with the Service Provider appointed to provide the aeronautical service specified in paragraph (a) or paragraph (b), as the case may be, of section 31.

(2) Where a Service Provider or Service Providers, other than the Statutory Service Provider is appointed to provide the aeronautical services specified in paragraph (b), of section of 31, such Service Provider or Service Providers shall be required to enter into a service agreement or agreements, as the case may be, with the Statutory Service Provider who is appointed to provide the aeronautical services specified in paragraphs (e), (f), (g) and (h), where the nature and scope of the services provided by such Service Provider or Service Providers as the case may be, has any direct safety or security impact on the aeronautical service to be provided by the Statutory Service Provider.

(3) Prior to the appointment of any Service Provider under section 6 of this Act, the Minister shall decide as to whether the contents of the applicable service agreement or agreements referred to in subsections (1) and (2) of this section, provide for adequate sharing of information, proper co-ordination of all activities in providing aeronautical services by the parties to the agreement and the use of properties, facilities or services in each others possession or control, so as to ensure a safe, efficient, regular and smooth operation of aeronautical services within Sri Lanka.

Providing
properties to
Service
Providers.

8. (1) The Authority may by Order published in the *Gazette* and subject to such terms and conditions as may be specified in such Order, make available where necessary, to any Service Provider appointed under section 6, any immovable property or Aerodromes, including such immovable properties and the Aerodromes transferred to and vested in the Authority, for the purpose of enabling the Service Provider to discharge its functions in the provision of such aeronautical services in respect of which that Service Provider has been issued with a licence under this Chapter of this Act.

(2) It shall be the duty of a Service Provider to whom any property or Aerodromes are made available under subsection (1), to comply with the terms and conditions stipulated in the Order and hold and maintain such immovable property or Aerodromes in good condition.

(3) A Service provider to whom any immovable property or Aerodromes are made available under subsection (1), shall not :—

- (a) effect any alteration in such property or Aerodrome or put up any new constructions in such property; or
- (b) grant a lease of any such property or Aerodrome to anyone,

without the prior written approval of the Authority.

9. No person or body of persons shall be appointed as a Service Provider or be entitled to be issued with a licence to provide aeronautical services under the provisions of this Act, where such person or body of persons poses or is likely to pose a threat to the public security of Sri Lanka or to international civil aviation.

Prohibition against appointment of certain persons as Service Providers etc.

10. The provision of aeronautical services shall be in terms of a licence issued in that behalf by the Authority or the Director General, as the case may be, and a Service Provider appointed under section 6 shall be eligible to apply for such a licence. Separate licences shall be issued in respect of each of the categories of aeronautical services specified in section 31.

Licences required for providing aeronautical services.

11. (1) In terms of the provisions of section 10 of this Act, a Service Provider may be issued with a licence for providing aeronautical services in respect of each category of services as are specified in —

Issue of licence for providing aeronautical services.

- (a) paragraphs (i), (j), (k), (l) and (m) of section 31, by the Authority ; and
- (b) paragraphs (a), (b), (c), (d), (e), (f), (g) and (h) of section 31, by the Director General.

(2) The requirements to be fulfilled for the grant of a licence under subsection (1), the procedure for making an application, the terms and conditions to be attached to a licence, information to be furnished by applicants and fees or any other charges to be paid for the issue of a licence, shall be as prescribed.

(3) The requirements to be prescribed under subsection (2) for the issue of a licence to provide aeronautical services may vary, depending on the scope, the nature or the place where the particular aeronautical service is being provided.

(4) All licences issued under subsection (1) by the Authority or the Director General, as the case may be, shall be valid until or unless suspended or revoked under section 26. An annual licence fee as may be prescribed shall be imposed on all persons to whom a licence is issued under subsection (1).

Service Providers to enter into service agreements with any holder of a licence or permit.

12. (1) Notwithstanding the provisions of section 7 of this Act, the Authority may require a Service Provider to whom a licence to provide any aeronautical service is issued under section 11, to enter into a service agreement with a person to whom a permit or any licence, other than a licence to provide any aeronautical service, is issued by the Authority under this Act, where the Authority is of the view that the aeronautical services being provided by such Service Provider under the licence issued to it, is an aeronautical service which is necessarily required by the person to whom the licence or permit has been issued, in order to carry out the activities for which such licence or permit was issued to such person.

(2) It shall be the duty of each Service Provider to furnish the Authority with a copy of every service agreement entered into under subsection (1) of this section. The Authority shall keep such copy or copies of all service agreements furnished to it in its custody. The Minister may at any time request that he be furnished with a copy and it shall be the function of the Authority to make the same available to the Minister.

13. (1) The Authority shall classify Aerodromes in accordance with such regulations as shall be prescribed for that purpose. The regulations to be made by the Minister for such purpose, shall be based on design, operating conditions, aeronautical services provided and the scope of the use and purpose of Aerodromes.

Classification of Aerodromes.

(2) The Authority shall cause to be published in the Aeronautical Information Publication of Sri Lanka, particulars of any Aerodromes classified as an International Aerodrome under subsection (1) and all other Aerodromes available within the territory of Sri Lanka.

14. (1) Any person who seeks to establish or any licence holder who seeks to expand an Aerodrome, shall prepare in accordance with such requirements as shall be prescribed by the Minister, a Master Plan which shall identify and provide for :—

Establishment of Aerodromes.

- (a) the development of physical facilities of the Aerodrome, both aviation and non-aviation;
- (b) the development of land use for areas surrounding an Aerodrome;
- (c) the assessment of the effect the construction and operation of the Aerodrome will have on the environment;
- (d) access requirements of the Aerodrome; and
- (e) security aspects of the Aerodrome and the cost and financial outlay of the project.

(2) The establishment or expansion, as the case may be, of an Aerodrome, shall not commence until the Master Plan in respect of the same has been approved by the Authority. The Authority shall before it approves a Master Plan, consult any other statutory authority where it considers such

consultation appropriate or necessary and whose views and observations on the proposed establishment or expansion and its effect on environment and any other factor, needs to be considered before such Master Plan is approved.

(3) An approval granted under subsection (2), shall be subject to such terms and conditions and to the payment of a fee as determined by the Authority. The Authority shall cause a Notice relating to any approval granted, to be published in the *Gazette*.

(4) A copy of the approved Master Plan, other than the information referred to in paragraph (e) of subsection (1), shall be kept in the office of the Authority and be made available to the public for inspection, on payment of a fee as may be determined by the Authority.

(5) The Authority may from time to time where it considers necessary or on the request of the person to whom approval was granted under subsection (2), require a Master Plan to be reviewed or evaluated and appropriate modifications or adjustments made thereto, to address any changes that may have taken place since the approval of such Master Plan.

Master Plan once approved need no further approval.

15. Notwithstanding anything to the contrary contained in any other written law, a Master Plan once approved under section 14 of this Act, shall not be subject to or be required to be further approved or accepted under any other written law.

Issue of licences for Aerodromes.

16. (1) Subject to the provisions of section 13, on and after the appointed date, no Aerodrome other than the Aerodromes used exclusively by the Sri Lanka Air Force, whether owned by the Government or privately owned, shall be maintained, operated or improved, except in conformity with a licence issued under subsection (1) of section 11 by the Director General and subject to the terms and conditions of such licence.

(2) For the purpose of issuing a licence referred to in subsection (1), the operation of an Aerodrome shall include those activities that secure:—

- (a) the take-off and landing of an aircraft and the related movements of the aircraft on ground;
- (b) the protection and care for the aircraft; and
- (c) maintenance and improvement of the Aerodrome.

(3) An application for the issue of a licence under subsection (1) shall be made to the Director General, along with the prescribed application fee.

(4) The criteria for licensing of Aerodromes shall be based on the classification of Aerodromes by the Authority under subsection (1) of section 13.

17. (1) The Authority shall formulate a National Civil Aviation Security Programme, in accordance with the relevant SARPS.

National Civil
Aviation
Security
Programme.

(2) It shall be the duty of a Service Provider to whom a licence is issued by the Director General for the provision and maintenance of an Aviation Security Service, to establish in accordance with the National Civil Aviation Security Programme formulated by the Authority under subsection (1), a programme specifying the human and other resources that shall be used and the procedures that shall be followed by such Service Provider, for each of the following purposes:—

- (a) preventing, detecting, deterring and responding to an unlawful interference with aviation at the Aerodrome or at any other place or location where aeronautical services are being provided;
- (b) responding to an unlawful interference with aviation against an aircraft or an aircraft in flight ;

- (c) responding to a threat of an unlawful interference with aviation against an aircraft or an aircraft in flight ;
- (d) preventing unauthorized people from having access to an aircraft, areas of the Aerodrome or to any other area where any aeronautical services are being provided ; and
- (e) reporting the occurrence or threat of occurrence of any unlawful interference with the performance of the duties of the Service Provider to whom such an Aerodrome licence has been issued.

Duties of Service Provider providing an Aviation Security Service.

18. (1) A Service Provider who is providing and maintaining an Aviation Security Service within the limits of an Aerodrome or at any other place or location where aeronautical services are being provided, shall be required to provide such services in conformity with the national security policy of the State, and shall:—

- (a) protect and safeguard the property of the Government of Sri Lanka and of the other users of such Aerodrome, the safety of persons who enter or use the Aerodrome and of the aircraft and other equipments which are within the limits of the Aerodrome ;
- (b) prevent the breach of any law and the occurrence of any nuisance within the Aerodrome and at any other place or location where aeronautical services are being provided;
- (c) apprehend any disorderly or suspicious person within the Aerodrome or at any other place or location where aeronautical services are being provided ; and
- (d) comply with any directions given to such Service Provider by the Authority or the Director General, as the case may be, in relation to safety and security of the Aerodrome or any place or location where aeronautical services are being provided, its users and property within, including an aircraft.

(2) In the performance of the duties referred to in subsection (1), it shall be lawful for any employee of such Service Provider, to detain any person:—

- (a) who commits or is committing an offence under this Act, the Offences Against Aircraft Act, No. 24 of 1982 or the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996 ;
- (b) against whom a reasonable suspicion exists that he is about to commit an offence under this Act, the Offences Against Aircraft Act, No. 24 of 1982 or the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996 ;
- (c) against whom a reasonable suspicion exists that he had aided and abetted the commission of any offence under this Act, the Offences Against Aircraft Act, No. 24 of 1982 or the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996 ;
- (d) having in his custody or possession without a valid excuse, any offensive or dangerous weapon or goods, reasonably suspected to be property stolen or fraudulently obtained within an Aerodrome or within any other place or location where aeronautical services are being provided;
- (e) who is committing an offence within the Aerodrome or any place or location where any aeronautical services are being provided, being an offence in respect of which a person may be arrested without a warrant, under section 32 of the Code of Criminal Procedure Act, No. 15 of 1979 ;
- (f) who is committing theft of or damage to any property within an Aerodrome;

- (g) who is found within an Aerodrome or at any place or location where aeronautical services are being provided, in circumstances which provide reason to believe that such person has committed or is about to commit theft of or damage to, any property belonging to or in the possession of the Government of Sri Lanka or within the Aerodrome or the place or location where aeronautical services are being provided ;
- (h) found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precaution with a view to committing a cognizable offence within the meaning of the Code of Criminal Procedure Act, No. 15 of 1979 or an offence under this Act, the Offences Against Aircraft Act, No. 24 of 1982 or the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996 ; or
- (i) at the request of the Pilot-in-Command, where such person was found to have committed an offence while the aircraft was in flight.

(3) Any person detained under subsection (2) shall unless released, be forthwith handed over to a police officer to be dealt with according to law.

Power to search.

19. It shall be lawful for an employee of the Service Provider providing and maintaining an Aviation Security Service to search any person, including his belongings or any conveyance used by such person within the premises of the Aerodrome or at any other place or location where aeronautical services are being provided, where there is reason to believe that such person has committed or is about to commit a cognizable offence within the meaning of the Code of Criminal Procedure Act, No. 15 of 1979, or any offence under this Act, the Offences Against Aircraft Act,

No. 24 of 1982 or the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996:

Provided however that, where it is necessary to cause a woman to be searched, such search shall be carried out by another woman, with strict regard to decency.

20. In all cases of fire or any other calamity occurring within an Aerodrome or at any other place or location where aeronautical services are being provided, it shall be the duty of every employee of the Service Provider providing and maintaining an Aviation Security Service who is on duty within such Aerodrome or the location or place where the aeronautical services are being provided, to take all such necessary steps to protect the persons and property endangered thereby.

Action in case of fire or any other calamity.

21. (1) A Service Provider providing and maintaining an Aviation Security Service shall be required to obtain a permit from the Director General pertaining to the number of employees to be employed by such Service Provider and the nature, type and quantity of firearms and ammunition to be used in the provision of such service.

Cadre and firearms to be used by the Service Provider to be approved by the Director General.

(2) The Director General shall, prior to the issue of a permit under subsection (1), obtain the approval for the same from the Secretary to the Ministry of the Minister in charge of the subject of Defence and a permit so issued shall be subject to any requirements pertaining to the safety of civil aviation activities, that are imposed by the Director General.

22. No suit or prosecution shall lie against a Service Provider providing and maintaining an Aviation Security Service or any employee of such Service Provider, the Director General, the Authority or the Government of Sri Lanka, in respect of any act which is in good faith done, or purported to be done or omitted to be done, by such Service Provider or employee of such Service Provider under this Act or for the purpose of ensuring the safety or security of persons or property within or outside an Aerodrome.

Protection for action taken in good faith under this Chapter of this Act.

Declaration of
Protected Areas.

23. (1) The Minister may by Order published in the *Gazette*, declare any land which is adjacent or contiguous to:—

- (a) an Aerodrome, whether such Aerodrome is maintained for purposes of civil aviation or is maintained on a joint user basis ;
- (b) any location where equipment for the provision of aeronautical aids are installed ; or
- (c) any area in respect of which a Master Plan for the establishment of an Aerodrome has been approved under section 14,

to be a protected area (in this Act referred to as the “Protected Area”) for the purposes of this Act.

(2) An Order under subsection (1) may define the area of land by setting out the extent, the assessment number or the metes and bounds of the land or each of the lands which comprises of such area of land.

(3) The Director General shall issue in respect of any Service Provider to whom a licence has been issued to provide aeronautical aids, instructions, directions or procedures relating to the use of land in a Protected Area, the creation of Protected Zones within that area to safeguard safe take-off and landing of aircraft, safety in the airspace for take-off and approach, the environmental protection and the protection of civil aviation activities against electronic or other interference from sources outside the Aerodrome.

(4) The Director-General shall issue instructions, directives and procedures setting out the requirements to be complied with in regard to the construction of any buildings or other structures or the making of alterations to any existing buildings or other structures within the Protected Area and in respect of distinct lighting and markings in the neighbourhood of an Aerodrome or air route.

(5) Notwithstanding the provisions of any other written law to the contrary, no person or authority shall issue permission for the construction of any building or other structures or for carrying alterations to any existing building or structure within a Protected Area, except under the authority of a permit issued by the Director General and where any building is constructed or any alteration is carried out without obtaining such a permit, the Authority shall have the power to have such building or alteration, as the case may be, demolished at the cost of the owner.

24. (1) Where any land in any Protected Area other than State land, is required by the Authority for any purpose under this Act and the Minister approves the proposed acquisition, the land proposed to be acquired shall for the purpose of the application of the Land Acquisition Act, be deemed to be required for a public purpose and may be acquired under that Act and transferred to the Authority

Acquisition of land in any Protected Area.

(2) Any sum payable for the acquisition of land for the Authority under the Land Acquisition Act shall be paid out of the Fund.

25. It shall be lawful for a Service Provider who is issued with a licence or permit under this Chapter of this Act, to give such instructions, consistent with the provisions of this Act and subject to any directives that may be issued in that behalf by the Minister or the Director General, as the case may be, to all users of the aeronautical service provided by that Service Provider under such licence. It shall be the duty of all persons who use such aeronautical service, to comply with such instructions.

Issuing instructions by licence holders.

26. (1) A licence issued to a Service Provider under this Chapter of this Act may, with the concurrence of the Minister, be suspended or revoked by the Authority or the Director General, as the case may be, who issued such licence, on the ground of:—

Suspension and revocation of licences.

(a) non-compliance or refusal to comply with:—

(i) the terms and conditions of the licence;

- (ii) any provisions of this Act or any regulations or rules made thereunder; or
 - (iii) any instructions or directives issued by the Minister, the Authority or the Director General, as the case may be;
- (b) non-payment of any fees or charges required to be paid; or
- (c) such other reasons as determined by the Authority or the Director General, as the case may be, that would affect the smooth operation of the service provided under the licence or the safety of such operation.

(2) A suspension under subsection (1) shall not be for a period of more than three months.

(3) A Service Provider whose licence is suspended or revoked under subsection (1), may appeal against such suspension or revocation, to the Secretary to the Ministry of the Minister, whose decision on such appeal shall be final and conclusive and shall not be appealed against in any court or tribunal.

Providing aeronautical services during a suspension of a licence.

27. (1) Where a licence for the provision of any aeronautical services issued to a Service Provider is suspended, it shall be duty of the Authority during the period of such suspension, to ensure:—

- (a) the continuity of the provision of the aeronautical services that were being provided by such Service Provider; and
- (b) the continuity of any contractual obligations or rights arising from any agreements that may have been entered into by such Service Provider since the issue of the licence that has being suspended.

(2) In providing aeronautical services by the Authority during the period referred to in subsection (1), the Authority may, without prejudice and notwithstanding anything to the contrary contained in a contract of employment relating to the rights and duties of any employee of the Service Provider whose licence has been suspended, obtain the services of any such employee and where necessary, the services of any other Service Provider.

(3) Any payment or charge required to be made for obtaining the services referred to in subsection (2) shall be paid by the Authority out of its Fund.

28. (1) Where an aeronautical licence issued to any Service Provider is revoked under section 26, the Authority shall forthwith inform all other Service Providers of such revocation and it shall be the duty of every person who has entered into any agreements or contracts with such Service Provider, to provide the Authority with details of all such agreements and the obligations that remain to be fulfilled under any such agreement by such Service Provider, at the time of the revocation of the licence.

Providing aeronautical services etc. on the revocation of a licence.

(2) Where a licence for the provision of any aeronautical service issued to a Service Provider is revoked and the Authority is of the opinion that in the national interest and also in the interest of the aviation industry in Sri Lanka, a licence should be issued to another Service Provider to provide those aeronautical services, it shall be the responsibility of the Authority to:—

- (a) ensure the continuity of the provision of such aeronautical service or services that were being provided by the Service Provider whose licence is being revoked, until a new licence is issued for that purpose to another Service Provider;
- (b) make available to any other Service Provider or Service Providers, as the case may be, to whom a

new licence or licences may be issued, all the property that was made available to the Service Provider whose licence was revoked, to enable such other Service Provider or Service Providers, as the case may be, to provide the aeronautical service or services under the new licence or licences so issued; and

- (c) ensure that the Service Provider or Providers to whom a new licence or licences are issued, fulfill all contractual obligations or rights arising from any agreements that may have been entered into by the Service Provider whose licence was revoked, where in the opinion of the Authority, the interest of the aviation industry warrants the fulfillment of those obligations.

Effect on property transferred on suspension or cancellation of a licence.

29. During the period of suspension of a licence issued to a Service Provider, such Service Provider shall not have access to any property that may have been made available to such Service Provider under section 8 of this Act, and where a licence is revoked, all property that has been made available to such Service Provider under that section, shall be vested with the Authority and the Authority may make that property available to any other Service Provider or Service Providers, as the case may be, to whom a licence was issued for the provision of such aeronautical service, under section 28.

Authority to have power to provide aeronautical services.

30. Nothing contained in the preceding provisions of this Chapter of this Act shall preclude the Authority, with the approval of the Minister, from providing on its own, any category of aeronautical services specified in section 31, where it considers it expedient or necessary to do so:

Provided however, where such aeronautical service is a service in respect of which the Director General is required to issue a licence under this Chapter of this Act, the Authority shall provide such service only with the concurrence of the Director General.

31. For the purposes of this Act “aeronautical services” means:— Definition of “aeronautical services”.

- (a) the development, operation and maintenance of Aerodromes classified as an International Aerodrome, under subsection (1) of section 13;
- (b) the development, operation and maintenance of Aerodromes other than those referred to in paragraph (a) and the provision of Aerodrome facilities at such Aerodromes;
- (c) the provision and maintenance of search, rescue and fire fighting services at Aerodromes;
- (d) the provision and maintenance of an Aviation Security Service;
- (e) the provision of Air Traffic Services ;
- (f) the provision of Aeronautical Information Services;
- (g) the provision of Aeronautical Communication Services;
- (h) the provision of aeronautical aids for communication, navigation or surveillance;
- (i) the provision of services relating to the supply of aviation fuel and lubricant to aircraft;
- (j) the provision of assistance or equipment for dispatch of aircraft on the apron, including aircraft cleaning services;
- (k) the provision of ground handling facilities or services to aircraft;
- (l) the provision of catering services to aircraft; and
- (m) the supply of any other service to an aircraft, other than the services specified above.

CHAPTER III**REGULATION OF CIVIL AVIATION**

Entry by foreign
Military or State
aircraft.

32. (1) No foreign military or state aircraft may enter the territory of Sri Lanka, without a special permission or authorization for the same being obtained from the Secretary to the Ministry of the Minister in charge of the subject of Defence.

(2) No foreign civil aircraft may enter the territory of Sri Lanka without a special permission or authorization from the Director General.

Coordination of
operations in
consultation
with Minister of
Defence.

33. For purpose of fulfilling the international obligations of Sri Lanka regarding the safety, security of civil aircraft and interception procedures, the Minister shall co-ordinate the operation of state and military aircraft, in consultation with the Minister in charge of the subject of Defence.

Special powers
in case of
emergency.

34. (1) In time of an armed conflict whether actual or imminent or in the case of any national emergency, notice of which has been given in conformity with the requirements specified in the Convention, the Minister in charge of the subject of Defence may by general or special order, regulate or prohibit, either absolutely or subject to such conditions as may be specified in the Order, the navigation of all or any descriptions of aircraft in or over the territory of Sri Lanka or any portion thereof, and may thereafter in consultation with the Minister, by any subsequent Order, authorize only for such purpose, the armed forces to take possession of and use any Aerodrome, landing ground, aircraft, aircraft manufacturing or maintenance facility together with all machinery, plant, material or things found therein or thereon, and for regulating or prohibiting the use, erection, building, maintenance or establishment of any aerodrome, flying school or landing ground.

(2) Any person, who suffers direct loss owing to the operation of an Order made under subsection (1), shall be

entitled to receive compensation from the Minister in charge of the subject of Defence from such moneys as may be provided by Parliament for the purpose. The amount of compensation to be paid shall in default of agreement between the parties interested, be fixed by an arbitrator to be agreed upon between such parties :

Provided however, that no compensation shall be payable by reason of the operation of a general Order under this section prohibiting flying over the territory of Sri Lanka or any part thereof.

35. No person whose performance of duty required of him as an aviation personnel has an effect on the safety of civil aircraft operations in the State, shall perform such duty while under the influence of any psychoactive substance by reason of which human performance is impaired or use any other substance which might jeopardize the safe performance of his duties.

Restrictions on aviation personnel.

36. The Director-General or any person duly authorized by the Director-General, shall have unrestricted access to any aircraft whilst it is in Sri Lanka, for the purpose of ensuring that such aircraft is airworthy, that it carries the required documentation and is being operated in accordance with the provisions of this Act, or any regulation, rules or implementing standards issued thereunder.

Inspection of aircraft.

37. The Director General or any person duly authorized by the Director General, shall have the power to direct the operator or the crew of an aircraft not to operate the aircraft, in situations where he has sufficient reasons to believe that:—

Director General to prevent a flight.

- (a) the aircraft is not airworthy;
- (b) the crew is not qualified or is physically or mentally in capable of operating the flight;
- (c) the operation would cause imminent danger to persons or property; or

- (d) the aircraft does not have an approved dispatch procedure or is not dispatched in accordance with approved dispatch procedures,

and shall in such a situation, take all such steps as are necessary, to detain the aircraft or crew.

Actions to be taken to prevent a threat or danger to person or property.

38. (1) Where the Director General believes on reasonable grounds that the operation of any particular aircraft or all aircraft belonging to that class, or the use of any particular aircraft component or any component of that class or any Aerodromes or the provision of any aeronautical service, may endanger any person or property of any person and that prompt action should be taken to prevent or avert such threat or danger, the Director General may, notwithstanding anything to the contrary contained in any licence or permit or certificate issued under this Act:—

- (a) suspend, prohibit or impose conditions on the operation of any specified aircraft or aircraft belonging to that class or of such Aerodrome or the provision of such aeronautical service;
- (b) suspend, prohibit or impose conditions on the use of any specified aircraft component or any components of that class ; or
- (c) detain the aircraft or seize the aircraft component in order to prevent their operation or use.

(2) Any detention or seizure under paragraph (c) of subsection (1) shall forthwith be notified to the owner or operator of the aircraft or component or to the Service Provider, as the case may be.

CHAPTER IV

REGISTRATION AND MARKING OF AIRCRAFT

Aircraft not to fly unless registered.

39. An aircraft shall not fly in or over the territory of Sri Lanka, unless it is registered:—

- (a) in Sri Lanka ;

- (b) in a State Party to the Convention; or
- (c) in a country with which the Government of Sri Lanka has in force an agreement which provides for the flight in or over the territory of Sri Lanka, of aircraft registered in that country.

40. Notwithstanding the provisions of section 39, an aircraft not registered as required by that section may be permitted to fly in or over the territory of Sri Lanka under the authority of a permit issued by the Director General. Such a permit may be issued for the purpose of or in connection with enabling an aircraft to be used for any experimental or test purpose or for any other purpose which appears to the Director General as being sufficient to permit such aircraft to fly unregistered, provided that in any such case, the aircraft shall be flown in accordance with such conditions or limitations as may be specified in the permit issued by the Director General.

Experiment or
test flights.

41. (1) Any aircraft which is not currently registered and entered in an Aircraft Register of any other State shall be eligible for registration in Sri Lanka, where:—

Registration of
aircrafts.

- (a) it is owned by a citizen of Sri Lanka or a body corporate or a body incorporated by any law of Sri Lanka, having its principal place of business in Sri Lanka;
- (b) in the case of a State aircraft, the aircraft is fully owned by the Government of Sri Lanka or any public corporation; or
- (c) in the case of a leased aircraft, if it is exclusively operated by an operator having its principal place of business in Sri Lanka and who has a current and appropriate Air Operator Certificate issued by the Director-General.

(2) Where subsequent to it being registered the ownership of an aircraft registered in Sri Lanka changes, it shall be the

duty of the holder of the Certificate of Registration issued under section 42, to forthwith inform the Director General of such change, and surrender the Certificate of Registration to the Director General.

Application for
and issue of a
Certificate of
Registration.

42. (1) An owner or operator of an aircraft eligible to be registered under section 41, may make an application in the prescribed form to the Director-General, for registration in Sri Lanka of such aircraft and the Director-General may, where he is satisfied on the information contained in the application, that the aircraft complies with all such requirements as may be prescribed for that purpose, register the aircraft.

(2) Where an aircraft is registered in Sri Lanka, the Director General shall on payment of the prescribed fee, issue in respect of such aircraft a Certificate of Registration and assign a mark to enable the identification of the nationality and a Registration Mark unique to such aircraft.

(3) A Certificate issued under subsection (2) shall generally be valid for a period not exceeding one year, provided that the Director General may at his discretion, issue a Certificate valid for a period more than one year.

(4) Notwithstanding the provisions of subsection (2) of this section, the Director General may as an interim measure, issue a Provisional Certificate of Registration in respect of any aircraft, if such aircraft:—

- (a) is to be brought into Sri Lanka for the purpose of registration; or
- (b) is to be used for experimental or test purposes; or
- (c) is to be brought into Sri Lanka or is to be used for any purpose as shall be determined by the Director General.

43. (1) The Director-General shall keep and maintain a register called and known as the “Civil Aircraft Register of Sri Lanka” in which particulars relating to all aircraft registered in Sri Lanka and any other information as may be prescribed, shall be entered.

Civil Aircraft Register of Sri Lanka.

(2) The Civil Aircraft Register of Sri Lanka shall be made available to the public for inspection, on the payment to the Authority of a prescribed fee.

(3) Information contained in the Civil Aircraft Register of Sri Lanka pertaining to any aircraft registered in Sri Lanka, shall be *prima facie* evidence of the ownership of such aircraft, and an extract from such Register duly certified by the Director General as a true extract, shall be acted upon as *prima facie* evidence of the contents contained therein.

44. (1) A Certificate of Registration issued under section 42, may be cancelled by the Director General on any one or more of the following grounds:—

Cancellation of Certificate of Registration.

- (a) failure to inform the Director General of a change in the ownership of an aircraft, after its registration;
- (b) destruction of the registered aircraft or any destruction being caused to the hull of such aircraft; or
- (c) the Director General has sufficient evidence to believe that the registration was obtained fraudulently or by submitting false or incorrect information.

(2) Where a registration is cancelled on any ground specified in subsection (1), the Director-General shall cause all information pertaining to such cancellation to be recorded in the Civil Aircraft Register of Sri Lanka and the holder of such Certificate of Registration shall be required forthwith to surrender such Certificate to the Director General.

Renewal of
Certificate of
Registration.

45. A holder of a Certificate of Registration may, not less than one month prior to the expiry of such Certificate, apply to the Director General for a renewal of the Certificate in such form as shall be prescribed and the Director General may, on the payment of the prescribed renewal fee, renew the Certificate for a further period of one year or such lesser period as may be determined by the Director General.

Display of
nationality and
Registration
Mark.

46. Unless otherwise authorised by the Director-General in writing, each aircraft shall carry and display in the prescribed manner, its nationality and Registration Mark.

Use of State
Marks and Civil
Air Ensign.

47. (1) An aircraft registered in Sri Lanka shall not bear on any part of its exterior surface any advertisement or any sign or lettering, except those permitted under the provisions of this Act or as required or permitted by the Director General.

(2) The name and emblem of the operator of the aircraft and the National Flag of Sri Lanka may be displayed on any aircraft registered in Sri Lanka, (if its location, size, shape and colour does not interfere with the easy recognition of and are not capable of confusion with, the nationality and Registration Marks of the aircraft) in such manner that they are distinct and are not likely to create confusion with the markings used by any Military aircraft or State aircraft, as the case may be.

(3) The Civil Air Ensign of Sri Lanka shall not be flown, painted or otherwise displayed on any aircraft, except with the approval of and subject to such conditions as are specified by the Director General in writing.

(4) An aircraft shall not without the prior written approval of the Director General, be parked, moved or housed at any place other than its principal place of station as indicated in the Certificate of Registration.

CHAPTER V

AIRWORTHINESS AND EQUIPMENT OF AIRCRAFT

48. (1) No person or body of persons shall import, design, manufacture, assemble, modify, repair, overhaul, or maintain or attempt to import, design, manufacture, assemble, modify, repair, overhaul or maintain any aircraft or aircraft engines, propellers, appliances and components, except under the authority of a permit issued by the Director General which may be obtained on application made in that behalf in the prescribed form to the Director General and on the payment of a prescribed fee.

Prohibition on manufacture, assemble &c., of aircraft without a permit.

(2) The Director General shall, on being satisfied as to the requirements, adequacy and suitability of the equipment, facilities and material proposed to be used for the type, design, manufacture, assemble, modification, repair, overhaul and maintenance and the competency of those engaged in the work giving instructions therein, issue a permit to an applicant to import, design, manufacture, assemble, modify, repair, overhaul and attend to the maintenance of any aircraft, aircraft engines, propellers, appliances or components.

(3) A permit issued under subsection (2) shall be subject to such conditions as may be specified by the Director General. It shall be duty of the person or body of persons as the case may be, to whom such permit is issued, to comply with such conditions.

49. (1) Any person or body of persons who acts in violation of the requirements of section 48 shall be guilty of an offence under this Act.

Effect of violating the provisions of section 48.

(2) Where the Director General has reasonable cause to believe that an offence under this section is being committed, he or any other officer authorized in writing in that behalf, may enter the premises where the offence is

believed to have been committed and seize and take into custody any aircraft, part of any aircraft or any design, as the case may be, together with all tools and equipment being used for the commission of such offence.

(3) Anything seized under subsection (2) shall be kept in the custody of the Director General and upon conviction of the accused of the offence, the court shall make an appropriate order for their forfeiture or destruction in such manner as the court shall direct.

(4) In the event of the accused being acquitted of the offence, the court shall order the immediate release of anything seized under subsection (2), and the Director General shall be exempt from liability for any damage caused to anything so seized while it was in his custody, unless it is proved that such damage was caused due to his negligence.

(5) The Director General or any officer authorized in writing in that behalf by the Director General under subsection (2), shall for the purposes of this section, be deemed to be “peace officers” within the meaning and for the purposes of the Code of Criminal Procedure Act, No. 15 of 1979.

Prohibition
against flying
over
Sri Lanka
without a
Certificate of
Airworthiness.

50. No aircraft shall fly or attempt to fly in or over the territory of Sri Lanka, unless there is in force in respect thereof a Certificate of Airworthiness, duly issued or rendered valid by the appropriate authority of the country in which such aircraft is registered or where applicable, a Certificate issued or rendered valid by the appropriate authority of the State of the operator and provided that the conditions, if any, subject to which such Certificate was issued or rendered valid, are duly complied with and the requirements under which such Certificate was issued or rendered valid are equal to or above the minimum standards which may be established from time to time under the Convention.

Issue of
Certificates of
Airworthiness.

51. (1) A Certificate of Airworthiness in respect of any aircraft registered in Sri Lanka shall be issued by the Director General in accordance with the prescribed requirements.

(2) The Director General may notwithstanding the provisions of subsection (1), permit an aircraft to be flown within the territory of Sri Lanka without a Certificate of Airworthiness for the purpose of experiment or test or any other purpose, provided that in such instance the aircraft may not be flown otherwise than in accordance with such conditions or limitations as are specified by the Director General.

(3) A Certificate of Airworthiness issued under subsection (1) shall be valid for such period as shall be specified in such Certificate, which period shall not in any event exceed one year from the date of issue of such Certificate. A Certificate so issued may be renewed at the end of its period of validity, on application being made in that behalf to the Director General.

(4) Where any defect is found in any aircraft registered in Sri Lanka, which renders the aircraft unsafe for flight, the Director General may suspend the Certificate of Airworthiness until such time as the defect is corrected. The Director General shall cancel the Certificate of Airworthiness where an aircraft is deemed permanently not airworthy. Where a Certificate is cancelled, it shall be the duty of the holder of such Certificate to immediately hand over the Certificate to the Director-General.

52. The Director General shall have the power to validate for such period not exceeding three months, as may be determined by the Director General, a Certificate of Airworthiness issued by any other country on application made in that behalf by the owner or operator of such aircraft.

Validation of
Certificates of
Airworthiness.

CHAPTER VI

SEARCH AND RESCUE OPERATIONS AND INVESTIGATION INTO ACCIDENTS AND INCIDENTS

53. The procedures to be followed in the provision and co-ordination of necessary measures of assistance to be given to an aircraft in distress shall be as determined by the

Assistance to
aircrafts in
distress.

Authority by rules made in that behalf. Such rules shall be based on the applicable SARPS relating to the same.

Requisitioning of aircrafts and calling out of flight crew for air search and rescue operations.

54. (1) The Minister or any person authorized in that behalf by the Minister may at any time, in order to facilitate any air search or rescue operations, requisition any civil aircraft from its owner or operator, as the case may be, and also call out for services of any person whose services may become essential to assist in such air search or rescue operations.

(2) Compensation in respect of requisition of any aircraft and payment to persons whose services were called out for under subsection (1), shall be payable at such rate as may be determined by the Minister, in consultation with the Minister in charge of the subject of Finance.

(3) Where any air search and rescue operations are undertaken by the State in connection with any occurrence which was caused by the negligent or other unlawful act or omission of any person, the Minister may recover from such person the whole or any portion of the expenses incurred by the State in connection with such operations, notwithstanding the fact that the aircraft concerned is a foreign aircraft and the services in question were rendered elsewhere than within the territory of the Republic of Sri Lanka.

(4) Any person who without lawful reason refuses or fails to comply with any order or instruction made or given under subsection (1), shall be guilty of an offence.

Aircraft accident or incident investigations.

55. (1) The Authority shall in accordance with such regulations as may be prescribed, institute an investigation into any accident or incident arising out of or in the course of air navigation, where such accident or incident had occurred within the territory of Sri Lanka or is in respect of

an aircraft registered in Sri Lanka or an aircraft operated by an operator of Sri Lanka, for the purpose of :—

- (a) determining the facts, conditions and circumstances relating to the accident or incident and the probable cause thereof; and
- (b) ensuring the prevention of any such similar accidents or incidents from occurring in the future, and not for the purpose of apportioning blame or liability.

(2) The Minister shall in prescribing regulations for purpose of subsection (1), comply with the applicable SARPS relating to investigations into aircraft accidents or incidents, as the case may be.

56. (1) For the purpose of carrying out an investigation under section 55, the Authority may appoint an Aircraft Accident Investigation Board with regard to each such aircraft accident or incident, as the case may be (hereinafter in this Chapter referred to as the “Board”), consisting of such number of persons as may be determined by the Authority, one of whom shall act as its Chief Investigator. The Authority however shall not appoint as a member of any Board, a member of the staff of the Authority or any person who has any connection with the accident or incident which such Board is required to investigate.

Appointment of
Aircraft Accident
Investigation
Board.

(2) The Authority shall, when appointing a Board under subsection (1), stipulate the terms and conditions to be complied with by the members of the Board in conducting an investigation.

(3) The functions of the Board appointed under subsection (1) shall cease with the submission to the Authority of the final report of the Board on such accident or incident which it was appointed to investigate.

(4) The Authority may arrange for representation to be made at an investigation carried out in respect of any aircraft registered in Sri Lanka, by a State in which such accident or incident occurred.

Declaration of
Secrecy.

57. (1) Every member of the Board shall before entering upon his duties, sign a declaration pledging himself or herself to observe strict secrecy in respect all information disclosed at the investigation and shall by such declaration, pledge himself or herself, not to divulge any such information except:—

- (a) when required to do so by a court of law;
- (b) in the performance of his or her duties as a member of the Board; or
- (c) in order to comply with any provision of this Act or any regulation or rule made thereunder.

(2) All investigations to be carried out by the Board, shall be conducted in camera.

Power to
summon and
examine
witnesses and
productions.

58. (1) The Board in the course of an investigation into an accident or incident shall have the power to:—

- (a) summon under its Chief Investigator's hand and call before it and examine all such persons whom it considers necessary;
- (b) require any person summoned to answer any question or furnish any information or produce any books, papers, documents or articles which the Board may consider relevant and to retain any such books, papers, documents and articles, until the completion of the investigation;
- (c) take statements from all such persons as it considers necessary and to require any such person to make and sign a declaration relating to the truth of the statement made by him;
- (d) have unhampered and unrestricted access to the aircraft wreckage, flight recorders, air traffic records, the place where the accident occurred and to any other relevant material and for that purpose to

require the aircraft concerned or any part of the equipment thereof to be preserved unaltered, to enable a detailed investigation to be made without delay;

- (e) examine, remove, test, take measures for the preservation of and otherwise deal with the aircraft or any part thereof or anything contained therein ;
- (f) enter and inspect any place or building where it appears to be requisite for the purposes of the investigation; and
- (g) take all measures necessary for the preservation of evidence.

(2) An investigation instituted by the Authority under section 55 shall in no way be considered as being in derogation of any power which under any other law may attach to any police, judicial or other investigation, provided that the Board shall have priority in the examination of the relevant evidence.

(3) It shall be an offence for any unauthorized person to remove or keep in his custody any part of an aircraft involved in an accident or incident or any documents or other articles thereof, to tamper with other evidence or to remove or keep in his or her custody any belongings of passengers or members of the crew or cargo carried in that aircraft.

(4) Where any accident has occurred within the territory of Sri Lanka to an aircraft registered in a State Party to the Convention and any person dies or suffers any serious injury or the aircraft suffers substantial damage, the Authority shall authorize the accredited representative of the State of Registry or where applicable, the State of the operator, the State of design of the aircraft, the State of the manufacture of the aircraft, the States of which the victims are nationals and any other State considered appropriate by the Authority, to participate in the investigation.

(5) Notwithstanding the provisions of subsection (4), the Authority may in consultation with the Minister, delegate the actual performance of the investigation to a duly authorized investigator or investigators of the State where such aircraft is registered, or, if applicable, the State of the Operator or of any other State considered as appropriate by the Authority, who shall perform such function in accordance with the provisions of this Chapter of this Act and any regulations or rules made thereunder and under the supervision of the Authority. In the event of such delegation the Authority shall, so far as it is able, facilitate such investigations.

(6) No person summoned as a witness at an investigation shall:—

- (a) disobey a summons issued by the Board ;
- (b) refuse to be sworn in or to make an affirmation as a witness ;
- (c) fail to answer any question which he or she is lawfully required to answer ; or
- (d) refuse or fail to produce any documents or part or component of an aircraft which he or she is lawfully required to produce.

(7) It shall be an offence to obstruct or impede the Board or any person acting under the authority of the Board, in the exercise or performance of any powers or duties under this Chapter.

Accidents
outside
Sri Lanka.

59. (1) Where any accident occurs outside the territory of Sri Lanka to any aircraft registered in Sri Lanka and any person dies or suffers serious injury or the aircraft suffers substantial damage, the Authority shall authorize an accredited representative to participate in any investigation or inquiry that may be conducted by the country in which the accident occurred or may authorize the Board to conduct an investigation into any matter connected with such accident.

(2) Where any accident occurs outside the territory of Sri Lanka to any aircraft registered in Sri Lanka, and any person dies or suffers serious injury or the aircraft suffers substantial damage, the Director General shall furnish any country which conducts an investigation or inquiry outside the territory of Sri Lanka, with all information in his possession that may be relevant to the conduct of such investigation.

60. (1) On the conclusion of an investigation, the Board shall prepare a report in such manner as shall be prescribed, stating the circumstances of the case and the conclusion as to the probable cause or causes of the accident or incident, including any observations and recommendations which it thinks fit to make with a view to the preservation of life and the avoidance of similar occurrences in the future. The report shall be submitted to the Authority and the Authority may cause the whole or any part of such report to be published in such manner as it thinks fit.

Board to prepare a report.

(2) The Authority shall send with the minimum delay, the draft copy of the final report to such persons and organizations, as may be prescribed.

(3) At the time of the submission of the report to the Authority, the Board shall also provide the Authority with any safety information that came to its knowledge during the conduct of the investigation, the confidentiality of which the Board considers should be maintained and the Authority upon receipt of any such safety information, shall record and preserve the same in accordance with the State Safety Programme established under section 116 of this Act.

61. The Authority or the Board shall not make the following records available to any person for any purpose, other than for any future investigation relating to an accident or incident:—

Authority not to make available certain records.

(a) all statements recorded by the Board in the course of its investigation ;

- (b) all communications between persons involved in the accident or incident ;
- (c) medical or personal information regarding persons involved in the accident or incident;
- (d) cockpit voice recordings, flight data recordings, recordings from the air traffic control units and transcripts from such recordings ;
- (e) opinions expressed on the analysis of information, including flight recorder information; and
- (f) any records not directly related to the analysis of the accident or incident investigated.

Members of the Board deemed to be public servants.

62. The members of the Board appointed under section 56 shall, so long as they are acting as such members, be deemed to be public servants within the meaning of the Penal Code.

Re-opening of an investigation.

63. (1) Notwithstanding the submission of a report under section 60, where subsequent to the completion of the investigation, certain new evidence pertaining to the accident or the incident which was investigated has been discovered, which in the opinion of the Authority would have had a significant impact or bearing on the outcome of the investigation that was concluded, the Authority shall order for such investigation to be re-opened.

(2) Where the Authority order the re-opening of an investigation under subsection (1), the Authority may, at its discretion order such investigation to be carried out, either by the same Board which conducted the initial investigation or appoint a new Board under section 56 to conduct the same.

(3) The provision of this Chapter of this Act relating to the conduct of an investigation into any accident or incident, shall, *mutatis mutandis*, apply to and in regard to the conduct of any re-opened investigation under subsection (1).

64. The Director-General shall on the basis of the findings of an investigation, whether interim or final, take immediate remedial steps and corrective action which he considers necessary in the interest of aviation safety, regularity or efficiency or to prevent similar accidents or incidents happening in the future.

Director-General to take remedial steps.

65. For the purposes of this Chapter of this Act:—

Interpretation.

“accident” means an occurrence associated with the operation of an aircraft which in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight, until such time as all such persons have disembarked or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, and in which:—

- (a) a person is fatally or otherwise seriously injured, as a result of being in the aircraft or having direct contact with any part of the aircraft including any part which has become detached from the aircraft or being exposed directly to jet blast, as the case may be;
- (b) the aircraft sustains damage or structural failure which adversely affects its structural strength, performance or flight characteristics of the aircraft and would under normal circumstances require a major repair or replacement of the affected components; or
- (c) the aircraft is missing or is completely inaccessible;

“accredited representative” means a person designated by a State to represent such State, for the purpose of participating in an investigation conducted by a Board appointed under section 56 of this Act; and

“incident” means an occurrence associated with the operation of an aircraft other than an accident, which affects or could affect the safety of such operation.

CHAPTER VII

AVIATION PERSONNEL AND TRAINING INSTITUTIONS

Regulations to be made for obtaining licences etc. by personnel.

66. (1) For purpose of ensuring the security and safety of civil aviation activities, the Minister shall in compliance with the international obligations of Sri Lanka under the Convention, prescribe by regulations the procedure to be followed for the issue of licences, ratings, certificates of competency or permits that should be conferred upon all personnel or institutions involved in or connected with the carrying on of prescribed civil aviation activities.

(2) Regulations made under subsection (1) shall specify the activities for which a licence, rating, certificate of competency or permit should be obtained, the qualifications and other requirements that should be satisfied, application procedure, terms and conditions to be complied with, fees to be paid, privileges to be granted to the holder of any such licence, rating, certificate of competency or permit, grounds for amendment, suspension and revocation of such licence, rating, certificate of competency or permit and for their renewal.

(3) No person who is required by regulations made under subsection (1) to obtain a licence, rating, certificate of competency or permit for the purpose of engaging in any civil aviation activity as specified therein, shall engage in

such activity without obtaining an appropriate licence, rating, certificate of competency or permit, as the case may be, for the same.

(4) A person shall not engage any other person in any activity which requires a licence, rating, certificate of competency or permit under this Chapter of this Act, unless the person so engaging is satisfied beyond any doubt, that the person being engaged holds a valid licence, rating, certificate of competency or permit, as the case may be.

(5) Notwithstanding the provisions of subsection (2), regulations made under subsection (1) may also provide for the validation of a licence, rating, certificate of competency or permit issued by a State Party to the Convention, provided that the requirements under which such licence, rating, certificate of competency or permit was issued by such State Party to the Convention, are equal to or higher than the requirements specified in the regulations prescribed for the implementation of Standards for the issue of such licence, rating, certificate of competency or permit, as the case may be.

67. Every licence, rating, certificate of competency, and permit referred to in section 66, shall be issued by the Director General or on his behalf by any other person specifically authorized in writing by him and the Director General or such other person acting on his behalf shall have the power to amend, suspend or revoke any such licence, rating, certificate of competency or permit issued, as the case may be, for any reason as may be prescribed under that section.

The issue, suspension and revocation of a licence, rating, certificates of competency or permit.

68. (1) No person who holds a licence, rating, certificate of competency or permit issued by the Director General shall perform the activities for which such licence, rating, certificate of competency or permit has been issued, if he becomes aware of an illness or other physical or mental impairment suffered by him, including fatigue, that might jeopardize the safe performance of his duties.

Physical or mental impairment.

(2) Where an operator becomes aware of any physical or mental impairment including fatigue being suffered by any employee of such operator, which is likely to jeopardize the safe performance of his duties, it shall be the duty of such operator to forthwith take all necessary measures to prevent such employee from continuing to carry on such duties.

(3) A contravention by a person of the provisions of subsections (1) or (2) of this section shall be an offence under this Act and be punishable with a fine not exceeding the equivalent in Sri Lanka rupees of twenty-five thousand SDR and shall in addition to such punishment, be liable to have any licence, rating, certificate of competency or permit issued to such person under this Chapter of this Act, to be cancelled.

(4) The Director-General shall have the power to issue directives concerning limitation on duty periods and rest periods applicable to a holder of any licence, rating, certificate of competency or permit issued under this Chapter of this Act, in order to guard against an onset of fatigue and it shall be the duty of the holder of such licence, rating, certificate of competency or permit to comply with such directives. Any employer of the holder of any licence, rating, certificate of competency or permit who prevents such holder from complying with any directives so issued, shall be guilty of an offence.

(5) Wherever the Director General deems it expedient or necessary, he shall have the power to require any person who holds any licence, rating, certificate of competency or permit issued under this Chapter of this Act, to under-go a medical check-up at any time and it shall be the duty of such person to comply with such requirement. A refusal to comply shall be deemed to be an offence under this Act and the Director-General shall have the power, in addition to any punishment that may be imposed for such offence by a court, to cancel any licence, rating certificate of competency or permit issued to such person by the Director General.

69. (1) The Director General shall have the authority to issue a licence or permit, as the case may be, to any person or institution to provide such training courses in respect of activities prescribed under section 66 for which a certificate of competency or a licence or permit is required, where he is satisfied as to the adequacy of the course content, the suitability of the training equipment and facilities and the competency of the instructors.

Aviation
Training
Institutions.

(2) The qualification of instructors to be employed, the nature of the equipment and other facilities that should be available in order to be qualified to be issued with a licence or permit under subsection (1) to provide training courses and the fees payable for the issue, renewal and amendment of such licence or permit, shall be as prescribed.

(3) A licence or permit under subsection (1) shall be issued for a period not exceeding one year, which may thereafter be renewed in each case for a further period not exceeding one year. The Director General may suspend or revoke any licence or permit issued, for any one or more reasons as may be prescribed.

CHAPTER VIII

AIRCRAFT OPERATION

70. (1) No aircraft registered in Sri Lanka shall fly within or outside the territory of Sri Lanka, unless it carries on board a valid Certificate of Registration and a Certificate of Airworthiness issued under section 42 and section 51 respectively, of this Act, such minimum equipment and operating crew and any other documents required to be carried thereon as prescribed under this Act.

Documents,
equipment,
number and
description of
the operating
crew.

(2) No aircraft other than an aircraft registered in Sri Lanka, shall fly within the territory of Sri Lanka, unless it carries on board a valid licence or certificate issued on registration of that aircraft, minimum equipment and

operating crew and any other documents required to be carried therein by the law of the State in which such aircraft is registered or the State of the operator, or in the absence of both, as required by Article 29 of the Convention.

(3) The members of the operating crew of every aircraft referred to in this section shall hold the prescribed certificates of competency, licences, rating or authority issued or rendered valid by the State in which such aircraft is registered or where applicable by the State of the operator.

(4) The Minister shall prescribe the types of log books required to be maintained and the applicable requirements relating to their maintenance, in respect of aircraft, engines, propellers, equipment or personnel involved in the maintenance and operations of aircraft.

Rules of the Air.

71. (1) The Minister shall in compliance with the relevant SARPS, prescribe the Rules of the Air, the manner in which an aircraft may be moved or flown, the lights and other signals to be shown or made by an aircraft or persons, the lighting and marking of Aerodromes and any other provisions for securing the safety of an aircraft in flight and in movement and safety of person and property on land or water.

(2) It shall be the duty of every Pilot-in-Command of an aircraft to comply with the Rules of the Air prescribed by the Minister under subsection (1).

(3) Every aircraft registered in Sri Lanka on an international flight, wheresoever such aircraft may be, shall observe the Rules of the Air that are in force in that country and while flying over the high seas or areas of undetermined sovereignty, the Rules of the Air to be observed shall be those established under the Convention.

(4) A Pilot-in-Command of an aircraft registered in Sri Lanka who fails to observe the Rules of the Air as required under subsection (2) and (3) of this section, shall, in addition

to any penalty that may be imposed for such violation, be also liable to have the licence issued to him by the Director General under section 67 suspended or cancelled, as the case may be.

72. (1) Without prejudice to the provisions of section 71, a Pilot-in-Command shall—

Actions by a Pilot-in-Command in an emergency.

- (a) be responsible for the safe operation of the aircraft in flight, safety and well being of all the passengers and crew and safety of the cargo being carried;
- (b) have the final authority to control the aircraft while in command and maintain discipline among all persons on board; and
- (c) subject to the provisions of subsection (2), be responsible for compliance with all relevant requirements imposed under this Act, any regulations or rules made thereunder and the implementing standards relating to aircraft operations.

(2) Notwithstanding the provisions of subsection (1), a Pilot-in-Command may in an emergency, deviate from complying with any provisions of this Act or any regulations or rules made thereunder or any implementing standards relating to aircraft operations, where he is satisfied that:—

- (a) the emergency involves a danger to life or property;
- (b) the deviation is necessary in order to deal with the emergency situation;
- (c) there are no reasonable means available for alleviating or avoiding the emergency; and
- (d) the degree of danger involved in complying with the requirements of this Act or any regulations or

rules made thereunder or any implementing standards relating to air craft operations, is manifestly greater in degree than the danger involved in deviating from them.

(3) Where a Pilot-in-Command in an emergency deviates from any requirements under subsection (2), he shall:—

- (a) forthwith notify the relevant air traffic control of such deviation; and
- (b) notify the Director General as soon as practicable of such deviation and where required by the Director-General, submit a written report relating to his actions.

(4) In the event of any national emergency, calamity, crisis or disaster and for the sole purpose of rescuing lives or property or providing relief to the parties affected or is likely to be affected from such an event, the Director General shall in so far as the same is necessary for dealing with such emergency, calamity, crisis or disaster, have the power to suspend temporarily the application of one or more requirements imposed by of this Act or any regulations, rules or implementing standard made thereunder or any directives issued thereunder. The Director General shall in respect of each such occasion that any such temporary suspension has been effected, submit a written report to the Minister which shall contain a detailed account of the suspension in question. The Minister shall cause such report to be tabled in Parliament.

Air Operator
Certificate.

73. (1) No aircraft registered in Sri Lanka or any aircraft used by an operator licensed under this Act shall, on the basis of any lease, charter, interchange or similar arrangement, be operated other than under and in accordance with the terms of an Air Operator Certificate issued by the Director General to the owner or operator of such aircraft.

(2) Commercial air transport operations into or out of Sri Lanka performed by a foreign air operator, shall be in accordance with the terms of a Foreign Air Operator Certificate issued by the Director General to such foreign air operator. In issuing such a Certificate, the Director General shall ensure that such foreign air operator has been issued with a valid Air Operator Certificate or as equivalent in the country in which such foreign operator is carrying on business and further that adequate provision has been made by the authority who issued such Air Operator Certificate, to ensure that the foreign air operator conforms to and complies with the standards, practices and procedures set out in the Convention and the Annexes to the Convention.

(3) An Air Operator Certificate or a Foreign Air Operator Certificate referred to in subsection (1) or (2), shall not be issued by the Director General, where an operator or owner of an aircraft or a foreign air operator, as the case may be, who applies for an Air Operator Certificate or a Foreign Air Operator Certificate, as the case may be, poses or is likely to pose a threat to the national security of Sri Lanka or to international civil aviation.

(4) The Director General shall on the payment of a prescribed fee, process an application made under subsection (1) or subsection (2), as the case may be, and shall for that purpose conduct such investigation as he may consider necessary, in accordance with such regulations as may be prescribed, giving effect to the applicable standards and any associated requirements.

(5) Every Air Operator Certificate and Foreign Air Operator Certificate issued under this section, shall be subject to the operations specifications specified in the Certificate issued and to such terms and conditions as may be prescribed. It shall be the obligation of the holder of such Certificate to ensure that operations are carried out in strict conformity with the operations specifications specified and such terms and conditions prescribed, and that such operations do not

breach any requirements imposed under the provisions of this Act or any regulations, rules, implementing standards or directives issued thereunder or any obligations imposed upon Sri Lanka under any agreement entered into with any other country.

(6) An Air Operator Certificate or a Foreign Air Operator Certificate shall be valid for a period not exceeding one year from the date of its issue and may be renewed for a further period not exceeding one year in each case, provided that the requirements imposed for the holding such Certificate is maintained to the satisfaction of the Director General.

(7) An operation of an aircraft, without a valid Air Operator Certificate or a foreign Air Operator Certificate, as the case may be, issued under this section or in contravention of any terms or conditions of any such Certificate issued, shall be subject to a fine not exceeding the equivalent in Sri Lanka Rupees of ten thousand SDR or per each day of the infraction.

Importation of aircraft.

74. No person shall be granted approval by the Director General for the importation of an aircraft, unless:—

- (a) the Director General is satisfied that the aircraft to be imported shall be operated under an Air Operator Certificate issued under section 73 of this Act; and
- (b) the person concerned complies with such requirements as may be prescribed for that purpose.

Liability insurance.

75. (1) Every holder of an Air Operator Certificate or a Foreign Air Operator Certificate, as the case may be, operating within Sri Lanka or internationally, to, from or through Sri Lanka, shall keep in force at all times a liability insurance adequately covering his liability for death or bodily injury to passengers which may be caused by an accident and for the loss of or damage to baggage, cargo or mail, due to any event during the period of carriage and for the delay in the carriage of passengers, baggage, cargo or

mail. Such person shall also be required to have a valid and adequate insurance policy covering his liability for damage that may be caused by the aircraft to third parties, on the surface or in the air.

(2) In determining the adequacy of the liability insurance cover referred to in subsection (1), a holder of an Air Operator Certificate or a Foreign Air Operator Certificate, as the case may be, shall take into consideration whether:—

- (a) the insurance provides a comprehensive cover for actual and potential obligation of the person insured, in respect of all of his proposed activities;
- (b) the insurer is authorized to effect such insurance under the laws of the country where the aircraft is registered or the country where the insurer has his residence or the principal place of business and whose financial responsibility has been verified; and
- (c) the insurance provides comprehensive cover for obligations that may arise due to death, bodily injury or damage to property caused by the aircraft to third parties on surface or in the air.

(3) The Director General shall determine the minimum limits of insurance cover that is required to be obtained, depending on the nature and scope of operations being carried on by the holder of the relevant Certificate.

76. (1) The Director General may where he considers it appropriate and upon a request made in that behalf by a holder of a Certificate and on the payment of the prescribed fee, amend an Air Operator Certificate or a Foreign Air Operator Certificate, as the case may be, issued to such holder, varying the privileges or limitations granted under such Certificate.

Amendment, suspension and revocation of Air Operator Certificates.

(2) The Director General shall have the power to suspend or revoke at anytime, any Air Operator Certificate or a Foreign Air Operator Certificate, as the case may be, issued by him if the conditions under which the Certificate was issued changes or if the holder fails to comply with the operations specifications specified in the Certificate issued, any conditions prescribed under subsection (5) of section 73, the requirements imposed by sections 75 or any other requirements imposed under the provisions of this Act or any regulations, rules, implementing standards or directives, made or issued thereunder.

Aircraft operated under an agreement for lease, charter or interchange of aircraft.

77. (1) An aircraft which is registered in a State party to the Convention other than Sri Lanka, may be operated in Sri Lanka under an agreement for the lease, charter or interchange of the aircraft or any other similar arrangement, provided that an agreement has been reached with regard to the transfer of functions and duties relating to safety oversight and its operations, between the aeronautical authority of the State with which such aircraft is registered and the Director General pursuant to Article 83 *bis* to the Convention, and the application of the provisions of this Act or any regulations or rules made thereunder shall be to the extent specified in such agreement.

(2) The Director General may, where he considers it feasible and subject to the approval of the Authority, agree with the aviation authorities of any other State Party to the Convention, for the transfer of the functions and duties relating to safety oversight of an aircraft registered in Sri Lanka, which is to be operated by an operator of such other State Party, pursuant to an agreement for the lease, charter or interchange of the aircraft or any other similar arrangement and the nature and scope of the duties and functions so transferred to such other State Party, shall be to the extent mentioned in such agreement.

(3) The Director General may for a period not exceeding three months and subject to such conditions as may be

prescribed, waive the requirement imposed under subsection (1) in respect of an operator who already holds a valid Air Operator Certificate, provided that the proposed arrangement in the opinion of the Director General, meets the requirements in respect of safety.

78. (1) For the purpose of ensuring the safety of air navigation and of persons traveling on board an aircraft, the Minister shall in compliance with the applicable SARPS, prescribe the requirements to be satisfied for classifications packing, labeling and marking, handling and carriage of dangerous goods by air and the fees payable for the grant of a permit for handling or transporting such dangerous goods by air.

Carriage of dangerous goods.

(2) The Director General shall by directives issued in that behalf, specify the procedure that should be adhered to in respect of classification, packing, labeling and marking, handling and carriage of dangerous goods permitted to be carried on board an aircraft, emergency procedures, investigation into accidents or incidents involving dangerous goods and the training required for persons involved in handling such consignments of dangerous goods. The Director General shall also have the power from time to time, to issue such implementing instructions as may become necessary for the purpose of giving effect to any directives issued by him under this subsection or any requirements prescribed under this section.

(3) Munitions or any other implements of war shall not be carried by any aircraft within the territory of Sri Lanka or by any aircraft registered in Sri Lanka, except on the authority of a permit issued by the Director General for that purpose.

(4) Any person who fails to comply with the requirements imposed by this section or any regulations, directives or implementing instructions issued thereunder, shall be guilty of an offence under this Act and shall on conviction be

liable to a fine the equivalent in Sri Lanka Rupees of twenty five thousand SDR or to imprisonment not exceeding two years or to both such fine and imprisonment.

Determining air routes.

79. (1) The Authority with the assistance of the Service Provider appointed for the provision of Air Traffic Services shall, in accordance with the applicable SARPS and the Regional Air Navigation Plan, determine and publish the air routes and air navigation procedures to be followed by civil aircraft for their entry, exit, transit or movements within the Sri Lanka Flight Information Region.

(2) The Authority shall amend the air routes determined under subsection (1) whenever it becomes necessary, so as to keep them up to date with any changes that may have been made to the applicable SARPS or to the design of the Regional Air Navigation Plan, as the case may be.

Pilotless aircrafts.

80. An aircraft capable of being flown without a pilot shall not be operated within the territory of Sri Lanka, except under the authority and in accordance with the terms and conditions of a special permit issued by the Director General for that purpose and on the payment of the prescribed fee.

Acrobatic flying, flight exhibitions, competitions and air shows.

81. (1) No aircraft shall be acrobatically flown nor shall any exhibition, competition, formation flying or air show be performed within the territory of Sri Lanka, except under the authority of a special permit issued by the Director General for that purpose and on the payment of the prescribed fee.

(2) The Director General may issue a permit referred to in subsection (1), on being satisfied that the flight safety in the airspace and the safety of the general public and property, are not endangered by activities in respect of which such permit is to be issued and may further require the organizers of any such exhibition, competition, formation flying or air show, to provide proof of adequate public liability insurance for any damage that may be caused.

82. (1) Where an aircraft is flown in such a manner as to cause unnecessary danger to any person or property on land or water—

Dangerous flight operations

- (a) the Pilot-in-Command and the operator of the aircraft ; or
- (b) where there is no operator, the Pilot-in-Command and the owner of the aircraft,

shall be guilty of an offence under this Act and on conviction be liable to a fine the equivalent in Sri Lanka Rupees of twenty five thousand SDR or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

(2) An operator or owner, as the case may be, may where such operator or owner is able to prove to the satisfaction of the court that such aircraft was flown in the manner referred to in subsection (1) without its knowledge or consent, be exempt from liability for an offence under that subsection.

(3) The provisions of this section shall be in addition to and not in substitution of any general safety or other provisions of this Act or any regulations, rules or implementing standards that may be made or issued under this Act.

83. Every person who on board an aircraft registered in Sri Lanka, while on flight, whether within or outside the territory of Sri Lanka or a foreign aircraft while on flight within the territory of Sri Lanka—

Offences committed on board an aircraft.

- (a) assault, intimidate, threaten or commit any similar act against a crew member ;
- (b) refuse to follow a lawful instruction given by the Pilot-in-Command or on his behalf by a crew member, relating to any matter which affects the safety or security of the aircraft or its passengers ;

- (c) assaults, intimidate or threatens any passenger ;
- (d) engage in smoking in any part or section of the aircraft ;
- (e) intentionally causes damage or destruction to the aircraft or any part thereof ;
- (f) engage in any indecent behavior ;
- (g) tampers with a smoke detector or any other safety device installed on board the aircraft ;
- (h) operates any portable electronic device when such act is prohibited under the law applicable to that aircraft ; or
- (i) removes without the approval of the Pilot-in-Command, any safety or emergency equipment, device or document or any other equipment or device found in the aircraft,

shall be guilty of an offence under this Act and on conviction be liable to a fine equivalent in Sri Lanka Rupees of twenty-five thousand SDR or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

CHAPTER IX **COMMERCIAL AIR TRANSPORTATION**

Airline Licence
and Foreign
Airline Licence.

84. (1) No person shall engage in domestic or international commercial air transportation based in Sri Lanka, except in accordance with an Airline Licence issued by the Authority under section 87 in the form prescribed for that purpose.

(2) No foreign air operator shall engage in any commercial air transportation to or from Sri Lanka, except in accordance with a Foreign Airline Licence issued by the Authority under section 89, in the form prescribed for that purpose.

85. (1) No aerial work shall be carried on within the territory of Sri Lanka, except in accordance with a licence issued for that purpose by the Authority in the prescribed manner.

Aerial work.

(2) Any person who holds an appropriate Air Operator Certificate and possess such qualifications as determined by the Authority by rules made in that behalf, shall be eligible to apply for a licence under subsection (1) to engage in aerial work.

86. An Airline Licence or a Foreign Airline Licence issued under this Act shall specify the nature and scope of the activities that the air operator is authorized to engage in commercial air transportation and shall contain the privileges, conditions and limitations applicable to the service to be rendered.

Privileges, conditions and limitations attached.

87. (1) The following shall be eligible to obtain an Airline Licence for domestic or international commercial air transportation based in Sri Lanka:—

An Airline Licence for domestic or international commercial air transportation.

- (a) a citizen of Sri Lanka ;
- (b) a registered body of persons having its principal place of business in Sri Lanka and in which at least fifty-one *per centum* of the share capital is owned by citizens of Sri Lanka ; or
- (c) any person or body of persons approved by the Cabinet of Ministers.

(2) The Authority may issue an Airline Licence on application made in that behalf by any person referred to in subsection (1) and on being satisfied that the applicant has complied with the requirements determined under subsection (3).

(3) The Authority shall determine by rules made in that behalf, the information necessary to be submitted by a person

applying for an Airline Licence, in order to prove compliance with the following requirements :—

- (a) that the applicant holds a valid Air Operator Certificate ;
- (b) that the proposed domestic commercial air transport operations are financially secured by actual assets, bank guarantees or other security for a period not less than three years from the proposed launching of the services ;
- (c) that adequate and valid liability insurance cover as determined on the guidelines referred to in subsection (2) of section 75, is held for any damage that may arise out of its proposed operations ;
- (d) that an effective program drawn in accordance with the National Aviation Security Programme formulated by the Authority under section 17, for protection against unlawful interference with civil aviation is in place, which has been approved by the Director General ; and
- (e) that the applicant fulfills any other requirements as may be prescribed for that purpose.

Immovable property to be made available to a person issued with an Airline Licence.

88. (1) The Authority may where it considers it necessary by Order published in the *Gazette* and subject to such terms and conditions as may be specified in such Order, make available to any person to whom an Air Line Licence is issued, any immovable property which is in the possession of the Authority, for the purpose of enabling such licence holder to provide domestic or international commercial air transportation in Sri Lanka under such licence.

(2) It shall be the duty of the holder of an Airline Licence to whom any property is made available under subsection (1), to comply with the terms and conditions stipulated in

the Order and hold and maintain such immovable property in good condition.

(3) The holder of an Airline Licence to whom any immovable property is made available, shall not—

- (a) sell or dispose of any such property; or
- (b) except with the prior written approval of the Authority, :—
 - (i) effect any alteration in such property or put up any new constructions in such property; or
 - (ii) grant a lease of any such property to any other person.

89. (1) No Foreign Air Operator shall be issued with a Foreign Airline Licence, unless such Foreign Air Operator—

Qualifications for the issue of a Foreign Airline Licence.

- (a) has obtained a Foreign Air Operator Certificate from the Director General ;
- (b) has adequate and valid insurance cover as determined on the guidelines referred to in subsection (2) of section 75, to cover liability which may arise from its operations ; and
- (c) has in place an effective program drawn in accordance with the Aviation Security Programme formulated by the Authority under section 17, for protection against unlawful interference with civil aviation.

(2) The Authority may issue a Foreign Air Licence on application made in that behalf by a Foreign Air Operator

and upon being satisfied that such applicant has complied with—

- (a) the requirements imposed by subsection (1) ; and
- (b) any other requirements that may be specified in the air service agreement that is entered into between Sri Lanka and the respective aeronautical authority of the State of the applicant.

Power to amend a licence issued under section 85, 87, or 89 of this Act.

90. (1) Where appropriate, the Authority may upon a request made in that behalf by the holder of an Aerial Work Licence, an Airline Licence or a Foreign Airline licence, as the case may be, issued under section 85, 87 or 89 of this Act, and on the payment of a prescribed fee, amend such licence.

(2) The Authority may at any time at its own discretion, where it considers it necessary in the interest of national security, safety of air navigation or for the purpose of ensuring fair competition, amend an Aerial Work Licence, an Airline Licence, or a Foreign Airline Licence, as the case may be, issued under section 85, 87 or 89 of this Act, by the incorporation of any additional conditions or limitations to such licence.

Power to suspend or revoke a licence issued under section 85, 87 or 89.

91. The Authority may at any time suspend or revoke an Aerial Work Licence, an Airline Licence, or a Foreign Airline Licence, as the case may be, issued under section 85, 87 or 89 of this Act, on any one or more of the following grounds:—

- (a) where the conditions under which the licence was issued have changed ;
- (b) where the licence holder or any aircraft operated by the licenceholder, fails to comply with any provisions of this Act or any regulations or rules made thereunder or any term or condition of the licence ;

- (c) where the licence holder fails to conform to or comply with any term or condition of the relevant agreement or arrangement;
- (d) in the case of the holder of a Foreign Airline Licence, where the Foreign Air Operator Certificate issued under section 74 of this Act to such holder, is revoked ; or
- (e) where the Authority is directed to suspend or revoke such licence by the Minister who is of the opinion that it is necessary or desirable to do so, for the purpose of preserving or promoting fair competition in international air transport services.

92. (1) No person other than such person as shall be prescribed for that purpose, shall provide any repair or maintenance services to any Airline, except under the authority of a permit issued for the same by the Director General.

Maintenance services to be provided only on a permit issued by Director General.

(2) The permit referred to in subsection (1) shall be obtained on application made to the Director General in the prescribed form, accompanied by the prescribed fee.

(3) The Director General may, on being satisfied with the technical competency and ability of the applicant to provide maintenance services to Airlines, issue a permit, subject to such terms and conditions as may be specified therein.

(4) A permit issued under this section shall be valid for a period of one year from the date of its issue and may be renewed at the end of that period on application made in that behalf and on the payment of the prescribed renewal fee.

93. (1) Non-scheduled international air transportation may be authorized by the Authority by the issue of a permit, upon a written application made in that behalf by an operator in the manner prescribed, having regard to:—

Non- scheduled international air transportation.

- (a) public interest and in particular to the benefits to Sri Lanka's national economy; and

- (b) any adverse effect such authorization may have on scheduled international air transportation, between the points of origin and the destination of such flight.

(2) A permit issued under subsection (1) shall be subject to such terms and conditions as shall be specified therein and be valid for a period not more than one year from the date of its issue. The Authority may renew a permit upon application made in that behalf and on the payment of the prescribed renewal fee.

(3) A permit issued under subsection (1) may be suspended or cancelled, as the case may be, for the violation of any term or condition specified in such permit.

Protection of passengers and users of aircraft.

94. (1) The Authority may issue to any holder or category of holders of any licences or permits issued under this Chapter of this Act, directives, instructions or procedures in relation to conditions of carriage of passengers, baggage, cargo and mail, and dealing with liability for denied boarding and other issues, for the purpose of ensuring the protection of passengers and other users of the aircraft.

(2) It shall be the duty of all persons to whom any directive, instruction or procedure is issued under subsection (1) to strictly comply with the same, and any failure to do so shall be an offence under this Act.

Flight schedules.

95. Every holder of an Airline Licence or a Foreign Airline Licence shall in the manner prescribed, submit to the Authority for its approval, the proposed flight schedules in respect of its operations within Sri Lanka or for the arrival to and departure from Sri Lanka, as the case may be. In the case of an aircraft calling in Sri Lanka for non-traffic purposes or in the case of over-flight, the relevant information shall be provided in the manner specified by the Authority.

96. To ensure orderly flow of air traffic, the Authority may issue directives, instructions or procedures for the allocation of slots to air operators. In issuing directives, instructions or procedures, preference may be given to scheduled international air services:

Allocation of slots.

Provided that the Authority shall endeavour to ensure non-discriminatory consideration of all requests.

97. (1) No person shall carry on the business of air transportation in Sri Lanka, except under the authority of or otherwise than in accordance with the terms or conditions, of an Air Transport Service Licence issued in that behalf by the Authority.

Air Transport Service Licence.

(2) Any person desiring to obtain a licence under subsection (1), may submit an application for the same together with the prescribed fee and the Authority may issue a licence to such person where it is satisfied that the applicant has complied with the requirements specified in subsection (3).

(3) The requirements that should be satisfied by a person for the issue of a licence under this section, shall be the availability of—

- (a) adequate infrastructure facilities and staff requirements;
- (b) adequate financial arrangements necessary for discharging the actual and potential obligations in respect of the business activities relating to air transportation; and
- (c) bank guarantees or other security necessary to cover financial commitments to clients.

(4) Notwithstanding the provisions of paragraph (c) of subsection (3), an operator of an aircraft applying for a licence under subsection (1), shall not be required to furnish a bank guarantee or other security, as required under that paragraph.

Person issued with a permit or a licence under section 93 or 97 to maintain certain records and furnish information.

98. (1) Every person to whom a licence or a permit is issued under section 93 or 97, as the case may be, shall maintain such records as may be determined by the Authority, and furnish to the Authority such returns or information as may from time to time be required to be furnished by the Authority.

(2) The Authority may revoke a licence or a permit issued under sections 93 or 97, as the case may be, where the Authority is satisfied that the holder of such licence or permit:—

- (a) has ceased to carry on the business in respect of which the licence or permit has been issued;
- (b) has obtained the licence or permit contrary to the provisions of this Act or any regulations or rules made thereunder;
- (c) where the licence holder or the permit holder is a company, that any or all of its principal officers have been convicted of an offence connected with the business of the company involving moral turpitude;
- (d) has ceased to comply with the requirements specified for the issue of such licence or permit; or
- (e) has contravened any provisions of this Chapter of this Act or any regulations or rules made under this Act.

(3) No revocation of a licence or permit under subsection (2) shall be made against a person, except after due notice has been issued to show cause within such period as may be specified in the notice, why the licence or the permit, as the case may be, should not be revoked.

(4) The Authority or any officer authorized by the Authority in writing, may—

- (a) for the purpose of ascertaining whether any provisions of this Act or any regulations or rules made thereunder are being complied with, enter

and inspect at all reasonable hours of day or night, the premises in which the business in respect of which the licence or the permit, as the case may be, was issued by the Authority ; and

- (b) inspect and take copies of any records or returns required by this Act or any regulations or rules made thereunder, to be kept in respect of such business and of any other records relating to such business.

(5) Where the Authority has reasonable grounds to believe that any provisions of this Chapter of this Act or any regulations or rules made thereunder are being violated or contravened by any person to whom a licence or a permit has been issued under section 93 or 97, as the case may be, the Authority may after obtaining a warrant under the hand of a Magistrate, enter and inspect any premises specified in such warrant and take into custody any tickets, stocks or other documents used in connection with the commission of such offence.

99. (1) Where the Director General is of the opinion that it is necessary to safeguard the general health and well being of persons, property and environment, including animals and birds, he shall have the power to issue to an Airline, special or general directions on matters pertaining to health and hygiene or on any other matter which is of national concern, interest or importance.

Director General's power to issue directions to Airlines

(2) Non-compliance with any directions issued under subsection (1), shall be an offence under this Act.

CHAPTER X

OFFENCES AND PENALTIES

100. Any person who fails to comply with a written request made by the Authority or the Director General under the provisions of this Act or of any regulations or rules made thereunder or furnishes any false information or return, shall be guilty of an offence under this Act and shall on conviction

Failure to comply with written request or furnishing false information.

be liable to a fine not exceeding the equivalent in Sri Lanka Rupees of ten thousand SDR or to imprisonment not exceeding two years or to both such fine and imprisonment.

Seizure of an aircraft.

101. (1) Where the owner or the operator of an aircraft in respect of which any charge or penalty is payable under this Act, refuses or neglects to pay the same or any part thereof on demand, the Authority may without prejudice to any other remedy that may be available under any other law, seize such aircraft and detain the same until the amount due is paid in full.

(2) The cost as determined by the Authority for seizing or detaining an aircraft under subsection (1) shall, be paid by the owner or the operator of the aircraft and if not paid within fourteen days, the Authority may cause such aircraft to be sold to recover the total amount due. Any surplus remaining shall be paid on demand to the owner, the operator or the Pilot-in-Command, as the case may be, of the aircraft and where no demand for such payment is made for a period of two years, the amount remaining as surplus shall be credited to the Fund of the Authority.

Violating safety or security requirements.

102. (1) Every person who is engaged in the provision of aeronautical services or operating an aircraft shall be required to conform to the safety and security requirements currently applicable in relation to the provision of such aeronautical service or the operation of an aircraft, which shall be prescribed.

(2) Every person who is required to conform to the safety and security requirements prescribed under subsection (1) and fails to so conform, shall be liable to the payment of a penalty as prescribed, provided such penalty does not exceed a sum equivalent in Sri Lanka Rupees of ten thousand SDR.

(3) The Director General shall be responsible for the collection of all penalties imposed under this section and the monies so collected shall be credited to the Fund.

(4) The Director General shall at the time of imposing the penalty referred to in subsection (2), require in writing the person being penalized to take all measures necessary or appropriate in order to secure due compliance with the safety and security measures that were being violated by such person, within such period of time as shall be specified.

(5) Where a person who is required to take measures to secure due compliance with any safety and security measures within the period specified under subsection (4), fails or neglects to take such measures, the Authority or the Director General, as the case may be, shall suspend or revoke any licence issued to such person.

103. Any person who:—

Offences.

- (a) contravenes or fails to comply with any provision of this Act or any regulation or rule made thereunder;
- (b) fails to comply with any implementing standard, direction, directive, procedure or instruction issued under any provisions of this Act or any regulations or rules made thereunder; or
- (c) obstructs or impedes any person in the exercise of his powers or duties under this Act or under any regulation, order, rule, standard or procedure,

shall be guilty of an offence under this Act and on conviction be liable to a fine not exceeding the equivalent in Sri Lanka Rupees of twenty-five thousand SDR or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

104. Any person who is guilty of an offence under this Act for which no penalty is expressly provided for by this Act, shall on conviction be liable to a fine not exceeding the equivalent in Sri Lanka Rupees of ten thousand SDR or to imprisonment of either description for a term not exceeding two years or to both such fine and imprisonment.

Penalties.

Offence committed by a body of persons.

105. Where an offence under this Act is committed by a body of persons, then—

- (a) if that body of persons is a body corporate, every person who at the time of the commission of the offence was a Director, General Manager, Secretary or other similar officer of that body ; or
- (b) if that body is not a body corporate, every person who at the time of the commission of the offence was the President, Manager, Secretary or other similar officer of that body,

shall be deemed to be guilty of that offence, unless he proves that such offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Proof of documents.

106. (1) Every document purporting to be an order or other instrument made or issued by the Minister, the Authority or the Director General, as the case may be, under this Act or under any regulation or rule made thereunder or any implementing standards and signed by or on their behalf, shall be received in evidence and shall, until the contrary is proved, be deemed to be an order or instrument issued by the Minister, Authority or the Director General, as the case may be.

(2) Evidence of any order or instrument as referred to in subsection (1) may in any legal proceedings, be given by the production of a document certified to be a true copy of the order or instrument, by or on behalf of the Minister, Authority or the Director General, as the case may be.

Offences to be cognizable offences and court in which action for offences may be filed.

107. (1) All offences under this Act shall be cognizable offences for the purpose of the application of the provisions of the Code of Criminal Procedure Act, No. 15 of 1979.

(2) No Court shall take cognizance of any offence under this Act or any regulation or rule made thereunder, except with the sanction of the Attorney- General.

(3) Notwithstanding anything to the contrary in the Code of Criminal Procedure Act, No. 15 of 1979 or any other written law, an action in respect of any offence committed under this Act shall, on the determination of the Attorney-General, be filed in the Magistrates Court of Colombo or upon an indictment in the High Court of Sri Lanka holden in the Judicial Zone of Colombo, as the case may be, and on conviction the Court shall impose the punishment as set out in this Act, for the commission of that offence.

108. (1) No action shall lie against an owner of an aircraft for trespass or nuisance, by reason only of the flight or any ordinary effects of the flight of such aircraft over any property at a height above the ground, which, having regard to wind, weather and all the circumstances of the case is reasonable, so long as the provisions of this Act and any regulations, rules or implementing standards, directions, directives, instructions or procedures made, thereunder or issued have been duly complied with.

Trespass,
nuisance, and
responsibility
for damage.

(2) Where any material damage or loss is caused by an aircraft in flight, taking off or landing or by any person in any such aircraft or by an article or a person falling off from any such aircraft, to any person or property on land or water, compensation in respect of such damage or loss shall be recoverable from the owner of the aircraft without proof of negligence or intention or other cause of action, as though the same had been caused by his willful act, neglect or default, except where the damage or loss was caused by or contributed to, by the negligence of the person by whom the same was suffered :

Provided that where the material damage or loss is caused as aforesaid in circumstances in which:—

- (a) some person other than the owner of the aircraft would under any other law in force in Sri Lanka be liable to pay compensation in respect of such damage or loss ; and

- (b) such compensation is recoverable and is recovered from the owner of the aircraft by virtue only of the provisions of this section,

the owner shall be entitled to be indemnified by that other person in respect of the compensation so recovered from the owner.

(3) Where any aircraft has been let or hired out for a period exceeding fourteen days to any other person by the owner thereof and no Pilot-in -Command, navigator or operating member of the crew of the aircraft is in the employment of the owner, this section shall be read and construed as though the reference to the “owner” were a reference to the person to whom the aircraft has been let or hired out.

CHAPTER XI

GENERAL

Director
General’s power
to cancel
licences etc, in
certain
circumstances.

109. (1) Notwithstanding anything to the contrary contained in any provision of this Act, regulations or rules made thereunder or in the terms and conditions contained in any licence, certificate, permit, authorization or approval granted or issued under this Act, the Director General, in his capacity as the designated Government Agent in Sri Lanka responsible for national civil aviation security, shall have the power to cancel with immediate effect any such licence, certificate, permit, authorization or approval granted or issued, whether the same has been granted or issued by himself or the Authority, as the case may be, where he has sufficient reason to believe that the holder of such licence, certificate, permit, authorization or approval, as the case may be, poses a threat to the national security or to the national defence of Sri Lanka or where he has sufficient reason to suspect that the holder of such licence, certificate, permit, authorization or approval is likely to pose a threat to the national security or to the national defence of Sri Lanka.

(2) The provisions of subsection (3) of section 26 and of section 112 of this Act, shall not apply in respect of any

cancellation of a licence, certificate, permit, authorization or approval done under subsection (1).

110. Where a licence, certificate, permit, authorization or approval granted or issued under this Act has been granted or issued to a body corporate or a partnership and any change takes place in the directorate of such body corporate or in the partnership, should be communicated to the appropriate authority who issued such licence, certificate, permit, authorization or approval, as the case may be, not more than two weeks after such change takes place.

Changes taking place in a body corporate or partnership to which any authority is granted.

111. (1) There shall be charged annually from every person who is authorized to provide any aeronautical service or who is engaged in domestic or international commercial air transportation, on a licence issued under this Act, a service charge at such rates to be determined by the Minister by Order published in the *Gazette*. The service charge imposed under this subsection shall be in addition, and not in derogation to the licence fee payable for any licences issued:

Service charge to be imposed.

Provided however the Minister may exempt any public corporation or a company in which the Government hold a majority of shares, which is authorized to provide any aeronautical service or who is engaged in domestic or international commercial air transportation, from the payment of the service charge imposed under this subsection.

(2) The service charge imposed under subsection (1) shall be paid to the Director General, who shall maintain proper records of all such payments received by him and shall credit all monies collected to the Fund.

(3) Every person who fails to pay the service charge required to be paid by such person under this section shall be guilty of an offence under this Act and on conviction be liable, in addition to any other punishment that shall be imposed by court, to a suspension or cancellation, as the case may be, of any licence or licences issued to that person under this Act, notwithstanding anything to the contrary contained in any other provisions of this Act.

Appeal
procedure.

112. (1) A person who is aggrieved by any order or decision made by the Director General or the Authority, as the case may be, under this Act or any regulations or rules made thereunder, may prefer an appeal in writing to the Secretary to the Ministry of the Minister before the expiry of thirty working days after the date on which such order or decision is communicated to that person and the Secretary shall in dealing with any appeal preferred to him under this subsection, obtain the observations of the Director General or the Authority, as the case may be, and after due inquiry, affirm, vary or annul the order or decision against which the appeal has been preferred.

(2) The decision of the Secretary to the Ministry of the Minister upon an appeal preferred under subsection (1), shall be final and conclusive and shall not be appealed against in any court or tribunal.

Access to
authorized
persons.

113. Any person authorized by the Director General shall at all reasonable times, have access to any place to which access is necessary for purpose of exercising and discharging any powers and functions vested in him under the provisions of this Act or any regulations or rules made thereunder and have the authority to examine any documents found in such place.

Coming into
force of any
order or
decision of the
Director General
or the Authority.

114. An order or decision made by the Director General or the Authority as the case may be, under this Act or any regulations or rules made thereunder, shall come into force on the date on which such order or decision is communicated to the person concerned and shall, notwithstanding that an appeal against such order or decision has been preferred to the Secretary to the Ministry of the Minister under section 112, continue to be in force until a decision is made on the appeal by the Secretary.

Prohibition
against transfer
of licence & c.

115. (1) A licence, certificate, permit, authorization or approval granted or issued under this Act to any person, shall not be:—

(a) transferable to any other person ; or

(b) used for the benefit of any other person.

(2) Any transfer or use of a licence, certificate, permit, authorization or approval done in contravention of the provision of subsection (1), shall be null and void.

116. (1) The Authority shall establish a State Safety Program with a view to integrating diverse and multi-disciplinary aviation activities conducted in terms of this Act or any rules or regulations made thereunder into a coherent program, setting out safety indicators, safety targets to be maintained to achieve an acceptable level of safety, as may be determined by the Authority.

Establishment of a State Safety Program and a Safety Data Collection and Processing System.

(2) The Authority shall establish and maintain a Safety Data Collection and Processing System, for the purpose of protecting all such information that is received by the Authority or the Director General, as the case may be, in the course of the exercise and discharge of its or his powers and function, under this Act and the Civil Aviation Authority of Sri Lanka Act, as the case may be.

117. (1) The Minister may, taking into consideration the interest of the national economy and the national security of the State, make regulations in respect of all or any matter required by this Act to be prescribed and in respect of which regulations are authorized by this Act to be made.

Regulations.

(2) Without prejudice to the generality of the powers conferred by subsection (1) and subject to the provisions of subsections (3) and (4) of this section, regulations may be made by the Minister for or in respect in all or any of the following matters :—

(a) carrying out the provisions of the Convention, any Annex thereto relating to international standards and recommended practices (being an Annex adopted in accordance with the Convention and any amendment to the Convention) ;

- (b) issue of Certificates of Airworthiness and the terms and conditions subject to which such Certificates may be issued ;
- (c) licencing, inspection, regulation and control of Aerodromes and the classification of Aerodromes for the purpose of issue of licences ;
- (d) access to Aerodromes and places where aircraft land and to aircraft factories, for the purpose of inspection and the prohibition of trespassing on aerodromes ;
- (e) employment of persons in or in connection with air navigation and the licensing of those employed at licensed Aerodromes in the inspection or supervision of aircraft ;
- (f) conditions under which aircraft entering or leaving Sri Lanka may fly and the conditions under which an aircraft may fly from one part of Sri Lanka to another part of Sri Lanka ;
- (g) conditions under which passengers and goods may be carried by air and aircraft may be used for other commercial, industrial or gainful purposes and specifying goods that are prohibited from being carried by air ;
- (h) prevention of interference with the use or effectiveness of apparatus used in connection with air navigation, the prohibition or regulation of the use of such apparatus and the display of signs and lights liable to endanger aircraft ;
- (i) safety, efficiency and regularity of air navigation, safety of aircraft and of persons and property carried therein, the prevention of aircraft from endangering other persons and property and the detention of aircraft for any of the purposes specified in this paragraph ;

- (j) safety oversight of civil aviation and matters connected therewith ;
- (k) payment of compensation to any officer or servant of the Authority where death or injury is caused as a direct result of an aircraft accident or incident or inspection conducted by such officer or servant in the performance of his or her duties ;
- (l) supply of meteorological information for the purpose of air navigation by persons engaged in or employed in or in connection with, such air navigation;
- (m) regulation of the making of signals and other communications by or to aircraft and persons carried therein ;
- (n) regulation of the use of the civil air ensign and any other ensign established by the Minister for purposes connected with air navigation ;
- (o) prevention of smuggling by air ;
- (p) manner and conditions relating to the issue, validation, renewal, extension or variation of any certificate, licence, permit or other document required to be issued under this Act or under any regulation or rule made thereunder and the form, custody, production, cancellation, suspension, endorsement and surrender of any such document ;
- (q) regulation of the charges that may be made for the use of Aerodromes and for services provided at such Aerodromes ;
- (r) regulation of the charges that may be made from overflying aircraft for the use of air navigation services or facilities provided by State or any Aerodrome in Sri Lanka ;

- (s) prescribing the fees to be paid in respect of the issue, validation, renewal, extension, or variation of any certificate, licence, permit or other document or the undergoing of any examination or test required by this Act or any regulations or rules made thereunder ;
- (t) the regulation and control of the conditions under which noise and vibration may be caused by aircraft on Aerodromes ; and
- (u) classification of commercial air transportation.

(3) Without prejudice to the generality of the powers hereinbefore conferred, any regulations made under this Act may provide for:—

- (a) different provisions with reference to different classes of aircraft, Aerodromes, persons or property and with respect to different circumstances and different areas of Sri Lanka but shall, to the extent that it is practicable, be made so as not to discriminate in like circumstances between aircraft registered in Sri Lanka operated on charter terms by one air transport undertaking and such aircraft so operated by another such undertaking ;
- (b) the application of such regulations in respect of all aircrafts registered in Sri Lanka, wherever they may be ;
- (c) the prohibition or regulation of carrying on certain activities by any persons in or members of the crew, of an aircraft registered in Sri Lanka wherever they may be ; and
- (d) the prohibition or regulation of doing anything in relation to an aircraft registered in Sri Lanka by any person other than any personnel authorized under the provisions of this Act.

(4) Any regulations made under this Act in relation to aircraft, may also provide for the detention of an aircraft to secure compliance with such regulation or with any provisions of this Act and may make such further provision as appears to the Minister to be necessary or expedient for securing such detention.

118. The Minister in charge of the subject of Finance may in consultation with the Minister, make regulations for and in respect of all or any of the following matters :—

Regulations to be made by the Minister of Finance.

- (a) the sale of passenger tickets for travel by aircraft and the booking of passage for travel by aircraft ;
- (b) the collection of freight charges on exports by aircraft ;
- (c) the collection of freight charges on imports by aircraft, where contract for such carriage of freight is made in Sri Lanka ;
- (d) the furnishing of statements or declarations by holders of licences issued under section 99 that may become necessary to ensure that the regulations made under section 117 are complied with, including such details as to:—
 - (i) the traffic documents issued during any month, whether or not any cash collections were involved in such issue ;
 - (ii) the total cash collection effected in any month from sale of passenger tickets and from freight charges ; and
 - (iii) refunds granted against air transportation documents issued in Sri Lanka.

Gazetting of regulations made under sections 117 and 118.

119. (1) Every regulation made by the Minister and the Minister in charge of the subject of Finance, under sections 117 and 118 of this Act 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.

(2) Every regulation published under subsection (1) shall, as soon as convenient after its publication in the *Gazette*, be brought before Parliament for approval. Any such regulation which is not so approved shall be deemed to be rescinded as from the date of its disapproval, but without prejudice to anything previously done thereunder.

(3) Notification of the date on which any regulation made by the Minister is so deemed to be rescinded, shall be published in the *Gazette*.

Power to issue implementing standards.

120. (1) The Director-General shall have the power to issue whenever he considers it necessary or appropriate to do so, such implementing standards for the purpose of giving effect to any of the provisions of this Act, including the Articles of the Convention specified in the Schedule to this Act or any regulations or rules made thereunder.

(2) It shall be the duty of all persons in respect of whom any implementing standards are issued under subsection (1), to comply with the same.

Director General to issue general or special directions.

121. The Director General shall have the power to issue to all operators and licence holders providing aeronautical services, such general or special directions in regard to any matter connected with or relating to the maintenance of public safety and welfare of the citizens of Sri Lanka and it shall be the duty of all such operators and licence holders, as the case may be, to comply with such directions.

122. (1) The Authority may make rules in respect of all or any of the matters in respect of which rules are authorized or required by this Act to be made. Rules.

(2) No rule made by the Authority under subsection (1) shall have effect until it has been approved by the Minister, and notification of such approval is published in the *Gazette*.

123. The equivalent in Sri Lanka Rupees of SDR for purpose of imposing a fine for an offence committed under this Act, shall be made on the basis of the value of the rupee determined in terms of SDR, for the date preceding the date of the commission of the the offence in respect of which such fine is being imposed. Equivalent of SDR in rupees.

124. (1) In this Act, unless the context otherwise required— Interpretation.

“aerial work” means aircraft operations in which an aircraft is used for purposes of agriculture, construction, photography, surveying, observation and patrol, search and rescue operations, aerial advertisement, broadcasting or communication, production of air turbulence, flying training, flower dropping and emergency operations ;

“Aerodrome” means any defined land or water area intended to be used, whether wholly or partly, for the landing and departure of aircraft and all buildings, sheds, vessels, piers and other structures standing thereon or appertaining thereto ;

“Air Navigation Act” means the Air Navigation Act (Chapter 365) and includes the Air Navigation (Special Provisions) Act, No. 55 of 1992 ;

“air navigation services” means navigational aids and navigational facilities;

“air traffic control” means a service provided for the purpose of—

- (a) preventing collisions:—
 - (i) between aircrafts ;
 - (ii) on the manoeuvring area between aircrafts and obstructions; and
- (b) expediting and maintaining an orderly flow of air traffic ;

“aircraft” means any machine that can derive support in the atmosphere from the aerodynamic reactions of the air, other than the reactions of the air against the earth’s surface ;

“Authority” means the Civil Aviation Authority of Sri Lanka, established by the Civil Aviation Authority of Sri Lanka Act, No. 34 of 2002;

“authorized security personnel” means a member of the Security Services maintained by a Service Provider to whom a licence is issued by the Director General for the provision and maintenance of an aviation security service and includes any member of the Armed Forces or Police Force, who is performing or is called upon to perform duties within the airport ;

“business of air transportation” means the making available (as the operator of an aircraft or as a principal or agent) of any accommodation for the carriage of persons, cargo or mail, on flight by aircraft (whether registered in Sri Lanka or not) in any part of the world, including flights to and from the territory of Sri Lanka ;

“Civil Aviation Authority of Sri Lanka Act” means the Civil Aviation Authority of Sri Lanka Act, No. 34 of 2002 ;

“Convention” means the Convention on International Civil Aviation which was signed at Chicago on the 7th day of December, 1944, as amended by any subsequent Convention or Agreement and includes any Annex attached to such Convention ;

“dangerous goods” means any substances or articles which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods specified in the Technical Instructions issued by International Civil Aviation Organization or which are classified as dangerous goods, according to such Technical Instructions ;

“Director General” means the Director General of Civil Aviation appointed under section 11 of the Civil Aviation Authority of Sri Lanka Act, No. 34 of 2002 ;

“foreign aircraft” means an aircraft which is not registered in Sri Lanka under this Act ;

“Fund” means the Fund of the Authority established by section 12 of the Civil Aviation Authority of Sri Lanka Act ;

“ground handling services” means services necessary for an aircraft’s arrival at and departing from an Aerodrome, other than air traffic services ;

“military aircraft” means an aircraft used or operated for or on behalf of a State for purposes other than the carriage of passengers or cargo for hire or reward;

“National Aviation Policy” means the National Policy on Aviation formulated and adopted by the Cabinet of Ministers ;

“navigational aids” means visual and non-visual-navigational aids along an air route, visual and non-visual aids to approaching and landing at Aerodromes and includes communication services, meteorological services and air traffic control services ;

“navigational facilities” means facilities provided to permit safe navigation of aircraft and includes visual and non-visual navigational aids ;

“operator” means a person, organization or an enterprise engaged in or offering to engage in aircraft operations and includes any person who causes or authorizes the operation of an aircraft, whether with or without the control (in the capacity of a owner, lessee, or otherwise) of the aircraft ;

“operator of the Aerodrome” means, in relation to any premises used or appropriated for use as an Aerodrome, the person maintaining or operating or is authorized to maintain and operate an Aerodrome in those premises or in the case of an Aerodrome which is established or maintained by or on behalf of the Government, the Service Provider so appointed for that purpose ;

“Regional Air Navigation Plan” means a plan of routes, facilities and services agreed to by Governments at any Regional Air Navigation Conference and approved by the Council of the International Civil Aviation Organization ;

“SARPS” means Standards and Recommended Practices adopted by the Council of the International Civil Aviation Organization under Article 37 of the Convention ;

“SDR” means Special Drawing Rights defined by the International Monetary Fund ;

“standards” means:—

- (a) international standards adopted by the Council of the International Civil Aviation Organization

under Article 37 of the Convention and to which Sri Lanka has not filed differences under Article 38 of the Convention ; and

- (b) the Recommended Practices adopted by the Council of the International Civil Aviation Organization under Article 37 of the Convention and which have been duly implemented in Sri Lanka;

“State Party to the Convention” means a State that has ratified or has adhered to the Convention ;

“territory of Sri Lanka” means the land area, internal waters and the territorial waters of Sri Lanka and includes the air space above such areas.

(2) Any reference in this Act to “goods or articles” shall be construed as including a reference to mail or to animals and any reference in this Act to any “country or territory” shall, unless the context otherwise requires, be construed as including a reference to the territorial waters, if any, adjacent to that country or territory.

(3) In this Act, the expression “purposes of civil aviation” includes all purposes connected with air navigation, except any purpose connected to the defence of Sri Lanka by air.

125. 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.

126. (1) The provisions of:—

Repeal and savings provisions.

- (a) the Air Navigation Act, (Chapter 365), other than the provisions contained in Part III of that Act; and
- (b) the Air Navigation (Special Provisions) Act, No. 55 of 1992, other than Part II of that Act, are hereby repealed.

(2) Notwithstanding the repeal of the provisions referred to in subsection (1):—

- (a) all activities connected with the provision of aeronautical services that are being carried on by the Agent by virtue of the powers vested in such Agent under the repealed provisions, shall be continued to be carried on by such Agent until it is issued with such appropriate licences in its capacity as the Statutory Service Provider under subsection (1) of section 127 ;
- (b) every regulation or Order made under any of the repealed provisions and in force on the appointed date, in so far as such regulation or Order is not inconsistent with the provisions of this Act, shall be deemed to be a regulation or Order made under this Act and may be amended or rescinded by any regulation or Order made under this Act ;
- (c) every licence or Certificate issued or rendered valid under any repealed provisions or any regulation made there under and in force on the appointed date, shall be deemed to be a licence or Certificate issued under this Act and shall be valid and effectual until the expiry of the period for which such licence or Certificate was issued or was rendered valid ;
- (d) every approval granted and every designation, authorization or appointment made, directives, circulars, manuals, instructions and any other publications issued, boards or any other bodies established, under any regulation made under any of the repealed provisions, shall be deemed to be granted, made or issued under this Act and shall, unless otherwise cancelled or rendered invalid, continue to be in force ; and
- (e) every decree, order or award entered or made in favour of or against Department of Civil Aviation by any Court or tribunal or other body in any action,

matter, proceeding or thing shall, with effect from the appointed date, be deemed to be a decree, order or award entered or made in favour of or against the Authority and may be enforced accordingly.

127. (1) Notwithstanding the provisions of section 6 of this Act, the Agent appointed under section 21A of the Air Navigation Act (Chapter 365), shall, on and after the appointed date, be deemed to be a Service Provider (in this Act referred to as the “Statutory Service Provider”) for the purposes of this Act and shall be issued with all the relevant licences required to be issued under this Act, to enable such Statutory Service Provider to provide the aeronautical services such Agent was engaged in providing as on such appointed date. The provisions of this Act pertaining to the requirements imposed on those to whom a licence is issued under this Act, shall apply to and in respect of all licences issued to such Statutory Service Provider.

Provisions relating to the Agent appointed under section 21A of the Air Navigation Act, (Chapter 365).

(2) The Minister shall cause an Order pertaining to the appointment of the Statutory Service Provider to be published in the *Gazette*.

(3) The issue of any licences to the Statutory Service Provider under subsection (1) of this section, shall not in any way affect or prejudice any duty cast on such Statutory Service Provider to fulfill any obligations that may have been imposed upon such Statutory Service Provider in its capacity as the Agent appointed under section 21A of the Air Navigation Act (Chapter 365), prior to the appointed date.

128. On the issue of the licences to the Statutory Service Provider under subsection (1) of section 127 of this Act, the Authority shall grant permission in writing to the Statutory Service Provider to withhold any immovable properties that were in its possession in its capacity as Agent as on the appointed date, to enable such Statutory Service Provider to provide any aeronautical service or any other service which is connected with or incidental to the provision of such aeronautical service.

Withholding of properties by the Statutory Service Provider.

SCHEDULE [Section 2]**ARTICLES OF THE CONVENTION RELATING TO SAFETY,
REGULARITY, EFFICIENCY AND SECURITY OF
CIVIL AVIATION****ARTICLE 1 - SOVEREIGNTY**

The Contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory.

ARTICLE 2 - TERRITORY

For the purposes of this Convention the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State.

ARTICLE 3 - CIVIL AND STATE AIRCRAFTS

- (a) This Convention shall be applicable only to civil aircraft, and shall not be applicable to state aircraft.
- (b) Aircraft used in military, customs and police services shall be deemed to be state aircraft;
- (c) No state aircraft of a Contracting State shall fly over the territory of another State or land thereon without authorization by special agreement or otherwise, and in accordance with the terms thereof.
- (d) The Contracting State undertake, when issuing regulations for their state aircraft, that they will have due regard for the safety of navigation of civil aircraft.

ARTICLE 3 bis

- (a) The Contracting States recognize that every State must refrain from resorting to the use of weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the safety of aircraft must not be endangered. This provision shall not be interpreted as modifying in any way the rights and obligations of States set forth in the Charter of the United Nations;
- (b) The Contracting States recognize that every State, in the exercise of its sovereignty, is entitled to require the landing at some designated airport of a civil aircraft flying above its territory without authority or if there are reasonable

grounds to conclude that it is being used for any purpose inconsistent with the aims of this Convention; it may also give such aircraft any other instructions to put an end to such violations. For this purpose, the Contracting States may resort to any appropriate means consistent with relevant rules of international law, including the relevant provisions of this Convention, specifically paragraph (a) of this Article. Each Contracting State agrees to publish its regulations in force regarding the interception of civil aircraft;

- (c) Every civil aircraft shall comply with an order given in conformity with paragraph (b) of this Article. To this end each Contracting State shall establish all necessary provisions in its national laws or regulations to make such compliance mandatory for any civil aircraft registered in that State or operated by an operator who has his principal place of business or permanent residence in that State. Each Contracting State shall make any violation of such applicable laws or regulations punishable by severe penalties and shall submit the case to its competent authorities in accordance with its laws or regulations;
- (d) Each Contracting State shall take appropriate measures to prohibit the deliberate use of any civil aircraft registered in that State or operated by an operator who has his principal place of business or permanent residence in that State for any purpose inconsistent with the aims of this Convention. This provision shall not affect paragraph (a) or derogate from paragraphs (b) and (c) of this Article.

ARTICLE 4 - MISUSE OF CIVIL AVIATION

Each Contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.

ARTICLE 5 - RIGHT OF NON-SCHEDULED FLIGHT

Each Contracting State agrees that all aircraft of the other Contracting States, being aircraft not engaged in scheduled international air services, shall have the right, subject to the observance of the terms of this Convention, to make flights into or in transit non-stop across its territory and to make stops for non-traffic purposes without the necessity of obtaining prior permission, and subject to the right of the State flown over to require landing. Each Contracting State nevertheless reserves the right, for reasons of safety of flight, to require aircraft desiring to proceed over regions which are inaccessible or without adequate air navigation facilities, to follow prescribed

routes or to obtain special permission for such flights. Such aircraft, if engaged in the carriage of passengers, cargo or mail for remuneration or hire on other than scheduled international air services, shall also, subject to the provisions of Article 7, have the privilege of taking on or discharging passengers, cargo or mail, subject to the right of any State where such embarkation or discharge takes place, to impose such regulations, conditions or limitations as it may consider desirable.

ARTICLE 6 - SCHEDULED AIR SERVICES

No scheduled international air service may be operated over or into the territory of a Contracting State, except with the special permission or other authorization of that State, and in accordance with the terms of such permission or authorization.

ARTICLE 7 - CABOTAGE

Each Contracting State shall have the right to refuse permission to aircraft of any other Contracting States to take on in its territory passengers, mail and cargo carried for remuneration or hire and destined for another point within its territory. Each Contracting State undertakes not to enter into any arrangements, which specifically grant any such privilege on an exclusive basis to any other State or an airline of any other State, and not to obtain any such exclusive privilege from any other State.

ARTICLE 8 - PILOTLESS AIRCRAFT

No aircraft capable of being flown without a pilot shall be flown without a pilot over the territory of a Contracting State without special authorization by that State and in accordance with the terms of such authorization. Each Contracting State undertakes to insure that the flight of such aircraft without a pilot in regions open to civil aircraft, shall be so controlled as to obviate danger to civil aircraft.

ARTICLE 9 - PROHIBITED AREAS

- (a) Each contracting State may, for reasons of military necessity or public safety, restrict or prohibit uniformly the aircraft of other States from flying over certain areas of its territory, provided that no distinction in this respect is made between the aircraft of the State whose territory is involved or engaged in scheduled international airline services, and the aircraft of the other Contracting States likewise engaged. Such prohibited areas shall be of reasonable extent and location so as not to interfere unnecessarily with air navigation. Descriptions of such prohibited areas in the territory of a Contracting State, as well as any subsequent alterations therein, shall be communicated as soon as

possible to the other Contracting States and to the International Civil Aviation Organization.

- (b) Each Contracting State reserves also the right, in exceptional circumstances or during a period of emergency, or in the interest of public safety, and with immediate effect, temporarily to restrict or prohibit flying over the whole or any part of its territory, on condition that such restriction or prohibition shall be applicable without distinction of nationality, to aircraft of all other States.
- (c) Each Contracting State, under such regulations as it may prescribe, may require any aircraft entering the areas contemplate in subparagraphs (a) or (b) above to effect a landing as soon as practicable thereafter, at some designated airport within its territory.

ARTICLE 10 - LANDING AT CUSTOMS AIRPORT

Except in a case where, under the terms of this Convention or a special authorization, aircraft are permitted to cross the territory of a Contracting State without landing, every aircraft which enters the territory of a Contracting State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a Contracting State, such aircraft shall depart from a similarly designated customs airport. Particulars of all designated customs airports shall be published by the State and transmitted to the International Civil Aviation Organization established under Part II of this Convention, for communication to all other contracting States.

ARTICLE 11 - APPLICABILITY OF AIR REGULATIONS

Subject to the provisions of this Convention, the laws and regulations of a Contracting State relating to the admission to or departure from its territory aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of all Contracting States without distinction as to nationality, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that State.

ARTICLE 12 - RULES OF THE AIR

Each Contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each Contracting State

undertakes to keep its own regulations in these respects uniform to the greatest possible extent, with those established from time to time under this Convention. Over the high seas, the rules in force shall be those established under this Convention. Each Contracting State undertakes to insure the prosecution of all persons violating the regulations applicable.

ARTICLE 13 - ENTRY AND CLEARANCE REGULATIONS

The laws and regulations of a Contracting State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs and quarantine, shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of the State.

ARTICLE 14 - PREVENTION OF SPREAD OF DISEASE

Each Contracting State agrees to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, plague, and such other communicable diseases as the Contracting States shall from time to time decide to designate, and to that end Contracting States will keep in close consultation with the agencies concerned with international regulations relating to sanitary measures applicable to aircraft. Such consultation shall be without prejudice to the application of any existing international convention on the subject, to which the Contracting States may be parties.

ARTICLE 15 - AIRPORT AND SIMILAR CHARGES

Every airport in a Contracting State which is open to public use by its national aircraft shall likewise, subject to the provisions of Article 68, be open under uniform conditions to the aircraft of all the other Contracting States. The like uniform conditions shall apply to the use, by aircraft of every Contracting State, of all air navigation facilities, including radio and meteorological services, which may be provided for public use for the safety and expedition of air navigation. Any charges that may be imposed or permitted to be imposed by a Contracting State for the use of such airports and air navigation facilities by the aircraft of any other Contracting State, shall not be higher:—

- (a) as to aircraft not engaged in scheduled international air services, than those that would be paid by its national aircraft of the same class engaged in similar operation; and
- (b) as to aircraft engaged in scheduled international air services, than those that would be paid by its national aircraft engaged in similar international air services.

All such charges shall be published and communicated to the International Civil Aviation Organization :

provided that, upon representation by an interested Contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council, which shall report and make recommendations thereon for the consideration of the State or States concerned. No fees, dues or other charges shall be imposed by any Contracting State in respect solely of the right of transit over or entry into or exit from its territory of any aircraft of a Contracting State or persons or property thereon.

ARTICLE 16 - SEARCH OF AIRCRAFT

The appropriate authorities of each of the Contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure and to inspect the certificates and other documents prescribed by this Convention.

ARTICLE 17 - NATIONALITY OF AIRCRAFT

Aircraft have the nationality of the State in which they are registered.

ARTICLE 18 - DUAL REGISTRATION

An aircraft cannot be validly registered in more than one State, but its registration may be changed from one State to another.

ARTICLE 19 - NATIONAL LAWS GOVERNING REGISTRATION

The registration or transfer of registration of aircraft in any Contracting State, shall be made in accordance with its laws and regulations.

ARTICLE 20 - DISPLAY OF MARKS

Every aircraft engaged in international air navigation shall bear its appropriate nationality and registration marks.

ARTICLE 21 - REPORT OF REGISTRATIONS

Each Contracting State undertakes to supply to any other Contracting State or to the International Civil Aviation Organization, on demand, information concerning the registration and ownership of any particular aircraft registered in that State. In addition, each Contracting State shall furnish reports to the International Civil Aviation Organization, under such regulations as the latter may prescribe, giving such pertinent data as can be made available concerning the ownership and control of aircraft registered in that State and habitually engaged in international air navigation. The data thus obtained by the International Civil Aviation Organization shall be made available by it on request to the other Contracting States.

ARTICLE 22 - FACILITATION OF FORMALITIES

Each Contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of Contracting States and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance.

ARTICLE 23 - CUSTOMS AND IMMIGRATION PROCEDURES

Each Contracting State undertakes, so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time, pursuant to this Convention. Nothing in this Convention shall be construed as preventing the establishment of customs-free airports.

ARTICLE 24 - CUSTOMS DUTY

Aircraft on a flight to, from, or across the territory of another Contracting State shall be admitted temporarily free of duty, subject to the customs regulations of the State. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board an aircraft of a Contracting State, on arrival in the territory of another Contracting State and retained on board on leaving the territory of that State shall be exempt from customs duty, inspection fees or similar national or local duties and charges. This exemption shall not apply to any quantities or articles unloaded, except in accordance with the customs regulations of the State, which may require that they shall be kept under customs supervision.

Spare parts and equipment imported into the territory of a Contracting State for incorporation in or use on an aircraft of another Contracting State engaged in international air navigation shall be admitted free of customs duty, subject to compliance with regulations of the State concerned, which may provide that the articles shall be kept under customs supervision and control.

ARTICLE 25 - AIRCRAFT IN DISTRESS

Each Contracting State undertakes to provide such measures of assistance to aircraft in distress in its territory as it may find practicable, and to permit, subject to control by its own authorities, the owners of the aircraft or authorities of the State in which the aircraft is registered, to provide such measures of assistance as may be necessitated by the circumstances. Each Contracting State, when undertaking search for missing aircraft, will collaborate in coordinated measures which may be recommended from time to time, pursuant to this Convention.

ARTICLE 26 - INVESTIGATION OF ACCIDENTS

In the event of an accident to an aircraft of a Contracting State occurring in the territory of another Contracting State and involving death or serious injury or indicating serious technical defect in the aircraft or air navigation facilities, the State in which the accident occurs will institute an inquiry into the circumstances of the accident, in accordance, so far as its laws permit, with the procedure which may be recommended by the International Civil Aviation Organization. The State in which the aircraft is registered shall be given the opportunity to appoint observers to be present at the inquiry and the State holding the inquiry shall communicate the report and findings in the matter to that State.

ARTICLE 27 - EXEMPTION FROM SEIZURE ON PATENT CLAIMS

- (a) While engaged in international air navigation, any authorized entry of aircraft of a Contracting State into the territory of another Contracting State or authorized transit across the territory of such State with or without landings, shall not entail any seizure or detention of the aircraft or any claim against the owner or operator thereof or any other interference therewith by or on behalf of such State or any person therein, on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is an infringement of any patent, design, or model duly granted or registered in the State whose territory is entered by the aircraft, it being agreed that no deposit of security in connection with the foregoing exemption from seizure or detention of the aircraft, shall in any case be required in the State entered by such aircraft.
- (b) The provisions of paragraph (a) of this Article shall also be applicable to the storage of spare parts and spare equipment for the aircraft and the right to use and install the same in the repair of an aircraft of a Contracting State in the territory of any other Contracting State, provided that any patented part or equipment so stored shall not be sold or distributed internally in or exported commercially from the Contracting State entered by the aircraft.
- (c) The benefits of this Article shall apply only to such States parties to this Convention, as either:—
 - (1) are parties to the International Convention for the Protection of Industrial Property and to any amendments thereof; or

- (2) have enacted patent laws which recognize and give adequate protection to inventions made by the nationals of the other States parties to this Convention.

ARTICLE 28 - AIR NAVIGATION FACILITIES AND STANDARD SYSTEMS

Each Contracting State undertakes, so far as it may find practicable, to —

- (a) provide in its territory, airports, radio services, meteorological services and other air navigation facilities to facilitate international air navigation, in accordance with the standards and practices recommended or established from time to time, pursuant to this Convention;
- (b) adopt and put into operation the appropriate standard systems of communications procedure, codes, markings, signals, lighting and other operational practices and rules which may be recommended or established from time to time, pursuant to this Convention;
- (c) collaborate in international measures to secure the publication of aeronautical maps and charts in accordance with standards, which may be recommended or established from time to time, pursuant to this Convention.

ARTICLE 29 - DOCUMENTS CARRIED IN AIRCRAFT

Every aircraft of a Contracting State, engaged in international navigation, shall carry the following documents in conformity with the conditions prescribed in this Convention :—

- (a) its certificate of registration ;
- (b) its certificate of airworthiness;
- (c) the appropriate licenses for each member of the crew;
- (d) its journey log book;
- (e) if it is equipped with radio apparatus, the aircraft radio station license;
- (f) if it carries passengers, a list of their names and places of embarkation and destination;
- (g) if it carries cargo, a manifest and detailed declarations of the cargo.

ARTICLE 30 - AIRCRAFT RADIO EQUIPMENT

- (a) Aircraft of each Contracting State may, in or over the territory of other Contracting States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in the territory of the Contracting State whose territory is flown over, shall be in accordance with the regulations prescribed by that State.
- (b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purposes, issued by the appropriate authorities of the State in which the aircraft is registered.

ARTICLE 31 - CERTIFICATES OF AIRWORTHINESS

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

ARTICLE 32 - LICENSES OF PERSONNEL

- (a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation, shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.
- (b) Each Contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another Contracting State.

ARTICLE 33 - RECOGNITION OF CERTIFICATES AND LICENSES

Certificates of airworthiness and certificates of competency and licenses issued or rendered valid by the Contracting State in which the aircraft is registered, shall be recognized as valid by the other Contracting States, provided that the requirements under such certificates or licenses were issued or rendered valid are equal to or above the minimum standards which may be established from time to time, pursuant to this Convention

ARTICLE 34 - JOURNEY LOGBOOKS

There shall be maintained in respect every aircraft engaged in international navigation, a journey log book in which shall be entered particulars of the aircraft, its crew and of each journey, in such form as may be prescribed from time to time, pursuant to this Convention.

ARTICLE 35 - CARGO RESTRICTIONS

- (a) No munitions of war or implements of war may be carried in or above the territory of a State in aircraft engaged in international navigation, except by permission of such State. Each State shall determine by regulations what constitutes munitions of war or implements of war for the purposes of this Article, giving due consideration, for the purposes of uniformity, to such recommendations as the International Civil Aviation Organization may from time to time make.
- (b) Each Contracting State reserves the right, for reasons of public order and safety, to regulate or prohibit the carriage in or above its territory, of articles other than those enumerated in paragraph (a):

provided that no distinction is made in this respect between its national aircraft engaged in international navigation and the aircraft of the other States so engaged : and provided further that no restriction shall be imposed which may interfere with the carriage and use on aircraft of apparatus necessary for the operation or navigation of the aircraft or the safety of the personnel or passengers.

ARTICLE 36 - PHOTOGRAPHIC APPARATUS

Each Contracting State may prohibit or regulate the use of photographic apparatus in aircraft over its territory.

ARTICLE 37 - ADOPTION OF INTERNATIONAL STANDARDS AND PROCEDURES

Each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation. To this end the International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures, dealing with —

- (a) communications systems and air navigation aids, including ground marking;
- (b) characteristics of airports and landing areas;
- (c) rules of the air and air traffic control practices;
- (d) licensing of operating and mechanical personnel;
- (e) airworthiness of aircraft;
- (f) registration and identification of aircraft;
- (g) collection and exchange of meteorological information;
- (h) log books;

- (i) aeronautical maps and charts;
- (j) customs and immigration procedure;
- (k) aircraft in distress and investigation of accidents,

and such other matters concerned with the safety, regularity, and efficiency of air navigation, as may from time to time appear appropriate.

ARTICLE 38 - DEPARTURES FROM INTERNATIONAL
STANDARDS AND PROCEDURES

Any state which finds it impracticable to comply in all respects with any such international standards or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices, shall give notice to the Council within sixty day of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case the Council shall make immediate notification to all States, of the difference which exists between one or more features of an international standard and the corresponding national practice of that State.

ARTICLE 39 - ENDORSEMENT OF CERTIFICATES AND LICENSES

- (a) Any aircraft or part thereof with respect to which there exists an international standard of airworthiness or performance, and which failed in any respect to satisfy that standard at the time of its certification, shall have endorsed on or attached to its airworthiness certificate, a complete enumeration of the details in respect of which it so failed.
- (b) Any person holding a license who does not satisfy in full the conditions laid down in the international standard relating to the class of license or certificate which he holds, shall have endorsed on or attached to his license a complete enumeration of the particulars in which he does not satisfy such conditions.

ARTICLE 40 - VALIDITY OF ENDORSED CERTIFICATES AND LICENSES

No aircraft or personnel having certificates or licenses so endorsed shall participate in international navigation, except with the permission

of the State or States whose territory is entered. The registration or use of any such aircraft, or of any certificated aircraft part, in any State other than that in which it was originally certificated, shall be at the discretion of the State into which the aircraft or part is imported.

ARTICLE 41 - RECOGNITION OF EXISTING STANDARDS OF AIRWORTHINESS

The provisions of Articles 37, 38, 39 and 40 shall not apply to aircraft and aircraft equipment of types of which the prototype is submitted to the appropriate national authorities for certification, prior to a date three years after the date of adoption of an international standard of airworthiness for such equipment.

ARTICLE 42 - RECOGNITION OF EXISTING STANDARDS OF COMPETENCY OF PERSONNEL

The provisions of Articles 37, 38, 39 and 40 shall not apply to personnel whose licenses are originally issued prior to a date one year after initial adoption of an international standard of qualification for such personnel; but they shall in any case apply to all personnel whose licenses remain valid five years after the date of adoption of such standard.

ARTICLE 67 - FILE REPORTS WITH COUNCIL

Each Contracting State undertakes that its international airlines shall, in accordance with requirements laid down by the Council, file with the Council traffic reports, cost statistics and financial statements showing among other things, all receipts and the sources thereof.

ARTICLE 68 - DESIGNATION OF ROUTES AND AIRPORTS

Each Contracting State may, subject to the provisions of this Convention, designate the route to be followed within its territory by any international air service and the airport, which any such service may use.

ARTICLE 72 - ACQUISITION OR USE OF LAND

Where land is needed for facilities financed in whole or in part by the Council at the request of a Contracting State, that State shall either provide the land itself, retaining title if it wishes, or facilitate the use of the land by the Council on just and reasonable terms and in accordance with the laws of the State concerned.

ARTICLE 81 - REGISTRATION OF EXISTING AGREEMENTS

All aeronautical agreements which are in existence on the coming into force of this Convention, and which are between a Contracting State and any other State or between an airline of a Contracting State and any other State or the airline of any other State, shall be forthwith registered with the Council.

ARTICLE 83 - REGISTRATION OF NEW ARRANGEMENTS

Subject to the provisions of the preceding Article, any Contracting State may make arrangements not inconsistent with the provisions of this Convention. Any such arrangement shall be forthwith registered with the Council, which shall make it public as soon as possible.

ARTICLE 83 *bis*

- (a) Notwithstanding the provisions of Articles 12, 30, 31 and 32(a), when an aircraft registered in a Contracting State is operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who has his principal place of business or, if he has no such place of business, his permanent residence in another Contracting State, the State of registry may, by agreement with such other State, transfer to it all or part of its functions and duties as State of registry in respect of that aircraft under Articles 12, 30, 31 and 32(a). The State of registry shall be relieved of responsibility in respect of the functions and duties transferred;
- (b) The transfer shall not have effect in respect of other Contracting States, before either the agreement between States in which it is embodied has been registered with the Council and made public pursuant to Article 83 or the existence and scope of the agreement have been directly communicated to the authorities of the other Contracting State or States concerned, by a State party to the agreement.

ARTICLE 89 - WAR AND EMERGENCY CONDITIONS

In case of war, the provisions of this Convention shall not affect the freedom of action of any of the Contracting States affected, whether as belligerents or as neutrals. The same principle shall apply in the case of any Contracting State, which declares a state of national emergency and notifies the fact to the Council.

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**SECRETARY TO THE TREASURY
(NOMINATION OF REPRESENTATIVE)
ACT, No. 15 OF 2010**

[Certified on 07th December, 2010]

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*Secretary to the Treasury (Nomination of
Representative) Act No. 15 of 2010*

[Certified on 07th December, 2010]

L.D.—O. 34/2010.

AN ACT TO PROVIDE FOR THE SECRETARY TO THE TREASURY TO NOMINATE A PERSON FROM EITHER THE MINISTRY OF THE MINISTER TO WHOM THE SUBJECT OF FINANCE IS ASSIGNED OR ANY DEPARTMENT OF THE GENERAL TREASURY TO BE HIS REPRESENTATIVE IN INSTANCES WHERE LEGISLATION HAS PROVIDED FOR THE SECRETARY TO THE TREASURY TO BE A MEMBER OF ANY COMMITTEE, AUTHORITY, BOARD OR INSTITUTION ESTABLISHED BY SUCH LEGISLATION ; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS it has been the practice for the Secretary to the Treasury to be appointed by legislation, to be a member of any Committee, Authority, Board or Institution created or established by such legislation :

Preamble.

AND WHEREAS the constraints mainly with regard to time, placed on the Secretary to the Treasury due to the divergent powers and functions which he is by virtue of his office required to exercise and discharge, make it almost an impossibility for the Secretary to the Treasury to attend the meetings of every such Committee, Authority, Board or Institution in his capacity of a member thereof :

AND WHEREAS it is therefore necessary to make legal provision for the Secretary to the Treasury to be able to nominate a person to be his representative in such Committee, Authority, Board or Institution :

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

1. This Act may be cited as the Secretary to the Treasury (Nomination of Representative) Act, No. 15 of 2010.

Short title.

2 *Secretary to the Treasury (Nomination of Representative) Act No. 15 of 2010*

Secretary to the Treasury to be entitled to nominate a representative in his place.

2. Where any law for the time being in force has made provision for the appointment or nomination of the Secretary to the Treasury as a member of any Committee, Authority, Board or Institution, as the case may be, the Secretary to the Treasury shall be entitled to nominate a suitable person from either the Ministry of the Minister to whom the subject of Finance is assigned or any Department of the General Treasury, to be his representative in such Committee, Authority, Board or Institution :

Provided that the Secretary to the Treasury shall be required to attend meetings of the Monetary Board of the Central Bank of Sri Lanka established under the Monetary Law Act (Chapter 422) and the Finance Commission established under Article 154r of the Constitution.

Validation of nomination.

3. Where at any time prior to the coming into operation of this Act, the Secretary to the Treasury has nominated any person to be his representative in such Committee, Authority, Board or Institution, as the case may be, such nomination shall be valid and effectual and such nomination shall be deemed to have been made in terms of this Act.

Sinhala text to prevail in case of any inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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**DEFAULT TAXES (SPECIAL PROVISIONS)
ACT, No. 16 OF 2010**

[Certified on 07th December, 2010]

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*Default Taxes (Special Provisions)
Act, No. 16 of 2010*

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L.D.—O. 14/2010.

AN ACT TO PROVIDE FOR A STREAMLINED AND SPEEDIER PROCESS FOR THE RECOVERY OF TAXES IN DEFAULT IN A TIME BOUND MANNER ; TO PROVIDE FOR THE WRITING-OFF OF TAXES IN DEFAULT IN CERTAIN CIRCUMSTANCES AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

WHEREAS it has become imperative to formulate a mechanism for the speedy recovery of taxes imposed under certain specified laws and which have been in default for over a long period of time :

Preamble.

AND WHEREAS it has become necessary in order to facilitate such process, to evolve a method for the recovery of some of these default taxes in a manageable and justifiable manner and to ensure that in the future, taxes in arrears are maintained at a reasonable limit and the officials entrusted with this task be made more accountable towards the collection of these taxes :

AND WHEREAS it has also become necessary to write-off some of the taxes which are in default, adopting a transparent and an accountable process :

NOW THEREFORE be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Default Taxes (Special Provisions) Act, No. 16 of 2010 and the provisions of this Act other than this section, shall come into operation on such date as may be determined by the Minister by Order published in the *Gazette* (hereinafter referred to as the “appointed date”). The provisions of this section shall come into effect, in terms of paragraph (1) of Article 80 of the Constitution, on the date on which the Certificate of the Speaker is endorsed.

Short title and date of operation.

2 *Default Taxes (Special Provisions)*
Act, No. 16 of 2010

Application of
the provisions of
the Act.

2. Notwithstanding anything in any other written law to the contrary, the provisions of this Act shall apply to the recovery, discharge or write-off of taxes charged and levied on or before December 31, 2009 under any of the laws specified in the Schedule to this Act and which continue to be in default under any such laws, for a period of over two years or more, or where applicable, after the appellate procedures specified in any such laws for the recovery of any such tax (in this Act referred to as “tax in default”) have been exhausted :

Provided however where pursuant to any action taken for the recovery of any tax in default prior to the appointed date, a defaulter has agreed to or an effective arrangement has been made for the settlement of such tax in default, by the payment of the same in installments or otherwise and the defaulter concerned has thereafter failed to comply with such agreement or arrangement, as the case may be, the provisions of this Act shall apply in regard to the recovery of the balance sum remaining unpaid in terms of such agreement or arrangement, other than in instances where such agreement or arrangement was entered into or made, in pursuance of an order made by a court.

Appointment of
an Advisory
Committee.

3. (1) The Minister shall appoint an Advisory Committee (hereinafter referred to as the “Committee”) consisting of five members of whom one member shall be a retired judge of the Supreme Court or of the Court of Appeal or of the High Court, as the case may be, who shall be the Chairman of the Committee. The other four members shall be selected from among persons who have knowledge, experience and shown capacity in taxation law, accountancy and auditing, business management or finance.

(2) The quorum for any meeting of the Committee shall be three members and the Chairman shall preside at all meetings of the Committee. In the absence of the Chairman from any meeting of the Committee, the members present shall elect one of the members present to preside at such meeting.

(3) The Committee may regulate the procedure in regard to the meetings of the Committee and the transaction of all business at such meetings.

(4) The Minister may for reasons assigned therefor, remove a member of the Committee from his office by a letter sent to him in that behalf. A member of the Committee may resign from his office by letter to that effect addressed to the Minister and such resignation shall take effect upon it being accepted by the Minister writing.

(5) The members of the Committee may be paid an honorarium in such amount as may be determined by the Minister.

- 4.** (1) The functions of the Committee shall be to:— Functions of the Committee.
- (a) respond to communications received from the Commissioner-General under section 7, regarding the write-off of any tax in default ; and
 - (b) advise on any matter referred to it for its advice by the Commissioner-General or the Minister, as the case may be.

(2) In the discharge of its functions, the Committee shall have the power to summon any person whom it considers is able to give any information or produce any document, with regard to a matter which is before such Committee for its deliberation.

- 5.** There shall be established a unit called the Default Tax Recovery Unit under the purview of the Commissioner-General, with a Deputy Commissioner-General assigned to be in charge of such unit. Establishment of the Default Tax Recovery Unit.

- 6.** The Commissioner-General shall within six months of the date of the appointment of the Committee, cause the Default Tax Recovery Unit to prepare and finalize a report, identifying taxes in default of:— Report on taxes in default to be prepared.

- (a) Public Corporations ;

4 *Default Taxes (Special Provisions)*
Act, No. 16 of 2010

- (b) Government Owned Business Undertakings ;
- (c) Government Owned Business Undertakings established as corporations under section 2 of the Conversion of Government Owned Business Undertakings into Public Corporations Act, No. 22 of 1987 ;
- (d) Government Ministries ;
- (e) Government Departments ; and
- (f) Co-operative Societies registered under the Co-operative Societies Law, No. 5 of 1972, including any Corporative Rural Bank.

Certain taxes in default to be written off.

7. (1) Subject to the provisions of subsection (2), with regard to taxes in default of any institution identified under section 6 of this Act, the Commissioner-General shall:—

- (a) having verified from the persons concerned of the accuracy of the amount recorded as being due as tax in default ; and
- (b) having obtained the confirmation of the Secretary to the Treasury that such institutions is dependent on Government funding to meet its tax liabilities,

take all necessary steps to write-off the tax in default of such identified institution.

(2) The Commissioner-General shall three months prior to taking necessary steps to write-off any tax in default under subsection (1), inform the Committee of such fact and the Committee shall be entitled to make any comments on the same within three months of the receipt of such information. In the event the Committee makes any comments, it shall be the responsibility of the Commissioner-General to respond to such comments immediately.

8. Where any tax in default is written-off under section 7 of this Act:— write-off of any tax in default to be published in the *Gazette*.

- (a) the Commissioner-General shall, notwithstanding any provision relating to secrecy contained in the law under which the tax in default was levied and charged, publish that information in the *Gazette*, within thirty days of the date of such write-off ; and
- (b) the tax in default which had been written-off is subsequently recovered under the provisions of the relevant law under which such tax was charged and levied, the amount so recovered shall not be refunded to the defaulter.

9. (1) Where any tax in default is not written-off under section 7, then, notwithstanding:— Issue of notice to those whose tax in default is to be recovered.

- (a) any agreement that may have been entered into by the defaulter with the Commissioner-General for the payment in installment of the sum in default ;
or
- (b) the commencement of any proceedings for the recovery of such tax under the law under which such tax was levied and charged, other than where any proceedings for recovery has been filed in a court,

the Commissioner-General shall issue a notice to the defaulter concerned, setting out the details of the amount due as tax in default and requesting that such amount be settled within sixty days of the receipt of such notice.

(2) A defaulter who is issued with a notice under subsection (1) may, prior to the expiry of the sixty days referred to therein, shall write to the Commissioner-General:—

- (a) requesting that such defaulter be permitted to settle the amount of tax in default in installments as shall be agreed to with the Commissioner-General ; or

- (b) raising any objections in regard to the payment of the tax in default referred to in the notice.

(3) Where a defaulter makes a request for the payment of the tax in default in installments, the Commissioner-General may agree to such payment, subject to the condition that the payment of the amount due is paid in full within a period not exceeding three years from the date of entering into such agreement. The Commissioner-General shall also inform the Committee of the details of the agreement entered into with the defaulter.

(4) Where the defaulter raises any objections in regard to the payment of the tax in default referred to in a notice sent, the Commissioner-General shall make his decision in regard to the same within sixty days of the receipt of such objections and where the objection involves a re-determination of the tax liability concerned, he shall discharge the excess if any, of the tax in default over the amount so determined.

Consequences of not responding to a notice sent under section 9.

10. Where a defaulter to whom a notice is sent under subsection (1) of section 9:—

- (a) fails to respond to the notice within the period specified in that subsection ; or
- (b) having entered into an agreement with the Commissioner-General to pay the tax in default in installments, has failed to pay any installment for over thirty days,

the Commissioner-General shall issue a Notice of Default on the defaulter and the amount due as tax in default shall be recovered by action instituted in that behalf in a High Court established for a Province under Article 154^p of the Constitution and which is empowered with civil jurisdiction, by an Order made under section 2 of the High Court of the Provinces (Special Provisions) Act, No. 10 of 1996.

11. The Commissioner-General may for the purpose of any recovery of tax in default under this Act, by notice issued in that behalf require any person to furnish such information within such period as shall be specified in such notice, and it shall be duty of such person to furnish the information requested for within the period so specified. Where however the person is unable for whatever reasons to furnish the information requested for, it shall be his duty to forthwith inform the Commissioner-General of those reasons.

Commissioner-General to request for information.

12. It shall be the duty of the Commissioner-General to ensure that the aggregate of any taxes, not including any penalty accrued thereon or any part of tax held over or deferred, which is in default under any law specified in the Schedule to this Act as at the end of any calendar year commencing on or after January 1, 2010, over the aggregate of taxes in default as at the end of the immediately preceding year, shall not exceed three *per centum* of the total tax collected from the taxes levied and charged under the said laws, in the immediately preceding year.

Tax in arrears not to exceed certain percentage.

13. (1) Where the aggregate of taxes, not including any penalty accrued thereon or any part of tax held-over or deferred, which is in default under any law specified in the Schedule to this Act as at the end of any calendar year commencing on or after January 1, 2010, over the aggregate of taxes in default as at the end of the immediately preceding year, exceeds three *per centum* of the total tax collected from the taxes levied and charged under the said laws in the immediately preceding year, the Commission-General shall submit a report to the Minister within four months of the end of that year, giving reasons for such excess and make recommendations in regard to any remedial action that may be adopted, to overcome such excess.

Commissioner-General to submit a report where there is an excess.

(2) In the event that the reasons given by the Commissioner-General in his report submitted under subsection (1) are accepted by the Minister, he shall request the Commissioner-General to take all such steps as he shall consider necessary, to give effect to the recommendations made in the report submitted.

(3) Where the reasons given by the Commissioner-General in his report submitted under subsection (1) is not accepted by the Minister as being adequate to warrant such excess, the Minister shall in writing require the Commissioner-General to comply with the requirement imposed by that subsection, within six months of the receipt of his communication.

(4) Where the Commissioner-General fails to comply with a request made under subsection (3) within the time stipulated under that subsection, the Cabinet of Ministers shall take such action against the Commissioner-General, as it shall deem appropriate in the circumstances.

Secrecy.

14. Every members of the Committee shall, before entering upon his duties as such member, sign a declaration pledging to observe strict secrecy in respect of all matters which has come to his knowledge in the discharge of the functions of the Committee under section 4 of this Act and shall by such declaration, pledge himself not to disclose any such matter to anyone, except:—

- (a) when required or called upon to do so by any court of law ; or
- (b) for the purpose of discharging his functions under this Act.

The Commissioner-General may delegate his function and powers under this Act.

15. The Commissioner-General may delegate to the Senior Deputy Commissioner-General, any Deputy Commissioner-General, Senior Commissioner, Commissioner, Deputy Commissioner or an Assessor appointed or deemed to have been appointed under the Inland Revenue Act, No. 10 of 2006, any of the functions or powers conferred upon him by this Act.

Sinhala text to prevail in the event of any inconsistency.

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

17. In this Act, unless the context otherwise requires:— Interpretation.

“Commissioner-General”, “Senior Deputy Commissioner-General” “Deputy Commissioner-General”, “Senior Commissioner”, “Commissioner”, “Deputy Commissioner” and “Assessor”, shall have the same meaning as given to those terms in the Inland Revenue Act, No. 10 of 2006 ;

“defaulter” means any person whose tax is in default in terms of the provisions of section 2 of this Act ; and

“Government Owned Business Undertaking” means a business undertaking acquired by or vested in the Government, under the Business Undertaking (Acquisition) Act, No. 35 of 1971.

18. The First Schedule to the High Court of the Provinces (Special Provisions) Act, No. 10 of 1996, is hereby amended by the addition immediately after item (3) of that Schedule, of the following new item :—
Amendment of the First Schedule to Act, No. 10 of 1996.

“(4) Actions instituted under section 10 of the Default Taxes (Special Provisions) Act, No. 16 of 2010.”.

SCHEDULE

[Section 2]

1. Betting and Gaming Levy Act, No. 40 of 1988
2. Capital Levy Act, No. 51 of 1971
3. Debits Tax Act, No. 16 of 2002
4. Economic Service Charge Act, No. 13 of 2006
5. Estate Duty Act, No. 13 of 1980
6. Finance Act, No. 11 of 1963
7. Finance (Amendment) Act, No. 8 of 2004
8. Finance Act, No. 11 of 2004 - Part I
9. Finance Act, No. 5 of 2005 - Part I
10. Goods and Services Tax Act, No. 34 of 1996
11. Inland Revenue Act, No. 4 of 1963

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12. Inland Revenue Act, No. 28 of 1979
13. Inland Revenue Act, No. 38 of 2000
14. Inland Revenue Act, No. 10 of 2006
15. National Security Levy Act, No. 52 of 1991
16. Profits Tax (Special Provisions) Act, No. 36 of 1964
17. Rice Subsidy Tax Act, No. 13 of 1967
18. Save the Nation Contribution Act, No. 5 of 1996
19. Stamp Duty Act, No. 43 of 1982
20. Surcharge on Wealth Tax Act, No. 25 of 1982
21. Surcharge on Income Tax Act, No. 26 of 1982
22. Surcharge on Income Tax Act, No. 12 of 1984
23. Surcharge on Income Tax Act, No. 7 of 1989
24. Surcharge on Wealth Tax Act, No. 8 of 1989
25. Surcharge on Income Tax (Amendment) Act, No. 17 of 1991
26. Surcharge on Income Tax (Amendment) Act, No. 32 of 1992
27. Surcharge on Income Tax (Amendment) Act, No. 28 of 1993
28. Surcharge on Income Tax (Amendment) Act, No. 23 of 1994
29. Surcharge on Income Tax (Amendment) Act, No. 13 of 1995
30. Surcharge on Income Tax Act, No. 6 of 2001
31. Turnover Tax Act, No. 69 of 1981
32. Value Added Tax Act, No. 14 of 2002

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**PARLIAMENT OF THE DEMOCRATIC
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**CASINO BUSINESS (REGULATION)
ACT, No. 17 OF 2010**

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Casino Business (Regulation)
Act, No. 17 of 2010

[Certified on 07th December, 2010]

L.D. — O. 15/2010

AN ACT TO PROVIDE FOR THE DESIGNATION OF AREAS IN WHICH PERSONS
ENGAGING IN THE BUSINESS OF CASINOS CAN SET UP THEIR
ESTABLISHMENTS AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH
OR INCIDENTAL THERETO

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

1. (1) This Act may be cited as the Casino Business (Regulation) Act, No. 17 of 2010. Short title

2. (1) No person shall, from and after January 1, 2012 engage in the business of a Casino other than under the authority of a valid license issued in that behalf by the Minister, and within a specific area to be designated by the Minister by Order published in the *Gazette*. Prohibition on the carrying on of the business of Casino.

(2) The Secretary to the Ministry of the Minister to whom the subject of Gaming is assigned shall cause to be published a Notification in a daily newspaper in the Sinhala, Tamil and English languages giving adequate notice to the public of the requirement of having to obtain licences for carrying on the business of a Casino, in accordance with the provisions of subsection (1).

(3) Any person who carries on the business of a Casino in contravention of the provisions of subsection (1) shall be guilty of an offence and shall on conviction after summary trial be liable to be punished with imprisonment of either description for a term which shall extend to five years or to a fine of rupees five million or to both such fine and imprisonment.

Licence to be subject to such terms and conditions.

3. The licence issued in terms of section 2 shall be subject to such terms and conditions as are specified therein. Regulations may be made specifying the criteria to be followed in setting out the terms and conditions and the manner of making an application for a licence and the procedure to be followed in issuing the same.

Regulations.

4. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Act.

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

- (a) any matter in respect of which regulations are authorized or required by this Act to be made;
- (b) the form of an application for a licence and the fees to be paid therefor and the period for which a licence so issued will be valid in relation to the different games for stake, being played at a Casino and any appropriate supervisory measures;
- (c) the procedure to be followed for granting of licences;
- (d) the procedure for the cancellation of licences.

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

(4) Every regulation made by the Minister 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 as from the date of disapproval, but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any regulation is so deemed to be rescinded shall be published in the *Gazette*.

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

“Casino” means any premises to which individuals have access—

(a) with or without payment;

(b) whether as of right or not,

for the playing of any game for a stake and includes the playing of baccarat, puntobanco, big six, black jack, boule, chemin - de - fer, chuck - a - luck, crown and anchor, faro, faro bank, hazard, poker dice, pontoon, American french roulette, trente - et - quarntc, vingt - et - um, or wheel of fortune or any other game which the Minister may from time to time by Order published in the *Gazette*, specify.

6. In the event of an 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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**PARLIAMENT OF THE DEMOCRATIC
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**PUBLIC ENTERPRISES REFORM
COMMISSION OF SRI LANKA (REPEAL)
ACT, No. 18 OF 2010**

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*Public Enterprises Reform Commission
of Sri Lanka (Repeal) Act, No. 18 of 2010*

[Certified on 07th December, 2010]

L.D.—O. 12/2010

AN ACT TO PROVIDE FOR THE REPEAL OF THE PUBLIC ENTERPRISES REFORM COMMISSION OF SRI LANKA ACT, NO. 1 OF 1996; TO MAKE PROVISION CONSEQUENTIAL TO THE REPEAL OF THE PUBLIC ENTERPRISES REFORM COMMISSION OF SRI LANKA ACT, NO. 1 OF 1996; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Public Enterprises Reform Commission of Sri Lanka (Repeal) Act, No. 18 of 2010. Short title.
2. The Public Enterprises Reform Commission of Sri Lanka Act, No. 1 of 1996 shall be repealed with effect from the date of the coming into operation of this Act. Repeal of Act,
No. 1 of 1996.
3. Upon the repeal of the Public Enterprises Reform Commission of Sri Lanka Act, No. 1 of 1996, as provided for in section 2 of this Act— Transitional
provisions.
 - (a) all officers and employees of the Public Enterprises Reform Commission of Sri Lanka holding office on the day immediately preceding the date of repeal shall, if the services of any such officer or employee are deemed to be essential to the Public Enterprises Department by the Secretary to the Treasury, be recruited as officers and employees of the Public Enterprises Department with the approval of the Public Service Commission and such officers and employees shall with effect from the date of repeal, hold office in the Public Enterprises Department on terms and conditions not less favourable to those

2 *Public Enterprises Reform Commission
of Sri Lanka (Repeal) Act, No. 18 of 2010*

enjoyed by them under the Public Enterprises Reform Commission of Sri Lanka:

Provided however the terms and conditions agreed to shall be personal to such officers and employees;

- (b) all contracts, deeds, bonds, agreements, guarantees, powers of attorney, grants of legal representation and other instruments of whatever nature of the Public Enterprises Reform Commission of Sri Lanka, subsisting or having effect on the day immediately preceding the date of repeal and to which the Commission is a party or which are in favour of the Commission shall, be deemed with effect from the date of repeal, to be contracts, deeds, bonds, agreements, guarantees, powers of attorney, grants of legal representation and other instruments of whatever nature entered into by, or granted in favour of, as the case may be, the Government of Sri Lanka;
- (c) all actions and proceedings of whatever nature instituted by or against the Public Enterprises Reform Commission of Sri Lanka and pending on the day immediately preceding the date of repeal shall be deemed as from the date of repeal, to be actions and proceedings instituted by or against the Government of Sri Lanka and may be continued accordingly;
- (d) all judgements, decrees or orders entered in favour of, or against, the Public Enterprises Reform Commission of Sri Lanka by any Court in any action or proceeding subsisting on the day immediately preceding the date of repeal shall with effect from the date of repeal be deemed to be a judgement, decree or order entered in favour of, or against, the Government of Sri Lanka.

Public Enterprises Reform Commission 3
of Sri Lanka (Repeal) Act, No. 18 of 2010

- 4.** All assets and liabilities of the Public Enterprises Reform Commission subsisting on the day immediately preceding the date of repeal shall, with effect from the date of repeal, vest in the Government of Sri Lanka. Vesting of Assets and liabilities.
- 5.** 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.
- 6.** For the purposes of this Act, unless the context otherwise requires— Interpretation.

“Public Enterprises Reform Commission of Sri Lanka” means the Commission established by section 2 of the Public Enterprises Reform Commission of Sri Lanka Act, No. 1 of 1996.

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**REGISTRATION OF DEATHS (TEMPORARY
PROVISIONS) ACT, No. 19 OF 2010**

[Certified on 10th December, 2010]

Printed on the Order of Government

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*Registration of Deaths (Temporary Provisions)
Act, No. 19 of 2010*

[Certified on 10th December, 2010]

L. D.—O. 36/2008.

AN ACT TO PROVIDE FOR THE REGISTRATION OF DEATHS OF PERSONS REPORTED MISSING AS A RESULT OF TERRORIST OR SUBVERSIVE ACTIVITY OR CIVIL COMMOTION AND OF PERSONS WHOSE DEATHS ARE DIRECTLY ATTRIBUTABLE TO ANY NATURAL DISASTER OR CALAMITY AND SUCH ACTIVITY, DISASTER OR CALAMITY RESULTS IN SERIOUS CONSEQUENCES AT NATIONAL LEVEL; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS several persons have died or have been reported missing in the course of the civil disturbances that have taken place in Sri Lanka due to terrorist or subversive activities or civil commotion:

Preamble

AND WHEREAS several people have died due to being exposed to natural disasters or calamities of national proportions :

AND WHEREAS there are certain practical difficulties which impede the registration of deaths in the circumstances which are enumerated above under the provisions of the Births and Deaths Registration Act:

AND WHEREAS it has now become necessary to enact legislation providing measures for the registration of such deaths:

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

1. (1) This Act may be cited as the Registration of Deaths (Temporary Provisions) Act, No. 19 of 2010. The provisions of this Act shall be in operation for a period of three years from the date of its commencement.

Short title, duration and extension of operation of the Act.

(2) Notwithstanding the provisions of subsection (1), the Minister may not less than one month prior to the expiration of any period of operation of this Act, by Order published in the *Gazette*, extend such period of operation:

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Act, No. 19 of 2010

Provided however, that any such extension shall not, in any one instance, be for more than a period of two years.

(3) Notification of the date of any extension granted in terms of subsection (2) shall be published in the *Gazette*.

PART I

REGISTRATION OF DEATHS OF PERSONS MISSING DUE TO TERRORIST
OR SUBVERSIVE ACTIVITY OR CIVIL COMMOTION

Who may apply for the issue of a certificate of death in case of a person missing due to terrorist activity &c., and procedure.

2. (1) Where any person is reported missing and he has not been heard of for a period exceeding one year by those who would naturally have heard of him, had he been alive and his disappearance is attributable to any terrorist or subversive activity or civil commotion which has taken place within Sri Lanka, a next of kin of such person if he verily believes such person to be dead, may apply in the manner hereinafter provided, to register the death of such person under the provisions of the Births and Deaths Registration Act and to have issued to him, a Certificate of Death in respect of such person.

(2) Every application under this section shall be substantially in the Form specified in the Schedule to this Act and shall be forwarded to the Registrar-General or the District Registrar of Births and Deaths of the District in which such missing person was last resident or had his permanent residence.

Additional material to be supplied.

3. Every application under this Act shall be supported by an Affidavit of the applicant setting out the grounds for his belief that the person whose death is sought to be registered, is dead, and shall be accompanied by a Report from the Grama Niladhari of the Grama Niladhari Division in which the person whose death is sought to be registered was last resident or had his permanent residence, confirming the fact that such person has not been seen alive or heard of, for a period of over one year, and accompanied by any other evidence in support of such application.

Registration of Deaths (Temporary Provisions) Act, No. 19 of 2010 3

4. Upon receipt of an application under this Act, the Register General or the District Registrar, as the case may be, shall cause a copy of such application to be displayed for a period of two weeks on the Notice Board kept at his office and in the office of the Grama Niladhari in whose division the person whose death is sought to be registered was last resident or had his permanent residence.

Display of application.

5. Any person may, within one month of the date on which a copy of an application under this Act is first displayed as provided for in section 4, forward to the Registrar-General or the District Registrar, as the case may be, his objections in writing to the registration of the death of the person to whom such application relates, and such objection shall be supported by an Affidavit of the objector and of any other person, setting out clearly the grounds for their objections.

Objection to registration.

6. (1) On the expiry of the period of one month allowed for the forwarding of objections to an application, the Registrar-General or the District Registrar, as the case may be, shall consider the application together with the evidence in support of the application and the objections, if any, and the evidence tendered in support of such objections, and after such inquiry as he may deem necessary, if satisfied as to the truth of the matters stated in the application, allow such application. Where the application was made to the District Registrar, he shall forward to the Registrar-General a Report under his hand setting out the particulars of the death as is required to be registered, under the Births and Deaths Registration Act, as he has been able to ascertain upon the completion of such inquiry as aforesaid.

Registration of Death.

(2) On receipt of the Report under subsection (1), the Registrar-General shall, except in a case where he disallows a Report in the exercise of the powers conferred on him by section 7, make order directing the appropriate Registrar to enter in the Register of Deaths maintained by such Registrar

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Act, No. 19 of 2010

under the Births and Deaths Registration Act, the particulars specified in such Report and issue in respect of such person a Certificate of Death.

(3) On receipt, by a Registrar, of an order under subsection (2), directing him to enter the particulars in relation to the relevant death in the Register of Deaths maintained by him under the Births and Deaths Registration Act and issue in respect of such person a Certificate of Death, the Registrar shall forthwith enter those particulars in such register and sign the Register in the appropriate place and issue the Certificate of Death.

(4) There shall be attached to the duplicate of the relevant registration entry, the written order of the Registrar-General made under subsection (2) and such duplicate and order shall together be sent, by the Registrar to the appropriate District Registrar for transmission to the Registrar-General to be kept in his custody in his office.

Appeal against
refusal to issue
certificate &C.,

7. An applicant who is dissatisfied with the decision of the District Registrar refusing to issue a Certificate of Death to him under section 6, or a person who has objected under section 5 to the issue of a Certificate of Death under this Act and who is dissatisfied with the decision of the District Registrar to issue such Certificate, may within one month of the notification of such refusal or issue, as the case may be, appeal to the Registrar-General against such refusal or issue, as the case may be. The Registrar-General may after review of the material before him, either affirm the decision of the District Registrar, or direct the District Registrar to issue a Certificate under section 6, or disallow the report issued by that District Registrar under section 6, as the case may be.

8. (1) Where a Commission appointed under the Commissions of Inquiry Act (Chapter 393) or a Special Presidential Commission of Inquiry established under the Special Presidential Commissions Law, No. 7 of 1978 finds that a person has disappeared or is missing, the next of kin of that person may, apply to the Registrar-General or to the District Registrar of Births and Deaths of the District in which that person was last residing or had his permanent residence, substantially in the Form set out in the Schedule to this Act, to register the death of that person under the Births and Deaths Registration Act and to have issued to him, a Certificate of Death in respect of the death of that person. Every such application shall be accompanied by an Affidavit of the applicant in terms of section 3 and a certified copy of the findings of the Commission of Inquiry or Special Presidential Commission of Inquiry, as the case may be, relating to the death of such person.

Special procedure relating to registration of deaths of persons in respect of whom there are finding by a Commission of Inquiry or a Special Presidential Commission of Inquiry.

(2) Upon receipt of an application under subsection (1), the District Registrar shall, notwithstanding anything to contrary in the preceding provisions of this Act, forthwith send to the Registrar-General a Report under his hand, setting out the particulars of the death required to be registered under the Births and Deaths Registration Act, as he has been able to ascertain from the application and the accompanying Affidavit and finding.

(3) Upon receipt of the Report under subsection (2), the Registrar-General shall make order directing the appropriate Registrar to register in the Register of Deaths maintained by such Registrar under the Births and Deaths Registration Act, the particulars specified in such Report and issue in respect of such person a Certificate of Death.

(4) Upon receipt of an order under subsection (3) directing him to enter the particulars relating to the relevant death in the Register of Deaths maintained by him under the

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Births and Deaths Registration Act, the Registrar shall forthwith enter such particulars in such Register and sign the Register in the appropriate place.

(5) There shall be attached to the duplicate of the relevant registration entry, the written order of the Registrar-General made under subsection (3) and such duplicate and order shall be sent together, by the Registrar to the appropriate District Registrar for transmission to the Registrar-General to be kept in his custody in his office.

(6) Where the application under subsection (1) is made to the Registrar-General, the provisions of subsections (2) and (5) shall *mutatis mutandis* apply as if the reference in those section to the District Registrar is a reference to the Registrar-General.

PART II

REGISTRATION OF DEATHS OF PERSONS MISSING DUE TO NATURAL
DISASTERS OR CALAMITIES

Registrar-
General to
declare
"National
Disaster Areas".

9. Where there has been within Sri Lanka a natural disaster or calamity which has caused to either the whole of Sri Lanka or to certain areas thereof, destruction to persons and property which has had far reaching effects at the national level, and where due to the circumstance of the deaths of persons who have died as a result of such disaster or calamity, the application of the provisions of the Births and Deaths Registration Act to the registration of the deaths of such persons has become impractical, the Registrar-General may, upon verification of the fact that a natural disaster or calamity has occurred, declare any Administrative District, Divisional Secretary's Division or Grama Niladhari Division as the case may be, affected by such disaster or calamity, as a "National Disaster Area".

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10. (1) Where any person or persons—

- (a) who had been resident within an area declared to be a National Disaster Area under section 9 ; or
- (b) who have been resident within any other area, but was at the time of the occurrence of such natural disaster or calamity, known to have gone to or to have been within any area declared to be a National Disaster Area under section 9,

Who may apply for the issue of a Death Certificate in case of persons missing as a result of any natural disaster or calamity, and procedure.

cannot be found subsequent to such natural disaster or calamity and has for all intent and purposes disappeared as a result of such disaster or calamity, a next of kin of such person or persons or where no members of the family of such person or persons have survived the natural disaster or calamity, any person having knowledge of such person or persons may, if he verily believes such person or persons to be dead, apply to register the death of such person or persons, in the manner hereinafter provided, under the Births and Deaths Registration Act and to have issued to him a Certificate of Death or certificates of Death in respect of the death of such person or persons.

(2) Every such application shall be made to the Grama Niladhari of the area within which such person, whose death is sought to be registered, was habitually resident.

(3) Every such application shall be submitted in any form whatsoever, containing wherever possible at least some of the information set out in the Schedule hereto, which information would as far as practicable be a description of the person whose death is sought to be registered. Every such application shall be accompanied by an Affidavit in support of such facts. The Grama Niladhari shall as soon as possible upon the receipt of such application, and after such inquiry as he deems necessary, recommend the same and forward it along with a report certifying to the best of his knowledge the accuracy of the facts stated therein, to the

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Act, No. 19 of 2010

Divisional Secretary of the Division within which his Division is situated. The Divisional Secretary shall endorse every such application and forward the same to the Registrar-General.

(4) Upon receipt of an application under subsection (2), duly recommended and endorsed in terms of the provisions of subsection (3), the Registrar-General shall make order directing the appropriate Registrar to register in the Register of Deaths maintained by such Registrar under the Births and Deaths Registration Act, the particulars specified in such application and issue in respect of the person to whom the application relates, a Certificate of Death.

(5) Upon receipt of an order under subsection (4) directing him to enter the particulars relating to the relevant death in the Register of Deaths maintained by him under the Births and Deaths Registration Act, the Registrar shall forthwith enter such particulars in such Register and sign the Register in the appropriate place.

(6) There shall be attached to the duplicate of the relevant registration entry, the written order of the Registrar-General made under subsection (4) and such duplicate and order shall together be sent, by the Registrar to the appropriate District Registrar for transmission to the Registrar-General for custody in his office.

(7) Where the application under subsection (1) is made directly to the Registrar-General, the provisions of subsection (2) to (6) shall, *mutatis mutandis*, apply as if the reference in those sections to the District Registrar is a reference to the Registrar-General.

Registration of
Deaths of
foreign
nationals.

11. Where there is evidence to show that a national of another State had been in Sri Lanka and temporarily resident within an area declared as a National Disaster Area in terms of section 9, and that it is apparent that such person has died as a result of the natural disaster or calamity in question, then any person having knowledge of these facts may apply

for the issue to him of a Certificate of Death in respect of such person. Every such application shall be authenticated by the representative of the country of which such person was a citizen, present in Sri Lanka, and such application shall be forwarded directly to the Registrar-General who shall forthwith proceed to register such death and issue in respect of such person a Certificate of Death.

PART III

MISCELLANEOUS PROVISIONS

12. The provisions of this part of this Act, shall notwithstanding the provisions of section 108 of the Evidence Ordinance as amended by the Evidence (Amendment) Act, No. 10 of 1988, be applicable to the issue of a Certificate of Death in respect of a person whose death is attributable to any terrorist or subversive activity or civil commotion or to any natural disaster or calamity where the death in question had occurred within an area declared to be a National Disaster Area in terms of section 9.

Provisions of the Evidence Ordinance not to apply.

13. (1) Where a death has been registered pursuant to an application made under sections 2,8,10 or 11 of this Act, and where any person at any time thereafter becomes aware that the person whose death has been so registered is alive, such person shall forthwith furnish such information to the Registrar-General.

Procedure if person registered as dead is found to be alive.

(2) The Registrar-General shall, on receipt of such information convey the information to the Officer-in-Charge of the relevant police station, who shall investigate the truth of such information and forward a report to the Registrar-General, within four weeks from the date on which such information is conveyed to such officer.

(3) Upon receipt of a report under subsection (2) and after such inquiry as he may deem necessary the Registrar-General, if satisfied that the person whose death has been registered is alive, shall take such action, or make such order or give

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such direction, under section 52 of the Births and Deaths Registration Act, as is appropriate in the circumstances of the case.

(4) Any inquiry held by the Registrar-General under this Act shall be concluded within one month of its commencement and the Registrar-General may, for the purpose of an inquiry under this Act, exercise all the powers exercisable by him under the Births and Deaths Registration Act, in relation to an inquiry held by him under that Act.

Avoidance of doubt.

14. For the avoidance of doubt it is hereby declared that—

- (a) if the operation of this Act has lapsed upon the expiry of the period specified in subsection (1) of section 1, and no Order for the extension of the period of operation of this Act is made in terms of subsection (2) of section 1; and
- (b) if a person has been reported as dead and the application for the issue of a Certificate of Death in relation to such person has been made in terms of the provisions of sections 2, 8, 10 and 11 of this Act prior to the expiry of the period of operation of this Act,

the Registrar-General may proceed to register the death of such person and issue the Certificate of Death in respect of such person, in terms of the provisions of Part I and Part II respectively of this Act.

Offences.

15. Any person who—

- (a) knowingly, makes a false statement in an application made by him under this Act, or furnishes false information under this Act; or
- (b) being aware that a person whose death has been registered in pursuance of an application made under this Act, is alive, fails to furnish such information to the Registrar-General; or

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- (c) dishonestly or fraudulently uses a Certificate of Death issued under the Births and Deaths Registration Act knowing or having reason to believe that the person referred to in such certificate is alive,

shall be guilty of an offence under this Act, and shall upon conviction after trial by the High Court be sentenced to a term of imprisonment of not exceeding five years.

16. 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.

17. In this Act, unless the context otherwise requires— Interpretation.

"appropriate District Registrar", "appropriate Registrar" and "District" have the respective meanings assigned to them by the Births and Deaths Registration Act;

"Births and Deaths Registration Act" means the Births and Deaths Registration Act (Chapter 110);

"District Registrar" means a District Registrar of Births and Deaths appointed under the Births and Deaths Registration Act;

"Registrar-General" means the Registrar-General of Births and Deaths appointed under the Births and Deaths Registration Act and includes an Additional Registrar-General, a Deputy Registrar-General or an Assistant Registrar-General.

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Act, No. 19 of 2010

SCHEDULE (Sections 2, 8 and 10)

APPLICATION FOR REGISTRATION OF DEATH OF A MISSING PERSON

1. Full Name of missing person :
2. Sex and race ;
3. Age :
4. Date of Death (approximately) :
5. Address of last known residence:
6. Address of permanent residence :
7. Rank or profession :
8. Applicant's full name and residence :
9. Applicant's relationship to missing person :

I..... of
..... do hereby state that
the said..... (name of the
person missing)..... has
been missing for a period of over one year, and I verily believe that
the said..... is dead.

I therefore request that the death be registered under the Births
and Deaths Registration Act (Chapter 110) and a Certificate of Death
in respect of such death be issued to me.

.....
Signature of Applicant

Date :.....

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**PARLIAMENT OF THE DEMOCRATIC
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SRI LANKA**

APPROPRIATION ACT, No. 20 OF 2010

[Certified on 10th December, 2010]

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Appropriation Act, No. 20 of 2010

[Certified on 10th December, 2010]

L.D.—O. 31 /2010.

AN ACT TO PROVIDE FOR THE SERVICE OF THE FINANCIAL YEAR 2011 ; TO AUTHORISE THE RAISING OF LOANS IN OR OUTSIDE SRI LANKA, FOR THE PURPOSE OF SUCH SERVICE ; TO MAKE FINANCIAL PROVISION IN RESPECT OF CERTAIN ACTIVITIES OF THE GOVERNMENT DURING THAT FINANCIAL YEAR ; TO ENABLE THE PAYMENT BY WAY OF ADVANCES OUT OF THE CONSOLIDATED FUND OR ANY OTHER FUND OR MONEYS, OF OR AT THE DISPOSAL OF THE GOVERNMENT, OF MONEYS REQUIRED DURING THAT FINANCIAL YEAR FOR EXPENDITURE ON SUCH ACTIVITIES ; TO PROVIDE FOR THE REFUND OF SUCH MONEYS TO THE CONSOLIDATED FUND AND TO MAKE PROVISION FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Appropriation Act, No. 20 of 2010. Short title.

2. (1) Without prejudice to any other law authorising any expenditure and subject to the provisions of subsection (4) of this section, the expenditure of the Government which it is estimated will be “rupees one thousand one hundred and thirty two billion five hundred and seventeen million seven hundred and sixty six thousand” for the service of the period beginning on January 1, 2011 and ending on December 31, 2011 (in this Act referred to as the “financial year 2011”), shall be met — Appropriation for financial year, 2011.

- (a) from payments which are hereby authorised to be made out of the Consolidated Fund or any other fund or moneys of or at the disposal of the Government ; and
- (b) from the proceeds of loans which are hereby authorised to be raised whether in or outside Sri Lanka, for and on behalf of the Government, so however that the aggregate of such proceeds does not exceed rupees nine hundred ninety seven billion.

(2) The sum of “rupees one thousand one hundred and thirty two billion five hundred and seventeen million seven hundred and sixty six thousand” referred to in subsection (1), may be expended as specified in the First Schedule to this Act.

(3) The provisions of subsection (1) shall have effect without prejudice to the provisions of any other written law, authorising the raising of loans for and on behalf of the Government.

(4) The estimated expenditure of the Government authorized by law to be charged on the Consolidated Fund, will be rupees eight hundred and thirty five billion five hundred thirteen million four hundred and sixty two thousand for the service of the period beginning on January 1, 2011 and ending on December 31, 2011. The expenditure Heads and the law under which such expenditure is authorized to be made, are as specified in the Second Schedule to the Act.

Financial provisions in respect of certain activities of the Government for the financial year 2011.

3. (1) The receipts of the Government during the financial year 2011, from each activity specified in Column I of the Third Schedule to this Act shall be credited to the account of such activity, but the aggregate of receipts so credited shall not be less than the minimum limit specified in the corresponding entry in Column III of that Schedule. The net surplus, if any, of such activity, shall be paid to the Consolidated Fund before the expiry of six months after the close of the financial year 2011.

(2) For the purpose of determining the net surplus under subsection (1), the following charges shall be set off against the revenue of each activity :—

- (a) the working, establishment and other expenses of the activity whether paid or accrued, properly chargeable to the revenue of the activity ; and
- (b) provision to cover the depreciation of the movable and immovable property of the activity.

(3) The expenditure incurred by the Government during the financial year 2011 on each activity specified in Column I of the Third Schedule to this Act, shall be paid out of the receipts of the Government from such activity during

that financial year, but such expenditure shall not exceed the maximum limit specified in the corresponding entry in Column II of that Schedule.

(4) The debit balance outstanding at the end of the financial year 2011 of any activity specified in Column I of the Third Schedule to this Act, shall not exceed the maximum limit specified in the corresponding entry in Column IV of that Schedule and the total liabilities of that activity at the end of that financial year, shall not exceed the maximum limit specified in the corresponding entry in Column V of that Schedule.

4. Whenever at any time during the financial year 2011, the receipts of the Government from any activity specified in Column I of the Third Schedule to this Act are insufficient to meet the expenditure incurred by the Government on such activity, the Minister may from time to time by Order, direct that such sums as he may deem necessary to meet such expenditure shall be payable by way of advances, out of the Consolidated Fund or any other fund or moneys of or at the disposal of the Government, so however that the aggregate of the sums so advanced shall not exceed the maximum limit of expenditure specified in the corresponding entry in Column II of that Schedule. Any sum so advanced in respect of such activity shall be refunded to the Consolidated Fund in such manner, as the Minister may by Order direct.

Payment from the Consolidated Fund or any other fund or moneys of or at the disposal of the Government, of advances for expenditure on the activities referred to in section 3, during the financial year 2011.

5. (1) Any moneys which by virtue of the provisions of the First Schedule to this Act, have been allocated to Recurrent Expenditure under any Programme appearing under any Head specified in that Schedule, but have not been expended or are not likely to be expended, may be transferred to the allocation of Capital Expenditure within that Programme or to the allocation of Recurrent Expenditure or Capital Expenditure under any other Programme within that Head, by Order of the Secretary to the Treasury or by Order either of a Deputy Secretary to the Treasury or the Director General of the National Budget Department, who may be authorized in that behalf by the Secretary to the Treasury.

Power to transfer unexpended moneys allocated to Recurrent Expenditure, to another allocation within the same Programme or to another Programme under the same Head of expenditure.

(2) No moneys allocated to Capital Expenditure under any Programme appearing under any Head specified in the First Schedule to this Act, shall be transferred out of that Programme or to any allocation of Recurrent Expenditure of that Programme.

Money allocated to the “Development Activities” Programme may be transferred to any other Programme under any other Head.

6. (1) Any money allocated to Recurrent Expenditure or Capital Expenditure under the “Development Activities” Programme appearing under the Head “Department of National Budget” specified in the First Schedule, may be transferred subject to guidelines stipulated in printed Budget Estimates approved by Parliament for the relevant year, to any other Programme under any other Head in the Schedule, by Order of the Secretary to the Treasury or by Order either of a Deputy Secretary to the Treasury or the Director General of the National Budget Department, who may be authorized in that behalf by the Secretary to the Treasury. The money so transferred shall be deemed to be a supplementary allocation made to the particular Ministry, and a report containing the amount of money so transferred and the reasons for the transfer, shall be submitted to Parliament within two months of the date of the said transfer.

(2) Details of all transfers made under subsection (1), including the reasons for such transfers, shall be incorporated in the reports relating to the Government’s fiscal performance, which are required to be tabled in Parliament under the Fiscal Management (Responsibility) Act, No. 3 of 2003.

Power of Minister to limit expenditure previously authorized.

7. Where the Minister is satisfied —

- (a) that receipts from taxes and other sources will be less than the amounts anticipated to finance authorised expenditure ; or
- (b) that amounts originally appropriated for a particular purpose or purposes are no longer required,

he may with the approval of the Government, withdraw in whole or in part any amounts previously released for expenditure under the authority of a warrant issued by him,

from the Consolidated Fund or from any other fund or moneys of or at the disposal of the Government, to meet any authorized expenditure.

8. (1) The Minister with the approval of the Government may, on or before May 31, 2012, by Order vary or alter—

(a) any of the maximum limits specified in Column II, Column IV and Column V ;

(b) the minimum limits specified in Column III,

of the Third Schedule to this Act.

(2) No Order made under subsection (1) shall have effect, unless it has been approved by Parliament by resolution.

(3) Any Order made under subsection (1) shall, if so expressed therein, be deemed to have had effect from such date prior to the date of making such Order, as may be specified therein.

9. Parliament may by Resolution amend the Third Schedule to this Act, by adding to the appropriate Columns of that Schedule any activity and providing for —

(a) all or any of the maximum limits relating to such activity;

(b) the minimum limit relating to such activity.

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

Power of Minister to vary the maximum and minimum limits specified in the Third Schedule to this Act.

Power of Parliament to amend the Third Schedule to this Act.

Sinhala text to prevail in case of inconsistency.

FIRST SCHEDULE — Estimate — 2011
Sums Payable for General Services

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 1 - 22			
	Recurrent Capital	8,096,318,000	3,039,205,000
Made up as follows :—			
Head 1	His Excellency the President		
	Programme 01 Operational Activities	2,246,230,000	702,000,000
	Programme 02 Development Activities	—	1,387,000,000
Head 2	Office of the Prime Minister		
	Programme 01 Operational Activities	162,660,000	45,680,000
Head 3	Secretariat for Special Functions (Senior Ministers)		
	Programme 01 Operational Activities	150,000,000	50,000,000
Head 4	Judges of the Superior Courts		
	Programme 01 Operational Activities	58,421,000	—
Head 5	Office of the Cabinet of Ministers		
	Programme 01 Operational Activities	46,970,000	3,350,000

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Head	6	Public Service Commission Programme 01	Operational Activities	113,955,000	8,280,000
Head	7	Judicial Service Commission Programme 01	Operational Activities	34,603,000	1,100,000
Head	8	National Police Commission Programme 01	Operational Activities	33,782,000	500,000
Head	9	Administrative Appeals Tribunal Programme 01	Operational Activities	12,325,000	280,000
Head	10	Commission to Investigate Allegations of Bribery or Corruption Programme 01	Operational Activities	121,020,000	89,150,000
Head	11	Office of the Finance Commission Programme 01	Operational Activities	35,975,000	61,430,000
Head	12	National Education Commission Programme 01	Operational Activities	28,300,000	6,250,000
Head	13	Human Rights Commission of Sri Lanka Programme 01	Operational Activities	112,300,000	5,500,000
Head	14	Department of Attorney General Programme 01	Operational Activities	419,000,000	14,500,000
Head	15	Department of Legal Draftsman Programme 01	Operational Activities	48,750,000	37,000,000
Head	16	Parliament Programme 01	Operational Activities	1,516,530,000	107,000,000

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Head No.		Recurrent Expenditure Rs.	Capital Expenditure Rs.
Head 17	Office of the Leader of the House of Parliament		
	Programme 01 Operational Activities	23,650,000	2,150,000
Head 18	Office of the Chief Govt. Whip of Parliament		
	Programme 01 Operational Activities	27,675,000	2,200,000
Head 19	Office of the Leader of the Opposition of Parliament		
	Programme 01 Operational Activities	59,190,000	1,370,000
Head 20	Department of Elections		
	Programme 01 Operational Activities	2,192,877,000	52,550,000
Head 21	Auditor General		
	Programme 01 Operational Activities	645,755,000	461,700,000
Head 22	Office of the Parliamentary Commissioner for Administration		
	Programme 01 Operational Activities	6,350,000	215,000
	Ministry of Buddha Sasana and Religious Affairs		
	Recurrent		762,551,000
	Capital		823,663,000
	Made up as follows :—		
Head 101	Minister of Buddha Sasana and Religious Affairs		
	Programme 01 Operational Activities	85,920,000	253,475,000
	Programme 02 Development Activities	—	265,000,000

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Head	201	Department of Buddhist Affairs							
		Programme 01	Operational Activities	28,312,000	103,170,000				
		Programme 02	Development Activities	457,340,000	—				
Head	202	Department of Muslim Religious and Cultural Affairs							
		Programme 02	Development Activities	46,499,000	83,272,000				
Head	203	Department of Christian Religious and Cultural Affairs							
		Programme 02	Development Activities	54,453,000	12,480,000				
Head	204	Department of Hindu Religious and Cultural Affairs							
		Programme 02	Development Activities	61,361,000	105,091,000				
Head	205	Department of Public Trustee							
		Programme 01	Operational Activities	28,666,000	1,175,000				
			Ministry of Finance and Planning						
			Recurrent						58,082,698,000
			Capital						46,650,767,000
			Made up as follows :—						
Head	102	Minister of Finance and Planning							
		Programme 01	Operational Activities	511,775,000	511,455,000				
		Programme 02	Development Activities	—	1,677,000,000				
Head	237	Department of National Planning							
		Programme 01	Operational Activities	49,625,000	121,400,000				
Head	238	Department of Fiscal Policy							
		Programme 01	Operational Activities	134,600,000	550,000				

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 239	Department of External Resources		
	Programme 01	159,380,000	11,690,000
	Operational Activities		
Head 240	Department of National Budget		
	Programme 01	64,070,000	3,150,000
	Operational Activities		
	Programme 02	41,663,698,000	13,821,000,000
	Development Activities		
Head 241	Department of Public Enterprises		
	Programme 01	35,425,000	1,000,000
	Operational Activities		
Head 242	Department of Management Services		
	Programme 01	28,800,000	1,500,000
	Operational Activities		
Head 243	Department of Development Finance		
	Programme 01	413,775,000	500,000
	Operational Activities		
	Programme 02	—	1,014,000,000
	Development Activities		
Head 244	Department of Trade Tariff and Investment Policy		
	Programme 01	820,290,000	768,000
	Operational Activities		
Head 245	Department of Public Finance		
	Programme 01	127,300,000	2,100,000
	Operational Activities		
Head 246	Department of Inland Revenue		
	Programme 01	1,373,287,000	22,850,000
	Operational Activities		

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Head	247	Sri Lanka Customs					
		Programme 01	Operational Activities	1,443,280,000	348,900,000		
Head	248	Department of Excise					
		Programme 01	Operational Activities	394,645,000	18,125,000		
Head	249	Department of Treasury Operations					
		Programme 01	Operational Activities	9,992,166,000	20,454,950,000		
		Programme 02	Development Activities	—	6,570,000,000		
Head	250	Department of State Accounts					
		Programme 01	Operational Activities	29,160,000	1,090,000		
Head	251	Department of Valuation					
		Programme 01	Operational Activities	219,150,000	4,650,000		
Head	252	Department of Census and Statistics					
		Programme 01	Operational Activities	507,250,000	2,042,300,000		
Head	280	Department of Foreign Aid and Budget Monitoring					
		Programme 02	Development Activities	57,008,000	20,850,000		
Head	296	Department of Import and Export Control					
		Programme 01	Operational Activities	35,223,000	275,000		
Head	323	Department of Legal Affairs					
		Programme 01	Operational Activities	8,040,000	314,000		
Head	324	Department of Management Audit					
		Programme 01	Operational Activities	14,751,000	350,000		11

Head No.		Recurrent Expenditure Rs.	Capital Expenditure Rs.
	Ministry of Defence		
	Recurrent Capital		
		203,569,320,000	
		13,262,580,000	
	Made up as follows :—		
Head 103	Minister of Defence		
	Programme 01	7,127,980,000	1,508,230,000
	Programme 02	445,000,000	2,311,700,000
Head 222	Sri Lanka Army		
	Programme 01	106,751,920,000	2,543,000,000
Head 223	Sri Lanka Navy		
	Programme 01	27,600,900,000	3,065,000,000
Head 224	Sri Lanka Air Force		
	Programme 01	18,942,070,000	1,752,500,000
Head 225	Department of Police		
	Programme 01	33,148,360,000	1,129,050,000
Head 226	Department of Immigration and Emigration		
	Programme 01	554,100,000	415,450,000
Head 227	Department of Registration of Persons		
	Programme 01	193,260,000	39,850,000
Head 291	Department of Coast Conservation		
	Programme 01	121,110,000	291,150,000

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Head 320	Department of Civil Security Programme 01	Operational Activities	8,664,620,000	110,700,000
Head 325	Department of Sri Lanka Coast Guard Programme 01	Operational Activities	20,000,000	95,950,000
	Ministry of Economic Development Recurrent Capital		19,890,550,000 63,660,860,000	
Made up as follows :—				
Head 105	Minister of Economic Development Programme 01	Operational Activities	59,650,000	3,200,000
	Programme 02	Development Activities	8,378,230,000	62,536,670,000
Head 218	Department of Commissioner General of Samurdhi Programme 01	Operational Activities	11,142,425,000	3,900,000
Head 294	Department of National Zoological Gardens Programme 02	Development Activities	136,830,000	677,900,000
Head 305	Department of Up-Country Peasantry Rehabilitation Programme 02	Development Activities	14,655,000	1,075,000
Head 322	Department of National Botanical Gardens Programme 02	Development Activities	158,760,000	438,115,000
	Ministry of Disaster Management Recurrent Capital		568,820,000 457,600,000	
Made up as follows :—				
Head 106	Minister of Disaster Management Programme 01	Operational Activities	87,920,000	45,900,000
	Programme 02	Development Activities	325,000,000	371,750,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 304	Department of Meteorology		
	Programme 02 Development Activities	155,900,000	39,950,000
	Ministry of Postal Services		
	Recurrent Capital	7,178,205,000	251,350,000
	Made up as follows :—		
Head 108	Minister of Postal Services		
	Programme 01 Operational Activities	68,705,000	10,350,000
	Programme 02 Development Activities	8,000,000	55,000,000
Head 308	Department of Posts		
	Programme 01 Operational Activities	7,101,500,000	186,000,000
	Ministry of Justice		
	Recurrent Capital	3,142,367,000	913,770,000
	Made up as follows :—		
Head 110	Minister of Justice		
	Programme 01 Operational Activities	291,035,000	76,095,000
Head 228	Courts Administration		
	Programme 01 Operational Activities	2,681,320,000	644,950,000

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Head 231	Department of Debt Concileation Board			
	Programme 01	Operational Activities	7,232,000	2,00,000
Head 233	Department of Government Analyst			
	Programme 01	Operational Activities	77,255,000	185,250,000
Head 234	Registrar of Supreme Court			
	Programme 01	Operational Activities	76,270,000	6,275,000
Head 235	Department of Law Commission			
	Programme 01	Operational Activities	9,255,000	1,000,000
	Ministry of Health			
	Recurrent			48,476,412,000
	Capital			14,432,994,000
	Made up as follows :—			
Head 111	Minister of Health			
	Programme 01	Operational Activities	43,542,238,000	746,300,000
	Programme 02	Development Activities	4,934,174,000	13,686,694,000
	Ministry of External Affairs			
	Recurrent			5,541,227,000
	Capital			831,550,000
	Made up as follows :—			
Head 112	Minister of External Affairs			
	Programme 01	Operational Activities	97,860,000	7,000,000
	Programme 02	Development Activities	5,443,367,000	824,550,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Transport		
	Recurrent		14,192,219,000
	Capital		30,183,200,000
	Made up as follows :—		
Head 114	Minister of Transport		
	Programme 01	121,670,000	14,200,000
	Programme 02	3,850,000,000	8,580,000,000
Head 306	Department of Sri Lanka Railways		
	Programme 02	9,503,199,000	20,766,500,000
Head 307	Department of Motor Traffic		
	Programme 02	717,350,000	822,500,000
	Ministry of Petroleum Industries		
	Recurrent		92,210,000
	Capital		2,025,000
	Made up as follows :—		
Head 115	Minister of Petroleum Industries		
	Programme 01	92,210,000	2,025,000

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Ministry of Co-operatives and Internal Trade				
	Recurrent	555,147,000		
	Capital	932,000,000		
Made up as follows :—				
Head	116 Minister of Co-operatives and Internal Trade			
	Programme 01 Operational Activities	359,460,000	386,010,000	
	Programme 02 Development Activities	—	30,000,000	
Head	298 Department of Measurement Units, Standards and Services			
	Programme 01 Operational Activities	56,175,000	35,500,000	
Head	300 Department of Food Commissioner			
	Programme 01 Operational Activities	83,340,000	17,360,000	
Head	301 Department of Co-operative Development (Registrar of Co-operative Societies)			
	Programme 01 Operational Activities	46,075,000	463,000,000	
Head	302 Co-operative Employees Commission			
	Programme 01 Operational Activities	10,097,000	130,000	
Ministry of Ports and Highways				
	Recurrent	177,910,000		
	Capital	128,484,275,000		
Made up as follows :—				
Head	117 Minister of Ports and Highways			
	Programme 01 Operational Activities	177,910,000	6,905,000	
	Programme 02 Development Activities	—	128,477,370,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Agriculture		
	Recurrent		
	Capital		
		2,170,347,000	
		2,998,965,000	
	Made up as follows :—		
Head 118	Minister of Agriculture		
	Programme 01	147,170,000	17,750,000
	Programme 02	285,257,000	1,985,130,000
Head 285	Department of Agriculture		
	Programme 01	197,000,000	25,400,000
	Programme 02	1,540,920,000	970,685,000
	Ministry of Power and Energy		
	Recurrent		
	Capital		
		1,409,990,000	
		32,704,650,000	
	Made up as follows :—		
Head 119	Minister of Power and Energy		
	Programme 01	1,409,990,000	2,284,650,000
	Programme 02	—	30,420,000,000
	Ministry of Child Development and Women's Affairs		
	Recurrent		
	Capital		
		677,000,000	
		310,000,000	

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Made up as follows :—			
Head	120 Minister of Child Development and Women's Affairs		
	Programme 01	233,175,000	75,500,000
	Programme 02	298,280,000	229,200,000
Head	217 Department of Probation and Child Care Services		
	Programme 01	12,290,000	500,000
	Programme 02	133,255,000	4,800,000
	Ministry of Public Administration and Home Affairs		
	Recurrent		101,738,475,000
	Capital		2,500,000,000
Made up as follows :—			
Head	121 Minister of Public Administration and Home Affairs		
	Programme 01	415,200,000	454,000,000
Head	253 Department of Pensions		
	Programme 01	92,101,400,000	26,300,000
Head	254 Department of Registrar General		
	Programme 01	530,475,000	62,050,000
Head	255 District Secretariat, Colombo		
	Programme 01	413,900,000	191,050,000
Head	256 District Secretariat, Gampaha		
	Programme 01	547,025,000	49,300,000
Head	257 District Secretariat, Kalutara		
	Programme 01	453,600,000	65,050,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 258	District Secretariat, Kandy Programme 01 Operational Activities	606,050,000	69,200,000
Head 259	District Secretariat, Matale Programme 01 Operational Activities	314,800,000	22,650,000
Head 260	District Secretariat, Nuwara-Eliya. Programme 01 Operational Activities	256,150,000	72,700,000
Head 261	District Secretariat, Galle Programme 01 Operational Activities	558,075,000	66,250,000
Head 262	District Secretariat ,Matara Programme 01 Operational Activities	455,600,000	135,400,000
Head 263	District Secretariat , Hambantota Programme 01 Operational Activities	346,400,000	91,075,000
Head 264	District Secretariat/ Kachcheri - Jaffna Programme 01 Operational Activities	316,950,000	78,550,000
Head 265	District Secretariat/ Kachcheri - Mannar Programme 01 Operational Activities	96,675,000	48,650,000
Head 266	District Secretariat/ Kachcheri - Vavuniya Programme 01 Operational Activities	102,025,000	45,750,000
Head 267	District Secretariat/ Kachcheri - Mullaitivu Programme 01 Operational Activities	71,550,000	61,075,000

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Head	268	District Secretariat/ Kachcheri - Killinochchi Programme 01	Operational Activities	79,600,000	65,400,000
Head	269	District Secretariat/ Kachcheri - Batticaloa Programme 01	Operational Activities	267,400,000	61,250,000
Head	270	District Secretariat, Ampara Programme 01	Operational Activities	442,325,000	89,100,000
Head	271	District Secretariat/ Kachcheri - Trincomalee Programme 01	Operational Activities	186,125,000	94,450,000
Head	272	District Secretariat, Kurunegala Programme 01	Operational Activities	853,425,000	64,150,000
Head	273	District Secretariat, Puttalam Programme 01	Operational Activities	350,300,000	115,550,000
Head	274	District Secretariat, Anuradhapura Programme 01	Operational Activities	451,900,000	57,100,000
Head	275	District Secretariat - Polonnaruwa Programme 01	Operational Activities	207,150,000	49,350,000
Head	276	District Secretariat - Badulla Programme 01	Operational Activities	359,450,000	65,650,000
Head	277	District Secretariat, Moneragala Programme 01	Operational Activities	245,800,000	143,550,000
Head	278	District Secretariat, Ratnapura Programme 01	Operational Activities	381,200,000	75,300,000
Head	279	District Secretariat, Kegalle Programme 01	Operational Activities	327,925,000	80,100,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Mass Media and Information		
	Recurrent	1,518,372,000	
	Capital		686,125,000
	Made up as follows :—		
Head 122	Minister of Mass Media and Information		
	Programme 01 Operational Activities	97,567,000	62,000,000
	Programme 02 Development Activities	197,000,000	345,500,000
Head 210	Department of Information		
	Programme 01 Operational Activities	132,790,000	155,375,000
Head 211	Department of Government Printer		
	Programme 01 Operational Activities	1,091,015,000	123,250,000
	Ministry of Construction, Engineering Services, Housing and Common Amenities		
	Recurrent		630,920,000
	Capital		1,993,070,000
	Made up as follows :—		

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Head	123	Minister of Construction, Engineering Services, Housing and Common Amenities			
		Operational Activities	163,660,000	5,150,000	
		Development Activities	85,500,000	1,939,000,000	
Head	309	Department of Buildings			
		Operational Activities	62,370,000	3,150,000	
		Development Activities	135,880,000	18,150,000	
Head	310	Government Factory			
		Operational Activities	24,660,000	6,000,000	
		Development Activities	21,000,000	11,520,000	
Head	311	Department of National Physical Planning			
		Operational Activities	137,850,000	3,100,000	
		Development Activities	—	7,000,000	
		Ministry of Social Services			
		Recurrent		895,595,000	
		Capital		122,900,000	
		Made up as follows :—			
Head	124	Minister of Social Services			
		Operational Activities	152,745,000	15,850,000	
		Development Activities	456,380,000	72,250,000	
Head	216	Department of Social Services			
		Operational Activities	85,500,000	16,000,000	
		Development Activities	200,970,000	18,800,000	

Head No.		Recurrent Expenditure Rs.	Capital Expenditure Rs.
	Ministry of Education		
	Recurrent Capital		
		26,857,106,000	4,618,984,000
	Made up as follows :—		
Head 126	Minister of Education		
	Programme 01	478,620,000	75,500,000
	Programme 02	24,802,725,000	4,388,546,000
Head 212	Department of Examinations		
	Programme 02	1,549,375,000	62,583,000
Head 213	Department of Educational Publications		
	Programme 02	26,386,000	92,355,000
	Ministry of Labour and Labour Relations		
	Recurrent Capital		
		948,256,000	222,651,000
	Made up as follows :—		
Head 127	Minister of Labour and Labour Relations		
	Programme 01	102,441,000	38,515,000
	Programme 02	48,875,000	6,406,000
Head 221	Department of Labour		
	Programme 01	427,815,000	78,000,000
	Programme 02	369,125,000	99,730,000

Ministry of Traditional Industries and Small Enterprises Development
Recurrent 501,950,000
Capital 498,600,000

Made up as follows :—

Head 128	Minister of Traditional Industries and Small Enterprises Development			
	Programme 01	Operational Activities	501,950,000	79,600,000
	Programme 02	Development Activities	—	419,000,000

Ministry of Local Government and Provincial Councils
Recurrent 90,172,610,000
Capital 30,651,800,000

Made up as follows :—

Head 130	Minister of Local Government and Provincial Councils			
	Programme 01	Operational Activities	172,610,000	46,650,000
	Programme 02	Development Activities	—	4,313,600,000

Head 312	Western Provincial Council			
	Programme 01	Operational Activities	7,170,479,000	—
	Programme 02	Development Activities	—	2,136,000,000

Head 313	Central Provincial Council			
	Programme 01	Operational Activities	13,269,516,000	—
	Programme 02	Development Activities	—	2,864,750,000

Head 314	Southern Provincial Council			
	Programme 01	Operational Activities	11,171,940,000	—
	Programme 02	Development Activities	—	1,860,250,000

Head 315	Northern Provincial Council			
	Programme 01	Operational Activities	9,152,741,000	—
	Programme 02	Development Activities	—	3,343,500,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 316	North Western Provincial Council		
	Programme 01 Operational Activities	12,656,574,000	—
	Programme 02 Development Activities	—	1,841,750,000
Head 317	North Central Provincial Council		
	Programme 01 Operational Activities	7,385,670,000	—
	Programme 02 Development Activities	—	3,083,250,000
Head 318	Uva Provincial Council		
	Programme 01 Operational Activities	8,897,287,000	—
	Programme 02 Development Activities	—	3,469,300,000
Head 319	Sabaragamuwa Provincial Council		
	Programme 01 Operational Activities	9,822,717,000	—
	Programme 02 Development Activities	—	2,363,250,000
Head 321	Eastern Provincial Council		
	Programme 01 Operational Activities	10,473,076,000	—
	Programme 02 Development Activities	—	5,329,500,000
	Ministry of Technology and Research		
	Recurrent		1,084,780,000
	Capital		2,618,955,000
	Made up as follows :—		
Head 133	Minister of Technology and Research		
	Programme 01 Operational Activities	144,925,000	8,700,000
	Programme 02 Development Activities	939,855,000	2,610,255,000

		220,745,000	
		302,410,000	
Ministry of National Languages and Social Integration			
Made up as follows :—			
Head	134 Minister of National Languages and Social Integration		
	Programme 01 Operational Activities	107,925,000	184,810,000
	Programme 02 Development Activities	55,750,000	101,800,000
Head	236 Department of Official Languages		
	Programme 01 Operational Activities	57,070,000	15,800,000
Ministry of Plantation Industries			
Made up as follows :—			
Head	135 Minister of Plantation Industries		
	Programme 01 Operational Activities	98,290,000	14,750,000
	Programme 02 Development Activities	916,570,000	1,100,250,000
Head	293 Department of Rubber Development		
	Programme 02 Development Activities	932,860,000	100,250,000
Ministry of Sports			
Made up as follows :—			
Head	136 Minister of Sports		
	Programme 01 Operational Activities	104,410,000	54,700,000
	Programme 02 Development Activities	111,225,000	118,930,000

Head No.		Recurrent Expenditure Rs.	Capital Expenditure Rs.
Head 219	Department of Sports Development		
	Programme 01 Operational Activities	76,230,000	8,950,000
	Programme 02 Development Activities	190,275,000	1,126,000,000
	Ministry of Indigenous Medicine		
	Recurrent Capital	787,317,000	
		288,960,000	
	Made up as follows :—		
Head 138	Minister of Indigenous Medicine		
	Programme 01 Operational Activities	169,750,000	69,100,000
	Programme 02 Development Activities	—	80,010,000
Head 220	Department of Ayurveda		
	Programme 01 Operational Activities	184,438,000	7,200,000
	Programme 02 Development Activities	433,129,000	132,650,000
	Ministry of Fisheries and Aquatic Resources Development		
	Recurrent Capital	768,550,000	
		3,649,170,000	
	Made up as follows :—		
Head 139	Minister of Fisheries and Aquatic Resources Development		
	Programme 01 Operational Activities	127,460,000	61,000,000
	Programme 02 Development Activities	433,000,000	3,558,620,000
Head 290	Department of Fisheries and Aquatic Resources		
	Programme 01 Operational Activities	208,090,000	29,550,000

Ministry of Livestock and Rural Community Development
Recurrent 444,802,000
Capital 1,777,410,000

Made up as follows :—

Head 140	Minister of Livestock and Rural Community Development		
	Programme 01	Operational Activities	129,962,000
	Programme 02	Development Activities	18,525,000
			14,510,000
			1,193,200,000
Head 292	Department of Animal Production and Health		
	Programme 01	Operational Activities	74,133,000
	Programme 02	Development Activities	222,182,000
			16,700,000
			553,000,000

Ministry of National Heritage
Recurrent 751,017,000
Capital 552,894,000

Made up as follows :—

Head 142	Minister of National Heritage		
	Programme 01	Operational Activities	160,563,000
	Programme 02	Development Activities	86,234,000
			9,200,000
			199,000,000
Head 207	Department of Archaeology		
	Programme 01	Operational Activities	40,298,000
	Programme 02	Development Activities	332,038,000
			10,165,000
			89,175,000
Head 208	Department of National Museums		
	Programme 01	Operational Activities	13,318,000
	Programme 02	Development Activities	70,710,000
			958,000
			18,935,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 209	Department of National Archives		
	Programme 01 Operational Activities	18,698,000	4,340,000
	Programme 02 Development Activities	29,158,000	221,121,000
	Ministry of Parliamentary Affairs		
	Recurrent Capital	335,145,000	
	Made up as follows :—	53,900,000	
Head 143	Minister of Parliamentary Affairs		
	Programme 01 Operational Activities	335,145,000	53,900,000
	Ministry of Re-settlement		
	Recurrent Capital	390,265,000	
	Made up as follows :—	1,358,340,000	
Head 145	Minister of Re-settlement		
	Programme 01 Operational Activities	137,195,000	6,840,000
	Programme 02 Development Activities	253,070,000	1,351,500,000
	Ministry of Industry and Commerce		
	Recurrent Capital	715,500,000	
	Made up as follows :—	1,748,185,000	

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Head	149	Minister of Industry and Commerce			
		Programme 01	165,890,000	12,350,000	
		Operational Activities			
		Development Activities	371,705,000	1,210,110,000	
Head	295	Department of Commerce			
		Programme 01	81,820,000	8,925,000	
		Operational Activities			
		Development Activities	—	492,700,000	
Head	297	Department of the Registrar of Companies			
		Programme 01	23,670,000	—	
		Operational Activities			
Head	299	National Intellectual Property Office of Sri Lanka			
		Programme 01	16,560,000		
		Operational Activities			
Head	303	Department of Textile Industries			
		Programme 02	55,855,000	24,100,000	
		Development Activities			
		Ministry of Irrigation and Water Resources Management			
		Recurrent	3,252,950,000		
		Capital	21,009,570,000		
		Minister of Irrigation and Water Resources Management			
		Programme 01	79,220,000	13,800,000	
		Operational Activities			
		Development Activities	1,919,605,000	14,774,340,000	
Head	282	Department of Irrigation			
		Programme 01	306,845,000	37,600,000	
		Operational Activities			
		Development Activities	947,280,000	6,183,830,000	

Made up as follows :—

Head No.		Recurrent Expenditure Rs.	Capital Expenditure Rs.
	Ministry of Land and Land Development		
	Recurrent Capital		
		2,281,166,000	
		2,924,358,000	
	Made up as follows :—		
Head 153	Minister of Land and Land Development		
	Programme 01 Operational Activities	111,969,000	11,450,000
	Programme 02 Development Activities	—	2,420,000,000
Head 286	Department of Land Commissioner		
	Programme 02 Development Activities	177,300,000	305,000,000
Head 287	Department of Land Settlement		
	Programme 02 Development Activities	175,401,000	6,600,000
Head 288	Department of Surveyor General		
	Programme 01 Operational Activities	140,990,000	31,518,000
	Programme 02 Development Activities	1,536,046,000	96,890,000
Head 327	Department of Land Use Policy Planning		
	Programme 02 Development Activities	139,460,000	52,900,000
	Ministry of Yourth Affairs and Skills Development		
	Recurrent Capital		
		3,574,655,000	
		5,000,000,000	
	Made up as follows :—		

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Head 156	Minister of Youth Affairs and Skills Development			
	Programme 01	Operational Activities	105,250,000	26,720,000
	Programme 02	Development Activities	2,449,745,000	4,694,130,000
Head 215	Department of Technical Education and Training			
	Programme 01	Operational Activities	108,350,000	14,500,000
	Programme 02	Development Activities	911,310,000	264,650,000
	Ministry of Environment			
	Recurrent		1,351,765,000	
	Capital		1,886,675,000	
	Made up as follows :—			
Head 160	Minister of Environment			
	Programme 01	Operational Activities	174,395,000	15,600,000
	Programme 02	Development Activities	355,000,000	1,483,825,000
Head 283	Department of Forests			
	Programme 01	Operational Activities	822,370,000	387,250,000
	Ministry of Water Supply and Drainage			
	Recurrent		150,200,000	
	Capital		29,451,050,000	
	Made up as follows :—			
Head 166	Minister of Water Supply and Drainage			
	Programme 01	Operational Activities	103,950,000	8,150,000
	Programme 02	Development Activities	46,250,000	29,442,900,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Higher Education		
	Recurrent	13,198,557,000	
	Capital	9,965,513,000	
	Made up as follows :—		
Head 171	Minister of Higher Education		
	Programme 01 Operational Activities	121,057,000	6,295,000
	Programme 02 Development Activities	477,500,000	2,859,218,000
Head 214	University Grants Commission		
	Programme 02 Development Activities	12,600,000,000	7,100,000,000
	Ministry of Public Management Reforms		
	Recurrent	111,325,000	
	Capital	75,000,000	
	Made up as follows :—		
Head 173	Minister of Public Management Reforms		
	Programme 01 Operational Activities	111,325,000	75,000,000
	Ministry of Rehabilitation and Prison Reforms		
	Recurrent	3,564,040,000	
	Capital	585,290,000	
	Made up as follows :—		

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Head 174	Minister of Rehabilitation and Prison Reforms Programme 01	Operational Activities	178,245,000	253,460,000
Head 232	Department of Prisons Programme 01	Operational Activities	3,323,620,000	325,950,000
Head 326	Department of Community Based Corrections Programme 01	Operational Activities	62,175,000	5,880,000
	Ministry of State Resources and Enterprise Development Recurrent Capital			109,130,000 108,900,000
Made up as follows :—				
Head 175	Minister of State Resources and Enterprise Development Programme 01	Operational Activities	109,130,000	28,900,000
	Programme 02	Development Activities	—	80,000,000
	Ministry of Civil Aviation Recurrent Capital			100,000,000 1,711,000,000
Made up as follows :—				
Head 176	Minister of Civil Aviation Programme 01	Operational Activities	100,000,000	10,000,000
	Programme 02	Development Activities	—	1,701,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Culture and the Arts		574,009,000
	Recurrent Capital		1,601,651,000
	Made up as follows :—		
Head 177	Minister of Culture and the Arts		
	Programme 01 Operational Activities	25,000,000	10,000,000
	Programme 02 Development Activities	322,534,000	1,506,700,000
Head 206	Department of Cultural Affairs		
	Programme 01 Operational Activities	52,495,000	5,445,000
	Programme 02 Development Activities	173,980,000	79,506,000
	Ministry of Coconut Development and Janatha Estate Development		520,000,000
	Recurrent Capital		1,110,000,000
	Made up as follows :—		
Head 178	Minister of Coconut Development and Janatha Estate Development		
	Programme 01 Operational Activities	25,000,000	10,000,000
	Programme 02 Development Activities	495,000,000	1,100,000,000
	Ministry of Agrarian Services & Wildlife		23,422,132,000
	Recurrent Capital		1,021,550,000
	Made up as follows :—		

		<i>Appropriation Act, No. 20 of 2010</i>		37
Head	179 Minister of Agrarian Services & Wildlife Programme 01 Operational Activities Programme 02 Development Activities	73,378,000 20,018,369,000	10,600,000 40,360,000	
Head	281 Department of Agrarian Development Programme 01 Operational Activities Programme 02 Development Activities	182,000,000 2,735,000,000	35,500,000 421,800,000	
Head	284 Department of Wildlife Conservation Programme 01 Operational Activities	413,385,000	513,290,000	
	Ministry of Minor Export Crop Promotion Recurrent Capital	358,061,000 335,510,000		
	Made up as follows :—			
Head	180 Department of Minor Export Crop Promotion Programme 01 Operational Activities Programme 02 Development Activities	59,556,000 40,000,000	10,910,000 42,000,000	
Head	289 Department of Export Agriculture Programme 02 Development Activities	258,505,000	282,600,000	
	Ministry of Productivity Promotion Recurrent Capital	221,015,000 46,000,000		
	Made up as follows :—			
Head	181 Minister of Productivity Promotion Programme 01 Operational Activities Programme 02 Development Activities	25,000,000 31,510,000	10,000,000 18,050,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 328	Department of Man Power and Employment	164,505,000	17,950,000
	Programme 01 Operational Activities		
	Ministry of Foreign Employment Promotion and Welfare		
	Recurrent		49,750,000
	Capital		212,250,000
	Made up as follows :—		
Head 182	Minister of Foreign Employment Promotion and Welfare	25,000,000	10,000,000
	Programme 01 Operational Activities	24,750,000	202,250,000
	Programme 02 Development Activities		
	Ministry of Public Relations and Public Affairs		
	Recurrent		25,000,000
	Capital		10,000,000
	Made up as follows :—		
Head 183	Minister of Public Relations and Public Affairs	25,000,000	10,000,000
	Programme 01 Operational Activities		
	Ministry of Private Transport Services		
	Recurrent		532,500,000
	Capital		150,000,000
	Made up as follows :—		
Head 184	Minister of Private Transport Services	25,000,000	10,000,000
	Programme 01 Operational Activities	507,500,000	140,000,000
	Programme 02 Development Activities		

Ministry of Telecommunications and Information Technology
Recurrent 25,000,000
Capital 10,000,000

Made up as follows :—

Head 185 **Minister of Telecommunications and Information Technology** 25,000,000
Programme 01 Operational Activities 10,000,000*

Second Schedule — Estimate 2011

Expenditure of the Government, Authorised by Law and to be Charged on the Consolidated Fund

Head No.	Spending Ministry/Department/Institute	Law under which expenditure is allocated	Expenditure Programme	Recurrent Ks.	Capital Ks.	Total Ks.
1	His Excellency the President	Article 36 of the Constitution	Programme 01 - Operational Activities	1,470,000	—	1,470,000
4	Judges of the Superior Courts	Article 108 of the Constitution	Programme 01 - Operational Activities	28,000,000	—	28,000,000
16	Parliament	Article 65 of the Constitution	Programme 01 - Operational Activities	970,000	—	970,000
6	Public Service Commission	Article 54 of the Constitution	Programme 01 - Operational Activities	3,660,000	—	3,660,000
7	Judicial Service Commission	Article 111 of the Constitution	Programme 01 - Operational Activities	1,227,000	—	1,227,000
8	National Police Commission	Article 155 of the Constitution	Programme 01 - Operational Activities	3,113,000	—	3,113,000
10	Commission to Investigate Allegations of Bribery or Corruption	Bribery or Corruption Commission Act No. 19 of 1994	Programme 01 - Operational Activities	2,400,000	—	2,400,000
20	Department of Elections	Article 103 of the Constitution	Programme 01 - Operational Activities	3,098,000	—	3,098,000
21	Auditor General	Article 153 of the Constitution	Programme 01 - Operational Activities	742,000	—	742,000
22	Office of the Parliamentary Commissioner for Administration	Article 156 of the Constitution	Programme 01 - Operational Activities	780,000	—	780,000

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111	Ministry of Health	Medical Ordinance (Chp. 105)	Programme 01- Operational Activities	2,000	—	2,000
239	Department of External Resources	The Bretton Woods Agreement of No. 10, 1978 (Special Provisions)	Programme 01- Operational Activities	378,000,000	460,000,000	838,000,000
249	Department of Treasury Operations	Ceylon Development Loans Act (Chp. 407), National Development Loan Ordinance 1945 (Chp. 408), National Development Loan 1950 Act (Chp. 409), Registered Stock and Securities Ordinance 1937 Act (as Amended) Foreign Loans Act (as Amended)	Programme 01- Operational Activities	350,000,000,000	465,000,000,000	815,000,000,000
253	Department of Pensions	Widow's and Orphan's Pension Fund Ordinance (Chp. 431) No. 01 of 1898 and subsequent amendments, Widowers and Orphans Pensions Act No. 24 of 1983, Widowers and Orphans Pension Scheme(Armed Forces) Act No. 18 of 1970, School Teacher's Pensions Act (Chp. 432) No. 44 of 1953	Programme 01- Operational Activities	19,630,000,000	—	19,630,000,000

THIRD SCHEDULE — ESTIMATE — 2011

Limits of Advance Account Activities — 2011

SRL No.	Ministry / Department	Item No.	Activities of the Government	I		II		III		IV		V	
				Maximum Limits of Expenditure of Activities of the Government	Rs.	Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government	Rs.	Maximum Limits of Debit Balances of Activities of the Government	Rs.	Maximum Limits of Liabilities of Activities of the Government	Rs.		
1	His Excellency the President	00101	Advances to Public Officers	19,625,000		12,000,000		90,000,000		—		—	
2	Office of the Prime Minister	00201	Advances to Public Officers	4,710,000		3,200,000		22,000,000		—		—	
3	Secretariat for Special Functions (Senior Ministers)	00301	Advances to Public Officers	1,000,000		300,000		2,000,000		—		—	
4	Judges of the Superior Courts	00401	Advances to Public Officers	1,727,000		1,200,000		10,000,000		—		—	
5	Office of the Cabinet of Ministers	00501	Advances to Public Officers	1,256,000		1,500,000		15,000,000		—		—	
6	Public Service Commission	00601	Advances to Public Officers	5,588,000		3,000,000		32,000,000		—		—	
7	Judicial Service Commission	00701	Advances to Public Officers	3,140,000		1,200,000		17,500,000		—		—	
8	National Police Commission	00801	Advances to Public Officers	1,963,000		1,600,000		12,000,000		—		—	
9	Administrative Appeals Tribunal	00901	Advances to Public Officers	1,963,000		200,000		3,500,000		—		—	

10	Commission to Investigate Allegations of Bribery or Corruption	01001 Advances to Public Officers	7,850,000	3,000,000	35,000,000	—
11	Commission to Investigate Allegations of Bribery or Corruption	01002 Advancing monies to be used in bribery detection as bribes	7,000,000	1,500,000	7,500,000	—
12	Office of the Finance Commission	01101 Advances to Public Officers	4,553,000	3,000,000	22,000,000	—
13	National Education Commission	01201 Advances to Public Officers	1,570,000	600,000	6,000,000	—
14	Human Rights Commission of Sri Lanka	01301 Advances to Public Officers	1,962,000	292,000	4,500,000	—
15	Department of Attorney General	01401 Advances to Public Officers	19,625,000	11,000,000	88,000,000	—
16	Department of Legal Draftsman	01501 Advances to Public Officers	6,280,000	2,000,000	24,000,000	—
17	Parliament	01601 Advances to Public Officers	29,045,000	20,000,000	165,000,000	—
18	Office of the Leader of the House of Parliament	01701 Advances to Public Officers	1,178,000	900,000	5,000,000	—
19	Office of the Chief Government Whip of Parliament	01801 Advances to Public Officers	1,178,000	950,000	7,500,000	—
20	Office of the Leader of the Opposition of Parliament	01901 Advances to Public Officers	1,570,000	1,000,000	10,000,000	—
21	Department of Elections	02001 Advances to Public Officers	23,550,000	16,000,000	80,000,000	—
22	Auditor-General	02101 Advances to Public Officers	57,305,000	37,000,000	300,000,000	—
23	Office of the Parliamentary Commissioner for Administration	02201 Advances to Public Officers	785,000	200,000	4,000,000	—
24	Minister of Buddha Sasana and Religious Affairs	10101 Advances to Public Officers	5,495,000	1,900,000	19,000,000	—
25	Minister of Finance and Planning	10201 Advances to Public Officers	21,980,000	11,000,000	90,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
26	Minister of Defence	10301	Advances to Public Officers	48,670,000	17,600,000	200,000,000	—	—	—	—	
27	Minister of Economic Development	10501	Advances to Public Officers	90,275,000	51,000,000	358,000,000	—	—	—	—	
28	Minister of Disaster Management	10601	Advances to Public Officers	3,500,000	2,000,000	10,000,000	—	—	—	—	
29	Minister of Postal Services	10801	Advances to Public Officers	7,850,000	2,400,000	30,000,000	—	—	—	—	
30	Minister of Justice	11001	Advances to Public Officers	11,775,000	6,000,000	57,000,000	—	—	—	—	
31	Minister of Health	11101	Advances to Public Officers	829,250,000	655,000,000	2,064,000,000	—	—	—	—	
32	Minister of External Affairs	11201	Advances to Public Officers	27,475,000	17,000,000	110,000,000	—	—	—	—	
33	Minister of Transport	11401	Advances to Public Officers	10,205,000	4,500,000	29,500,000	—	—	—	—	
34	Minister of Petroleum Industries	11501	Advances to Public Officers	4,710,000	1,300,000	15,000,000	—	—	—	—	
35	Minister of Co-operatives and Internal Trade	11601	Advances to Public Officers	6,600,000	3,800,000	30,000,000	—	—	—	—	
36	Minister of Ports and Highways	11701	Advances to Public Officers	8,100,000	3,900,000	25,000,000	—	—	—	—	
37	Minister of Agriculture	11801	Advances to Public Officers	15,700,000	8,500,000	80,000,000	—	—	—	—	
38	Minister of Power and Energy	11901	Advances to Public Officers	5,800,000	2,500,000	31,000,000	—	—	—	—	
39	Minister of Child Development and Women's Affairs	12001	Advances to Public Officers	31,000,000	6,000,000	87,000,000	—	—	—	—	

40	Minister of Public Administration and Home Affairs	12101 Advances to Public Officers	28,260,000	13,000,000	105,000,000	—
41	Minister of Mass Media and Information	12201 Advances to Public Officers	7,850,000	3,600,000	30,000,000	—
42	Minister of Construction, Engineering Services, Housing and Common Amenities	12301 Advances to Public Officers	19,625,000	4,000,000	70,000,000	—
43	Minister of Social Services	12401 Advances to Public Officers	11,775,000	3,300,000	48,000,000	—
44	Minister of Education	12601 Advances to Public Officers	721,500,000	710,000,000	2,300,000,000	—
45	Minister of Labour and Labour Relations	12701 Advances to Public Officers	27,475,000	8,500,000	90,000,000	—
46	Minister of Traditional Industries and Small Enterprises Development	12801 Advances to Public Officers	6,280,000	2,200,000	40,000,000	—
47	Minister of Local Government and Provincial Councils	13001 Advances to Public Officers	7,850,000	3,900,000	35,000,000	—
48	Minister of Technology and Research	13301 Advances to Public Officers	24,335,000	8,500,000	50,000,000	—
49	Minister of National Languages and Social Integration	13401 Advances to Public Officers	9,420,000	3,300,000	51,000,000	—
50	Minister of Plantation Industries	13501 Advances to Public Officers	6,600,000	3,200,000	28,000,000	—
51	Minister of Sports	13601 Advances to Public Officers	7,065,000	2,400,000	24,000,000	—
52	Minister of Indigenous Medicine	13801 Advances to Public Officers	10,990,000	3,200,000	34,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Minimum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
53	Minister of Fisheries and Aquatic Resources Development	13901	Advances to Public Officers	6,280,000	4,000,000	4,000,000	38,000,000	—	—	—	—
54	Minister of Livestock and Rural Community Development	14001	Advances to Public Officers	7,850,000	4,000,000	4,000,000	32,000,000	—	—	—	—
55	Minister of National Heritage	14201	Advances to Public Officers	23,550,000	12,000,000	12,000,000	80,000,000	—	—	—	—
56	Minister of Parliamentary Affairs	14301	Advances to Public Officers	6,280,000	1,500,000	1,500,000	18,000,000	—	—	—	—
57	Minister of Resettlement	14501	Advances to Public Officers	7,850,000	4,000,000	4,000,000	26,000,000	—	—	—	—
58	Minister of Industry and Commerce	14901	Advances to Public Officers	11,775,000	8,000,000	8,000,000	60,000,000	—	—	—	—
59	Minister of Irrigation and Water Resources Management	15201	Advances to Public Officers	8,635,000	7,000,000	7,000,000	34,000,000	—	—	—	—
60	Minister of Land and Land Development	15301	Advances to Public Officers	19,625,000	5,000,000	5,000,000	44,000,000	—	—	—	—
61	Minister of Youth Affairs and Skills Development	15601	Advances to Public Officers	23,550,000	8,800,000	8,800,000	85,000,000	—	—	—	—
62	Minister of Environment	16001	Advances to Public Officers	10,205,000	4,900,000	4,900,000	45,000,000	—	—	—	—

63	Minister of Water Supply and Drainage	16601 Advances to Public Officers	4,710,000	2,300,000	22,000,000	—
64	Minister of Higher Education	17101 Advances to Public Officers	3,925,000	4,900,000	17,000,000	—
65	Minister of Public Management Reforms	17301 Advances to Public Officers	1,570,000	900,000	2,500,000	—
66	Minister of Rehabilitation and Prison Reforms	17401 Advances to Public Officers	2,355,000	1,000,000	12,000,000	—
67	Minister of State Resources and Enterprise Development	17501 Advances to Public Officers	5,495,000	1,100,000	23,000,000	—
68	Minister of Civil Aviation	17601 Advances to Public Officers	4,565,000	3,300,000	20,000,000	—
69	Minister of Culture and the Arts	17701 Advances to Public Officers	1,000,000	300,000	2,000,000	—
70	Minister of Coconut Development and Janatha Estate Development	17801 Advances to Public Officers	1,000,000	300,000	2,000,000	—
71	Minister of Agrarian Services and Wildlife	17901 Advances to Public Officers	1,000,000	300,000	2,000,000	—
72	Minister of Minor Export Crop Promotion	18001 Advances to Public Officers	1,000,000	300,000	2,000,000	—
73	Minister of Productivity Promotion	18101 Advances to Public Officers	1,000,000	300,000	2,000,000	—
74	Minister of Foreign Employment Promotion Welfare	18201 Advances to Public Officers	1,000,000	300,000	2,000,000	—
75	Minister of Public Relations and Public Affairs	18301 Advances to Public Officers	1,000,000	300,000	2,000,000	—
76	Minister of Private Transport Service	18401 Advances to Public Officers	1,000,000	300,000	2,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Maximum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
77	Minister of Telecommunication and Information Technology	18501	Advances to Public Officers	1,000,000	300,000	2,000,000	—	—	—	—	
78	Department of Buddhist Affairs	20101	Advances to Public Officers	17,270,000	8,000,000	60,000,000	—	—	—	—	
79	Department of Muslim Religious and Cultural Affairs	20201	Advances to Public Officers	2,355,000	900,000	12,000,000	—	—	—	—	
80	Department of Christian Religious Affairs	20301	Advances to Public Officers	785,000	500,000	5,200,000	—	—	—	—	
81	Department of Hindu Religious and Cultural Affairs	20401	Advances to Public Officers	3,925,000	1,300,000	11,500,000	—	—	—	—	
82	Department of Public Trustee	20501	Advances to Public Officers	4,600,000	1,600,000	19,000,000	—	—	—	—	
83	Department of Cultural Affairs	20601	Advances to Public Officers	27,475,000	7,800,000	72,000,000	—	—	—	—	
84	Department of Archaeology	20701	Advances to Public Officers	43,175,000	20,000,000	115,000,000	—	—	—	—	
85	Department of National Museums	20801	Advances to Public Officers	9,420,000	5,900,000	47,000,000	—	—	—	—	
86	Department of National Archives	20901	Advances to Public Officers	6,280,000	2,200,000	24,600,000	—	—	—	—	
87	Department of Information	21001	Advances to Public Officers	10,205,000	5,200,000	45,000,000	—	—	—	—	

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88	Department of Government Printer	21101 Advances to Public Officers	62,800,000	37,000,000	285,000,000	—
89	Department of Examinations	21201 Advances to Public Officers	21,195,000	13,500,000	113,000,000	—
90	Department of Educational Publications	21301 Advances to Public Officers	6,280,000	3,600,000	28,000,000	—
91	Department of Educational Publications	21302 Printing, Publicity and Sales of Publications	2,900,000,000	2,900,000,000	4,000,000,000	500,000,000
92	Department of Technical Education and Training	21501 Advances to Public Officers	65,700,000	42,000,000	280,000,000	—
93	Department of Social Services	21601 Advances to Public Officers	21,980,000	11,200,000	98,000,000	—
94	Department of Probation and Child Care Services	21701 Advances to Public Officers	14,915,000	6,200,000	63,000,000	—
95	Department of Commissioner General of Samurdhi	21801 Advances to Public Officers	17,800,000	9,000,000	82,000,000	—
96	Department of Sports Development	21901 Advances to Public Officers	7,850,000	3,900,000	33,000,000	—
97	Department of Ayurveda	22001 Advances to Public Officers	47,100,000	17,000,000	155,000,000	—
98	Department of Labour	22101 Advances to Public Officers	84,780,000	46,000,000	160,000,000	—
99	Sri Lanka Army	22201 Advances to Public Officers	2,134,500,000	1,650,000,000	5,000,000,000	—
100	Sri Lanka Navy	22301 Advances to Public Officers	593,890,000	210,000,000	1,000,000,000	—
101	Sri Lanka Navy	22302 Stores Advance Account (Explosive items)	386,000,000	400,000,000	380,000,000	—
102	Sri Lanka Air Force	22401 Advances to Public Officers	549,500,000	450,000,000	1,550,000,000	—
103	Department of Police	22501 Advances to Public Officers	1,686,297,000	1,100,000,000	4,500,000,000	—
104	Department of Immigration and Emigration	22601 Advances to Public Officers	23,550,000	18,000,000	142,000,000	—
105	Department of Registration of Persons	22701 Advances to Public Officers	21,195,000	14,000,000	80,000,000	—
106	Courts Administration	22801 Advances to Public Officers	176,625,000	160,000,000	735,000,000	—

SRL No.	Ministry / Department	Item No.	Activities of the Government	II		III		IV		V	
				Maximum Limits of Expenditure of Activities of the Government	Rs.	Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government	Rs.	Maximum Limits of Debit Balances of Activities of the Government	Rs.	Maximum Limits of Liabilities of Activities of the Government	Rs.
107	Department of Debt Conciliation Board	23101	Advances to Public Officers	785,000	Rs.	230,000	Rs.	3,400,000	Rs.	—	Rs.
108	Department of Prisons	23201	Advances to Public Officers	125,600,000		95,000,000		422,000,000		—	
109	Department of Prisons	23202	Prisons Industrial and Agricultural undertakings	120,000,000		135,000,000		30,000,000		12,000,000	
110	Department of Government Analyst	23301	Advances to Public Officers	7,850,000		3,200,000		34,000,000		—	
111	Registrar of Supreme Court	23401	Advances to Public Officers	10,205,000		6,000,000		42,000,000		—	
112	Law Commission of Sri Lanka	23501	Advances to Public Officers	1,570,000		300,000		3,000,000		—	
113	Department of Official Languages	23601	Advances to Public Officers	11,775,000		3,000,000		35,000,000		—	
114	Department of National Planning	23701	Advances to Public Officers	7,065,000		2,600,000		30,000,000		—	
115	Department of Fiscal Policy	23801	Advances to Public Officers	3,140,000		1,200,000		8,000,000		—	
116	Department of External Resources	23901	Advances to Public Officers	5,800,000		2,500,000		32,000,000		—	
117	Department of National Budget	24001	Advances to Public Officers	9,420,000		3,500,000		41,000,000		—	
118	Department of Public Enterprises	24101	Advances to Public Officers	4,300,000		1,300,000		18,000,000		—	

119	Department of Management Services	24201	Advances to Public Officers	5,100,000	2,000,000	21,000,000	—
120	Department of Development Finance	24301	Advances to Public Officers	3,100,000	650,000	21,000,000	—
121	Department of Trade Tariff and Investment Policy	24401	Advances to Public Officers	2,355,000	1,800,000	14,000,000	—
122	Department of Public Finance	24501	Advances to Public Officers	5,100,000	1,900,000	23,000,000	—
123	Department of Inland Revenue	24601	Advances to Public Officers	65,155,000	47,000,000	295,000,000	—
124	Sri Lanka Customs	24701	Advances to Public Officers	67,510,000	35,000,000	368,000,000	—
125	Sri Lanka Customs	24702	Expenses in connection with Seized and Forfeited Goods	5,000,000	1,000,000	15,000,000	—
126	Department of Excise	24801	Advances to Public Officers	41,605,000	20,500,000	190,000,000	—
127	Department of Treasury Operations	24901	Advances to Public Officers	5,588,000	2,800,000	34,000,000	—
128	Department of State Accounts	25001	Advances to Public Officers	7,065,000	2,000,000	30,000,000	—
129	Department of State Accounts	25002	Advances for Payments on behalf of other Governments	4,600,000	4,600,000	3,500,000	—
130	Department of State Accounts	25003	Miscellaneous Advances	50,000,000	30,000,000	620,000,000	—
131	Department of Valuation	25101	Advances to Public Officers	12,560,000	10,000,000	28,000,000	—
132	Department of Census and Statistics	25201	Advances to Public Officers	43,175,000	20,500,000	194,000,000	—
133	Department of Pensions	25301	Advances to Public Officers	31,400,000	13,500,000	156,000,000	—
134	Department of Registrar General	25401	Advances to Public Officers	62,800,000	29,000,000	201,000,000	—
135	District Secretariat, Colombo	25501	Advances to Public Officers	47,100,000	34,000,000	180,000,000	—
136	District Secretariat, Gampaha	25601	Advances to Public Officers	54,950,000	64,000,000	234,000,000	—

SRL No.	Ministry / Department	Item No.	Activities of the Government	II		III		IV		V	
				Minimum Limits of Expenditure of Activities of the Government	Rs.	Minimum Limits of Receipts to be Credited to the Accounts of the Government	Rs.	Maximum Limits of Debit Balances of Activities of the Government	Rs.	Maximum Limits of Liabilities of Activities of the Government	Rs.
137	District Secretariat, Kalutara	25701	Advances to Public Officers	58,875,000	Rs.	35,000,000	Rs.	270,000,000	—	—	
138	District Secretariat, Kandy	25801	Advances to Public Officers	54,950,000		37,000,000		250,000,000	—	—	
139	District Secretariat, Matale	25901	Advances to Public Officers	31,400,000		23,000,000		150,000,000	—	—	
140	District Secretariat, Nuwara-Eliya	26001	Advances to Public Officers	35,325,000		16,000,000		115,000,000	—	—	
141	District Secretariat, Galle	26101	Advances to Public Officers	47,100,000		44,000,000		205,000,000	—	—	
142	District Secretariat, Matara	26201	Advances to Public Officers	39,250,000		35,000,000		180,000,000	—	—	
143	District Secretariat, Hambantota	26301	Advances to Public Officers	35,325,000		23,000,000		147,000,000	—	—	
144	District Secretariat/Kachcheri, Jaffna	26401	Advances to Public Officers	39,250,000		23,000,000		110,000,000	—	—	
145	District Secretariat/Kachcheri, Mannar	26501	Advances to Public Officers	11,775,000		6,000,000		50,000,000	—	—	
146	District Secretariat/Kachcheri, Vavuniya	26601	Advances to Public Officers	10,600,000		7,500,000		42,000,000	—	—	
147	District Secretariat/Kachcheri, Mullaitivu	26701	Advances to Public Officers	10,676,000		2,800,000		38,000,000	—	—	
148	District Secretariat/Kachcheri, Killinochchi	26801	Advances to Public Officers	10,990,000		3,000,000		44,000,000	—	—	
149	District Secretariat/ Kachcheri, Batticaloa	26901	Advances to Public Officers	34,540,000		19,000,000		67,000,000	—	—	
150	District Secretariat, Ampara	27001	Advances to Public Officers	47,100,000		35,000,000		188,000,000	—	—	

151	District Secretariat/Kacheheri, Trincomalee	27101	Advances to Public Officers	29,830,000	12,000,000	105,000,000	—
152	District Secretariat, Kurunegala	27201	Advances to Public Officers	86,350,000	65,000,000	330,000,000	—
153	District Secretariat, Puttalam	27301	Advances to Public Officers	41,300,000	27,000,000	180,000,000	—
154	District Secretariat, Anuradhapura	27401	Advances to Public Officers	60,000,000	32,000,000	210,000,000	—
155	District Secretariat, Polonnaruwa	27501	Advances to Public Officers	23,550,000	13,500,000	103,000,000	—
156	District Secretariat, Badulla	27601	Advances to Public Officers	36,110,000	30,000,000	145,000,000	—
157	District Secretariat, Monaragala	27701	Advances to Public Officers	31,400,000	20,000,000	114,000,000	—
158	District Secretariat, Ratnapura	27801	Advances to Public Officers	41,605,000	27,000,000	165,000,000	—
159	District Secretariat, Kegalle	27901	Advances to Public Officers	47,100,000	32,500,000	165,000,000	—
160	Department of Foreign Aid and Budget Monitoring	28001	Advances to Public Officers	4,710,000	2,000,000	18,000,000	—
161	Department of Agrarian Development	28101	Advances to Public Officers	300,000,000	130,000,000	830,000,000	—
162	Department of Irrigation	28201	Advances to Public Officers	141,300,000	103,000,000	480,000,000	—
163	Department of Forests	28301	Advances to Public Officers	61,230,000	40,000,000	328,000,000	—
164	Department of Wild Life Conservation	28401	Advances to Public Officers	39,250,000	24,000,000	120,000,000	—
165	Department of Agriculture	28501	Advances to Public Officers	149,150,000	100,399,000	500,000,000	—
166	Department of Agriculture	28502	Maintenance of Agricultural Farms and Seed Sales	300,000,000	270,000,000	50,000,000	—
167	Department of Land Commissioner General	28601	Advances to Public Officers	20,410,000	10,000,000	88,000,000	—
168	Department of Land Settlement	28701	Advances to Public Officers	13,000,000	4,900,000	35,000,000	—
169	Department of Surveyor General	28801	Advances to Public Officers	125,600,000	100,000,000	485,000,000	—

SRL No.	Ministry / Department	Item No.	Activities of the Government	II		III		IV		V	
				Maximum Limits of Expenditure of Activities of the Government	Rs.	Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government	Rs.	Maximum Limits of Debit Balances of Activities of the Government	Rs.	Maximum Limits of Liabilities of Activities of the Government	Rs.
170	Department of Export Agriculture	28901	Advances to Public Officers	25,120,000	Rs.	18,000,000	Rs.	116,000,000	Rs.	—	Rs.
171	Department of Fisheries and Aquatic Resources	29001	Advances to Public Officers	22,000,000	Rs.	12,000,000	Rs.	112,000,000	Rs.	—	Rs.
172	Department of Coast Conservation	29101	Advances to Public Officers	19,625,000	Rs.	7,000,000	Rs.	69,000,000	Rs.	—	Rs.
173	Department of Animal Production and Health	29201	Advances to Public Officers	27,475,000	Rs.	13,000,000	Rs.	105,000,000	Rs.	—	Rs.
174	Department of Rubber Development	29301	Advances to Public Officers	18,055,000	Rs.	10,000,000	Rs.	52,000,000	Rs.	—	Rs.
175	Department of National Zoological Gardens	29401	Advances to Public Officers	13,345,000	Rs.	7,500,000	Rs.	60,000,000	Rs.	—	Rs.
176	Department of Commerce	29501	Advances to Public Officers	3,925,000	Rs.	2,000,000	Rs.	20,000,000	Rs.	—	Rs.
177	Department of Import and Export	29601	Advances to Public Officers	4,500,000	Rs.	2,000,000	Rs.	20,000,000	Rs.	—	Rs.
178	Department of the Registrar of Companies	29701	Advances to Public Officers	3,600,000	Rs.	2,000,000	Rs.	30,000,000	Rs.	—	Rs.
179	Department of Measurement Units, Standards and Services	29801	Advances to Public Officers	9,420,000	Rs.	3,000,000	Rs.	36,000,000	Rs.	—	Rs.
180	National Intellectual Property Office of Sri Lanka	29901	Advances to Public Officers	3,140,000	Rs.	1,300,000	Rs.	15,000,000	Rs.	—	Rs.

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181 Department of Food Commissioner	30001 Advances to Public Officers	7,850,000	3,400,000	46,000,000	—
182 Department of Co-operative Development (Registrar of Co-operative Societies)	30101 Advances to Public Officers	4,710,000	2,000,000	22,000,000	—
183 Co-operative Employees Commission	30201 Advances to Public Officers	1,570,000	300,000	6,000,000	—
184 Department of Textile Industries	30301 Advances to Public Officers	7,040,000	3,200,000	32,000,000	—
185 Department of Meteorology	30401 Advances to Public Officers	10,990,000	5,900,000	50,000,000	—
186 Department of Up-Country Peasantry Rehabilitation	30501 Advances to Public Officers	2,355,000	800,000	8,000,000	—
187 Department of Sri Lanka Railways	30601 Advances to Public Officers	529,090,000	300,000,000	2,100,000,000	—
188 Department of Sri Lanka Railways	30602 Railway Stores Advance Account	1,000,000,000	800,000,000	4,838,000,000	500,000,000
189 Department of Motor Traffic	30701 Advances to Public Officers	24,000,000	15,000,000	110,000,000	—
190 Department of Posts	30801 Advances to Public Officers	557,350,000	525,000,000	1,997,000,000	—
191 Department of Buildings	30901 Advances to Public Officers	18,055,000	12,000,000	95,000,000	—
192 Government Factory	31001 Advances to Public Officers	27,475,000	18,000,000	122,000,000	—
193 Government Factory	31002 Government Factory Stores Advance Account	120,000,000	120,000,000	10,000,000	15,000,000
194 Government Factory	31003 Government Factory Work Done Advance Account	260,000,000	280,000,000	180,000,000	2,000,000
195 Department of National Physical Planning	31101 Advances to Public Officers	14,130,000	7,400,000	106,000,000	—

SRL No.	Ministry / Department	Item No.	I Activities of the Government	II Minimum Limits of Expenditure of Activities of the Government		III Minimum Limits of Receipts to be Credited to the Accounts of Activities of the Government		IV Maximum Limits of Debit Balances of Activities of the Government		V Maximum Limits of Liabilities of Activities of the Government	
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
196	Department of Civil Security	32001	Advances to Public Officers	141,300,000	50,000,000	275,000,000	—	—	—	—	
197	Department of National Botanical Gardens	32201	Advances to Public Officers	15,700,000	8,300,000	57,000,000	—	—	—	—	
198	Department of Legal Affairs	32301	Advances to Public Officers	392,000	100,000	2,000,000	—	—	—	—	
199	Department of Management Audit	32401	Advances to Public Officers	2,000,000	1,200,000	11,000,000	—	—	—	—	
200	Department of Community Based Correction	32601	Advances to Public Officers	2,355,000	2,000,000	17,000,000	—	—	—	—	
201	Department of Land Use Policy Planning	32701	Advances to Public Officers	14,130,000	6,500,000	42,803,000	—	—	—	—	
Total				17,077,921,000	13,070,921,000	47,169,503,000	1,029,000,000	1,029,000,000	1,029,000,000	1,029,000,000	

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.