

# ACTS OF PARLIAMENT 2012

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

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**RAMAKRISHNA SARADA MISSION  
(LANKA BRANCH) (INCORPORATION)  
ACT, No. 1 OF 2012**

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[Certified on 17th January, 2012]

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*Ramakrishna Sarada Mission (Lanka Branch)*  
*(Incorporation) Act, No. 1 of 2012*

[Certified on 17th January, 2012]

L.D.—O. Inc.(18/2010)

AN ACT TO INCORPORATE RAMAKRISHNA SARADA MISSION  
(LANKA BRANCH)

WHEREAS a Society called and known as the “Ramakrishna Sarada Mission (Lanka Branch)” has heretofore been formed, and registered in Sri Lanka under the provisions of Societies Ordinance (Chapter 123) for the purpose of effectually carrying out its objects and transacting all matters connected with the said Society according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Society 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 the said 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 Ramakrishna Sarada Mission (Lanka Branch) (Incorporation) Act, No. 1 of 2012.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Ramakrishna Sarada Mission (Lanka Branch)” (hereinafter referred to as the “Society”) or shall hereafter be admitted 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 “Ramakrishna Sarada Mission (Lanka Branch)” 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 Ramakrishna Sarada Mission (Lanka Branch).

2 *Ramakrishna Sarada Mission (Lanka Branch)*  
*(Incorporation) Act, No. 1 of 2012*

General objects  
of the  
Corporation.

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

- (a) to impart and promote the study of Hinduism and all its scriptures and the teaching of Sri Ramakrishna Paramahansa, Sri Sarada Devi and Swami Vivekananda within the Hindu community;
- (b) to promote the study of comparative theology in its widest form and assist in bringing about the harmony of all religions;
- (c) to promote, encourage and assist the religious, educational, social and cultural advancement of Hindu women and children;
- (d) to establish, maintain and manage religious and educational institutions, orphanages, laboratories, hospitals, dispensaries and other charitable institutions for the Hindu community;
- (e) to train the teachers who are in the Hindu religious institutions and carry on educational activities among the masses in all the branches of knowledge;
- (f) to publish through print or electronic media and distribute books, journals, periodicals and magazines which the Corporation may consider desirable for the promotion and advancement of its objects;
- (g) to conduct and sponsor conferences, lectures, seminars, workshops and group studies within or outside Sri Lanka for Hindu religious personnel for the purpose of achieving the objects of the Corporation; and
- (h) to collaborate for the betterment of the Hindu Community with any other institutions or organizations, whether foreign or local, having objects similar to those of the Corporation.

**4.** (1) The affairs of the Corporation shall, subjects to the rules of the Corporation made under section 6, be administered by a Executive Committee (hereinafter referred to as the “Committee”) consisting of the President and Secretary who shall be nominated by the Governing Body of the Ramakrishna Sarada Mission, Dakshineswar, Kolkata, Vice President and other office bearers elected or appointed in accordance with the rules of the Corporation made under section 6.

Management of the affairs of the Corporation.

(2) The person holding the post of the President for the time being of the Ramakrishna Sarada Mission, Dakshineswar, Kolkata shall be the Patron of the Corporation.

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

**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 anyone of them including the power to:—

General Powers of the Corporation.

- (a) acquire, hold, take or give on lease or hire, mortgagage, pledge, sell, exchange or otherwise alienate, encumber or dispose of any immovable property for the purposes 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;

4 *Ramakrishna Sarada Mission (Lanka Branch)*  
*(Incorporation) Act, No. 1 of 2012*

- (d) invest its funds, and to maintain current, deposit 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 any other written law on all or any of the following matters :—

- (a) the classification of membership and the admission, withdrawal or expulsion of members;
- (b) the election of office-bearers, the resignation from or vacation of, or removal from office of, office bearers and their powers and duties;
- (c) the election of members of the committee 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 or the summoning and holding of meetings of the Corporation and the Committee, the time, places, notices and agenda of such meetings and the quorum therefor and the conduct of business thereat; and
- (f) the administration and management of the property of the Corporation and the custody of its funds.



*Ramakrishna Sarada Mission (Lanka Branch)*      5  
*(Incorporation) Act, No. 1 of 2012*

(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 Committee.

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 Committee.

(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

6 *Ramakrishna Sarada Mission (Lanka Branch)*  
*(Incorporation) Act, No. 1 of 2012*

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 Committee 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 Society.

**10.** 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, subscriptions and contributions payable to the Society on that day shall be paid to the Corporation for the purposes 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 however 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.

Corporation may hold property movable and immovable.

**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.

**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 and of anybody politic or corporate.

Savings of the Rights of the Republic and others.

**16.** (1) All contracts, agreements, certificates or other instruments or documents whatsoever made, issued or executed prior to the date of commencement of this Act, by or in favour of the Society shall be deemed from and after the date of commencement of this Act, to be and to have been made, issued or executed by or in favour of the Corporation.

Savings.

(2) All suits, actions, appeals and any other legal proceedings instituted by or against the Society and pending immediately prior to the date of the commencement of this Act, shall not abated or be discontinued and may be continued or enforced by or against the Corporation.

(3) All property movable and immovable, which has been vested in, or legally purchased or acquired by, or leased to, or placed at the disposal of, or in any other manner transferred to the Society or which is held in trust for the Society, is in its possession or control on the date of commencement of this Act, shall be held by or in trust for the Corporation

8 *Ramakrishna Sarada Mission (Lanka Branch)*  
*(Incorporation) Act, No. 1 of 2012*

established under this Act, subject to the trusts, charges, liabilities, reservations, servitudes or other encumbrances and on the terms and conditions appertaining, attaching or applicable thereto at that date.

(4) All the rights, liabilities and obligations of the Society other than the rights, liabilities and obligations referred to in subsection (1) on the day immediately prior to the date of commencement of this Act, shall be deemed to be the rights, liabilities and obligations of the Corporation.

Sinhala text to prevail in case of inconsistency.

**17.** 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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**EMPLOYEES' PROVIDENT FUND  
(AMENDMENT) ACT, No. 2 OF 2012**

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*Employees' Provident Fund (Amendment)*  
*Act, No. 2 of 2012*

[Certified on 09th February, 2012]

L. D. —O. 43/2008.

AN ACT TO AMEND THE EMPLOYEES' PROVIDENT FUND  
ACT, NO. 15 OF 1958

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

- 1.** This Act may be cited as the Employees' Provident Fund (Amendment) Act, No. 2 of 2012. Short title.
- 2.** Section 3 of the Employees' Provident Fund Act, No. 15 of 1958, (hereinafter referred to as the "principal enactment") is hereby amended by the insertion immediately after subsection (1) of that section, of the following new subsection:—

“(1A) Where an employee becomes a member of the Fund established under subsection (1), the Commissioner-General of Labour shall assign an identification number to such employee and employer in the prescribed manner.”.

Amendment of section 3 of Act, No. 15 of 1958.
- 3.** Section 5 of the principal enactment is hereby amended in subsection (1) of that section as follows :—

(1) by the insertion immediately after paragraph (e) of that subsection, of the following new paragraph :—

“(ee) may invest such amount of moneys of the Fund according to such terms and conditions as may be prescribed, to purchase a land for the construction of a Secretariat on behalf of the Fund or to construct such Secretariat on any land belonging to or held by the Fund, for the use of the Fund; " and" ;

Amendment of section 5 of the principal enactment.

2 *Employees' Provident Fund (Amendment)*  
*Act, No. 2 of 2012*

- (2) in paragraph (ff) of that subsection, by the substitution for the words “account, for a period not exceeding six years prior to the date of such transfer, and” of the words “account and”.

Insertion of new section 23A in the principal enactment.

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

“ Housing benefits and benefits relating to medical treatment.

23A. (1) Every member of the Fund who—

- (a) has made contributions to the Fund for a period of not less than ten years;
- (b) is presently employed; and
- (c) possesses not less than three hundred thousand rupees to his credit in his individual account,

shall, for the purpose of—

- (i) housing; or
- (ii) medical treatment,

be entitled to withdraw such amount as does not exceed thirty *per centum* of the amount lying to his credit in his individual account :

Provided that the Minister may in the interest of the national economy from time to time prescribe the maximum amount which may be withdrawn from any such individual account.

(2) A member of the Fund who subject to the provisions of subsection (1) makes a withdrawal from the amount lying to his credit in his account, shall upon the completion of a period of ten years from the date of such withdrawal, subject to the provisions of



paragraphs (b) and (c) of subsection (1) be entitled to make a second withdrawal of such amount as does not exceed thirty *per centum* from such account for any one of the above purposes.

(3) Every member shall, during the period he is a contributor to the Fund be entitled to only two withdrawals from his individual account.

(4) For the purpose of this section—

“housing” includes—

- (a) the construction of a house on a land belonging to a member ;
- (b) the purchase of a land for the construction of a house;
- (c) the purchase of a house;
- (d) the redemption of a mortgage on housing property; or
- (e) the settlement of an outstanding balance of the housing loan received from the approved bank,

by such member; and

“medical treatment” includes—

- (a) heart surgery;
- (b) by-pass surgery;
- (c) treatment for cancer including surgery;
- (d) kidney transplant or surgery;

4 *Employees' Provident Fund (Amendment)*  
*Act, No. 2 of 2012*

(e) cesarean operation; or

(f) hospitalization for not less than fourteen days on the account of an accident.

(5) A member of the Fund, his or her spouse and his or her children shall be entitled to the medical treatment referred to in this section.

(6) The Minister may appoint, by Order published in the *Gazette* different dates for the bringing in to operation of the provisions of sub-paragraph (i) or (ii) of subsection (1) .”.

Amendment of section 31A of the principal enactment.

**5.** Section 31A of the principal enactment is hereby amended, by the substitution for the words “at the rate of one *per centum*” of the words “at the rate of two *per centum*”.

Insertion of new section 31B in the principal enactment.

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

“Duty to furnish returns.

31B. (1) It shall be the duty of every employer having in his employment a minimum of fifty employees to furnish a monthly return containing such particulars as may be prescribed, to the Commissioner-General of Labour with a copy to the Central Bank not later than the end of the succeeding month.

(2) Every monthly return referred to in subsection (1) shall with effect from July 1, 2012 be submitted by electronic means.”.

Amendment of section 37 of the principal enactment.

**7.** Section 37 of the principal enactment is hereby amended, by the substitution for the words “fine not exceeding one thousand rupees” and “fine not exceeding

*Employees' Provident Fund (Amendment)*      5  
*Act, No. 2 of 2012*

fifty rupees for each day” of the words "fine not exceeding two thousand five hundred rupees” and “fine not exceeding seventy five rupees for each day" respectively.".

**8.** Section 46 of the principal enactment is hereby amended in subsection (1) thereof by the insertion immediately after paragraph (n) of that subsection of the following new paragraph:—

Amendment of section 46 of the principal enactment.

“(nn) in respect of the procedure to be followed in granting housing benefits and benefits relating to medical treatment;”.

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

Sinhala text to prevail in case of any inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC  
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**BOARD OF INVESTMENT OF SRI LANKA  
(AMENDMENT) ACT, No. 3 OF 2012**

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*Board of Investment of Sri Lanka (Amendment)*  
*Act, No. 3 of 2012*

[Certified on 15th February, 2012]

L.D.—O. 44/2011.

AN ACT TO AMEND THE BOARD OF INVESTMENT OF SRI LANKA  
LAW, NO. 4 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 Board of Investment of Sri Lanka (Amendment) Act, No. 3 of 2012. Short title.

2. Section 6 of the Board of Investment of Sri Lanka Law, No. 4 of 1978 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 6 of the Law No. 4 of 1978.

- (1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection:—

“(1) the Board shall consist of five members to be appointed by the President, one of whom shall be appointed as the Chairman of the Commission.”;

- (2) by the substitution, in subsection (2) of that section, for the words “period of five years”, of the words “period of three years”;

- (3) by the substitution, in subsection (7) of that section, for the words “Director-General, Additional Director-General or any other member”, of the word “Chairman”;

- (4) by the addition immediately after subsection (7) of that section, of the following new subsection:—

“(8) the Chairman shall preside at all meetings of the Board and shall have a casting vote. In the absence of the Chairman from any meeting of the

2 *Board of Investment of Sri Lanka (Amendment)*  
*Act, No. 3 of 2012*

Board, a member elected by the members present shall preside at such meeting.”.

Replacement of section 11 of the principal enactment.

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

“Appointment of Director-General of the Board.

11. (1) The President in consultation with the Board shall appoint the Director-General of the Board.

(2) The Director-General shall be the chief executive officer of the Board.

(3) The President in consultation with the Board may remove the Director-General from his office.

(4) The Director-General shall attend the meetings of the Board in an advisory capacity in connection with the activities of the Board but shall not have any voting rights thereat.

(5) The Board shall determine the remuneration and other benefits payable to the Director-General.

(6) The Director-General shall discharge his functions subject to the general direction and control of the Board.

(7) The Director-General may, with the approval of the Board delegate any power, function or duty conferred or imposed on or assigned to the Director-General to any employee of the Board and such employee shall exercise, perform and discharge such power, duty or function subject to the general or special directions of the Director-General.”.

*Board of Investment of Sri Lanka (Amendment) 3*  
*Act, No. 3 of 2012*

- 4.** Section 12 of the principal enactment is amended by the omission of the words “Additional Director-General”. Amendment of section 12 of the principal enactment.
- 5.** In the case 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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**TAX APPEALS COMMISSION  
(AMENDMENT) ACT, No. 4 OF 2012**

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*Tax Appeals Commission (Amendment)*  
*Act, No. 4 of 2012*

[Certified on 15th February, 2012]

L.D.—O. 37/2011.

AN ACT TO AMEND THE TAX APPEALS COMMISSION  
ACT, No. 23 OF 2011

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

**1.** This Act may be cited as the Tax Appeals Commission (Amendment) Act, No. 4 of 2012. Short title.

**2.** Section 2 of the Tax Appeals Commission Act, No. 23 of 2011 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 2 of Act, No. 23 of 2011.

- (1) in subsection (1) of that section, by the substitution for the words “levy or duty”, of the words “levy, charge, duty or penalty”; and
- (2) in subsection (2) of that section, by the substitution for the words “who shall be appointed from amongst retired Judges of the Supreme Court and the Court of Appeal, persons who”, of the words “one of whom shall be appointed from amongst retired Judges of the Supreme Court or the Court of Appeal and two other members from amongst persons who”;
- (3) immediately after subsection (3) of that section, by the addition of the following:—

“(4) Where any member of the Commission appointed under subsection (2) is unable to perform his functions under this Act due to ill health, absence from Sri Lanka or any other reason, the Minister may having regard to the provisions of subsection (2), appoint another member in his place. Any member so appointed shall hold office for the unexpired period of the term of office of the member whom he succeeds.”.

2 *Tax Appeals Commission (Amendment)*  
*Act, No. 4 of 2012*

Amendment of section 4 of the principal enactment.

**3.** Section 4 of the principal enactment is hereby amended in subsection (2) of that section by the substitution for the words “three or more members of the panel shall be nominated by the Minister” of the words “not less than two members of the panel shall be nominated by the Commission”.

Amendment of section 7 of the principal enactment.

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

(1) in subsection (1) of that section:—

(a) by the substitution for the words “Commissioner-General of Inland Revenue” of the words “Commissioner-General of Inland Revenue appointed in terms of the Inland Revenue Act, No. 10 of 2006 (hereinafter in this Act referred to as the Commissioner-General”);

(b) by the substitution for the words “levy or duty” and for the words “specified in the Schedule”, of the words “levy, charge, duty or penalty” and of the words “ specified in Column I of Schedule I and Schedule II”, respectively”; and

(c) by the substitution in the proviso to that subsection, for the words “as tax”, of the words “as tax, levy, charge, duty or penalty”;

(2) in subsection (2) of that section, by the substitution for the words “specified in the Schedule to this Act” of the words “specified in Column I of Schedule I and Schedule II to this Act”;

(3) by the repeal of subsection (4) of that section; and

- (4) by the repeal of the marginal note to that section and substitution therefor of the following:—

“Right to appeal to the Commission against the determination given under any law specified in the Schedules.”

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

Replacement of section 8 of the principal enactment.

“Procedure for preferring an appeal.

8.(1) A person aggrieved by the determination of the Commissioner-General in respect of any matter relating to the imposition of any tax, levy, charge, duty or penalty, may if he is dissatisfied with the reasons stated by the Commissioner-General in his determination prefer an appeal therefrom to the Commission within thirty days from the date of such determination. The Commission shall hear and determine such appeal in accordance with such rules as may be made in that behalf by the Commission, from time to time.

(2) The manner and the form of submitting an appeal under subsection (1) and the fees, if any, payable in respect thereof, shall be as determined by the Commission by rules made in that behalf.”.

6. Section 9 of the principal enactment is hereby amended as follows:—

Amendment of section 9 of the principal enactment.

- (1) in subsection (2) of that section, by the substitution for the words “specified in the Schedule”, of the words “specified in Column I of Schedule I and Schedule II”; and
- (2) in subsection (5) of that section, by the substitution for the words “specified in the Schedule”, of the

4 *Tax Appeals Commission (Amendment)*  
*Act, No. 4 of 2012*

words “specified in Column I of Schedule I and Schedule II”.

Amendment of section 10 of the principal enactment.

**7.** Section 10 of the principal enactment is hereby amended as follows:—

- (1) by the substitution for the words “decision” wherever it appears in that section, of the word “determination”;
- (2) by the substitution for the words “within one hundred and eighty days from”, of the words “within two hundred and seventy days of ”; and
- (3) by the substitution in the proviso to that section of the words “within hundred and eighty days from the date of such transfer” of the words “within twelve months of the date on which the Commission shall commence its sittings.”.

Insertion of new section 12A in the principal enactment.

**8.** The following new section is hereby inserted immediately after section 12 of the principal enactment and shall have effect as section 12A of the principal enactment:—

“Rules. 12A.(1) The Commission may make rules in respect of all or any of the matters in respect of which rules are required to be made under this Act.

(2) All rules made by the Commission under subsection (1) shall be approved by the Minister and published in the *Gazette*.”.

Amendment of section 13 of the principal enactment.

**9.** Section 13 of the principal enactment is hereby amended by the substitution for the word “Schedule” wherever it appears in that section, of the word and figure “Schedule I” thereof.

**10.** The following new section is hereby inserted immediately after section 13 of the principal enactment and shall have effect as section 13A of the principal enactment:—

Insertion of new section 13A in the principal enactment.

“Appeals pending before the Board of Review under certain Acts the provisions of which are applicable to different taxable periods as specified therein,.

13A. As at the date of commencement of this Act any appeal pending before the respective Board or Boards of Review in terms of the provisions of the respective enactments specified in Schedule II to this Act shall be deemed to stand transferred to the Commission notwithstanding the fact that such provisions are applicable to different taxable periods as specified therein.”.

**11.** The Schedule to the principal enactment is hereby amended as follows:—

Amendment of the Schedule to the principal enactment.

- (1) by the renumbering of the Schedule as “Schedule I”;
- (2) by the repeal of Column II to item 3 of the renumbered Schedule I and the substitution therefor of the following:—

“Section 8 of the Nation Building Tax Act read with sections 166,167,168,169, and 170 of the Inland Revenue Act No. 10 of 2006.”.

- (3) by the repeal of Column III to item 3 of the renumbered Schedule I and the substitution therefor of the following:—

“Section 8 of the Nation Building Tax Act is hereby amended by the substitution for the words and figures “Chapter XXII relating to appeals” of the words “Chapter XXII relating to appeals other than sections 166,167,168, and 169”.

6 *Tax Appeals Commission (Amendment)*  
*Act, No. 4 of 2012*

- (4) by the repeal of Column II to item 4 of the renumbered Schedule I and the substitution thereof of the following:—

“Section 11 of the Economic Service Charge Act read with sections 166,167,168,169, and 170 of the Inland Revenue Act No. 10 of 2006”.

- (5) by the repeal of Column III to item 4 of the renumbered Schedule I and the substitution thereof of the following:—

“Section 11 of the Economic Service Charge Act is hereby amended by the substitution for the words “relating respectively to appeals” of the words and figures “relating respectively to appeals other than the provisions in sections 166,167,168, and 169”;

- (6) by the addition immediately after item 4 thereof the following new item:—

<i>Column I</i>	<i>Column II</i>	<i>Column III</i>
5. Stamp Duty (Special Provisions) Act, No. 12 of 2006.	Section 11	Section 11 of the Stamp Duty (Special Provisions) Act is hereby amended by the substitution for the words “Chapters XVIII to XXIV of the Inland Revenue Act relating to Assessment, Appeals, Determination of Appeals” of the words “Chapters XVIII to XXIV of the Inland Revenue Act relating to Assessment, Appeals, Determination of Appeals, other than sections 166, 167, 168, and 169 relating to appeals to the Board of Review”;



*Tax Appeals Commission (Amendment)*                      7  
*Act, No. 4 of 2012*

**12.** The following new Schedule is hereby inserted immediately after Schedule I, of the principal enactment and shall have effect as Schedule II of that enactment:—

Insertion of Schedule II in the principal enactment.

“Schedule II

Name of Enactment

1. Turnover Tax Act, No. 69 of 1981
2. Goods and Services Tax Act, No. 34 of 1996.”.

**13.** The amendments made to the principal enactment by the provisions of section 10 of this Act, shall be deemed for all purposes have come into effect on March 31, 2011.

Retrospective effect.

**14.** 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 the event of an inconsistency.

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

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**CENTRAL COLLEGES PAST PUPILS'  
ASSOCIATION OF SRI LANKA  
(INCORPORATION) ACT, No. 5 OF 2012**

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[Certified on 21st February, 2012]

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*Board of Investment of Sri Lanka (Amendment)*  
*Act, No. 3 of 2012*

[Certified on 15th February, 2012]

L.D.—O. 44/2011.

AN ACT TO AMEND THE BOARD OF INVESTMENT OF SRI LANKA  
LAW, NO. 4 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 Board of Investment of Sri Lanka (Amendment) Act, No. 3 of 2012. Short title.

2. Section 6 of the Board of Investment of Sri Lanka Law, No. 4 of 1978 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 6 of the Law No. 4 of 1978.

- (1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection:—

“(1) the Board shall consist of five members to be appointed by the President, one of whom shall be appointed as the Chairman of the Commission.”;

- (2) by the substitution, in subsection (2) of that section, for the words “period of five years”, of the words “period of three years”;

- (3) by the substitution, in subsection (7) of that section, for the words “Director-General, Additional Director-General or any other member”, of the word “Chairman”;

- (4) by the addition immediately after subsection (7) of that section, of the following new subsection:—

“(8) the Chairman shall preside at all meetings of the Board and shall have a casting vote. In the absence of the Chairman from any meeting of the

2 *Board of Investment of Sri Lanka (Amendment)*  
*Act, No. 3 of 2012*

Board, a member elected by the members present shall preside at such meeting.”.

Replacement of section 11 of the principal enactment.

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

“Appointment of Director-General of the Board. 11. (1) The President in consultation with the Board shall appoint the Director-General of the Board.

(2) The Director-General shall be the chief executive officer of the Board.

(3) The President in consultation with the Board may remove the Director-General from his office.

(4) The Director-General shall attend the meetings of the Board in an advisory capacity in connection with the activities of the Board but shall not have any voting rights thereat.

(5) The Board shall determine the remuneration and other benefits payable to the Director-General.

(6) The Director-General shall discharge his functions subject to the general direction and control of the Board.

(7) The Director-General may, with the approval of the Board delegate any power, function or duty conferred or imposed on or assigned to the Director-General to any employee of the Board and such employee shall exercise, perform and discharge such power, duty or function subject to the general or special directions of the Director-General.”.

*Board of Investment of Sri Lanka (Amendment) 3*  
*Act, No. 3 of 2012*

- 4.** Section 12 of the principal enactment is amended by the omission of the words “Additional Director-General”. Amendment of section 12 of the principal enactment.
- 5.** In the case 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  
SOCIALIST REPUBLIC OF  
SRI LANKA**

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**RAHULA COLLEGE MATARA PAST PUPILS  
ASSOCIATION (COLOMBO BRANCH)  
(INCORPORATION) ACT, No. 6 OF 2012**

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**[Certified on 08th March, 2012]**

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*Rahula College Matara Past Pupils  
Association (Colombo Branch)  
(Incorporation) Act, No. 6 of 2012*

[Certified on 08th March, 2012]

L.D.—O. Inc 24/2010.

AN ACT TO INCORPORATE RAHULA COLLEGE, MATARA PAST PUPILS  
ASSOCIATION (COLOMBO BRANCH)

WHEREAS an Association called and known as the “Rahula College, Matara Past Pupils Association (Colombo Branch)” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all 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 the said 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 Rahula College, Matara Past Pupils Association (Colombo Branch) (Incorporation) Act, No. 6 of 2012.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Rahula College, Matara Past Pupils Association (Colombo Branch)” (hereinafter referred to as the “Association”) and shall hereafter be admitted 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 “Rahula College, Matara Past Pupils Association (Colombo Branch)” 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 Rahula College, Matara Past Pupils Association (Colombo Branch).

2                    *Rahula College Matara Past Pupils  
Association (Colombo Branch)  
(Incorporation) Act, No. 6 of 2012*

General objects  
of the  
Corporation.

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

- (a) to promote educational, cultural and social activities among past pupils, present pupils, present teachers and former teachers of Rahula College;
- (b) to provide, develop and maintain physical resources and other infrastructure facilities for the benefit of the students of Rahula College;
- (c) to promote welfare, cultural, and social development activities in order to improve cordial relationship with the past pupils and the teachers of the Rahula College;
- (d) to establish a Trust called the “Rahula College Trust”, to award scholarships and prizes to the students of Rahula College who have excelled in their studies and other activities and to provide assistance to needy students to enable them to attain the necessary standards;
- (e) to establish and maintain libraries, research and training centres;
- (f) to maintain a cordial relationship with foreign and local non governmental organizations for the purpose of providing Vocational training to students of Rahula College; and
- (g) to commence income generating projects for various activities of the Corporation.

Management of  
the affairs of the  
Corporation.

**4.** (1) The affairs of the Corporation shall, subject to the rules of the Corporation made under section 6, be administered by a Executive Committee(hereinafter referred to as the “Committee”) consisting of the President, Vice Presidents and other office bearers elected or appointed in accordance with the rules of the Corporation.

(2) The first Committee shall consist of the members of the Board of Management of the Association holding office on the day immediately preceding the date of commencement of this Act.

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, encumber or dispose of any immovable property for the purposes 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, and to maintain current, deposit 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.

4 *Rahula College Matara Past Pupils  
Association (Colombo Branch)  
(Incorporation) Act, No. 6 of 2012*

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 any other written law on all or any of the following matters:—

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

Fund 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 Corporation in one or more Banks as may be determined by the Committee.

*Rahula College Matara Past Pupils Association (Colombo Branch)* 5  
*(Incorporation) Act, No. 6 of 2012*

(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 Committee.

(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;

**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 Committee 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.

**10.** All debts and liabilities of the Association existing on the day preceding the date of commencement of this Act shall be paid by the Corporation hereby constituted and all Debts due by and payable to the Association.

6 *Rahula College Matara Past Pupils  
Association (Colombo Branch)  
(Incorporation) Act, No. 6 of 2012*

debts due to, subscriptions and contributions payable to the Association on that day shall be paid to the Corporation for the purposes 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 however 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.

Corporation may hold property movable and immovable.

**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.

Property remaining on dissolution.

**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 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 the 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 .

*Rahula College Matara Past Pupils* 7  
*Association (Colombo Branch)*  
*(Incorporation) Act, No. 6 of 2012*

**15.** Nothing in this Act contained shall prejudice or affect the rights of the Republic and of 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 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  
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SRI LANKA**

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**VALUE ADDED TAX (AMENDMENT)  
ACT, No. 7 OF 2012**

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*Value Added Tax (Amendment)  
Act, No. 7 of 2012*

[Certified on 30th March, 2012]

L.D.– O. 9/2012

AN ACT TO AMEND THE VALUE ADDED TAX ACT, NO. 14 OF 2002

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

**1.** This Act may be cited as the Value Added Tax (Amendment) Act, No. 7 of 2012 and shall be deemed to have come into operation on January 1, 2012 unless different dates of operation are specified therefor, in the relevant sections.

Short title and date of operation.

**2.** Section 2 of the Value Added Tax Act, No.14 of 2002 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:-

Amendment of section 2 of the Value Added Tax Act, No.14 of 2002.

(1) in subsection (2) of that section:-

(a) by the repeal of item (i) of sub-paragraph (e) and the substitution therefor of the following:-

“(i) a person engaged in any Strategic Development Project in terms of subsection (4) of section 3 of the Strategic Development Projects Act, No.14 of 2008, as is referred to in sub-paragraph (i) of paragraph (f) of Part II of the First Schedule, during the project implementation period, or a registered person engaged in any specific project referred to in sub-paragraph (ii) of paragraph (f) of PART II of the First Schedule (effective from April 1, 2011)”;

*Value Added Tax (Amendment)  
Act, No. 7 of 2012*

- (2) by the addition immediately after item (iv) thereof, of the following:-

“(v) any registered person who supplies any goods or services on or after April 1, 2011, to any registered person referred to in items (i), (ii), (iii) or (iv) above, provided that the Commissioner - General is, on the information available, satisfied that the value of such supplies exceeds fifty *per-centum* of the total supplies of such registered person who supplies such goods or services.”;

- (3) by the addition immediately after paragraph (c) of the second proviso to subsection (3) of that section of the following:-

“(d) plant, machinery or equipment imported by any enterprise qualified for a tax exemption under section 16D and 17A of the Inland Revenue Act, No. 10 of 2006, for the use by such enterprise for the purposes specified in any agreement entered into with the Board of Investment of Sri Lanka established under the Board of Investment of Sri Lanka Law, No. 4 of 1978, where any such agreement provides that tax is exempted under item (xxxiv) of paragraph (c) of PART II of the First Schedule, during the project implementation period, subject to the fulfillment of the conditions specified in the agreement.”.

Amendment of section 22 of the principal enactment.

**3.** Section 22 of the principal enactment is hereby amended as follows:-

- (1) in subsection (1) of that section, by the repeal of

the first proviso thereof and the substitution therefor of the following:-

“ Provided that, the amount of tax due on the supply of-

(a) garments within such percentage-

- (i) as is permitted for sale locally by the Board of Investment of Sri Lanka, established by the Board of Investments of Sri Lanka Law, No. 4 of 1978 under any agreement entered into by the manufacturer of garments for export under section 17 of the aforesaid law; or
- (ii) as is permitted for sale locally by the Board of Investment of Sri Lanka, established by the Board of Investments of Sri Lanka Law, No. 4 of 1978, by any other garment manufacturer who manufactures garments for export under the supervision of the Department of Customs ,

shall be rupees twenty five for each such garment so supplied within Sri Lanka;

(b) fabric within such percentage -

- (i) as is permitted for sale locally by the Board of Investment of Sri Lanka, established by the Board of Investment of Sri Lanka Law, No. 4 of 1978, under any agreement entered into by the manufacturer of fabric for export under section 17 of the aforesaid law; or
- (ii) as is permitted for sale locally by the Board of Investment of Sri Lanka, established by the aforesaid law by any

other fabric manufacturer who manufactures fabric for export under the supervision of the Department of Customs,

shall be forty rupees per kilogram.”;

- (2) in the second proviso to subsection (1), by the substitution for the words and figures “no other tax or levy including any duty under the Customs Ordinance (Chapter 235) or Cess under subsection (1) of section 14 of Sri Lanka Export Development Act, No. 40 of 1979, shall be charged or collected on such sale of garments,” of the words and figures “no other tax or levy payable at the point of entry into the country including any duty under the Customs Ordinance (Chapter 235) or Cess under subsection (1) of section 14 of Sri Lanka Export Development Act, No. 40 of 1979, shall be charged or collected on such sale of garments or fabric.”;
- (3) in paragraph (e) of the second proviso to subsection (5) of that section by the substitution for all the words from “there is an excess of input tax” to the words “taxable supplies of the taxable period” of the following:-

“there is an excess of input tax including tax deferred under section 2, of any registered person who is registered with the Textile Quota Board established under the Textile Quota Board Act, No. 23 of 1996, being a supplier of goods or services to any registered person referred to in paragraph (c) of subsection (2) of section 2 or any registered person who is registered with the Export Development Board, who was subsequently brought under the deferment scheme administered by the Commissioner-General under paragraph (e) of subsection (2) with effect from April 1, 2011, being a supplier of goods to exporters of goods, referred to in paragraph (d) of subsection (2) of section 2,

the value of supplies to suppliers referred to in paragraph (c), (d) or in the corresponding provisions of paragraph (e) for the taxable period was more than fifty *per centum*.”;

- (4) in the third proviso to subsection (5) of that section by the substitution for all the words from “Provided further” to the words “shall be carried forward.” of the following:—

“Provided further, in case of a registered person who imports goods for re-sale without processing, the excess input tax representing the tax paid under subsection (3) of section 2 shall not be refunded, but such input tax including any excess input tax as at July 31, 2002, under the Goods and Services Tax Act, No. 34 of 1996 shall be carried forward except in a case where such supplies are made to any registered person referred to in items (i), (ii), (iii) or (iv) of paragraph (e) of subsection (2) of section 2 of this Act, subject to the conditions and the limitations specified in the guidelines published for the purposes of applying the deferment for the specified period.”;

- (5) in subsection (10) of that section:-

- (i) in paragraph (a), by the substitution for the words and figures “The unabsorbed residue, if any, as at December 31, 2010 shall be carried forward and may be claimed by a registered person for any taxable period not exceeding a sum equivalent to ten *per centum* of the unabsorbed amount for each month, provided that, such sum does not exceed five *per centum* of the net tax payable after deducting allowable input credit from the output tax by such person;” of the following:-

“The unabsorbed residue, if any, as at December 31, 2010 shall be carried

*Value Added Tax (Amendment)  
Act, No. 7 of 2012*

forward and may be claimed by a registered person for any taxable period –

- (A) commencing on or after January 1, 2011 but prior to January 1, 2012, not exceeding a sum equivalent to ten *per centum* of the unabsorbed amount for each month, but not exceeding five *per centum* of the net tax payable after deducting allowable input credit from the output tax payable by such person;
  - (B) commencing on or after January 1, 2012, not exceeding a sum equivalent to ten *per centum* of the unabsorbed amount for each month but not exceeding the net tax payable after deducting allowable input credit from the output tax by such person;”;
- (ii) by the repeal of the first proviso to that subsection and the substitution therefor of the following:-

“Provided that, in the case of a registered person –

- (A) who as at December 31, 2010, has an unabsorbed input credit, but from and after January 1, 2011, such person has no taxable supplies liable to tax under the provisions of this Act; or
- (B) where in respect of each month with effect from January 1, 2012, the actual set off of the unabsorbed input credit of such person, not exceeding ten *per centum* of the unabsorbed input credit as at December

31, 2010, the excess over the amount set off, as is referred to in sub-paragraph (B) of paragraph (a) of subsection (10),

may be set off after ascertaining the amount of the unabsorbed input credit in the following manner:—

- (i) for any taxable period commencing on or after January 1, 2011 but prior to January 1, 2012, in the manner provided for in either paragraph (a), paragraph (b), paragraph (c) or (d), as the case may be—
  - (a) in the case of a registered person who is an operator of a telecommunication services licensed under section 17 of the Sri Lanka Telecommunication Act, No. 25 of 1991, the set off may be made as against the sum payable by him as Telecommunication Levy payable under the Telecommunication Levy Act, No. 21 of 2011;
  - (b) in the case of a registered person who is liable to pay income tax, the set off may be made as against the sum payable by such person as income tax after January 1, 2011;
  - (c) in the case of a person to whom the provisions of either paragraph (a) or (b) above does not apply, the set off shall be made against the sum payable after January 1, 2011, by such person as tax under any written law for the time being in force,



administered by the Commissioner  
- General;

- (d) in the case of a person to whom the provisions of either paragraph (a), (b), or (c) above does not apply, the set off may be considered against the tax payable at the point of entry into the country, by the Director-General of Customs after July 13, 2011 with the approval of the Commissioner-General after considering the facts of the case;
- (ii) for any taxable period commencing on or after January 1, 2012, against the tax payable in the manner provided for in either paragraph (a), paragraph (b) or paragraph (c) below, as the case may be:-
  - (a) in the case of a registered person who is an operator of a telecommunication services licensed under section 17 of the Sri Lanka Telecommunication Act, No. 25 of 1991, the set off may be made as against the sum payable by him as Telecommunication Levy payable under the Telecommunication Levy Act, No. 21 of 2011; or
  - (b) in the case of a registered person who is liable to pay any tax administered by the Commissioner - General of Inland Revenue, the set off may be made against the sum payable after January 1, 2012, by such person as tax under any written law for the time being in force,

administered by the Commissioner  
– General; and

- (c) in the case of a registered person to whom the provisions under paragraph (a) and (b) above do not apply, the set off may be considered against the tax payable at the point of entry into the country, by the Director-General of Customs after January 1, 2012 with the approval of the Commissioner- General after considering the facts of the case.

The set off for each month, against the tax payable in terms of this subsection–

- (i) where such set off is applicable to any taxable period from January 1, 2011 but prior to January 1, 2012 shall not exceed ten *per centum* of the unabsorbed input credit as at December 31, 2010 or five *per centum* of the relevant tax liability, which ever is less;
- (ii) where such set off is applicable to any taxable period commencing on or after January 1, 2011 shall not exceed ten *per centum* of the unabsorbed input credit as at December 31, 2010 or the net unabsorbed balance as at December 31, 2011 after setting off the tax payable during the period of twelve months from the total unabsorbed balance as at December 31, 2010, which ever is less.”.

4. Section 25A of the principal enactment is hereby amended in paragraph (iv) of subsection (1) of that section by the substitution for the words and figures “commencing on or after January 1, 2009.” of the words and figures, “commencing on or after January 1, 2009:

Amendment  
of section  
25A of the  
principal  
enactment.

Provided however, the supply of financial services by a Unit Trust or a Mutual Fund shall not be treated as a financial service for the purpose of this section.”.

Amendment of the first schedule to the principal enactment.

**5.** The First Schedule to the principal enactment is hereby amended in PART II thereof as follows:-

(1) in paragraph (a) of that PART :-

(i) by the repeal of item (x) and substitution therefor of the following item:-

“(x) agricultural machinery, mammoties, forks, fertilizer (effective from 01.07.2004), artemia eggs and peat moss classified under the Harmonized Commodity Description and Coding System Numbers for Custom proposes;”;

(ii) in item (xii), by the substitution for the words and figures “machinery used for construction industry imported not later than December 31, 2010” of the words and figures “machinery used for the construction industry,”;

(iii) by the addition immediately after item (xxi) of the following:-

“(xxii) (i) lorries, trucks, buses, sports equipments, machinery used for the production of rubber or plastic products, sunglasses, perfumes, moulding ( steel, glass, rubber or plastic), photo sensitive semi conductor devices;

- (ii) raw materials for the manufacture of spectacles and spectacle frames ;
- (iii) items and spares for the poultry industry;
- (iv) wood (sawn);
- (v) fabric for domestic consumption subject to a cess at a specific rate in lieu of chargeability of any other tax payable on importation at the point of entry into the country, as specified in a *Gazette Notification* issued under the Sri Lanka Export Development Act, No. 40 of 1979,  
classified under the Harmonized Commodity Description and Coding System Numbers for Custom purposes;
- (xxiii) goods for any international event approved by the Minister of Finance taking into consideration the economic benefit to the country, by conducting such event in Sri Lanka.”;

(2) in paragraph (b) of that PART:-

- (i) in sub-paragraph (A), by the repeal of item (ii) and the substitution therefor of the following :-
  - “(ii) lorries, tractors or motor coaches with a seating capacity of not less than twenty eight

passenger seats, in respect of any rental falling due for payment on or after April 1, 2012.”;

- (ii) by the repeal of item (xiii) and the substitution therefor of the following:-

“(xiii) imported unprocessed timber logs or ships or any article subject to the Special Commodity Levy under Special Commodity Levy Act, No. 48 of 2007 subject to the condition that such Nation Building Tax referred to in paragraph (d) of subsection (10 ) of section 2 of the Nation Building Tax Act, No. 9 of 2009, shall be payable in respect of such article.”;

- (iii) by the addition immediately after item (xxxv) of the following:-

“(xxxvi) locally manufactured–

- (i) hydropower or wind power machinery and equipment;
- (ii) turbines;
- (iii) canned fish or clay pottery products using locally produced raw materials;
- (iv) products using locally procured raw materials for the required specification of tourist hotels or airlines;

- (v) specified products to identified state institutions replacing imports,

by the manufacturer in so far as such products are locally value added products, as per the conditions specified in the guidelines issued for this purpose;

- (xxxvii)(i) locally manufactured fabric in the domestic market by any manufacturer who does not enjoy any concessions under any agreement entered into with the Board of Investment of Sri Lanka;

- (ii) fabric which are subject to a cess at a specific rate classified under the Harmonized Commodity Description and Coding System Numbers for Custom proposes, in lieu of chargeability of any other tax on importation at the point of entry into the country, by the Director-General of Customs as specified in a *Gazette* Notification issued under the Sri Lanka Export Development Act, No. 40 of 1979;

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Act, No. 7 of 2012*

- (xxxviii) services, being research and development services provided by the supplier of such services within the meaning of the Inland Revenue Act, No.10 of 2006 for the purposes of deduction under section 25 of that Act;
- (xxxix) painting, at the point of sale, by the artist thereof;
- (xl) services, by the Department of Commerce, with effect from January 1, 2012, services by the Board of Investment of Sri Lanka or the Sri Lanka Ports Authority, with effect from April 1, 2012, in so far as such services are provided to exporters or to providers of services which are zero rated services, for the purposes of tax under this Act;
- (xli) being any sum paid out of the Export Development Fund as export development rebate with effect from October 8, 2009;
- (xlii) specific services for any international event approved by the Minister of Finance having taken into consideration the economic benefit to the country by conducting such an event in Sri Lanka;
- (xliii) services, which result in the improvement of quality, character or value of any fabric or garment with effect from April 1, 2012;
- (xliv) locally manufactured palm oil, with effect from April 1, 2012.”;

(3) in paragraph (c) of that PART :-

(a) by the repeal of item (xxiii) and the substitution therefor of the following:-

“(xxiii) goods, for a project identified as a strategic development project under the provisions of the Strategic Development Project Act, No.14 of 2008, during the project implementation period, subject to the conditions specified therein or with the approval of the Minister of Finance any special project referred to in paragraph (f);”;

(b) in item (xxviii), by the substitution for the words “discharge lamps and arc lamp carbon” of the words and figures “discharge lamps, arc lamp carbon, speakers, amplifiers, digital stereo processors and accessories, cinema media players and digital readers”;

(c) by the addition immediately after item (xxx) of the following:-

“(xxx) pharmaceutical machinery and spare parts for the pharmaceutical machinery which are not manufactured in Sri Lanka, classified under the Harmonized Commodity Description and Coding System Numbers for Custom proposes, imported by pharmaceutical manufacturers



and recommended by the Secretary to the Ministry of Health, including pharmaceutical machinery or parts imported after June 1, 2011 under the same conditions on which Value Added Tax has been deferred;

(xxxii) machinery for the manufacture of bio mass briquettes and pallets so far as such machinery is imported by the manufacturer of such products classified under the Harmonized Commodity Description and Coding System Numbers for Custom proposes, including such machinery imported after June 1, 2011 under the same conditions on which Value Added Tax has been deferred;

(xxxiii) green houses, poly tunnels and materials for the construction of green houses, by any grower of agricultural products or plants of any type, subject to the condition that such items are not manufactured in Sri Lanka, and approved by the Director-General, Department of Fiscal Policy on the recommendation of the Secretary to the Ministry of Agriculture;

- (xxxiv) plant, machinery or equipment by any enterprise qualified for a tax exemption under section 16D and 17A of the Inland Revenue Act, No. 10 of 2006, for the use by such enterprise for the purposes specified in the agreement entered into with the Board of Investment of Sri Lanka on which tax is deferred during the project implementation period, subject to the fulfillment of the conditions specified in the agreement, during the project implementation period;
- (xxxv) any goods, ( other than motor vehicles and goods for personal use) required for the purpose of provision of services being international transportation which is consigned to Sri Lankan Air Lines Limited, Mihin Lanka (Pvt) Ltd. or Air Lanka Catering Services Ltd. ;
- (xxxvi) fabric, specified under the Harmonized Commodity Description and Coding System Numbers for Custom proposes, for the sale in the domestic market without any value addition, subject to the chargeability of a cess of rupees seventy five per kilogram on importation .”.

Indemnity.

**6.** Any person who collects the Value Added Tax as provided for in this Act during any period prior to the date of coming into operation of this Act, shall be deemed to have acted with due authority and such collection shall be deemed to have been, and to be, validly made and such person is hereby indemnified against all actions civil or criminal, in respect of such collection.

Sinhala text to prevail in case of inconsistency.

**7.** 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**

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**INLAND REVENUE (AMENDMENT)  
ACT, No. 8 OF 2012**

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[Certified on 30th March, 2012]

*Printed on the Order of Government*

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*Inland Revenue (Amendment) Act, No. 8 of 2012*

[Certified on 30th March, 2012]

L.D.—O. 10 /2012.

AN ACT TO AMEND THE INLAND REVENUE ACT, NO. 10 OF 2006

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 Inland Revenue (Amendment) Act, No. 8 of 2012.

Short title and  
the date of  
operation.

(2) The provisions of this Act, shall come into operation on April 1, 2012:

Provided however—

- (a) the amendments made to section 7 of the Inland Revenue Act, No.10 of 2006 (hereinafter referred to as the “principal enactment”) by section 2 (2) of this Act;
- (b) the amendments made to section 16c of the principal enactment by section 6 of this Act;
- (c) the amendments made to section 17A of the principal enactment by section 9 of this Act,
- (d) the amendments made to—
  - (i) subsection (2) of section 34 of the principal enactment by the addition of new sub paragraph (s) to that subsection by section 15 (1) of this Act; and
  - (ii) paragraph (a) and paragraph (b) respectively of subsection (4) of section 34 of the principal enactment by the addition of new item (A) in new subparagraph (x) and new item (A) in

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new subparagraph (ix) to that subsection respectively, by section 15 (2) of this Act,

shall be deemed for all purposes to have come into operation on April 1, 2011.

Amendment of section 7 of the principal enactment.

2. Section 7 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended as follows :—

(1) in paragraph (b) of that section—

(a) by the substitution in sub paragraph (xxviii), for the words and figures “part VIII of the Companies Act, No. 17 of 1982”, of the words and figures “part XI of the Companies Act, No. 7 of 2007”;

(b) by the substitution in sub-paragraph (lxi), for the words and figures “the profits and income of the Insurance Board of Sri Lanka, established by the Regulation of Insurance Industry Act, No. 43 of 2000,”, of the words and figures “the Insurance Board of Sri Lanka, established by the Regulation of Insurance Industry Act, No. 43 of 2000;”;

(c) by the addition, immediately after sub-paragraph (lxi), of the following new sub-paragraphs:—

“(lxii) the Institute of Certified Management Accountants of Sri Lanka established by the Institute of Certified Management Accountants of Sri Lanka Act, No. 23 of 2009; and

(lxiii) the Fund established by the National Child Protection Authority Act, No. 50 of 1998.”;

- (2) in paragraph (e) of that section—
- (a) by the substitution for the words and figures “the profits and income accruing prior to April 1, 2011, of a charitable institution,”, of the words “the profits and income of a charitable institution,”;
  - (b) by the substitution in sub-paragraph (i) of that paragraph, for the words “the profits of a business”, of the words and figures “the profits for any year of assessment commencing prior to April 1, 2011, of a business”.

**3.** Section 9 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended as follows:—

Amendment of section 9 of the principal enactment.

- (1) in paragraph (a) of that section by the substitution for the words “if such loan is approved by the Minister as being essential for the economic progress of Sri Lanka;”, of the following words and figures,
- “if such loan is—
- (i) granted prior to April 1, 2012, and approved by the Minister as being essential for the economic progress of Sri Lanka; or
  - (ii) granted on or after April 1, 2012;”.
- (2) in paragraph (b) of that section by the substitution for the words “if such loan is approved by the Minister as being essential for the economic progress of Sri Lanka;”, of the following words and figures,
- “if such loan is—
- (i) granted prior to April 1, 2012, and approved by the Minister as being essential for the economic progress of Sri Lanka; or
  - (ii) granted on or after April 1, 2012;”.



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Amendment of section 10 of the principal enactment.

**4.** Section 10 of the principal enactment as last amended by Act, No. 9 of 2008, is hereby further amended in subsection (1) as follows :—

- (1) in paragraph (i) of that subsection, by the substitution for the words “within one year thereafter.”, of the words “within one year thereafter;”;
- (2) in paragraph (j) of that subsection, by the substitution for the words “through a bank.”, of the words “through a bank;”;
- (3) by the addition immediately after paragraph (j) of that subsection, of the following new paragraph:—

“(k) any dividend paid to a shareholder of a company out of such profits and income of that company which are exempt from income tax under section 16C or section 17A of this Act, if such dividend is paid during the period for which such profits and income are exempt from income tax:

Provided that where such company is a resident company engaged in any construction project, then such exemption shall be applicable to any dividend paid by such company during the period for which such profits and income are exempt from income tax or within one year thereafter.”.

Amendment of section 13 of the principal enactment.

**5.** Section 13 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended as follows:—

- (1) by the insertion immediately after paragraph (t) of that section, of the following new paragraph:—

“(tt) the profits and income accruing to any person from the redemption of a unit of a Unit Trust or a Mutual Fund;”;

- (2) by the insertion immediately after paragraph (v) of that section, of the following new paragraph :-

“(vv) the profits and income of any individual who is not a citizen of Sri Lanka and who is brought to Sri Lanka as a trainer of any sport, being profits and income derived by such individual in the capacity of such trainer in Sri Lanka;”;

- (3) by the substitution in sub-paragraph (ii) of paragraph (xxxxxx) for the words and figures “section 17c;”, of the words and figures “section 16c;”;

- (4) by the insertion immediately after paragraph (yyyyy) of that section, of the following new paragraph :-

“(yyyyy) any royalty received in foreign currency by any person resident in Sri Lanka from outside Sri Lanka, if such royalty is remitted to Sri Lanka through a bank;”;

- (5) by the insertion immediately after paragraph (zzzzz) of that section, of the following new paragraph :-

“(zzzzz) the profits and income arising or accruing to any person from the administration of any sports ground, stadium or sports complex.”.

- 6.** Section 16c of the principal enactment is hereby amended as follows:-

- (1) by the substitution in subsection (1) of that section, for the words “shall be exempt from income tax for a period of three years reckoned from”, of the words “shall be exempt from income tax for the period specified in Column III as corresponding to the investment specified in Column II and the types of activities specified in Column I of the Schedule hereto reckoned from.”;

Amendment of section 16c of the principal enactment.

(2) by the insertion, immediately after subsection (1) of that section, of the following Schedule :—

**“SCHEDULE**

<i>Column I (Activities)</i>	<i>Column II (Amount of investment – in Rupees)</i>	<i>Column III (Period of exemption)</i>
Agriculture, animal husbandry or fishing (including processing), creative work including work of an artist, Information Technology	Not less than 25 million, but less than 50 million	4 years
Any activity referred to in paragraph (a) of subsection (2), but not including services relating to agriculture (products shall be with a minimum of 35% value addition, if more than 50% of the production is to be sold in the domestic market)	Not less than 50 million, but less than 100 million	4 years
	Not less than 100 million but less than 200 million	5 years
	Not less than 200 million	6 years”.

(3) by the repeal of subsection (2) of that section and the substitution therefor of the following new subsection:—

“(2) For the purposes of subsection (1), “new undertaking” means an undertaking –

- (a) which is engaged in –
  - (i) agriculture, animal husbandry or fishing;
  - (ii) the manufacture of any article (including the processing of such article), other than any liquor or any tobacco product;

- (iii) the provision of services of Information Technology;
  - (iv) software development;
  - (v) business process outsourcing;
  - (vi) knowledge process outsourcing;
  - (vii) the provision of healthcare services;
  - (viii) the provision of educational services;
  - (ix) the provision of beautycare services;
  - (x) the provision of cold room and storage facilities;
  - (xi) tourism;
  - (xii) fitness centre services or providing facilities for sports;
  - (xiii) creative work including work of an artist;
  - (xiv) mini hydro power projects;
- (b) in which the sum invested in the acquisition of fixed assets after March 31, 2011 but prior to April 1, 2015 is not less than the corresponding sum specified in Column II of the Schedule to subsection (1); and
- (c) which commences commercial operations on or after April 1, 2011.

For the purposes of this section “the amount of investment” means the cost of any land, plant, machinery, equipment and other fixed assets.”.

Insertion of new section 16D in the principal enactment.

**7.** The following new section is hereby inserted immediately after section 16c of the principal enactment and shall have effect as section 16D of that enactment :-

“Exemption for five years, of profits and income of strategic import replacement undertakings engaged in the manufacture of specified products.

16D. The profits and income within the meaning of paragraph (a) of section 3 (other than any profits and income from the sale of any capital asset) of any new undertaking established on or after April 1, 2012 and engaged in the manufacture of any of the products referred to in Column I of the Schedule hereto with an amount not less than the corresponding minimum investment referred to in Column II thereof, shall be exempt from income tax for a period of five years reckoned from the commencement of the year of assessment in which such undertaking commences to make profits from transactions entered into in that year of assessment or from the commencement of the year of assessment immediately succeeding the year of assessment in which such undertaking completes a period of two years from the date on which such undertaking commences to carry on commercial operations; which ever occurs earlier.

**SCHEDULE**

<i>Column I (Product)</i>	<i>Column II (Minimum Investment in USD Million)</i>
Fabric	5
Pharmaceutical	10
Milk Powder	30
Cement	50”.

**8.** Section 17 of the principal enactment, as last amended by Act, No. 22 of 2011, is hereby further amended in subsection (2) of that section as follows:-

Amendment of section 17 of the principal enactment.

- (1) in paragraph (a) of that subsection, by the substitution in sub-paragraph (ii), for the words “rupees ten million invested in such undertaking,”, of the words and figures “rupees ten million invested not later than March 31, 2012, in such undertaking,”;
- (2) in paragraph (b) of that subsection, by the substitution for the words “which qualify under the same investment criteria”, of the words and figures “which qualify under the same investment criteria and incorporated prior to April 1, 2002”; and
- (3) in paragraph (c) of that subsection, by the substitution for the words “Order published in the Gazette”, of the words and figures “Order published in the *Gazette* not later than March 31, 2012”.

**9.** Section 17A of the principal enactment, is hereby amended as follows :-

Amendment of section 17A of the principal enactment.

- (1) in subsection (1) of that section –
  - (a) by the substitution for the words “shall be exempted from income tax for a period of five years reckoned from”, of the words “shall be exempt from income tax for the period specified in Column II of the Schedule hereto as corresponding to the investment specified in Column I of that Schedule, reckoned from”; and
  - (b) by the repeal of the proviso to that subsection and the substitution therefor, of the following schedule:-

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“SCHEDULE

<i>Column I (Investment in Rupees Million)</i>	<i>Column II (Exemption period)</i>
More than 300 and not more than 500	6 years
More than 500 and not more than 700	7 years
More than 700 and not more than 1,000	8 years
More than 1,000 and not more than 1,500	9 years
More than 1,500 and not more than 2,500	10 years
More than 2,500	12 years”;

- (2) by the substitution for the subsection (2) of that section, of the following new subsection :-

“(2) For the purposes of subsection (1), “new undertaking” means any undertaking—

- (a) which is engaged in any of the activities specified below:-
- (i) manufacture of boats, pharmaceuticals, tyres and tubes, motor spare parts, furniture, ceramics, glass ware or other mineral based products, rubber based products, cosmetic products, edible products manufactured out of locally cultivated agricultural products, construction materials or electrical or electronic goods;
  - (ii) manufacture, production or processing of non-traditional goods for export, including deemed exports which shall constitute not less than ninety *per centum* of the total production and in the case of apparels, seventy five *per centum* of the total production ;

- (iii) cultivation of food crops or industrial crops;
- (iv) horticulture;
- (v) forestry;
- (vi) animal husbandry in relation to dairy, poultry, swine, goat etc;
- (vii) provision of services to a person or partnership outside Sri Lanka, for payment where the total amount of such payment shall not be less than seventy *per centum* in convertible foreign currency;
- (viii) tourism or tourism related projects;
- (ix) hotels, guest houses or similar services;
- (x) infrastructure projects including construction of commercial buildings;
- (xi) development of any warehousing or storage facility;
- (xii) power generation using renewable resources;
- (xiii) establishment of industrial estates, special economic zones or knowledge cities;
- (xiv) urban housing or town centre development;
- (xv) provision of any sanitation facility or waste management systems;
- (xvi) development of water services;
- (xvii) development of internal water ways, or related transport (goods or passengers);



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- (xviii) construction of hospitals and provision of health care services;
  - (xix) repair of aircrafts or maritime vessels or ship breaking;
  - (xx) sporting services (e.g. motor racing or golf course);
  - (xxi) information technology;
  - (xxii) software development;
  - (xxiii) business or knowledge process outsourcing;
  - (xxiv) any project in light or heavy engineering industry;
  - (xxv) artificial insemination for cattle (dairy development);
  - (xxvi) provision of educational services; or
  - (xxvii) any other activity, as may be prescribed by the Minister taking into consideration the development of national economy ; and
- (b) which commences commercial operations on or after April 1, 2011;

- (3) in the marginal note to that section by the substitution for the words “ engaged in any prescribed activities.”, of the words “engaged in any specified activities.”.

Amendment of section 19 of the principal enactment.

**10.** Section 19 of the principal enactment is hereby amended in subsection (2), by the substitution for the words “invested within one year from the commencement of the undertaking”, of the words and figures “invested within one year from the commencement of the undertaking, but not later than March 31, 2012”.

**11.** Section 23 of the principal enactment is hereby amended in sub section 6 of the definition of the expression “venture capital company” by the substitution for the words and figures “Companies Act, No. 17 of 1982”, of the words and figures “Companies Act, No. 7 of 2007”.

Amendment of section 23 of the principal enactment.

**12.** Section 25 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended in subsection (1) of that section as follows :-

Amendment of section 25 of the principal enactment.

(1) in paragraph (c) of the proviso to paragraph (a) of that section by the substitution for the words and figures “acquired on or after April 1, 2007 and”, of the words and figures “acquired on or after April 1, 2007 but prior to April 1, 2011”;

(2) by the addition immediately after paragraph (c) of the proviso to paragraph (a) of that section, of the following new paragraph :-

“(d) where for energy efficiency purposes, any high tech plant, machinery or equipment is acquired on or after April 1, 2012, the rate shall be fifty *per centum* of the cost of acquisition;”

(3) by the substitution in paragraph (i) of that section for the words “any trade or business carried on by such person;”, of the following words and figures:—

“any trade or business carried on by such person:

Provided that for any year of assessment commencing on or after April 1, 2012, the deduction shall be an amount equal to three hundred *per centum* of such expenditure incurred by such person, if such research is carried out through any Government institution;

For the purposes of this paragraph—

(i) “Government institution” includes any company, where fifty *per centum* or more of the shares are held by the Government; and

- (ii) “scientific, industrial, agricultural or any other research” means any such research which is carried out for product or produce innovation, or improving the quality or character of any product, produce or service but does not include any market research or feasibility studies.
- (4) by the substitution in sub-paragraph (i) to the proviso to paragraph (k) of that subsection for the words and figure “Chapter XIV of this Act” of the words and figures “Chapter XIV of this Act, where such benefit is not exempt under paragraph (s) of subsection (1) of section 8 of this Act,”;
- (5) in paragraph (s) of that subsection by the substitution for the words “that year if assessment and in any previous year of assessment shall not exceed one *per centum* of the value of Initial Public Offering of Such company.”, of the words “that year of assessment and in any previous year of assessment shall not exceed one *per centum* of the value of the Initial Public Offering of such company,”;
- (6) by the addition immediately after paragraph (s) of that subsection of the following new paragraph :-
  - “(t) any expenditure incurred by any person in the maintenance or management of any sports ground, stadium or sports complex.”.

Amendment of section 26 of the principal enactment.

**13.** Section 26 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended in subsection (1) of that section as follows :-

- (1) by the substitution in sub-paragraph (ii) of paragraph (c) of that subsection, for all the words commencing from “in foreign currency:” to “business for that year of assessment;” of the following :-

“in foreign currency; or

- (iii) services relating to design development, product development or product innovation by such person being a company engaged exclusively in the provision of such services:”

Provided that for any year of assessment commencing on or after April 1, 2011—

- (A) such part of expenditure incurred in travelling outside Sri Lanka in the production of profits or income from any trade or business carried on or exercised in Sri Lanka by any person, after deducting therefrom—
  - (i) such expenses incurred in travelling outside Sri Lanka solely in connection with the promotion of export trade of any article or goods or the provision of any service for payment in foreign currency; or
  - (ii) such expenditure incurred in travelling outside Sri Lanka in carrying out an approved programme as referred to in paragraph (d); or
  - (iii) for any year of assessment commencing on or after April 1, 2012, such expenditure incurred in travelling outside Sri Lanka, by any company engaged exclusively in the provision of services relating to design development, product development or product innovation;

- (B) an amount equal to two *per centum* of the profits and income of such trade or business in the immediately preceding year of assessment,

whichever is lower, shall be deductible in ascertaining the profits and income from such trade or business for that year of assessment;”;

- (2) by the substitution in the proviso to paragraph (x), for the words and figures “Companies Act, No. 17 of 1982;”, of the words and figures “Companies Act, No. 7 of 2007;”.

Amendment of section 32 of the principal enactment.

**14.** Section 32 of the principal enactment as last amended by Act, No.22 of 2011 is hereby further amended in subsection (5) by the insertion immediately after paragraph (d) of that subsection of the following new paragraph :-

- “(e) where any person commenced to carry on any business the annual turnover of which does not exceed rupees five hundred million, any commencement expenses other than the capital expenses incurred by that person in the year of assessment immediately preceding the year of assessment in which the commercial operation of such business is commenced, shall be deducted from the total statutory income of that person for that year of assessment in which commercial operation commenced.”.

Amendment of section 34 of the principal enactment.

**15.** Section 34 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended as follows :-

- (1) in subsection (2) of that section –

- (a) by the substitution in paragraph (p) of that subsection for the words and figures “subsection (2) of section 21A; and” of the words and figures “subsection (2) of section 21A;”;

- (b) by the substitution in paragraph (q) of that subsection for the words and figures “paragraph (zzz) of section 13”, of the words and figures “paragraph (zzz) of section 13;”;
  - (c) by the addition immediately after paragraph (q) of that subsection of the following new paragraphs :-
    - “(r) expenditure incurred by any person in any community development project carried on in any economically marginalised village as identified and published in the *Gazette* by the Commissioner- General;
    - (s) investment of not less than fifty million rupees in fixed assets made by any person on or after April 1, 2011 but before April 1, 2015 in the expansion of any undertaking which would have been qualified for exemption under section 16C or section 17A had such undertaking commenced to carry on business on or after April 1, 2011; and
    - (t) investment of not less than any sum referred to in Column II of the Schedule to section 16D of this Act made in fixed assets in any undertaking engaged in the manufacture of any product referred to in Column I of that Schedule, being an investment which would have qualified such undertaking for exemption under section 16D, referred to above had such undertaking commenced to carry on business on or after April 1, 2012;”;
- (2) in subsection (4) of that section —
- (a) by the substitution in sub-paragraph (i) of paragraph (a) of that subsection for the words

and figures “(n), (o) and (q) of subsection (2)” of the words and figures “(n), (o), (q), (r), (s) and (t) of subsection (2)”;

(b) by the addition immediately after subparagraph (viii) of paragraph (a) of that subsection of the following new subparagraphs :-

“(ix) in respect of all qualifying payments referred to in paragraph (r) of subsection (2) made by him in that year of assessment shall not exceed one million rupees;

(x) in respect of all qualifying payments—

(A) referred to in paragraph (s) of subsection (2) made by him in that year of assessment shall not exceed twenty five *per centum* of such qualifying payment:

Provided however, where investments made in more than one year of assessment are aggregated to reach the minimum investment to qualify for deduction as qualifying payment, such investment made in any previous year of assessment (being any year of assessment commencing on or after April 1, 2011) shall be deemed to be an investment made in the year of assessment in which the fifty million rupees aggregate is reached;

(B) referred to in paragraph (t) of subsection (2) made by him in that year of assessment shall not exceed twenty five *per centum* of such qualifying payment:

Provided however, where investments made in more than one year of assessment are aggregated to reach the minimum investment to qualify for deduction as qualifying payment, such investment made in any previous year of assessment (being any year of assessment commencing on or after April 1, 2012) shall be deemed to be an investment made in the year of assessment in which the respective minimum investment referred to in section 59c is reached;

- (c) by the substitution in sub-paragraph (i) of paragraph (b) of that subsection for the words and figures “(n), (o) and (q) of subsection (2)”, of the words figures “(n), (o), (q), (r), (s) and (t) of subsection (2);
- (d) by the substitution in sub-paragraph (vii) of paragraph (b) of that subsection for the words “ten million rupees.”, of the words “ten million rupees;”;
- (e) by the addition immediately after sub-paragraph (vii) of paragraph (b) of that subsection of the following new sub-paragraphs:-
  - “(viii) in respect of all qualifying payments referred to in paragraph (r) of subsection (2) made by that company in that year of assessment shall not exceed ten million rupees;
  - (ix) in respect of all qualifying payments—
    - (A) referred to in paragraph (s) of subsection (2) made by that company in that year of



assessment shall not exceed twenty five per centum of such qualifying payment:

Provided however, where investments made in more than one year of assessment are aggregated to reach the minimum investment to qualify for deduction as qualifying payment, such investment made in any previous year of assessment (being any year of assessment commencing on or after April 1, 2011) shall be deemed to be an investment made in the year of assessment in which the fifty million rupees aggregate is reached;

- (B) referred to in paragraph (t) of subsection (2) made by him in that year of assessment shall not exceed twenty five *per centum* of such qualifying payment:

Provided however, where investments made in more than one year of assessment are aggregated to reach the minimum investment to qualify for deduction as qualifying payment, such investment made in any previous year of assessment (being any year of assessment commencing on or after April 1, 2012) shall be deemed to be an investment made in the year of assessment in which the respective minimum investment referred to in section 59c is reached;

- (3) by the insertion immediately after subsection (7) of that section, of the following new subsection:—

“(7A) The seventy five *per centum* of any qualifying payment referred to in sub-paragraph (x) of paragraph (a) or sub-paragraph (ix) paragraph (b) of subsection 4, may be apportioned in equal amounts over a period of three years of assessment immediately succeeding that year of assessment and such apportioned amount shall be deductible from the assessable income of that person in each such year of assessment.”.

**16.** Section 35 of the principal enactment is hereby amended as follows:-

Amendment of section 35 of the principal enactment.

- (1) in paragraph (a) of subsection (1) of that section, by the substitution for the words and figures “Part I of the First Schedule” of the words and figures “Part I, Part IA or Part IB of the First Schedule”;
- (2) in subsection (2) of that section, by the substitution for the words and figures “Part I of the First Schedule” wherever appears in that subsection, of the words and figures “Part I, Part IA or Part IB of the First Schedule”.

**17.** Section 45 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended in paragraph (c) of subsection (2) of that section as follows :-

Amendment of section 45 of the principal enactment.

- (a) by the substitution in sub-paragraph (ii), for the words “roads or bridges; or” of the words “roads or bridges;”;
- (b) by the substitution in sub-paragraph (iii), for the words “drainage or sewerage system;”, of the words “drainage or sewerage system; or”;
- (c) by the addition, immediately after sub-paragraph (iii), of the following sub-paragraph :-

“(iv) harbour, airport or any infrastructure project in telecommunication or electricity;”.

Insertion of new section 48B in the principal enactment.

**18.** The following new section is hereby inserted immediately after section 48A of the principal enactment and shall have effect as section 48B of that enactment:-

“Rate of income tax applicable to strategic import replacement undertaking after the expiry of the period of exemption.

48B. Such part of the profits and income from any strategic import replacement undertaking referred to in section 16D, included in the taxable income of any person for any year of assessment commencing after the date of expiry of tax exemption under that section, shall notwithstanding anything to the contrary in any other provisions of this Act, be taxable at the appropriate rate specified in the Fifth Schedule to this Act.”

Amendment of section 59B of the principal enactment.

**19.** Section 59B of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the words “income of any person for any year of assessment”, of the words “income of any person (not being the holding company, a subsidiary company, or an associate company of a group of companies) for any year of assessment”.

Insertion of new section 59c in the principal enactment.

**20.** The following new section is hereby inserted immediately after section 59B of the principal enactment and shall have effect as section 59c of that enactment:-

“Tax rate applicable to strategic import replacement undertakings.

59c. (1) The profits and income within the meaning of paragraph (a) of section 3, (other than any profits and income from the sale of any capital asset), of any existing undertaking referred to in subsection (2), and carried on by any person or partnership, shall notwithstanding anything to the contrary in any other provisions of this Act, be taxable at the appropriate rate specified in the Fifth Schedule to this Act for a period of five years reckoned from the commencement of the year of assessment in which such undertaking satisfies the minimum investment as specified under subsection (2).

(2) For the purpose of subsection (1), “existing undertaking” means an undertaking which is engaged in the manufacture of products specified in Column I below with a minimum investment as specified in Column II below made in fixed assets as an expansion on or after April 1, 2011 –

<i>Column I (product)</i>	<i>Column II (Minimum investment in USD or its equivalent)</i>
Fabric	5 million
Pharmaceuticals	10 million
Milk powder	30 million
Cement	50 million”.

**21.** Section 107 of the principal enactment as last amended by Act, No. 9 of 2008 is hereby further amended as follows :-

Amendment of section 107 of the principal enactment.

- (1) in paragraph (a) of the proviso to subsection (1) of that section by the substitution for all the words commencing from “any quoted public company or any other company,”, to “such quoted public company or other company,”, of the words “any quoted public company, any other company which is a member of a group of companies of which at least one company is a quoted public company, or any other company having an annual turnover of not less than two hundred and fifty million rupees or net profit of not less than one hundred million rupees for that year, then, notwithstanding that a notice under this section has not been given to such quoted public company, other member company of the group, or other company,”;
- (2) in paragraph (a) of the proviso to subsection (2) of that section, by the substitution for the words “any quoted public company, in respect of”, of the words “any quoted public company, any other company

which is a member of a group of companies of which at least one company is a quoted public company, in respect of”.

Amendment of section 108 of the principal enactment.

**22.** Section 108 of the principal enactment is hereby amended in subsection (2), by the substitution for the words and figures “Companies Act, No.17 of 1982,”, of the words and figures “Companies Act, No. 7 of 2007,”.

Amendment of section 113 of the principal enactment.

**23.** Section 113 of the principal enactment is hereby amended by the addition immediately after subsection (4) of that section, of the following new subsection:-

“(5) Any bank or financial institution shall invest five *per centum* of its taxable income in such instalment as may be specified by the Commissioner-General on or before the same dates as specified for income tax purposes in subsection (1) of this section in the investment fund established in accordance with the guidelines issued for this purpose by the Central Bank of Sri Lanka with the concurrence of the Commissioner-General for a period of three years commencing from April 1, 2011 or where such bank or financial institution is established after April 1, 2011, then, from the date of such establishment.”.

Amendment of section 115 of the principal enactment.

**24.** Section 115 of the principal enactment is hereby amended in subsection (1), by the substitution for the paragraph (a) of that subsection of the following new paragraph (a) :—

“(a) any resident individual who –

- (i) receives remuneration in excess of fifty thousand rupees per month or six hundred thousand rupees per year;
- (ii) is a director or non executive director to whom any payment is made or is due by or from such employer or who receives any other benefit as an employee or in any other capacity; or”.

**25.** Section 191 of the principal enactment is hereby amended by the substitution for the words and figures “Companies Act, No. 17 of 1982” wherever appears in that section, of the words and figures “Companies Act, No. 7 of 2007”.

Amendment of section 191 of the principal enactment.

**26.** Section 217 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended as follows :-

Amendment of section 217 of the principal enactment.

(1) in the definition of the expression “dividends” by the substitution in sub-paragraph (iii) of paragraph (a) for the words “any other company; and”, of the words “any other company; or

(iv) scrip dividend or dividend in specie ; and”;

(2) in the definition of the expression “public corporation”, by the substitution for the words and figures “Companies Act, No.17 of 1982,”, of the words and figures “Companies Act, No. 7 of 2007,”.

**27.** The First Schedule to the principal enactment, as last amended by Act, No. 22 of 2011, is hereby further amended in PART V of that Schedule by the substitution for the words and figures “as per Part I”, of the words and figures “as per Part I, Part IA or Part IB”.

Amendment of the First Schedule to the principal enactment.

**28.** The Second Schedule of the principal enactment, as last amended by Act, No. 22 of 2011 is hereby further amended in paragraph (b) of item 3 of PART – B, by the substitution for the words and figures “commencing after April 1, 2011”, of the words and figures “commencing on or after April 1, 2011”.

Amendment of the Second Schedule to the principal enactment.

**29.** The Third Schedule to the principal enactment, as last amended by Act, No. 22 of 2011, is hereby further amended as follows:—

Amendment of the Third Schedule to the principal enactment.

(1) by the substitution for item 1 of that Schedule, of the following item:—

26 *Inland Revenue (Amendment) Act, No. 8 of 2012*

“1. Hindu undivided families -

(a) for any year of  
assessment  
commencing prior to  
April 1, 2011;                      30 *per centum*

(b) for any year of  
assessment  
commencing on or  
after April 1, 2011;                24 *per centum*”;

(2) by the substitution for item 3 of that Schedule, of  
the following item:—

“3. Executor (other than trustees under last wills) and  
receivers (other than liquidators) -

(a) for any year of  
assessment  
commencing prior to  
April 1, 2011;                      30 *per centum*

(b) for any year of  
assessment  
commencing on or  
after April 1, 2011;                24 *per centum*”;

(3) by the substitution for item 4 of that Schedule, of  
the following item:—

“4. Trustees (including trustees under last wills) –

(a) for any year of  
assessment  
commencing prior to  
April 1, 2011;                      30 *per centum*

(b) for any year of  
assessment  
commencing on or  
after April 1, 2011;                24 *per centum* ”;

(4) by the substitution for item 5 of that Schedule, of  
the following item:—

“5. Partnerships –

- (a) for any year of assessment commencing prior to April 1, 2011; 30 *per centum*
- (b) for any year of assessment commencing on or after April 1, 2011; 24 *per centum*”;

- (5) by the substitution for item 6 of that Schedule, of the following item:—

“6. Partnerships (on any assessment made) –

- (a) for any year of assessment commencing prior to April 1, 2011; 30 *per centum*
- (b) for any year of assessment commencing on or after April 1, 2011; 24 *per centum*”;

- (6) by the substitution in paragraph (b) of item 8 of that Schedule, for the words and figures “commencing prior to April 1, 2011”, of the words and figures “commencing on or after April 1, 2011”;

- (7) by the substitution for item 11 of that Schedule, of the following item:—

“11. Governments (other than the Government of Sri Lanka and the Government of the United Kingdom)-

- (a) for any year of assessment commencing prior to April 1, 2011; 30 *per centum*
- (b) for any year of assessment commencing on or after April 1, 2011; 28 *per centum*”;



- (8) by the substitution for item 12 of that Schedule, of the following item:—

“12. Business Undertakings vested in the Government under the Business Undertakings (Acquisition) Act, No. 35 of 1971-

- (i) on the taxable income –
- (a) for any year of assessment commencing prior to April 1, 2011; 30 *per centum*
- (b) for any year of assessment commencing on or after April 1, 2011; 28 *per centum*;
- (ii) on the balance of the profits after deduction therefrom of the tax payable under paragraph (i); 25 *per centum*;

- (9) by the substitution for item 15 of that Schedule, of the following item:—

“15. Persons (other than those referred to above and in the First or Second Schedule)-

- (a) for any year of assessment commencing prior to April 1, 2011; 30 *per centum*
- (b) for any year of assessment commencing on or after April 1, 2011; 28 *per centum*”.

Amendment of the Fifth Schedule to the principal enactment.

**30.** The Fifth Schedule of the principal enactment, as last amended by Act, No. 22 of 2011, is hereby further amended as follows :-

- (1) by the substitution in item 14A of that schedule, for the words “commencing prior to April 1, 2011”, of the words and figures “commencing on or after April 1, 2011”;

(2) by the substitution for the item 33 of that Schedule of the following:-

“33. The rate of income tax applicable to profits and income of any person from any undertaking referred to in section 59B.	As per the First Schedule but subject to a maximum of 10 <i>per centum</i> for an individual and 10 <i>per centum</i> for a company.
---	--

(3) by the addition, immediately after item 33 of that Schedule of the following new items :-

“34. The rate of income tax in respect of profits of any person from any undertaking referred to in section 48B	As per the First Schedule but subject to a maximum of 12 <i>per centum</i> for an individual and 12 <i>per centum</i> for a company.
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35. Rate of income tax applicable to profits and income of any person from any undertaking referred to in section 59c, for any year of assessment falling within the five year period referred to therein.	As per the First Schedule but subject to a maximum of 12 <i>per centum</i> for an individual and 12 <i>per centum</i> for a company.”.
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36. The rate of income tax applicable to profits of any branch of a commercial bank, being a branch established after November 21, 2011 and which is solely engaged in development banking.	24 <i>per centum</i> .
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30 *Inland Revenue (Amendment) Act, No. 8 of 2012*

37. The rate of income tax applicable to profits and income of any person from research activities defined in paragraph (i) of subsection (1) of section 25. As per the First Schedule, but subject to a maximum of 16 *per centum* for an individual and 20 *per centum* for a company.
38. The rate of income tax applicable to profits and income of any person from the provision of health care services. As per the First Schedule but subject to a maximum of 12 *per centum* for an individual and 12 *per centum* for a company.
39. The rate of income tax applicable to any grower or manufacturer of tea who has established a joint venture with a tea exporter for exporting pure Sri Lankan tea, in value added form with a Sri Lankan brand name, on the manufacturing income attributable to the tea purchased from a tea auction in Sri Lanka for that purpose by the joint venture. 12 *per centum*.
40. The rate of income tax applicable to profits and income of any person engaged in the manufacture (locally) of handloom products. As per the First Schedule but subject to a maximum of 12 *per centum*, for an individual and 12 *per centum* for a company.

Sinhala text to prevail in case of an inconsistency.

**31.** 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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**NATION BUILDING TAX (AMENDMENT)  
ACT. No. 9 OF 2012**

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**(Certified on 30th March, 2012)**

*Printed on the Order of the Government*

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*STATEMENT OF LEGAL EFFECT*

*Clauses 2* : This clause amends section 3 of the Nation Building Tax Act No. 9 of 2009 (hereinafter referred to as the “principal enactment”) and the legal effect of the section as amended is to exempt persons carrying on the business of manufacture of the certain articles from the payment of the Nation Building Tax Act.

*Clauses 3* : This clause amends section 6 of the principal enactment and the legal effect of the section as amended is to provide for an advance payment of tax if a credit for any relevant quarter exceeds the tax so payable for that quarter.

*Clauses 4* : This clause amends the Part 1 of the First Schedule of the principal enactment and the legal effect of the section as amended is to extend the scope of Part 1 by the insertion of new items as excepted articles into the Part 1 of the First Schedule of the Act.

*Clauses 5* : This clause includes an indemnity clause to the period commencing from January 1, 2012 and ending on the date of the coming into operation of this Act.

*Nation Building Tax (Amendment)*  
*Act. No. 9 of 2012*

[Certified on 30th March, 2012]

L. D.—O. 5/2012.

AN ACT TO AMEND THE NATION BUILDING TAX ACT, NO. 9 OF 2009

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

**1.** This Act may be cited as the Nation Building Tax (Amendment) Act, No. 9 of 2012 and shall be deemed to have come into operation from January 1, 2012 unless different dates of operation are specified in the relevant sections.

Short title and date of operation.

**2.** Section 3 of the Nation Building Tax Act, No. 9 of 2009 (hereinafter referred to as the “principal enactment”) is hereby amended in paragraph (iv) of subsection (2) thereof as follows :-

Amendment to section 3 of Act, No. 9 of 2009.

(1) by the repeal of sub-paragraph (2) thereof and the substitution therefor of the following sub-paragraph:-

“(2) sugar, dhal, potatoes, onions, dried fish, milk powder or chilies under the provisions of the Special Commodity Levy Act, No. 48 of 2007, where such article is subsequently sold by the importer of such article; and”;

(2) by the substitution in sub-paragraph (3) for the words “foreign currency.” of the words “foreign currency;”; and

(3) by the addition immediately after sub-paragraph (3) of that paragraph, of the following sub paragraphs:-

“(4) any printed book (with effect from July 1, 2011);

2                    *Nation Building Tax (Amendment)*  
    *Act. No. 9 of 2012*

- (5) any article exported;
- (6) any article sold to any exporter for export;
- (7) fresh milk, green leaf, cinnamon or rubber (latex, crape or sheet rubber) purchased from any manufacturer or producer thereof; and
- (8) petrol, diesel or kerosene sold in a filling station.”.

Amendment of section 6 of principal enactment.

**3.** Section 6 of the principal enactment is hereby amended by the substitution for the words “manufactured by such person which are liable to tax under this Act”, of the following :-

“manufactured by such person, which are liable to tax under this Act:

Provided that where such credit for any relevant quarter exceeds the tax so payable for that quarter, the excess shall be deemed to be an advance payment of tax paid under section 4 for the quarter immediately succeeding that relevant quarter.”.

Amendment of First Schedule of the principal enactment.

**4.** The First Schedule to the principal enactment is hereby amended as follows :-

- (1) in PART I of that Schedule :-
  - (a) by the substitution in item (iii) for the words “has in fact been exported from Sri Lanka;” of the words “has in fact been exported from Sri Lanka by such exporter directly or through a trading house established for export purposes (with effect from January 1, 2009);”;



(b) by the insertion immediately after item (xvi),  
of the following new item:-

“(xviA) any goods (other than motor vehicles and goods for personal use) required for the purpose of providing of services being international transportation, being goods consigned to Sri Lankan Air Lines Ltd, Mihini Lanka (Pvt) Ltd or Air Lanka Catering Services Ltd;”;

(c) by the insertion immediately after item (xxvi),  
of the following new items :-

“(xxvii) aircraft or ships classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation (with effect from August 1, 2009);

(xxviii) timber logs classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation;

(xxix) yarn classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation;

(xxx) white canes for the blind, classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation (effective from December 1, 2011);

*Nation Building Tax (Amendment)*  
*Act. No. 9 of 2012*

- (xxxi) braille typewriters classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation (effective from December 1, 2011);
- (xxxii) parts of braille typewriters classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation (effective from December 1, 2011);
- (xxxiii) braille writing papers and boards under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation;
- (xxxiv) carriages for disabled persons, whether or not motorized or otherwise mechanically propelled, classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation (effective from December 1, 2011);
- (xxxv) orthopaedic appliances (including crutches, surgical belts and trusses splints and other fracture appliances, artificial parts of the body, hearing aids and other appliances which are worn or carried or implanted in the body, to compensate for a defect

or disability) classified under Harmonized Commodity Description and Coding Numbers for Customs purposes at the point of importation (effective from December 1, 2011);

(xxxvi) fabric which are subject to Cess of Rs.75 per kilogram at the point of import;

(xxxvii) locally manufactured clay roof tiles and pottery products, at the point of sale by the manufacturer; and

(xxxviii) paintings, at the point of sale by the artist thereof.”.

**5.** Where the Commissioner-General of Inland Revenue or the Director-General of Customs as the case may be, collects under the provisions of section 4 or section 5 respectively of the principal enactment, the tax calculated considering the provisions of this Act, during the period commencing on January 1, 2012 and ending on the date of the coming into operation of this Act from a person to whom the provisions of this Act applies, such collection shall be deemed for all purposes to have been, and to be, validly made, and the Commissioner-General of Inland Revenue and the Director-General of Customs, as the case may be, are hereby indemnified against all actions, civil or criminal in respect of such collection. Indemnity.

**6.** 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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**PORTS AND AIRPORTS DEVELOPMENT  
LEVY (AMENDMENT) ACT, No. 10 OF 2012**

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*Ports and Airports Development Levy  
(Amendment) Act, No. 10 of 2012*

[Certified on 30th March, 2012]

L.D.—O.7/2012.

AN ACT TO AMEND THE PORTS AND AIRPORTS DEVELOPMENT LEVY  
ACT, NO. 18 OF 2011

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

**1.** This Act may be cited as the Ports and Airports Development Levy (Amendment) Act, No. 10 2012 and shall be deemed to have come into operation on January 1, 2012 unless different dates of operation are specified in the relevant sections.

Short title and date of operation.

**2.** Section 4 of the Ports and Airports Development Levy Act, No. 18 of 2011 is hereby amended by the repeal of subsection (2) thereof and substitution therefor of the following subsection :-

Amendment to section 4 of Act, No. 18 of 2011.

“(2) Notwithstanding the provisions of sections 2 and 3, the Director - General of Customs shall defer the collection of the levy on the importation of any article –

- (i) for the use of any specified project identified by the Minister in charge of the subject of Finance, having regard to the interests of the national economy on which the tax is borne by the government, with effect from July 1, 2009 until such time the article is re-exported after the completion of such project, subject to the furnishing of a corporate guarantee which covers the amount of the tax due on the article so imported; or
- (ii) being plant, machinery or equipment by any undertaking qualified for a tax exemption under section 16D or 17A of the Inland

2 *Ports and Airports Development Levy  
(Amendment) Act, No. 10 of 2012*

Revenue Act, No. 10 of 2006, as the case may be, during the project implementation period, for the use by such undertaking for the purposes specified in the agreement entered into with the Board of Investment of Sri Lanka established under Board of Investment Law, No. 4 of 1978 on which tax is exempted subject to the fulfillment of the conditions specified in the agreement entered into, and to the furnishing of a bank guarantee which covers the amount of the tax due on the article so imported.”.

Sinhala text to prevail in case of any inconsistency.

**3.** In the event of an 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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**ECONOMIC SERVICE CHARGE  
(AMENDMENT) ACT, No. 11 OF 2012**

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*Economic Service Charge (Amendment)*  
*Act No. 11 of 2012*

[Certified on 30th March, 2012]

L.D.—O. 6/2012

AN ACT TO AMEND THE ECONOMIC SERVICE CHARGE  
ACT, NO. 13 OF 2006

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

1. This Act may be cited as the Economic Service Charge (Amendment) Act, No. 11 of 2012. Short title.
  
2. Section 2 of the Economic Service Charge Act, No. 13 of 2006 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:- Amendment of section 2 of Act, No. 13 of 2006.
  - (1) in subsection (1) of that section, by the substitution for the words and figures “Schedule I or Schedule II as the case may be” of the words and figures “Schedule I, Schedule II or Schedule III as the case may be”;
  
  - (2) in subsection (2) of that section, by the repeal of paragraph (c) thereof, and the substitution therefor of the following new paragraphs -
    - “(c) commencing on or after April 1, 2011, but before April 1, 2012, does not exceed rupees twenty-five million;
  
    - (d) commencing on or after April 1, 2012, does not exceed rupees fifty million.”; and
  
  - (3) in subsection (3) of that section-
    - (a) in paragraph (a) by the substitution for the words “whether directly or through an agent or more than one agent:” of the following:-

2 *Economic Service Charge (Amendment)*  
*Act No. 11 of 2012*

“whether directly or through an agent or more than one agent:

Provided that, in relation to any relevant quarter commencing on or after April 1, 2012, where such part of the taxable income as consists of profits from any trade, business, profession or vocation assessed under the provisions of Inland Revenue Act, No. 10 of 2006 for the year of assessment which ended immediately prior to the commencement of the year of assessment to which such quarter belongs, is more than zero, the relevant turnover for such quarter shall be deemed to be zero.”;

(b) in paragraph (b)-

(i) in item (viii) of sub-paragraph (a) of that paragraph, by the substitution for the words “Tourism Act, No. 38 of 2005; and” of the words “Tourism Act, No. 38 of 2005;” and

(ii) by the addition, immediately after item (viii) of sub-paragraph (a) of that paragraph, of the following new item:—

“(ix) proceeds from the sale of any clay roof tile or pottery product by any manufacturer of such product; and”.

Replacement of Schedule II to the principal enactment.

**3.** Schedule II to the principal enactment is hereby repealed and the following Schedule is substituted therefor:-



4 *Economic Service Charge (Amendment)*  
*Act No. 11 of 2012*

Insertion of  
Schedule III in  
the principal  
enactment.

**4.** The following new Schedule is hereby inserted immediately after Schedule II of the principal enactment and shall have effect as Schedule III of that enactment:-

“Schedule III (Section 2)

For the period commencing on April 1, 2012

On the liable turnover	0.25 per centum.”.
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Retrospective  
effect.

**5.** Schedule II of the principal enactment as replaced by section 3 of this Act shall for all purposes be deemed to have come into operation on April 1, 2011.

Sinhala text to  
prevail in the  
case of  
inconsistency.

**6.** In the event of 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**

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**FINANCE ACT, No. 12 OF 2012**

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[Certified on 30th March, 2012]

*Printed on the Order of Government*

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*Finance Act, No. 12 of 2012*

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L.D.— O. 8/2012

AN ACT TO AMEND THE FINANCE ACT, NO. 25 OF 2003, THE FINANCE ACT, NO. 11 OF 2004 AND THE FINANCE ACT, NO. 16 OF 1995; TO PROVIDE FOR THE EXEMPTION OF CERTAIN ENTERPRISES ENGAGED IN CERTAIN ACTIVITIES FROM THE APPLICATION OF THE PROVISIONS OF THE CUSTOMS ORDINANCE (CHAPTER 235), THE EXCHANGE CONTROL ACT (CHAPTER 423) AND THE IMPORTS AND EXPORTS (CONTROL) ACT, NO. 1 OF 1969; AND TO PROVIDE 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 Finance Act, No. 12 of 2012. Short title.

PART I

AMENDMENT OF PART IIA OF THE FINANCE  
ACT, NO. 25 OF 2003

2. Part IIA (The Levy on Rooms of Five Star Hotels) of the Finance Act No. 25 of 2003 (hereinafter in this Part of this Act referred to as the “principal enactment”) is hereby amended in subsection (1) of section 13A by the substitution for the words “United States Dollars One Hundred and Twenty Five.” of the following words:- Amendment of section 13A of Part IIA of Act, No. 25 of 2003.

“United States Dollars One Hundred and Twenty Five:

Provided however, no such levy shall be required to be paid by any “Five Star Hotel” referred to above, in respect of any room provided to any member of an Airline Crew to whom the concessionary rates specified by such Price Regulation Order applies.”.



Indemnity. **3.** Where the Levy on Rooms of Five Star Hotels has been charged by the Chairman of Sri Lanka Tourism Development Authority or any other person authorized in that behalf by the guidelines issued under subsection (3) of section 13A of the principal enactment in respect of any room provided to any member of an Airline Crew under concessionary rates, during the period commencing from April 1, 2011 and upto the date of the coming into operation of this Act, such person shall be deemed to have acted with due authority and such collection shall be deemed for all purposes to have been, and to be validly made and such Chairman or person is hereby indemnified against all actions, civil or criminal in respect of such collection.

## PART II

### REPEAL OF PART IIIA OF THE FINANCE ACT, NO. 11 OF 2004

Repeal of Part IIIA of Act No. 11 of 2004. **4.** Part IIIA ( Imposition of Withholding Tax on the Registration of Motor Vehicles) of the Finance Act, No. 11 of 2004 (hereinafter in this Part of this Act referred to as the “principal enactment”) is hereby repealed, with effect from November 24, 2011.

Savings. **5.** (1) The provisions of the principal enactment shall notwithstanding the repeal of Part IIIA thereof, in respect of the matters set out in subsection (2), be in operation for such period as may be required for the recovery of any sum due under repealed Part IIIA.

(2) Notwithstanding the repeal of Part IIIA of the principal enactment with effect from November 24, 2011, the Commissioner of Motor Traffic is hereby empowered to recover all sums due as Withholding Tax on the Registration of Motor Vehicles on the day immediately preceding November 24, 2011, and transmit all sums so recovered by him as the Withholding Tax to the Commissioner-General in terms of the provisions of section 28c of the repealed Part IIIA.

PART III

AMENDMENT OF PART II OF THE FINANCE  
ACT, NO. 16 OF 1995

6. Section 3 of the Finance Act, No.16 of 1995 (hereinafter in this Part of this Act, referred to as the “principal enactment”) is hereby repealed and the following section substituted therefor:-

Replacement of section 3 of Act, No.16 of 1995.

“Annual luxury motor vehicle levy.

3. (1) There shall be charged, levied and paid, on every luxury motor vehicle (other than a semi-luxury dual purpose motor vehicle or a wagon)-

- (a) where the first year of registration falls prior to January 1, 2011, for every year commencing on or after April 1, 1995, but for a period not more than seven years ending prior to April 1, 2011, at the respective rates set out in Part I of the First Schedule to this Act;
- (b) where the first year of registration or the payment due date of any year, falls within the period commencing on January 1, 2011 and ending prior to November 22, 2011, at the respective rates set out in Part II of the First Schedule to this Act; and
- (c) where the first year of registration or the payment due date of any year, falls after November 22, 2011, for a period not more than seven years from such date, at the respective rates set out in Part III of the First Schedule to this Act,

a luxury motor vehicle levy. The levy payable for every such year shall be paid by the registered owner of the luxury motor vehicle on or before the relevant date:

Provided however, where any part of the period of seven years referred to in paragraph (a) above, continues after January 1, 2011 the luxury motor vehicle levy payable on or after November 22, 2011, in respect of such period shall be paid at the respective rates set out in Part III of the First Schedule to this Act:

Provided further, such luxury motor vehicle levy shall not be charged in respect of any luxury motor vehicle owned by –

- (a) an organization or an individual to whom the provisions of Diplomatic Privileges Act, No. 9 of 1996 is applicable; or
- (b) a Department or a Ministry of the Government or of a Provincial Council .

(2) For the purposes of this section, the “Provincial Council” means a Provincial Council established under Chapter XVIII A of the Constitution.”.

Replacement of section 4 of the principal enactment.

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

“Annual semi-luxury motor vehicle levy.

4. (1) There shall be charged, levied and paid, on every semi-luxury motor vehicle (other than a semi-luxury dual purpose motor vehicle or a wagon) -

- (a) where the first year of registration falls prior to January 1, 2011, for every year commencing on or after April 1, 1995,

but for a period not more than seven years ending prior to April 1, 2011, at the respective rates set out in Part I of the Second Schedule to this Act;

- (b) where the first year of registration or the payment due date of any year falls within the period commencing on January 1, 2011 and ending prior to November 22, 2011, at the respective rates set out in Part II of the Second Schedule to this Act; and
- (c) where the first year of registration or the payment due date of any year, falls after November 22, 2011, for a period not more than seven years from such date, at the respective rates set out in Part III of the Second Schedule to this Act,

a semi-luxury motor vehicle levy. The levy payable for every such year shall be paid by the registered owner of the semi-luxury motor vehicle on or before the relevant date :

Provided however, where any part of the period of seven years referred to in paragraph (a) above, continues after January 1, 2011 the semi-luxury motor vehicle levy payable on or after November 22, 2011, in respect of such period shall be paid at the respective rates set out in Part III of the Second Schedule to this Act:

Provided further, such semi-luxury motor vehicle levy shall not be charged in respect of any semi-luxury motor vehicle owned by—

- (a) an organization or an individual to whom the provisions of Diplomatic Privileges Act, No. 9 of 1996 is applicable; or

(b) a Department or a Ministry of the Government or of a Provincial Council.

(2) For the purposes of this section, the “Provincial Council” means a Provincial Council established under Chapter XVIII A of the Constitution.”.

Replacement of section 5 of the principal enactment.

**8.** Section 5 of the principal enactment is hereby repealed and the following section substituted therefor :-

“Annual semi-luxury dual purpose motor vehicle levy.

5. (1) There shall be charged, levied and paid, on every semi-luxury dual purpose motor vehicle (other than a wagon) -

- (a) where the first year of registration falls prior to January 1, 2011, for every year commencing on or after April 1, 1995, but for a period not more than seven years ending prior to April 1, 2011, at the respective rates set out in Part I of the Third Schedule to this Act;
- (b) where the first year of registration or the payment due date of any year falls within the period commencing on January 1, 2011 and ending prior to November 22, 2011, at the respective rates set out in Part II of the Third Schedule to this Act; and
- (c) where the first year of registration or the payment due date of any year, falls after November 22, 2011, for a period not more than seven years from such date, at the respective rates set out in Part III of the Third Schedule to this Act,

a semi-luxury dual purpose motor vehicle levy. The levy payable for every such year shall be paid by the registered owner of the semi-luxury dual purpose motor vehicle on or before the relevant date :

Provided however, where any part of the period of seven years referred to in paragraph (a) above, continues after January 1, 2011 the semi-luxury dual purpose motor vehicle levy payable on or after November 22, 2011, in respect of such period shall be paid at the respective rates set out in Part III of the Third Schedule to this Act:

Provided further, such semi-luxury dual purpose motor vehicle levy shall not be charged in respect of any semi-luxury dual purpose motor vehicle owned by –

- (a) an organization or an individual to whom the provisions of Diplomatic Privileges Act, No. 9 of 1996 is applicable; or
- (b) a Department or a Ministry of the Government or of a Provincial Council.

(2) For the purposes of this section, the “Provincial Council” means a Provincial Council established under Chapter XVIIIA of the Constitution.” .

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

Insertion of new section 5A in the principal enactment.

“Amendment of rates of luxury , semi luxury and semi- luxury dual purpose motor vehicle levies by Resolution of Parliament.

5A. (1) The Parliament may by Resolution amend the rates of the –

- (a) luxury motor vehicle Levy, set out in Part I, Part II and Part III of the First Schedule hereto;
- (b) semi-luxury motor vehicle Levy, set out in Part I, Part II and Part III of the Second Schedule hereto;

- (c) semi-luxury dual purpose motor vehicle Levy, set out in Part I, Part II and Part III of the Third Schedule hereto,

by increasing or decreasing the amount payable as levy.

(2) Upon the resolution seeking to amend the rates, being approved by the Parliament in accordance with the Standing Orders of the Parliament, the Secretary to the Ministry of the Minister shall publish a Notification in the *Gazette* setting out the rates as amended.”.

Amendment of section 10 of the principal enactment.

**10.** Section 10 of the principal enactment is hereby amended in subsection (2) thereof , by the substitution for the words “ a penalty of an amount equal to fifty *per centum* of the levy.” of the following words :-

“a penalty of an amount equal to fifty *per centum* of the levy :

Provided however, if the amount so defaulted is paid by the registered owner of a specified motor vehicle before the expiry of sixty days from the relevant date or the end of the year in respect of which the levy is payable, whichever is earlier, such penalty shall not be charged from such registered owner.” .

Amendment of the First Schedule to the principal enactment.

**11.** First Schedule to the principal enactment is hereby amended:-

- (1) by the repeal of the Heading to Part II of that Schedule and the substitution therefor of the following :-

“For any year, where the first year of registration or the payment due date falls within the period commencing on January 1, 2011 and ending prior to November 22, 2011:—”;

- (2) by the repeal the example to Part II thereof and the substitution therefor of the following:-

*“EXAMPLE*

- (a) A luxury motor vehicle is registered on August 1, 2007, the levy applicable on such luxury motor vehicle for the year commencing on April 1, 2010 (which is the third year succeeding the year of registration) is Rs. 35,000.
- (b) A luxury motor vehicle is registered on August 1, 2011, the levy applicable on such luxury motor vehicle for that year (which is the year of registration) is Rs. 100,000.
- (c) A luxury motor vehicle is registered on August 1, 2012, the levy applicable on such luxury motor vehicle for the year commencing on April 1, 2013 (which is the first year succeeding the year of registration) is Rs. 100,000.”;
- (3) by the addition immediately after Part II of the First Schedule of the following Part :-

*“PART III*

For any year ending/commencing on or after November 22, 2011, in respect of which Part I and Part II of this Schedule is not applicable:-

	<i>Year</i>	<i>Rate Rs.</i>
1	For the year in which such luxury motor vehicle is registered (being a year commencing on or after November 22, 2011)	150,000



	<i>Year</i>	<i>Rate Rs.</i>
2	For the first year succeeding the year in which such luxury motor vehicle is registered	100,000
3	For the second year succeeding the year in which such luxury motor vehicle is registered	75,000
4	For the third year succeeding the year in which such luxury motor vehicle is registered	60,000
5	For the fourth year succeeding the year in which such luxury motor vehicle is registered	50,000
6	For the fifth year succeeding the year in which such luxury motor vehicle is registered	40,000
7	For the sixth year succeeding the year in which such luxury motor vehicle is registered	30,000
8	For the seventh year succeeding the year in which such luxury motor vehicle is registered	Nil".

Amendment of the Second Schedule to the principal enactment.

**12.** Second Schedule to the principal enactment is hereby amended: –

- (1) by the repeal of the Heading to Part II of that Schedule and the substitution therefor of the following :-

“For any year, where the first year of registration or the payment due date falls within the period commencing on January 1, 2011 ending prior to November 22, 2011:-”;

- (2) by the addition immediately after Part II of the Second Schedule of the following Part:-

“PART – III

For any year ending/commencing on or after November 22, 2011, in respect of which Part I and Part II of this Schedule is not applicable:-

	<i>Year</i>	<i>Rate Rs.</i>
1	For the year in which such semi-luxury motor vehicle is registered (being a year commencing on or after November 22, 2011)	60,000
2	For the first year succeeding the year in which such semi-luxury motor vehicle is registered	50,000
3	For the second year succeeding the year in which such semi-luxury motor vehicle is registered	40,000
4	For the third year succeeding the year in which such semi-luxury motor vehicle is registered	30,000
5	For the fourth year succeeding the year in which such semi-luxury motor vehicle is registered	25,000
6	For the fifth year succeeding the year in which such semi-luxury motor vehicle is registered	20,000
7	For the sixth year succeeding the year in which such semi-luxury motor vehicle is registered	15,000
8	For the seventh year succeeding the year in which such semi-luxury motor vehicle is registered	Nil".

**13.** Third Schedule to the principal enactment is hereby amended –

- (1) by the repeal of the Heading to Part II of that Schedule and the substitution therefor of the following :-

“For any year, where the first year of registration or the payment due date falls within the period commencing on January 1, 2011 ending prior to November 22, 2011:-” ;

- (2) by the addition immediately after Part II of the Third Schedule of the following Part:-

Amendment of the Third Schedule to the principal enactment.

## “PART – III

For any year ending/commencing on or after November 22, 2011, in respect of which Part I and Part II of this Schedule is not applicable:-

<i>Year</i>	<i>Rate Rs.</i>
1 For the year in which such semi-luxury dual purpose motor vehicle is registered (being a year commencing on or after November 22, 2011)	40,000
2 For the first year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	25,000
3 For the second year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	20,000
4 For the third year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	12,000
5 For the fourth year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	10,000
6 For the fifth year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	8,000
7 For the sixth year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	6,000
8 For the seventh year succeeding the year in which such semi-luxury dual purpose motor vehicle is registered	Nil”.

Retrospective effect.

**14.** The amendments made to the principal enactment by this Part of this Act, shall be deemed for all purposes to have come into effect on November 22, 2011.

Indemnity.

**15.** Where any person or body of persons collects the levy as provided for in this Part of this Act, during the period commencing from November 22, 2011 and upto the date of the coming into operation of this Act, such collection shall be deemed for all purposes to have been and to be, validly made, and such person shall be deemed to have acted with due authority and is hereby indemnified against all actions, civil or criminal, in respect of such collection.

PART IV

EXEMPTION FROM APPLICATION OF THE PROVISIONS OF CUSTOMS ORDINANCE (CHAPTER 235), EXCHANGE CONTROL ACT (CHAPTER 423) AND THE IMPORTS AND EXPORTS (CONTROL) ACT, No. 1 OF 1969

**16.** (1) Subject to the provisions of subsections (2) and (3), there shall be exempted from the application of the provisions of the Customs Ordinance (Chapter 235), any enterprise engaged in any one or more of the following businesses within the meaning of an agreement entered into with the Board of Investment of Sri Lanka, established under the Board of Investment of Sri Lanka Law, No. 4 of 1978: -

Granting exemption to certain enterprises from application of the provisions of Chapter 235.

- (a) *entrepot* trade in involving import, minor processing and re- export;
- (b) off-shore business where goods can be procured from one country or manufactured in one country and shipped to another country without bringing the same into Sri Lanka;
- (c) providing front end services to clients abroad;
- (d) head quarters operations of leading buyers for management of finance supply chain and billing operations;
- (e) logistic services such as bonded warehouse or multi-country consolidation in Sri Lanka.

(2) Any enterprise referred to in subsection (1) which is engaged in the physical importation of goods, wares or merchandise for re- export-

- (a) shall carry out such activities either in a Free Port operated under the supervision of the Sri Lanka

Ports Authority established under the Sri Lanka Ports Authority Law, No. 51 of 1979 or a Bonded Area declared under the Board of Investment of Sri Lanka Law, No. 4 of 1978 or the Customs Ordinance (Chapter 235) ;

- (b) the movement of goods to and from such Free Port or the Bonded Area to and from the Sri Lankan territory shall, notwithstanding the provisions of subsection (1) be subject to the provisions of the Customs Ordinance, as if such goods had been imported into Sri Lanka or exported from Sri Lanka as the case may be.

(3) Any enterprise referred to in subsection (1) which is not engaged in the physical movement of goods, wares or merchandise, may carry out such operations outside a Free Port or a Bonded Area as referred to above.

Granting exemption to certain enterprises from application of the provisions of Chapter 423.

**17.** (1) Subject to the provisions of subsections (2) and (3), there shall be exempted from the application of the provisions of the Exchange Control Act (Chapter 432), any enterprise engaged in any one or more of the following businesses within the meaning of an agreement entered into with the Board of Investment of Sri Lanka, established under the Board of Investment of Sri Lanka Law, No. 4 of 1978: -

- (a) *entrepot* trade in involving import, minor processing and re- export;
- (b) off-shore business where goods can be procured from one country or manufactured in one country and shipped to another country without bringing the same into Sri Lanka;
- (c) providing front end services to clients abroad;
- (d) head quarters operations of leading buyers for management of finance supply chain and billing operations;

- (e) logistic services such as bonded warehouse or multi-country consolidation in Sri Lanka.

(2) Any enterprise referred to in subsection (1) which is engaged in the physical importation of goods, wares or merchandise for re- export-

- (a) shall carry out such activities either in a Free Port operated under the supervision of the Sri Lanka Ports Authority established under the Sri Lanka Ports Authority Law, No. 51 of 1979 or a Bonded Area declared under the Board of Investment of Sri Lanka Law, No. 4 of 1978 or the Customs Ordinance (Chapter 235) ;
- (b) the movement of goods to and from such Free Port or the Bonded Area to and from the Sri Lankan territory shall, notwithstanding the provisions of subsection (1) be subject to the provisions of the Customs Ordinance, as if such goods had been imported into Sri Lanka or exported from Sri Lanka as the case may be.

(3) Any enterprise referred to in subsection (1) which is not engaged in the physical movement of goods, wares or merchandise, may carry out such operations outside a Free Port or a Bonded Area as referred to above.

**18.** (1) Subject to the provisions of subsections (2) and (3), there shall be exempted from the application of the provisions of the Imports and Exports (Control) Act, No. 1 of 1969, any enterprise engaged in any one or more of the following businesses within the meaning of an agreement entered into with the Board of Investment of Sri Lanka, established under the Board of Investment of Sri Lanka Law, No. 4 of 1978:-

Granting exemption to certain enterprises from application of the provisions of Act, No. 1 of 1969.

- (a) *entrepot* trade in involving import, minor processing and re- export;

- (b) off-shore business where goods can be procured from one country or manufactured in one country and shipped to another country without bringing the same into Sri Lanka;
- (c) providing front end services to clients abroad;
- (d) head quarters operations of leading buyers for management of finance supply chain and billing operations;
- (e) logistic services such as bonded warehouse or multi- country consolidation in Sri Lanka.

(2) Any enterprise referred to in subsection (1) which is engaged in the physical importation of goods, wares or merchandise for re- export–

- (a) shall carry out such activities either in a Free Port operated under the supervision of the Sri Lanka Ports Authority established under the Sri Lanka Ports Authority Law, No. 51 of 1979 or a Bonded Area declared under the Board of Investment of Sri Lanka Law, No. 4 of 1978 or the Customs Ordinance (Chapter 235) ;
- (b) the movement of goods to and from such Free Port or the Bonded Area to and from the Sri Lankan territory shall, notwithstanding the provisions of subsection (1) be subject to the provisions of the Customs Ordinance, as if such goods had been imported into Sri Lanka or exported from Sri Lanka as the case may be.

(3) Any enterprise referred to in subsection (1) which is not engaged in the physical movement of goods, wares or merchandise, may carry out such operations outside a Free Port or a Bonded Area as referred to above.

**19.** The enterprises to which exemptions have been granted in terms of sections 16, 17 and 18 shall :—

Enterprises are required to report periodically.

- (a) ensure the proper maintenance of documentation in respect of inward and outward remittance of foreign exchange and other transactions ;
- (b) report on the inward and outward remittances of foreign exchange annually or when directed to do so by the Director-General of Customs, the Controller of Exchange or the Controller of Imports and Exports, as the case may be ; and
- (c) include in such report all other details as are specified by the Controller of Exchange and the Director-General of Customs in consultation with the Chairman of the Board of Investment of Sri Lanka.

**20.** 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  
SOCIALIST REPUBLIC OF  
SRI LANKA**

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**DEFENCE SERVICES COMMAND AND  
STAFF COLLEGE (AMENDMENT)  
ACT, No. 13 OF 2012**

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[Certified on 04th May, 2012]

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*Defence Services Command and Staff  
College (Amendment) Act, No. 13 of 2012*

[Certified on 04th May, 2012]

L.D.—O. 41/2010.

AN ACT TO AMEND THE DEFENCE SERVICES COMMAND AND  
STAFF COLLEGE ACT, NO. 5 OF 2008

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

**1.** This Act may be cited as the Defence Services  
Command and Staff College (Amendment) Act, No. 13 of  
2012.

Short title.

**2.** Section 17 of the Defence Services Command and  
Staff College Act, No. 5 of 2008 (hereinafter referred to as  
the “principal enactment”) is hereby amended as follows:—

Amendment of  
section 17 of the  
Act, No. 5 of  
2008.

- (1) by the repeal of subsections (3) and (4) of that  
section;
- (2) by the re-numbering of subsections (5) and (6) as  
subsections (3) and (4); and
- (3) by the substitution for the marginal note to that  
section of the following:—

“Code of Discipline and its application.”.

**3.** The following section is hereby inserted immediately  
after section 17 of the principal enactment and shall have  
effect as section 17A of that enactment:—

Insertion of new  
section 17A in  
the principal  
enactment.

“Disciplinary control of the permanent staff and civilian staff of the Staff College. 17A. (1) The disciplinary control of the permanent staff of the Staff College shall be exercised by the Commandant of the Staff College or any other officer of the Staff College authorized in that behalf by the Commandant.

(2) The disciplinary control of the civilian staff of the Staff College shall be exercised by

the Commandant of the Staff College, in accordance with the procedure to be specified by rules made by the Board.

(3) There shall be a Civil Administrative Officer who shall be appointed in accordance with such procedures as shall be applicable to appointments in the public service. The appointment of such person shall be for a period of five years. The Civil Administrative Officer shall be responsible to the Commandant for the due administration of the civilian staff.”.

Amendment of section 21 of the principal enactment.

**4.** Section 21 of the principal enactment is hereby amended by the repeal of subsection (2) of that section, and the substitution therefor, of the following subsection:—

“(2) The Board shall appoint a qualified auditor who shall be a person belonging to the Accountants Service of Sri Lanka and shall be responsible to the Commandant for the audit of accounts of the Staff College. The provisions of Article 154 of the Constitution relating to the audit of accounts of public corporations shall apply to the audit of accounts of the Staff College.”.

Amendment of section 22 of the principal enactment.

**5.** Section 22 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor, of the following subsection:—

“(2) The Accountant of the Staff College shall be appointed by the Board and such Accountant shall belong to the Accountants Service of Sri Lanka. The Accountant shall be responsible to the Commandant for the preparation of estimates and of all financial matters relating to the administration of the Staff College.”.

6. The following section is hereby inserted immediately after section 25, of the principal enactment and shall have effect as section 25A of that enactment:—

Insertion of section 25A in the principal enactment.

“Appointment of Public Officers to the civilian staff of the Staff College. 25A. (1) At the request of the Board, any officer in the public service may with the consent of that officer and the Chairman of the Public Service Commission, be temporarily appointed to the staff of the Staff College for such period as may be determined by the Council, or with like consent, be permanently appointed to such staff.

(2) Where any officer in public service is temporarily appointed to the staff of the Staff College, 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 such officer.

(3) Where any officer in public service is permanently appointed to the staff of the Staff College, 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 such officer.

(4) Where Staff College employs a person who has entered into a contract with the Government by which he has agreed to serve the Government for a specific period, any period of service to the Staff College by that person shall be regarded as service to the Government for the purpose of discharging the obligations of that person under such contract.

(5) At the request of the Board, a member of the Local Government Service or any officer of any Local Authority may with the consent of that member, officer or employee be temporarily appointed to the staff of the Staff College for such period as may be determined by the Staff College, or with like consent be permanently appointed to such staff on such terms and conditions including those relating to pension or provident fund rights as may be agreed upon by the Staff College and the Local Government Service Advisory Board or the Local Authority, as the case may be.

(6) Where a person is temporarily appointed to the staff on the Staff College under subsection (5) of this section, that person shall be subject to the same disciplinary control as any other member of the staff.”.

Sinhala text to prevail in case of inconsistency.

**7.** 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**

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**T. B. EKANAYAKE FOUNDATION  
(INCORPORATION) ACT, No. 14 OF 2012**

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[Certified on 06th June, 2012]

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*T. B. Ekanayake Foundation*  
*(Incorporation) Act, No. 14 of 2012*

[Certified on 06th June, 2012]

L.D.—O. Inc. 26/2010.

AN ACT TO INCORPORATE THE T. B. EKANAYAKE FOUNDATION

WHEREAS a Foundation called and known as “T. B. Ekanayake Foundation” has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects 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 the several objects and matters for which it was formed, and has applied to be incorporated :

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 T. B. Ekanayake Foundation (Incorporation) Act, No. 14 of 2012.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the T. B. Ekanayake Foundation (hereinafter referred to as “the Foundation”) or 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 “T. B. Ekanayake 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 T. B. Ekanayake Foundation.

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

General objects of the Corporation.

(a) to conduct special support services, to grant aid, to give prizes, to provide library facilities and

necessary incitement for study for the needy students ;

- (b) to carry out special support programmes for school children who sit national level examinations such as the scholarship examination G. C. E. (Ordinary Level) examination and the G. C. E. (Advanced Level) examination ;
- (c) to provide the modalities for evaluating cultural skills of school children and to confer awards and certificates to children with aptitudes in order to promote their cultural skills ;
- (d) to implement special training programmes which would inculcate social, religious values and ethics among the youth with a view to producing a generation of youth who would give importance to such practices ;
- (e) to conduct workshops, discussions and conferences for training teachers of Dhamma Schools and pre schools and to encourage opening of new pre-schools ;
- (f) to implement leadership camps and workshops for senior students in order to mould them for leadership and to educate them for successful living ;
- (g) to implement practical programmes for promoting physical health of student population through sanitation and health practices programmes and sports ;
- (h) to organize and operate educational tours, Shramadana campaigns and workshops in order to create awareness on Sri Lanka heritage, environment, wildlife, population and patriotism ;

- (i) to provide assistance and to encourage forming scout groups and platoons in schools ;
- (j) to grant assistance for services rendered by Senior Citizens Organizations and to encourage such organizations to continue such participation ;
- (k) to grant support and assistance in carrying out informal education programmes, special education programmes and adult education programmes which are in operation at present ;
- (l) to organize awareness programmes on promotional aspects to farmers engaged in traditional and export agricultural activities and to improve their activities ;
- (m) to take necessary action to provide required assistance and support and training to unemployed youth in order to enable them to engage in self employment activities ;
- (n) to work in collaboration with local and foreign organizations the objects of which are similar to those of the Corporation; and
- (o) to promote special projects for protection of the environmental heritage, fauna and flora and endemic birds in the North Western Province.

**4.** (1) The affairs of the Corporation shall be managed by a Board of Directors (hereinafter referred to as the “Board”) consisting of eleven members including the President, the Secretary and the Treasurer to be elected subject to and in accordance with the provisions of the Act and the rules made under section 6 of the Act.

Management of  
the affairs of the  
Corporation.

(2) Notwithstanding anything contained in subsection (1), the President of the Foundation shall be the first President of the Corporation.

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

(4) A member of the Board shall hold the office for a period of four years unless such member vacates the office earlier by reason of such member's death or resignation. In case a vacancy occurs in the Board by reason of death or resignation of a member, such vacancy shall be filled by appointing a new member and such new member shall hold the office for a period of four years.

General Powers  
of the  
Corporation.

**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 open, operate and close bank accounts, to borrow or raise moneys with or without security, to accept and collect any grants or donations, to invest the funds of the Corporation and to appoint, employ and dismiss officers and servants required for carrying out of all or any one 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 any other written law on all or any of the following matters :—

- (a) classification of members, membership fees payable by members, admission, removal, expel and resignation of members ;
- (b) procedure to be observed in summoning meetings and in the transaction of business as meetings of the Corporation and the Directorate, the quorum of

such meetings and exercise of their powers and discharge of their duties ;

- (c) appointment of various officers, agents and servants, their powers, functions and duties ;
- (d) administration and management of the property of the Corporation.

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

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

**7.** 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 hereby constituted and all debts due to subscriptions and contributions payable to the Foundation on that day, shall be paid to the Corporation for the purposes of this Act.

Debts payable by and payable to the Corporation.

**8.** (1) The Corporation shall have its own fund. Gifts, bequests, donations, contributions, charges and grants may be deposited in any bank or several banks in the name of the Corporation as decided by the Board.

Funds of the Corporation.

(2) All expenditure incurred in exercising and putting into practice of powers and implementing activities of the Corporation under this Act shall be paid from the funds of the Corporation.

**9.** 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 purpose of the Corporation and subject to the rules made under section 6, shall have full power to mortgage, sell, lease, exchange or otherwise dispose of the same.

The Corporation may hold movable or immovable property.

Limitation  
liability of  
members.

**10.** No member of the Corporation shall be liable to pay any contribution exceeding the membership fees due from the Corporation, for the purpose of paying and settling debts and liabilities of the Corporation.

Property  
remaining on  
dissolution.

**11.** In case of dissolution of the Corporation, whatever property left, after settlement of its debts and liabilities, shall not be distributed among its members, but shall be transferred to any establishment or establishments objects of which are identical to those of the Corporation and which prohibit the distribution, of its income or property among its members. Members of the Corporation shall, at or prior to the dissolution of the Corporation, determine the establishment or establishments to which such property shall be transferred.

Accounting and  
auditing.

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

(2) The Board 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.

**13.** The Seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the President and one member of the Board 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. 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 Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of any inconsistency.

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

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**BUDDHASRAVAKA BHIKKU UNIVERSITY  
(AMENDMENT) ACT, No. 15 OF 2012**

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*Buddhasravaka Bhikku University (Amendment)*  
*Act, No 15 of 2012*

[ Certified on 11th July, 2012]

L.D.—O. 52/2006.

AN ACT TO AMEND THE BUDDHASRAVAKA BHIKKU UNIVERSITY ACT,  
No. 26 OF 1996

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

**1.** This Act may be cited as the Buddhasravaka Bhikku University (Amendment) Act, No. 15 of 2012. Short title.

**2.** (1) In the Buddhasravaka Bhikku University Act, No. 26 of 1996 (hereinafter referred to as the "principal enactment") and in any other written law, there shall be substituted for the words " Buddhasravaka Bhikku University" the words "Bhikku University of Sri Lanka". General amendment to the Buddhasravaka Bhikku University Act, No. 26 of 1996.

(2) Every reference to the "Buddhasravaka Bhikku University" in any regulation, rule, notice, notification, contract, communication or other document shall be read and construed as a reference respectively, to the "Bhikku University of Sri Lanka".

**3.** Section 4 of the principal enactment is hereby amended as follows:— Amendment of section 4 of the principal enactment.

- (1) by the deletion of the word "and" in paragraph (q);
- (2) by the re-numbering of paragraph (r) as paragraph (t); and
- (3) by the addition immediately after paragraph (q) thereof, of the following new paragraphs:—

"(r) to conduct post-graduate courses for clergy students which are consistent with the objects of the University;

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*Act, No 15 of 2012*

- (s) to establish local and foreign affiliated institutions as required by the University, and".

Amendment of section 5 of the principal enactment.

**4.** Section 5 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following:—

"(2) In the event of any Maha Nayaka Thera or Chief Maha Nayaka Thera of any Nikaya referred to in subsection (1) declining to accept the appointment as Maha Mahopadyaya of the University the Minister in consultation with such Maha Nayaka Thera or Uththarithara Sabhawa, as the case may be, may make recommendation to the President to appoint another suitable Nayaka Thera of such Nikaya to be the Maha Mahopadyaya of the University."

Amendment of section 6 of the principal enactment.

**5.** Section 6 of the principal enactment is hereby amended by the insertion immediately after paragraph (ii) thereof, of the following new paragraph:—

"(iia) Dean of each Faculty;"

Amendment of section 7 of the principal enactment.

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

(1) in subsection (1) of that section—

- (a) in paragraph (a) thereof, by the substitution for the word "Minister" of the word "President";
- (b) in paragraph (b) thereof, by the substitution for the words "post-graduate degree in Buddhist Studies from a recognized University." of the words "post-graduate degree in Buddhist Studies or in any other subject connected thereto from a recognized, University on a research done within a period of not less than two years and having ten years experience in the field of teaching.

*Buddhasravaka Bhikku University (Amendment) 3*  
*Act, No 15 of 2012*

In addition he shall be required to possess a good knowledge of oriental languages.";

(2) in subsection (2) of that section—

(a) in paragraph (iii) thereof, by the substitution for the word "Minister," of the words "President through the Minister,";

(b) in paragraph (iv) thereof by the substitution for the word "Minister" of the word "President";

(c) by the addition immediately after paragraph (v) thereof, of the following new paragraph:—

(vi) Notwithstanding anything to the contrary in any other provision of this Act, the term of office of the Mahopadyaya of the University, who last held office on the day immediately preceding the date of coming into operation of this section, shall continue for a further period of three years from the date of coming into operation of this section.;

(3) by the repeal of subsections (3) of that section and the substitution therefor of the following:—

"(3) (a) If there is sufficient proof that the Mahopadyaya has acted in a manner detrimental to the interests of the University, the President shall, on a resolution passed by not less than two-thirds of the total membership of the Uththaraithara Sabhawa at a special meeting convened for the purpose, require the Minister to take necessary steps to ensure the removal of the Mahopadyaya from office.

(b) The Mahopadyaya shall be the Accounting Officer of the University, who shall comply with

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*Act, No 15 of 2012*

any determination or regulation or directive of the Council of the University relating to the control of finances and properties of the University. The Mahopadyaya shall exercise, perform and discharge such powers, duties and functions as may be conferred on him by this Act or by any regulation or rule made under this Act.";

- (4) (a) by the deletion of the first paragraph of subsection (4) of that section;
- (b) by the renumbering of the second paragraph of subsection (4) of that section as subsection (4) thereof.

Amendment of section 8 of the principal enactment.

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

- (1) by the repeal of subsection (1) of that section, and the substitution therefor, of the following:—

"(1) The first Registrar of the University shall be appointed by the Minister for a period of three years. The Council shall on the recommendation of a selecting committee, appoint every subsequent Registrar for a period of five years, which may be renewed. Where an officer in the public service shall be appointed as the Registrar of the University the concurrence of the Secretary to the Ministry of the Minister in charge of the subject of Public Administration and the relevant officer shall be obtained.";

- (2) by the repeal of subsection (3) of that section and the substitution therefor of the following:—

"(3) The Registrar shall be the Assistant Accounting Officer of the University.";

*Buddhasravaka Bhikku University (Amendment) 5*  
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- (3) by the addition immediately after subsection (5) of that section of the following new subsection:—

"(6) The Registrar shall be responsible to the Council for the safe custody of the records and properties of the University." .:

**8.** Section 9 of the principal enactment is hereby amended in subsection (2) by the substitution for the words "finances of the University and maintenance of its accounts" of the words "Finances of the University under the supervision of the Registrar and for the maintenance of its accounts" .

Amendment of section 9 of the principal enactment.

**9.** Section 11 of the principal enactment is hereby amended as follows:—

Amendment of section 11 of the principal enactment.

- (1) by the substitution for the words "the Senate." of the words "the Senate;";
- (2) by the addition immediately after paragraph (iii) thereof, of the following new paragraph:—

"(iv) a Board of the Faculty or Boards of the Faculty."

**10.** Section 14 of the principal enactment is hereby amended as follows:—

Amendment of section 14 of the principal enactment.

- (1) by the repeal of subsection (1) of that section and the substitution therefor, of the following:—

" (1) The Council of the University (hereinafter referred to as the "Council") shall be the executive and governing body of the University and shall consist of the following:—

- (a) *ex-officio* members—

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*Act, No 15 of 2012*

- (i) the Mahopadyaya;
  - (ii) the Dean of each Faculty;
  - (iii) two members of the academic staff of the University elected from and among the members of the Senate;
  - (iv) the Secretary to the Ministry of the Minister in charge of the subject of Buddha Sasana, or his nominee.
  - (v) the Secretary to the Ministry of the Minister in charge of the subject of Higher Education, or his nominee; and
  - (vi) the Secretary to the Ministry of the Minister in charge of the subject of Finance or his nominee.
- (b) appointed members appointed by the Minister—
- (i) five learned Bhikkus who have rendered distinguished service to the Buddha Sasana; and
  - (ii) three lay Buddhists who have rendered distinguished service to the Buddha Sasana, and who have experience in the fields of Finance, Law and Administration."; and
- (2) by the addition immediately after subsection (9) thereof, of the following new subsection: —
- "(10) Notwithstanding anything in this Act,

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*Act, No 15 of 2012*

the appointed members of the Council who held office on the day immediately preceding the date of coming into operation of this section, shall continue to hold such office for the unexpired period from the date of coming into operation of this section."

**11.** Section 15 of the principal enactment is hereby amended in subsection (2) as follows:—

Amendment  
of section 15  
of the  
principal  
enactment.

(a) by the repeal of paragraph (xii) of that subsection and the substitution therefor of the following paragraph:—

"(xii) to appoint a Bhikku Students Council which shall include representatives of the Bhikku Students for the promotion of the general well-being of the Bhikku Students of the University. The composition, powers, duties and function of such Council shall be prescribed by Ordinance;"

(b) by the addition immediately after paragraph (xiv) of that subsection, of the following new paragraphs:—

"(xv) to formulate the scheme of recruitment and appointing procedure to be applied to the staff of the University to be on par with the schemes of recruitment and appointing procedures adopted in other Universities established under the Universities Act, No. 16 of 1978,



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*Act, No 15 of 2012*

and to determine, from time to time,  
the various grades of the staff and the  
cadres of each grade;

- (xvi) to determine, from time to time, the  
remuneration to be paid to various  
grades of the staff of the University  
and other benefits to be granted to  
such staff on the basis of the overall  
salaries and remuneration principles  
of other Universities established  
under the Universities Act, No. 16 of  
1978 and in consultation with the  
Minister in charged of the subject of  
Finance;"

- (c) by the re-numbering of paragraphs (xv) and  
(xvi) as paragraphs (xvii) and (xviii).

Amendment of  
section 16 of  
the principal  
enactment.

**12.** Section 16 of the principal enactment is hereby  
amended as follows:-

- (1) by the repeal of subsection (2) of that section and the  
substitution therefor of the following subsection:-

"(2) The Senate of the University shall consist of  
the following persons:-

- (i) Mahopadyaya;  
(ii) the Dean of each Faculty of the University;  
(iii) the Head of each Department of Study;  
(vi) the Librarian of the University;  
(v) the every permanent Professor of the  
University;

*Buddhasravaka Bhikku University (Amendment) 9*  
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- (vi) one person from the teachers other than those referred to above elected by the permanent teachers of each Faculty from and among their number;
  - (vii) three teachers appointed by the Council of the University from among male Professors, Associate Professors and Senior Lecturers of the Departments of Buddhists Studies or Cultural Studies of other Universities in Sri Lanka;
  - (viii) three persons appointed by the Council of the University from among learned and distinguished laymen or members of the clergy who are not members of the staff of any University.";
- (2) by the insertion immediately after subsection (2) thereof of the following new subsections:-

"(2A) Every elected or appointed member shall hold office for a period of three years from the date of his election or appointment, as the case may be:

Provided however, any member elected or appointed vacates office on grounds of retirement, resignation or being absent himself from three consecutive meetings of the Senate or otherwise, another member shall be elected or appointed, as the case may be, in place of such member in compliance with the provisions of paragraphs (vi), (vii) and (viii) of subsection (2). Further, such member shall hold office for the unexpired term of office of his predecessor unless he vacates office earlier.

(2B) Notwithstanding anything in this Act, the appointed members, holding office on the day immediately preceding the date of coming into operation of this section, shall cease to hold such office on the date of coming into operation of this section:

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*Act, No 15 of 2012*

Provided however, that the appointed members who cease to hold such office shall be eligible for reappointment."

Amendment of section 17 of the principal enactment.

**13.** Section 17 of the principal enactment is hereby amended as follows:—

(1) in subsection (1) of that section—

(a) by the addition in paragraph (vi) thereof immediately after the word "Council;" of the words "after considering the reports from the Faculty concerned;"

(b) in item (c) of paragraph (vii) thereof, by the substitution for the words "Committee," of the word "Committee;"

(c) by the addition immediately after sub paragraph (c) in paragraph (vii) thereof of the following:—

"(d) to set up a Research and Publication Committee,"

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

"(1A) The Senate may with the approval of the Minister, establish, from time to time, the Faculty or Department of Studies, as the Senate deems necessary, for the development of teaching, research and extension programmes of the University to realize the objects of the University."

Insertion of new sections 18A, 18B, 18C and 18D of the principal enactment.

**14.** The following new sections are hereby inserted immediately after section 18 of the principal enactment and shall have effect as sections 18A, 18B, 18C and 18D of that enactment:—

"The Board of each Faculty.

**18A.** Every Faculty of the University shall have a Board of the Faculty

*Buddhasravaka Bhikku University (Amendment) 11*  
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(hereinafter referred to as the "Board")  
consisting of the following:-

- (a) the Dean of the Faculty concerned;
- (b) all Permanent Professors, Associate Professors, Senior Lecturers and Permanent Lecturers of the Departments of Studies which constitute the Faculty;
- (c) two persons other than those referred to in paragraphs (b) of this section elected by the permanent academic staff of the Faculty from and among their numbers;
- (d) two students elected by the students of the Faculty from and among their numbers; and
- (e) three persons appointed by the Board who excel in the fields of study relevant to the Faculty and are not members of the staff of the University.

Powers, duties and  
functions of the  
Board.

**18B.** (1) Subject to the provisions of this Act, the Board shall exercise, perform and discharge the powers, duties and functions:-

- (a) to consider and report back any matter referred to the Faculty by the Senate;
- (b) to regulate subject to the control of the Senate, all matters pertaining to the teaching, examinations and research activities of the Departments of Study of the Faculty;
- (c) to appoint committees which may include non-members of the Faculty

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*Act, No 15 of 2012*

to consider and report any special subject or subjects;

- (d) to submit to the Senate recommendations and reports on study courses and examinations of the Faculty; and
- (e) to recommend to the Senate the suitable persons to be appointed as invigilators.

(2) Each Faculty shall have a Dean and he shall be a full time officer of the University and shall be the academic and administrative head of the Faculty. The Board of each Faculty shall elect the Dean from among the Heads of Departments of Studies, which constitute the Faculty and he shall cease to be the Head of the Department of Studies concerned upon his election as the Dean:

Provided that the first Dean to be appointed on the date of commencement of this Act shall be appointed by the Council on the recommendation of the Mahophadyaya.

- (3)(a) The Dean shall preside at every meeting of the Board of the Faculty ;
- (b) The members elected under paragraph (d) of section 18A shall be excluded from the business of any meeting of the Board convened for matters pertaining to the election of a Dean and to decisions concerning examinations and

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matters incidental thereto and such meeting shall be deemed to be a duly convened valid meeting irrespective of such exclusion.

(4) The Dean, shall hold office for a period of three years from the date of his election and shall be eligible for re-election unless removed earlier from office.

(5) Where the Dean is temporarily unable to perform the duties of his office on account of ill health, absent on leave or any other cause for a period of not more than three months, the Mahopadyaya shall appoint another to act in the place of the Dean, during such period as the Head of a Department of Study of that Faculty.

(6) Every member elected under paragraph (d) of section 18A shall hold office for a period of one academic year from the date of his election and all other elected members shall hold office for a period of three years from the date of election. Every such member shall be eligible for re-election.

The Head of a  
Department of  
Study.

**18C.** (1) The Head of a Department of Study shall be a Professor, Senior Lecturer or a Permanent Lecturer appointed by the Council on the recommendation of the Mahopadyaya:

Provided however, that where a Head of any Department of Study is not appointed by the Council, the Mahopadyaya may appoint a Professor, an Associate Professor, Senior Lecturer or Permanent Lecturer to

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*Act, No 15 of 2012*

act as the Head of a Department of Study of that Faculty for a period of one month from the date of such appointment.

(2) The Head of a Department of Study, subject to the provisions of any appropriate instrument, shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment unless removed from office.

(3) Where the Head of a Department of Study is temporarily unable to perform the duties of his office on account of ill health, absent on leave or any other cause for a period not more than three months, the Mahopadyaya shall appoint another Professor, Associate Professor, Senior Lecturer or a Permanent Lecturer to the Department of Study concerned to act in that post during such period:

Provided however, that where a Head of any Department of Study is unable to perform the duties of his office on account of retirement, resignation or any other cause, for a period more than three months, the post of Head of the Department of Study concerned shall be deemed vacant and a new Head Department of Study shall be appointed to such post in terms of subsection (1).

Establishment of  
Faculties and  
Departments of  
Study.

**18D.** The Governing Council may, with the apporval of the Minister, establish, from time to time, any Faculty or Department of Study as the Governing Council thinks necessary for the development of teaching, research and promotional programmes in order to fulfill the objects of the University."

*Buddhasravaka Bhikku University (Amendment) 15  
Act, No 15 of 2012*

- 15.** Section 23 of the principal enactment is hereby amended in subsection (1) by the addition immediately at the end of that subsection of the words "If upon such appointment, the teacher so appointed disrobes, he shall cease to hold such office."
- Amendment of section 23 of the principal enactment.
- 16.** Section 26 of the principal enactment is hereby amended by the substitution for the words "fifty fifth year" of the words "fifty-seventh year".
- Amendment of section 26 of the principal enactment.
- 17.** The following new section is hereby inserted immediately after section 57 of the principal enactment and shall have effect as section 57A of that enactment:—
- Insertion of new section 57A to the principal enactment.
- "Council, Senate and any other body to comply with rules and regulations of the University Grants Commission. **57A.** The Council, Senate and any other body established under this Act, in the exercise, performance and discharge of their respective powers, duties and functions under this Act, shall comply with such rules and regulations as may from time to time be made by the University Grants Commission."
- 18.** Section 68 of the principal enactment is hereby amended as follows:—
- Amendment of section 68 of the principal enactment.
- (1) by the insertion immediately after the definition of the expression "the Council" of the following definition:—
- "University Grants Commission" means the University Grants Commission established under the Universities Act, No. 16 of 1978;"
- (2) in the definition of "teacher", by the substitution for the words "a teacher; and" of the words "a teacher.";"
- (3) in the definition of "the Council", by the substitution for the words "the University." of the words "the University; and".
- 19.** 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 any inconsistency.



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

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**ORGANIZATION FOR THE ERECTION OF  
BALANA BUDDHA STATUE  
(INCORPORATION) ACT, No. 16 OF 2012**

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[Certified on 06th August, 2012]

*Printed on the Order of Government*

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*Organization for the Erection of Balana  
Buddha Statue (Incorporation)  
Act, No. 16 of 2012*

[Certified on 06th August, 2012]

L.D.—O. Inc. 33/2010.

AN ACT TO INCORPORATE THE ORGANIZATION FOR THE ERECTION OF  
BALANA BUDDHA STATUE

WHEREAS an organization called and known as the "Organization for the Erection of Balana Buddha Statue" has heretofore been established for the purpose of effectually carrying out and transacting the relevant matters connected with the said Organization according to the rules agreed to by its members :

Preamble.

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

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

1. This Act, may be cited as the Organization for the Erection of Balana Buddha Statue (Incorporation) Act, No. 16 of 2012.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Organization for the Erection of Balana Buddha Statue (hereinafter referred to as the "Organization") or 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 Organization for the Erection of Balana Buddha Statue (hereinafter referred to as the "Corporation") and by that name may sue and be sued and shall have full power and authority to have and to use a common seal and to alter the same at its pleasure.

Incorporation  
of the  
Organization  
for the Erection  
of Balana  
Buddha Statue.

2            *Organization for the Erection of Balana  
                 Buddha Statue (Incorporation)  
                 Act, No. 16 of 2012*

General objects  
of the  
Corporation.

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

- (a) to cause to be carved a Buddha Statue on Belungala, Balana, Kadugannawa and to adopt necessary measures for the maintenance of the same ;
- (b) to take steps to inculcate the principles of *Theravada* Buddhism among Buddhists all over the world including persons belonging to the Buddhist faith in Sri Lanka;
- (c) to take necessary steps to protect the Buddhist heritage in Sri Lanka ;
- (d) to make arrangements to promote Buddhist education among adherents of the Buddhist faith;
- (e) to assist the artists belonging to the Buddhist faith and engaged in the art of colossal stone carving, in order to enhance their standard of living; and
- (f) to promote awareness of Buddhist principals among adherents of the Buddhist faith;

Management of  
the affairs of the  
Corporation.

**4.** (1) The affairs of the Corporation shall, subject to the provisions of this Act and the rules of the Corporation made under section 6, be administered by a Committee of Management consisting of nine members including the President, two Vice Presidents, a General Secretary, Assistant Secretary and a Treasurer who shall be elected in accordance with the rules of the Corporation.

(2) The first Management Committee of the Corporation shall consist of the members of the Organization for the Creation of Balana Buddha Statue holding office on the day immediately preceding the date of commencement of this Act who shall hold office until a new Management Committee is elected under the rules of the Corporation.

*Organization for the Erection of Balana*                      3  
*Buddha Statue (Incorporation)*  
*Act, No. 16 of 2012*

(3) The founder member of the Organaization, Ven, Kamburugamuwa Vajira thero shall be the first President of the Committee of Management of the incorporation.

5. (1) Subject to the provisions of this Act and any other written law, the Corporation shall have the power to— General Powers  
of the  
Corporation.

(a) borrow or raise money with or without security for the purpose of the Corporation:

Provided that, notwithstanding anything to the contrary in any other provisions of this Act, the Committee of Management shall obtain prior approval of the Department of External Resources of the Ministry of the Minister to whom the subject of Finance is assigned in respect of all foreign grants, gifts or donations.

(b) utilize and invest the funds belonging to the Corporation in order to achieve the objects of the Corporation, in a manner determine by the Committee of Management;

(c) open, maintain and close bank accounts in any bank or banks as may be determined by the Committee of Management;

(d) appoint, employ, disciplinary control, dismiss and remunerate officers and servants required for the carrying out of the objects of the Corporation;

(e) to liaise and co-ordinate with other local or foreign institutions which have similar objects; and

(f) to do all other acts and things as are incidental or conducive to the attainment and furtherance of the objects of the Corporation.

4            *Organization for the Erection of Balana  
                 Buddha Statue (Incorporation)  
                 Act, No. 16 of 2012*

(2) In exercising the powers of the Corporation set out above, the Corporation shall obtain the prior written approval of the Secretary to the Ministry of the Minister to whom the subject of Buddhasasana and Religious Affairs has been assigned.

Rules of the  
Corporation.

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

- (a) the election of the office bearers, their term of office, resignation from, or vacation of, or removal from office and their powers, duties and functions;
- (b) the election and the terms of office of members of the Committee of Management other than the office bearers, and the powers, duties and functions of the members of the Committee;
- (c) classification of membership and membership fees, admission, withdrawal and expulsion of members and membership fees;
- (d) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audit of its accounts;
- (e) the procedure to be followed at any meeting of the Committee of Management and the quorum therefore and the conduct of business thereat; and
- (f) 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).

*Organization for the Erection of Balana*                      5  
*Buddha Statue (Incorporation)*  
*Act, No. 16 of 2012*

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

**7.** Subject to the provisions of this Act, the Corporation shall be able and capable in law to acquire and hold any property both movable and immovable by way of 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 of the Corporation made under section 6 with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold movable and immovable property.

**8.** (1) The Corporation shall have its own Fund and all monies heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution or grants on behalf of the Corporation shall be deposited to the credit of the Fund of the Corporation in one or more banks as the Committee of Management may determine.

The Fund of the Corporation.

(2) There shall be paid out of the Fund all such sums of money as may be required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

**9.** All debts and liabilities of the Organization existing on the day preceding the date of commencement of this Act shall be paid and discharge by the Corporation hereby constituted and all debts due, subscriptions and contributions payable to the Organization on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Organization.

**10.** 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 due from such member as membership fees.

Limitation of liability of members.

6 *Organization for the Erection of Balana  
Buddha Statue (Incorporation)  
Act, No. 16 of 2012*

Audit and  
Accounts.

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

(2) The Accounts of the Corporation shall be audited by a qualified auditor appointed by the Committee of Management.

(3) For the purposes of 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.

Seal of the  
Corporation.

**12.** The seal of the Corporation shall not be affixed to any instrument except in the presence of the president and two members of the Corporation as may be determined by the Committee 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

Property  
remaining on  
dissolution.

**13.** If upon the dissolution of the Corporation, there remains any property after the satisfaction of all debts and liabilities, such property shall not be distributed among the members of the Corporation, but shall be given or transmitted to some other institution or institutions having objects similar to those of the Corporation, and which is or are by its rule prohibited from distributing any income or property



*Organization for the Erection of Balana*                      7  
*Buddha Statue (Incorporation)*  
*Act, No. 16 of 2012*

among its of their members. Such institution or institutions may be determined by the Committee of Management on or before the dissolution of the Corporation.

**14.** Nothing contained in this Act shall prejudice or affect the rights of the Republic or any body politic or corporation.

Saving of the rights of the Republic.

**15.** 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  
SOCIALIST REPUBLIC OF  
SRI LANKA**

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**D. M. DASSANAYAKE SOCIAL SERVICES  
AND CHARITY FOUNDATION  
(INCORPORATION) ACT, No. 17 OF 2012**

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*D. M. Dassanayake Social Services and Charity  
Foundation (Incorporation) Act, No. 17 of 2012*

[Certified on 06th August, 2012]

L.D.—O. (INC.) 17/2011.

AN ACT TO INCORPORATE THE D. M. DASSANAYAKE SOCIAL  
SERVICES AND CHARITY FOUNDATION

WHEREAS a Foundation called and known as the “D. M. Dassanayake Social Services and Charity Foundation” has heretofore been established for the purpose of effectually carrying out and transacting all the 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 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 D. M. Dassanayake Social Services and Charity Foundation (Incorporation) Act, No. 17 of 2012.

Short Title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the D. M. Dassanayake Social Services and Charity Foundation (hereinafter referred to as “the Foundation”) or 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 “D. M. Dassanayake Social Services and Charity Foundation” (hereinafter referred to as the “Corporation”) and by that name may sue and be sued and shall have full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation of  
D. M.  
Dassanayake  
Social Services  
and Charity  
Foundation.

2 *D. M. Dassanayake Social Services and Charity  
Foundation (Incorporation) Act, No. 17 of 2012*

General objects  
of the  
Corporation.

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

- (a) establish vocational training centres and conduct other training programmes for the unemployed and needy with a view to prepare them for a better livelihood through self employment and thereby to uplift the economic standards of the people which alleviates poverty of the people in Sri Lanka;
- (b) promote the advancement of health of the people in remote and under developed areas by providing assistance financially or otherwise for the establishment of healthcare centres and hospitals and to provide equipment, medicine, wheel chairs and other provisions to hospitals and health centres for distribution to the patients;
- (c) organize programmes which may encourage religious and ethnic harmony;
- (d) conduct seminars, workshops and similar programmes which may contribute to the development of personality of youth and thereby to build up a refined society;
- (e) assist people affected by any man made or natural disasters by constructing houses and roads for them and assisting such persons to resume their normal day to day livelihood;
- (f) assist needy and deserving students to further their education by conducting classes, by providing books, equipment and school uniforms to such students and to assist them financially or otherwise to complete their education;
- (g) enter into agreements with other institutions which have similar objects as the Corporation and thereby facilitate the exchange of resources among such institutions;

- (h) sponsor conferences, seminars, workshops and similar activities to enhance the physical, mental, social and intellectual development of the people; and
- (i) organize welfare activities for the betterment and wellbeing of the family members of the demised soldiers.

(2) In the implementation of the objectives of this Act as are specified in subsection (1), the Corporation shall ensure that such implementation is carried out without distinction based on race, cast, religion, language, sex or political opinion.

**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) open, operate and close bank accounts in any one or more banks as may be determined by the Governing Council;
- (b) borrow or raise money with or without security, and to receive or collect grants and donations:

Provided that, notwithstanding anything to the contrary in any other provisions of this Act, the Governing Council shall obtain prior approval of the Department of External Resources of the Ministry of the Minister to whom the subject of Finance is assigned in respect of all foreign grants, gifts or donations;

- (c) invest any funds of the Corporation which are not immediately required for the purpose of the Corporation in a way that may be determined by the Governing Council to achieve the objects of the Corporation;
- (d) purchase, acquire, give on lease or hire, sell or otherwise obtain any movable or immovable property which may be required for the purpose of

4 *D. M. Dassanayake Social Services and Charity Foundation (Incorporation) Act, No. 17 of 2012*

the Corporation and which may lawfully be acquired for those purposes and to deal with or dispose of the same, as it may deem expedient with a view to achieving the objects of the Corporation;

- (e) appoint, employ and dismiss the employees required for the carrying out of the objects of the Corporation and pay them such remuneration as may be determined by the Governing Council;
- (f) enter into, perform or carry out, whether directly or through any officer or agent authorized in that behalf by the Governing Council, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the Corporation; and
- (g) do all other things as may be necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Management of the affairs of the Corporation.

**5.** (1) The management, control and administration of the affairs of the Corporation shall, subject to the provisions of this Act and the rules of the Corporation made under section 6 of this Act, be administered by a Governing Council consisting of the Chairman, Secretary, two Assistant Secretaries, Treasurer and six other members.

(2) No act or proceeding of the Governing Council shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect on the election or nomination of any member thereof.

(3) The first Governing Council of the Corporation shall consist of the members of the Governing Council holding office on the day immediately preceding the date of commencement of this Act and shall continue to hold office until a new Governing Council is appointed in accordance with the rules of this Act.

(4) The incumbent Chairperson of the Governing Council Mrs. Indrani Dassanayake shall be the lifelong Chairperson of the Governing Council unless she resigns from office earlier.

**6.** (1) It shall be lawful for the Corporation, from time to time, at any general meeting 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—

Rules of the Corporation.

- (a) the classification of membership and the admission, resignation or expulsion of members;
- (b) the election of the office-bearers, the resignation from, vacation of or removal from office of office bearers and their powers, functions, duties and disciplinary control;
- (c) the election of the members of the Governing Council and its powers, functions, duties and disciplinary control and the terms of office of members of the Governing Council;
- (d) the powers, functions, duties and conduct of the officers, agents and servants of the Corporation;
- (e) the procedure to be observed at and the summoning and holding of meetings of the Governing Council, the times, venue, notices and agenda of such meetings, the quorum therefor 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) the management of the affairs of the Corporation, and the accomplishment of its objects.



6 *D. M. Dassanayake Social Services and Charity  
Foundation (Incorporation) Act, No. 17 of 2012*

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

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

Corporation  
may hold  
movable and  
immovable  
property.

**7.** Subject to the provisions of this Act, the Corporation shall be able and capable in law to acquire and hold property both movable and 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 of the Corporation made under section 6, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Fund of the  
Corporation.

**8.** (1) The Corporation shall have its own fund and all monies heretofore received or hereafter be received by way of gifts, testamentary dispositons, grants, donations, contributions or fees on behalf of the Corporation shall be deposited to the credit of the Fund of the Corporation in one or more banks as the Governing Council may determine.

(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 all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

(4) The financial year of the Corporation shall be the calender year.

Debts due by  
and payable to  
the Foundation.

**9.** All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation hereby

*D. M. Dassanayake Social Services and Charity 7  
Foundation (Incorporation) Act, No. 17 of 2012*

constituted and all debts due to, subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

**10.** 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 due from such member as membership fees.

Limitation of liability of members.

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

Accounts and Audits.

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

(3) 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 such Institute ; or
- (ii) a firm of Accountants each of the resident partner 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.

**12.** 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 Chairman, Secretary and the Treasurer of the Corporation 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.

Seal of the Corporation.

Property  
remaining on  
dissolution.

**13.** If upon the dissolution of the Corporation, there remains any property whatsoever, after the satisfaction of all debts and liabilities, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other institution having objects similar to those of the Corporation, and which is or are by its rules prohibited from distributing any income or property among its or their members. Such institution or institutions may be determined by the Governing Council on or before the dissolution of the Corporation.

Saving of the  
rights of the  
Republic.

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

Sinhala text to  
prevail in case  
of inconsistency.

**15.** 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**

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**(DR.) MALANI FONSEKA FOUNDATION  
(INCORPORATION) ACT, No. 18 OF 2012**

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*(Dr.) Malani Fonseka Foundation (Incorporation)*  
*Act, No. 18 of 2012*

[Certified on 06th August, 2012]

L.D.—O. Inc. 22/2011.

AN ACT TO INCORPORATE THE (DR.) MALANI FONSEKA FOUNDATION

WHEREAS an Association called and known as the “Dr. Malani Fonseka Foundation” has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all 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 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 the said 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 (Dr.) Malani Fonseka Foundation (Incorporation) Act, No. 18 2012.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “(Dr.) Malani Fonseka Foundation” (hereinafter referred to as the “Foundation”) or 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 “(Dr.) Malani Fonseka Foundation” (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 pleasure.

Incorporation of the (Dr.) Malani Fonseka Foundation.

2 (Dr.) Malani Fonseka Foundation(Incorporation)  
Act, No. 18 of 2012

The general  
objects of the  
Corporation.

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

- (a) to foster and preserve aesthetic, performance and traditional arts and crafts of Sri Lanka and to promote such arts and crafts both nationally and internationally ;
- (b) to formulate and implement suitable projects to improve the social, academic and economic standards of the Sri Lankan Artists and those who are involved in the promotion of Sri Lankan arts and crafts ;
- (c) to formulate and implement suitable projects for the welfare of senior citizens, women and children of Sri Lanka ;
- (d) to grant scholarships and bursaries to needy and deserving students of Sri Lanka particularly to facilitate them to engage in higher education ;
- (e) to formulate and implement appropriate programmes to teach Tamil language to Sinhala students and Sinhala language to Tamil students ;
- (f) to formulate and implement appropriate programmes to improve the English language skills of the Sri Lankan students ;
- (g) to establish and maintain Information Technology Centers particularly in the rural and under developed areas with a view to improving computer literacy of rural students ;
- (h) to assist those who are engaged in agriculture and fisheries industries by providing them with latest technological information and other necessary assistance ;

*(Dr.) Malani Fonseka Foundation (Incorporation) 3*  
*Act, No. 18 of 2012*

- (i) to formulate and implement poverty alleviation programmes for the overall welfare and development of the poor ;
- (j) to sponsor and promote sports among the children and youth according to their talents and interests ;
- (k) to organize awareness programmes on concepts such as fundamental rights, fundamental duties, democracy and good governance with a view to promoting such concepts among the Sri Lankans ; and
- (l) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the corporation.

(2) The Corporation shall ensure that the implementation of the objects of the Corporation shall be carried out without any distinction based on race, religion, language, caste, sex or political opinion.

**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 and matters as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power—

Powers of the Corporation.

- (a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation ;
- (b) to borrow or raise funds with or without securities and to receive grants, gifts of donation in cash or kind :

Provided that, the Board shall obtain prior written approval of the Department of External Resources of the Ministry of the Minister to whom the subject of Finance is assigned, in respect of all foreign grants, gifts or donations and it shall be audited by the Auditor General ;



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Act, No. 18 of 2012

- (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 accounts in any bank ;
- (d) to enter into contracts partnerships or agreements with any Governmental or non Governmental organizations or any other person or institution whether in Sri lanka or abroad ;
- (e) to invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Executive Committee may determine ;
- (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- (g) to train personnel in Sri lanka or abroad for the purposes of the Corporation ; and
- (h) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Management of  
the Affairs of the  
Corporation.

**5.** (1) The management and administration of the affairs of the Corporation shall subject to the provisions of this Act be administered by an Executive Committee consisting of such number of office bearers elected in the manner as may be provided by the rules of the Corporation made under section 6.

(2) One of the office bearers of the Executive Committee shall be an officer not below the rank of Assistant Secretary of the Ministry of the Minister to whom the subject of Social Services is assigned and appointed by such Minister.

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(3) The first Executive Committee of the Corporation shall be the Executive Committee of the Foundation who hold office on the day immediately preceding the date of commencement of this Act.

(4) No office bearer of the Executive Committee, including the patrons, shall hold office for more than three consecutive years in the same post.

**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 any other written law, for all or any of the following matters :—

Rules of the  
Corporation.

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members ;
- (b) the qualifications and disqualifications for members of the Executive Committee and the Corporation ;
- (c) the election of office bearers of the Executive Committee or vacation of or removal from office and the powers, duties and functions of the office bearers;
- (d) the appointment, powers, functions and duties and the terms and conditions of the various officers, agents and servants of the Corporation ;
- (e) the procedure to be followed for the summoning and holding of meetings of the Executive Committee, the Corporation or any sub-committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum and the conduct of business thereat ; and
- (f) the administration and management of the property of the Corporation for the accomplishment of the objects of the Corporation.

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(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) of this section.

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

Fund of the Corporation.

**7.** (1) The Corporation shall have its own fund.

(2) All moneys received by way of gifts, bequest, donation, subscription, contribution, fees or grant for and on account of the Corporation shall be deposited in one or more banks approved by the Executive Committee to the credit of the Corporation.

(3) There shall be paid out of the fund, all sums of money as are required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under the Act.

Accounts and Auditing.

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

(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 annually by a qualified auditor appointed by the Executive Committee.

(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 the council of such Institute; or

*(Dr.) Malani Fonseka Foundation (Incorporation) 7  
Act, No. 18 of 2012*

- (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 the council of such Institute.

**9.** All debts and liabilities of the Foundation existing on the day immediately 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 Foundation on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Foundation.

**10.** Subject to the provisions of this Act, the Corporation shall be able and capable in law to take 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 purpose of this Act and subject to the rules of the Corporation made under section 6 with power to sell, mortgage, lease exchange or otherwise dispose of the same.

Corporation may hold property movable and immovable.

**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 time to time to the Corporation.

Limitation of liabilities of members.

**12.** The Corporation shall be a non-profit organization and no part of the gains, profits or dividends, if any, of the Corporation shall be distributed among the members of the Corporation.

Corporation to be a non-Profit Organization.

**13.** (a) If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any money or property whatsoever, such money or property shall not be distributed among the members of the

Property remaining on dissolution.

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Act, No. 18 of 2012

Corporation, but shall be given or transferred to some other institution or institutions, having objects similar to those of the Corporation and which is or are by the rules thereof, prohibited from distributing any income or property among its members.

(b) For the purposes of paragraph (a) the appropriate institution or institutions shall be determined by the members of the Corporation immediately before the dissolution.

Seal of the  
Corporation.

**14.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of Executive Committee of the Corporation, 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.

Saving of the  
Rights of the  
Republic and  
others.

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

Sinhala text to  
prevail in case  
of inconsistency.

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

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**PIYA DASUNA FOUNDATION  
(INCORPORATION) ACT, No. 19 OF 2012**

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[Certified on 06th August, 2012]

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*Piya Dasuna Foundation (Incorporation)*  
*Act, No 19 of 2012*

[Certified on 06th August, 2012]

L . D.– O. (Inc) 21/2011.

AN ACT TO INCORPORATE THE PIYA DASUNA FOUNDATION

WHEREAS an Association called and known as the “Piya Dasuna Foundation”, has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all 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 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 the said 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 “Piya Dasuna Foundation (Incorporation)” Act, No. 19 of 2012.

Short title.

**2.** From and after the date of commencement of this Act, such and so many persons as now are members of the “Piya Dasuna Foundation” (hereinafter referred to as the “Foundation”) or 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 “Piya Dasuna Foundation” (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 pleasure.

Incorporation of the Piya Dasuna Foundation.

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

The general objects of the Corporation.

(a) to provide necessary education, training and assistance to Sri Lankan Youth to improve their professional and vocational skills with a view to



2 *Piya Dasuna Foundation (Incorporation)*  
*Act, No 19 of 2012*

obtaining their optimal and finest services for the development of the nation;

- (b) to promote peace, goodwill and harmony among all the communities and people of Sri Lanka ;
- (c) to grant scholarships and bursaries to needy and deserving students of Sri Lanka ;
- (d) to establish and maintain permanent and mobile libraries mainly in the remote and underdeveloped areas, especially for the benefit of the students ;
- (e) to organize awareness programmes on concepts such as Fundamental Human Rights, Democracy and Good Governance with a view to promoting such concepts among the Sri Lankans;
- (f) to formulate and implement programmes to promote the rights of the children, women and other marginalized groups such as the differently able people ;
- (g) to sponsor and promote sports among the children and the youth according to their talents and interest ;
- (h) to formulate and implement various humanitarian assistance programmes such as housing, medical relief, poverty alleviation programmes for the needy and deserving Sri Lankans including the Displaced Persons ;
- (i) to formulate and implement various projects and programmes to improve the moral values of the Sri Lankan youth and to foster and promote the cultural heritage of Sri Lanka ; and
- (j) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation.

(2) The Corporation shall ensure that the implementation of the objects of the Corporation shall be carried out without

any distinction based on race, religion, language, caste, sex or political opinion.

4. The Corporation shall implement and carry out the objects of the Corporation in such manner so as not to cause any conflict between the work of the Corporation and any work being carried out by any Ministry or Department of the Government or a Provincial Council.

Corporation to ensure no conflict with work of any Ministry & c.

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 and matters as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power—

Powers of the Corporation.

- (a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation ;
- (b) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind ;

Provided that, the Corporation shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations.

- (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 accounts in any bank ;
- (d) to enter into contracts, partnerships or agreements with any Governmental or non Governmental organizations or any other person or institution

4 *Piya Dasuna Foundation (Incorporation)  
Act, No 19 of 2012*

whether in Sri Lanka or abroad ;

- (e) to invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Executive Committee may determine ;
- (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the Corporation ;
- (g) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (h) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Executive  
Committee of  
the Corporation.

6. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be administered by an Executive Committee consisting of such number of office bearers as may be specified by the rules of the Corporation made under section 7.

(2) One of the members of the Executive Committee shall be an officer not below the rank of a Senior Assistant Secretary of the Ministry of the Minister to whom the subject of Social Services is assigned and appointed by such Minister.

(3) The Executive committee of the Corporation shall be elected every year at a general meeting of the Corporation.

(4) The first Executive Committee of the Corporation shall be elected within one year of the date of commencement of this Act.

(5) The executive Committee of the Foundation who

holds office on the day immediately preceding the date of commencement of this Act, shall function as the executive Committee of the Corporation until the first Executive Committee of the Corporation is elected in the manner provided for in the Act.

(6) No person shall be elected as an office bearer (including the patrons) of the Corporation for the life period of such person.

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 all or any of the following matters:—

Rules of the Corporation.

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members ;
- (b) the election of office bearers of the Executive Committee or vacation of or removal from office and the powers duties and functions of the office bearers ;
- (c) the appointment, powers, functions and duties and the terms and conditions of the various officers, agents and servants of the Corporation;
- (d) the procedure to be followed for the summoning and holding of meetings of the Executive Committee, the Corporation or any sub-committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum and the conduct of business thereat ;
- (e) the qualifications and disqualifications for members of the Executive Committee and the Corporation ;  
and

6 *Piya Dasuna Foundation (Incorporation)*  
*Act, No 19 of 2012*

(f) the administration and management of the property of the Corporation for the accomplishment of the objects of the Corporation.

(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) of this section.

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

Fund of the Corporation.

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

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grant for and on account of the Corporation shall be deposited in one or more banks approved by the Executive Committee to the credit of the Corporation.

(3) There shall be paid out of the Fund, all sums of money as are required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under the Act.

Accounts and Auditing.

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

(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 annually by the Auditor General or an qualified auditor appointed by the Auditor General.

(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 the Council of such Institute; or

*Piya Dasuna Foundation (Incorporation) 7*  
*Act, No 19 of 2012*

- (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 the Council of such Institute

**10.** All debts and liabilities of the Foundation existing on the day immediately 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 Foundation on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Foundation.

**11.** Subject to the provisions of this Act, the Corporation shall be able and capable in law to take 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 purpose of this Act and subject to the rules of the Corporation made under section 7 with power to sell, mortgage, lease, exchange, or otherwise dispose of the same.

Corporation may hold property movable and immovable.

**12.** The corporation shall be a non-profit organization and no part of the gains, profits or dividends, if any, of the Corporation shall be distributed among the members of the Corporation.

Corporation to be non-profit organisation.

**13.** (a) 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 institution or institutions having objects similar to those of the Corporation, and which is or are by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

8 *Piya Dasuna Foundation (Incorporation)*  
*Act, No 19 of 2012*

(b) For the purposes of paragraph (a) the appropriate institution or institutions shall be determined by the members of the Corporation immediately before the dissolution.

Seal of the Corporation.

**14.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of the Executive Committee of the Corporation 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.

Saving of the rights of the Republic.

**15.** 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.

**16.** 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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**RANAVIRU SEVA AUTHORITY  
(AMENDMENT) ACT, No. 20 OF 2012**

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*Ranaviru Seva Authority  
(Amendment) Act, No. 20 of 2012*

[Certified on 08th October, 2012]

L.D.—O. 43/2011.

AN ACT TO AMEND THE RANAVIRU SEVA AUTHORITY  
ACT, NO. 54 OF 1999

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

- 1.** This Act may be cited as the Ranaviru Seva Authority (Amendment) Act, No. 20 of 2012. Short title
- 2.** Section 3 of Ranaviru Seva Authority Act, No. 54 of 1999 is hereby amended by the repeal of paragraphs (b), (c) and (d) of subsection (1) of that section and the substitution therefor of the following paragraphs :— Amendment of Section 3 of the Ranaviru Seva Authority Act, No. 54 of 1999.

“(b) Chief of Staff of the Sri Lanka Army;

(c) Chief of Staff of the Sri Lanka Navy;

(d) Chief of Staff of the Sri Lanka Air Force;”
- 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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**LOCAL AUTHORITIES (SPECIAL PROVISIONS)  
ACT, No. 21 OF 2012**

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*Local Authorities (Special Provisions)  
Act, No. 21 of 2012*

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L.D.—O. 19/2008.

AN ACT TO AMEND THE MUNICIPAL COUNCILS ORDINANCE, THE URBAN  
COUNCILS ORDINANCE AND THE PRADESHIYA SHABHA ACT,  
No. 15 OF 1987.

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 Local Authorities (Special Provisions) Act, No. 21 of 2012 and shall come into operation on such date as the Minister may appoint by Order published in the *Gazette*.

Short title and  
the applicability.

(2) The provisions of sections 5, 9 and 13 of this Act shall be applicable to the election of a Mayor of a Municipal Council or a Chairman of an Urban Council or Pradeshiya Sabha, as the case may be, where such election is being held in terms of the provisions of the Local Authorities Elections Ordinance (Chapter 262) as amended by Act, No. 21 of 2012.

PART I

AMENDMENTS TO THE MUNICIPAL COUNCILS ORDINANCE  
(CHAPTER 252)

**2.** Section 5 of the Municipal Councils Ordinance (Chapter 252) (hereinafter in this Part referred to as the “principal enactment”) is hereby repealed and the following section is substituted therefor :—

Replacement of  
section 5 of  
Chapter 252.

“Composition of Municipal Councils. **5.** (1) Each Municipal Council shall consist of :—

- (a) such number of elected Councillors as determined by the Minister by Order made under section 3c of the Local Authorities Elections Ordinance (Cap. 262); and

2 *Local Authorities (Special Provisions)*  
*Act, No. 21 of 2012*

- (b) such number of other Councillors not exceeding thirty *per centum* of the total number of elected Councillors as determined by the Minister by Order made under section 3c of the Local Authorities Elections Ordinance (Cap. 262), to be returned as Councillors under section 65A of that Ordinance, to represent those electors who have not secured any representation in the Council, at the election held for the election of Councillors.

(2) Where the number constituting thirty *per centum* referred to in paragraph (b) of subsection (1) is an integer and fraction, the integer shall be deemed to be the number which shall constitute such thirty *per centum*, for the purpose of that subsection.”.

Amendment of section 13 of the principal enactment.

**3.** Section 13 of the principal enactment is hereby amended in subsection (3) of that section, by the substitution for all the words from “with the provisions of the Local Authorities Elections Ordinance,” to the end of that subsection, and the substitution therefore of the words “with the provisions of section 66A of the Local Authorities Elections Ordinance (Cap. 262), and the person so elected shall hold office as a Councillor, until the next succeeding general election of Councillors of that Council.”.

Amendment of section 14 of the principal enactment.

**4.** Section 14 of the principal enactment as amended by Law No. 24 of 1977, is hereby further amended as follows:—

- (1) by the repeal of paragraph (b) of subsection (2) of that section, and the substitution therefor of the following paragraph:—

“(b) a Mayor or Deputy Mayor who resigns or vacates his office, shall however continue to be a Councillor.”; and

- (2) by the repeal of subsection (7) of that section and the substitution therefor of the following subsection:—

“(7) Whenever the office of Mayor of a Municipal Council falls vacant, notice of such vacancy shall forthwith be given by the Commissioner to the Commissioner of Local Government and the Commissioner of Local Government shall thereupon proceed to fill such vacancy in the manner provided for the same in the Local Authorities Elections Ordinance (Cap. 262).”.

5. Section 26 of the principal enactment is hereby amended by the repeal of subsection (3) thereof and the substitution therefor of the following:—

Replacement of subsection (3) of section 26 of the principal enactment.

“(3) A Councillor other than the Mayor shall not be eligible for election to—

- (a) any two Standing Committees, until every other Councillor has been elected to serve on at least two Standing Committees;
- (b) any three Standing Committees, until every other Councillor has been elected to serve on at least one Standing Committee:

Provided that, in any event a Councillor shall not be eligible to be elected to more than three Standing Committees.”.

6. Section 189 of the principal enactment is hereby amended by the repeal of section 189 and the substitution therefor of the following:—

Replacement of section 189 of the principal enactment.

“Cheques, Orders &c. for payment out of the Municipal Fund.

189. All cheques and orders for the payment of moneys out of the Municipal Fund shall be signed by two officers authorized by the Council other than the Mayor and the Bank in



4 *Local Authorities (Special Provisions)*  
*Act, No. 21 of 2012*

which the Municipal Fund is established may pay all cheques or orders out of the said Fund which are so signed.”.

Amendment of section 215A of the principal enactment.

7. Section 215A of the principal enactment is hereby amended by the substitution for the words “the Council.” of the following:—

“the Council:

Provided that, if the Council according to section 214 and 215 of this Ordinance modifies or rejects all or any items in any budget or supplementary budget or adds any item thereto which was submitted to the Council at any time by the Mayor after a period of two years since the commencement of the term of office of the Council, and if the Mayor does not agree to such decision of the Council, he shall resubmit the said budget to the Council for further consideration. Where a budget or supplementary budget is not passed by the Council within two weeks after it is resubmitted for the second time, the Mayor shall be deemed to have resigned from the office of Mayor at the end of the said period of two weeks.”.

**PART II**

AMENDMENTS TO THE URBAN COUNCILS ORDINANCE (CHAPTER 255)

Replacement of section 5 of Chapter 255.

8. Section 5 of the Urban Councils Ordinance (Chapter 255) (hereinafter in this Part referred to as the “principal enactment”) is hereby repealed and the following section is substituted therefor:—

“Composition of Urban Councils.

5. (1) Each Urban Council shall consist of:—  
(a) such number of elected Councillors as determined by the Minister by Order made under section 3c of the Local Authorities Elections Ordinance (Cap. 262) ; and

- (b) such number of other Councillors not exceeding thirty *per centum* of the total number of elected Councillors as determined by the Minister by Order made under section 3c of the Local Authorities Elections Ordinance (Cap. 262), to be returned as Councillors under section 65A of that Ordinance, to represent those electors who have not secured any representation in the Council, at the election held for the election of Councillors.

(2) Where the number constituting thirty *per centum* referred to in paragraph (b) of subsection (1) is an integer and fraction, the integer shall be deemed to be the number which shall constitute such thirty *per centum*, for the purpose of that subsection.”.

**9.** Section 12 of the principal enactment is hereby amended in subsection (3) of that section, by the substitution for the words “the provisions of written law for the time being applicable in that behalf,” of the words “the provisions of section 66A of the Local Authorities Elections Ordinance (Cap. 262)”.

Amendment of section 12 of the principal enactment.

**10.** Section 19 of the principal enactment as amended by Law No. 24 of 1977, is hereby further amended as follows:—

Amendment of section 19 of the principal enactment.

- (1) in subsection (1) of that section, by the substitution for the words “in accordance with the provisions of written law for the time being applicable in that behalf.”, of the words “in accordance with the provisions of the Local Authorities Elections Ordinance (Cap. 262).”;
- (2) in subsection (2) of that section, by the substitution for all the words from the words “vacates such office.”, to the end of that subsection, of the words

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“vacates such office. A Chairman or Vice-Chairman who resigns or vacates his office shall however continue to be a member of the Council.”; and

- (3) by the repeal of subsection (7) of that section and the substitution therefor of the following subsection :—

“(7) Whenever the office of Chairman of an Urban Council falls vacant, notice of such vacancy shall forthwith be given by the Secretary of the Council to the Commissioner of Local Government and the Commissioner of Local Government shall thereupon proceed to fill such vacancy in the manner provided for the same in the Local Authorities Elections Ordinance (Cap 262).”.

Amendment of section 159 of the principal enactment.

- 11.** Section 159 of the principal enactment is hereby amended by the repeal of subsection (2) thereof and the substitution therefor of the following:—

“(2) All cheques or orders for payment of moneys out of the Urban Council Local Funds shall, subject to the approval of the Commissioner be signed by two officers other than the Chairman of the Council, specially authorized by the Council for that purpose and the Bank in which the fund is established may pay all cheques or orders out of the said funds which are so signed.”.

Amendment of section 178A of the principal enactment.

- 12.** Section 178A of the principal enactment as amended by the Local Authorities Elections (Special Provisions) Law No. 24 of 1977 is hereby further amended by the substitution for the words “supplementary budget of the Council” of the following:—

“supplementary budget of the Council:

Provided that, if the Council according to sections 178 and 178A of this ordinance modifies or rejects all or any items in any budget or supplementary budget or adds any

item thereto which was submitted to the Council at any time by the Chairman after a period of two years since the commencement of the term of office of the Council, and if the Chairman does not agree to such decision of the Council, he shall resubmit the said budget to the Council for further consideration. Where a budget or supplementary budget is not passed by the Council within two weeks after it is resubmitted for the second time, the Chairman shall be deemed to have been resigned from the office of Chairman at the end of the said period of two weeks.”.

**13.** Section 184 of the principal enactment as amended by Law No. 24 of 1977, is hereby further amended in subsection (3) of that section, by the substitution for the words “and the provisions of written law for the time being applicable in that behalf”, of the words “and the provisions of the Local Authorities Elections Ordinance (Cap. 262)”.

Amendment of section 184 of the principal enactment.

**14.** Section 249 of the principal enactment as amended by Law No. 24 of 1977, is hereby further amended in the definition of the expression “Chairman and Vice Chairman”, by the substitution for the words “the provisions of written law for the time being applicable in that behalf;”, of the words “the provisions of the Local Authorities Elections Ordinance (Cap. 262);”.

Amendment of section 249 of the principal enactment.

### PART III

#### AMENDMENTS TO THE PRADESHIYA SABHA ACT, NO. 15 OF 1987

**15.** Section 4 of the Pradeshiya Sabha Act, No. 15 of 1987 (hereinafter in this Part referred to as the “principal enactment”) is hereby repealed and the following section is substituted therefor:—

Amendment of section 4 of Act No. 15 of 1987.

“Composition of Pradeshiya Sabhas. 4. (1) A Pradeshiya Sabha constituted by an Order under subsection (1) of section 2, shall consist of:—

- (a) such number of elected members as determined by the Minister

by Order made under section 3c of the Local Authorities Elections Ordinance (Cap. 262); and

- (b) such number of other members not exceeding thirty *per centum* of the total number of elected members as determined under paragraph (a), to be returned as members under the Local Authorities Elections Ordinance (Cap. 262), to represent those electors who have not secured any representation in the Sabha, at an election held for the election of members .

(2) Where the number constituting thirty *per centum* referred to in paragraph (b) of subsection (1) is an integer and fraction, the integer shall be deemed to be the number which shall constitute such thirty *per centum*, for the purpose of that subsection.”.

Replacement of section 133 of the principal enactment.

**16.** Section 133 of the principal enactment is hereby amended by the repeal of that section and the substitution therefor of the following:—

“Cheques, Orders &c. for payment out of the Pradeshiya Sabha Fund.

133. All cheques and orders for the payment of moneys out of the Pradeshiya Sabha Fund shall subject to the approval of the Commissioner be signed by two officers authorized by the Council other than the Chairman of the Council and the Bank which the Pradeshiya Sabha Fund is established may pay all cheques or orders out which are so signed of the said Fund.”.

**17.** Section 169 of the principal enactment is hereby amended by the substitution for the words “budget of the Pradeshiya Sabha” of the following:—

Amendment of section 169 of the principal enactment.

“budget of the Pradeshiya Sabha:

Provided that, if the Council according to sections 168 and 169 of this Act modifies or rejects all or any items in any budget or supplementary budget or adds any item thereto which was submitted to the Council at any time by the Chairman after a period of two years since the commencement of the term of office of the Council, and if the Chairman does not agree to such decision of the Council, he shall resubmit the said budget to the Council for further consideration. Where a budget or supplementary budget is not passed by the Council within two weeks after it is resubmitted for the second time, the Chairman shall be deemed to have resigned from the office of Chairman at the end of the said period of two weeks.”.

**18.** 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  
SOCIALIST REPUBLIC OF  
SRI LANKA**

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**LOCAL AUTHORITIES ELECTIONS  
(AMENDMENT)  
ACT, No. 22 OF 2012**

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[Certified on 15th November, 2012]

*Printed on the Order of Government*

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*Local Authorities Elections (Amendment)  
Act, No. 22 of 2012*

[Certified on 15th November, 2012]

L.D.—O. 54/2007.

AN ACT TO AMEND THE LOCAL AUTHORITIES ELECTIONS ORDINANCE

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 Local Authorities Elections (Amendment) Act, No. 22 of 2012.

Short title and date of operation.

(2) The provisions of sections 3A, 3B, 3c, 3D and 3E of this Act, shall come into operation on the date of commencement of this Act.

(3) The provisions of all other sections of this Act, other than the section referred to in subsection (2) shall come into operation on such date as the Minister may appoint by Order published in the *Gazette*.

**2.** The following new Part is hereby inserted immediately after section 3 of the Local Authorities Elections Ordinance (chapter 262) as last amended by Act, No. 14 of 2004 (hereinafter referred to as the “principal enactment”) and shall have effect as Part I of that enactment :—

Insertion of new part I to the Chapter 262.

“PART I

ESTABLISHMENT OF A NATIONAL DELIMITATION COMMITTEE

Establishment of a National Delimitation Committee.

3A. (1) The Minister shall, upon the coming into operation of this section, by Order published in the *Gazette*, establish a National Delimitation Committee (in this Part referred to as the “National Committee”) which shall consist of five persons to be appointed by the Minister, one of whom shall be nominated by him to be the Chairman of the National Committee.

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(2) In the event of any vacancy occurring in the membership of the National Committee during their term of office, the Minister shall appoint another person to fill in such vacancy.

(3) The quorum, for any meeting of the National Committee shall be three members and its Chairman shall preside at all meetings of such Committee. In the absence of the Chairman from any meeting of the National Committee, the members present at the meeting shall nominate a member from among themselves to preside at such meeting.

(4) Subject to the provisions of subsection (3) of this section, the National Committee may regulate the procedure in regard to the conduct of its meetings and the transaction of business at such meetings.

The mandate of the National Committee and the reports to be submitted.

3B. (1) The mandate of the National Committee shall be to make recommendations to the Minister for the division of each local authority area into wards, taking into consideration the requirements set out in subsection (2) and to determine the boundaries of each ward and assign a name and a number to each such ward.

(2) The National Committee shall, in making its recommendation for the division of a local authority area into wards, take into consideration:—

- (a) the ratio of the ethnic composition of the local authority area concerned, and the need to ensure representation on the basis of ethnic ratio;

- (b) the geographical area of the local authority and its physical features;
- (c) the population of the local authority area and the density of such population; and
- (d) the level of economic development of the local authority area.

(3) Where the National Committee is of the view that having taken into consideration the requirements specified in subsection (2), it is appropriate to create a ward which shall be entitled to return more than one member, the National Committee shall recommend the creation of a multi member ward or wards, as the case may be, for any local authority area.

(4) The proceedings of the National Committee shall be conducted in such manner as shall be prescribed.

(5) The National Committee established under section 3A shall be required to fulfill its mandate by such date as shall be determined by the Minister and on the completion of such mandate, submit a report on its recommendations to the Minister.

Order to be published of all boundaries, names and numbers or letters of each ward created for each local authority.

3c.(1) Upon the receipt of the report on the recommendations of the National Committee, the Minister shall forthwith submit such report on the recommendation to the President.

(2) Upon the receipt of such report on the recommendations, the President shall by Order published in the *Gazette*, publish the number

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of wards, the boundaries, names, number alphabetical letter in English assigned to each ward so created on the recommendations made by the National Committee in respect of each local authority. Where the National Committee has recommended the creation of multi member wards, the name and the number or the alphabetical letter assigned to each such multi member ward, the name of the respective local authority and the total number of members to be elected to each such multi member ward, shall also be so specified.

Minister to alter the boundaries of any ward.

3D. (1) The Minister may cause an alteration to be made to the boundaries of the wards as published in the Order made under section 3c. Further the alterations shall be made on the recommendations of a Committee consisting of five persons appointed by the Minister and the requirements specified in section 3B shall apply to and in respect of any such alterations being made.

(2) The new boundaries, names, numbers or letters of each ward boundaries of which are altered under subsection (1), shall be published in the *Gazette* by the Minister and take effect in respect of an election held under this Ordinance immediately after such alterations are effected.

Establishment of District Delimitation Committees at district levels.

3E. (1) For the purpose of assisting a National Committee in fulfilling its mandate, the Minister shall appoint a Delimitation Committee at each district level, (hereinafter referred to as a "District Committee") which

shall consist of the District Secretary of the relevant district who shall be the Chairman of such District Committee and the following members to be appointed by the Minister:—

- (a) a representative of the Department of Elections;
- (b) a representative of the Provincial Ministry of Local Government of the Provincial Council within which such district is situated;
- (c) a representative of the Survey-General's Department;
- (d) a representative of the Department of Census and Statistics; and
- (e) a public officer nominated by the Minister.

(2) A District Committee shall carry out such functions as may be assigned to it by the National Committee and shall act under the direction and the supervision of such National Committee.

(3) The provisions of subsection (3) and (4) of section 3A shall *mutatis mutandis* apply to and in regard to the conduct of meetings of District Committee.”.

3. The heading “PART I” appearing immediately after section 3 of the principal enactment, is hereby repealed and the heading “Part 1A” is substituted therefor.

Part I of the principal enactment to be renumbered as Part IA.

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Amendment of section 4 of the principal enactment.

**4.** Section 4 of the principal enactment is hereby amended by the repeal of subsection (1) of that section, and the substitution therefor of the following subsection :—

“(1) The Commissioner may appoint by name or by office for each district in Sri Lanka, a fit and proper person to be or to act as district returning officer and one other person to be or to act as the returning officer for each of the local authority area or of any particular local authority, as the case may be, in a district, and such number of other persons as may become necessary to be or to act as assistant returning officers for that district.”.

Amendment of section 5 of the principal enactment.

**5.** Section 5 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection:—

“(2) Subject to the general supervision and control of the Commissioner, each assistant returning officer and assistant elections officer may exercise or perform the powers or duties conferred or imposed by this Ordinance upon an election officer.”.

Amendment of section 7 of the principal enactment.

**6.** Section 7 of the principal enactment as amended by Law, No. 24 of 1977 is hereby further amended in paragraph (b) of subsection (1) of that section, by the substitution for the words “resident in any electoral area”, of the words “resident in any ward”.

Amendment of section 9 of the principal enactment.

**7.** Section 9 of the principal enactment as last amended by Act, No. 25 of 1990 is hereby further amended in subsection (1) of that section, as follows:—

(1) in paragraph (d) of that subsection —

(i) by the substitution in sub-paragraph (v) (A) of that paragraph, for the words “created prior to November 18, 1970, the initial salary scale of

which was on November 18, 1970, not less than Rs. 6,720 *per annum*”, of the words “created prior to June 01, 2007, the initial salary scale of which was on January 01, 2007, not less than Rs. 2,27,280 *per annum*”;

- (ii) by the substitution in sub-paragraph (v) (B) of that paragraph, for the words “created after November 18, 1970”, of the words “created after June 01, 2007,”;
  - (iii) by the substitution in sub-paragraph (vi) (A) of that paragraph, for the words “created prior to November 18, 1970, the initial salary scale of which was, on November 18, 1970, not less than Rs. 7,200 *per annum*”, of the words “created prior to January 01, 2009, the initial salary scale of which was, on January 01, 2009, not less than Rs. 2,46,300 *per annum*”; and
  - (iv) by the substitution in sub-paragraph (vi) (B) of that paragraph, for the words “created after November 18, 1970,” of the words “created after January 01, 2009,”;
- (2) by the repeal of paragraph (i) of that subsection, and the substitution therefor of the following paragraph :—
- “(i) is serving or has during the period of seven years immediately preceding, completed serving a sentence of imprisonment for an offence punishable with imprisonment for a term exceeding twelve months or is under a sentence of death or is serving or has during the period of seven years immediately preceding, completed serving a sentence of

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imprisonment awarded in lieu of execution of a sentence of death ; or”; and

- (3) in the proviso to paragraph (j) of that subsection :—
- (i) by the substitution in paragraph (i) of that proviso, for the words “a post created prior to November 18, 1970, less than Rs. 6,720 *per annum*” of the words “a post created prior to June 01, 2007, less than Rs. 2,27,280 *per annum*”; and
  - (ii) by the substitution in paragraph (ii) of that proviso, for the words “created after November 18, 1970,”, of the words “created after June 01, 2007.”.

Amendment of section 12 of the principal enactment.

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

- (1) in subsection (1) of that section, by the addition immediately after the proviso to that section of the following:—

"Provided further,

- (i) each ward of a local authority shall be deemed to be a polling area for the purposes of an election to that local authority; and
- (ii) each ward shall be identified by a name and an alphabetical letter in English.;

- (2) by the repeal of subsection (2) of that section and the substitution therefor, of the following subsection :—

“(2) The district returning officer shall—

- (a) divide the polling area of a local authority, into one or more polling



districts in accordance with directions as may be issued by the Commissioner;

- (b) assign to each polling district a distinguishing letter or letters;
  - (c) determine with respect to each such polling district, the location in which the polling station in respect of that district shall be situated; and
  - (d) publish in the *Gazette*, a notice containing the particulars referred to in paragraphs (a), (b) and (c) above.”;
- (3) by the insertion immediately after subsection (2) of that section, of the following new subsections:—

“(2A) Unless the Commissioner directs, otherwise the division of a polling area into polling districts shall be so made, that each polling district at the time of such division, shall consist of not more than one thousand five hundred voters.

(2B) Subject to the provisions of subsection (2A), the division of a polling area into polling districts may be altered by the district returning officer as the occasion may require, and upon such alteration being made, he shall publish in the *Gazette* a notice specifying the particulars referred to in paragraphs (a), (b) and (c) of subsection (2) and the date on which such alteration shall come into effect.

(2C) A notice published in the *Gazette* under paragraph (d) of subsection (2) or under subsection (3), as the case may be, may be amended from time to time in regard to the particulars referred to in paragraph (c) of subsection (2) which is required to be specified in that notice, after notifying to the public of the proposed amendments in such manner as the Commissioner may determine, and after

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giving an opportunity to the public for making representations in regard to the proposed amendments.”; and

- (4) by the substitution in subsection (3) of that section, for the words “one polling station and no more.”, of the words “not less than one polling station.”.

Amendment of section 12A of the principal enactment.

**9.** Section 12A of the principal enactment is hereby repealed and the following section is substituted therefor :—

“Alteration of the administrative limits of a local authority or of a ward.

12A. Where the administrative limits of any local authority is altered under any law under which such local authority was established or the boundaries of any ward into which a local authority area is divided is altered by the Minister under section 3D of this Ordinance, the provisions of section 12 shall *mutatis mutandis* apply to and in relation to such local authority or ward, as the case may be, whose administrative limits or boundaries have been so altered.”.

Amendment of section 12B of the principal enactment.

**10.** Section 12B of the principal enactment is hereby amended by the substitution for the words “and certify an electoral list” and words “correspond to the electoral area”, respectively of the words “and certify an electoral list for each ward of such electoral area”, and the words “correspond to the respective ward of such electoral area”.

Amendment of section 12D of the principal enactment.

**11.** Section 12D of the principal enactment is hereby amended by the substitution for the words “electoral list of any electoral area”, of the words “electoral list of each ward of any electoral area”.

Amendment of section 12F of the principal enactment.

**12.** Section 12F of the principal enactment is hereby amended by the substitution for the words “alteration of the limits of the electoral area of any local authority”, of the words “alteration of the limits of any ward or the limits of the electoral area of any local authority, as the case may be,”.

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**13.** Section 16 of the principal enactment is hereby amended by the substitution for the words “electoral list of any electoral area,”, of the words “electoral lists of the wards of any electoral area,”.

Amendment of section 16 of the principal enactment.

**14.** Section 17 of the principal enactment as amended by Law, No. 24 of 1977 is hereby further amended in subsection (1) of that section, by the substitution for the words “the electoral list of”, of the words “the electoral lists of the wards”.

Amendment of section 17 of the principal enactment.

**15.** Section 18 of the principal enactment as amended by Law, No. 24 of 1977, is hereby further amended as follows:—

Amendment of section 18 of the principal enactment.

- (1) in subsection (1) of that section, by the substitution for the words “electoral list of any electoral area,”, of the words “electoral lists of the wards of any electoral area,”; and
- (2) in subsection (5) of that section, by the substitution for the words “electoral list, make such amendment in the list” of the words “electoral lists, make such amendments in the lists”.

**16.** Section 19 of the principal enactment as last amended by Law, No. 24 of 1977, is hereby further amended as follows :—

Amendment of section 19 of the principal enactment.

- (1) in subsection (1) of that section, by the repeal of paragraph (a) of that subsection and the substitution therefor of the following paragraph :—

“(a) in more than one electoral list, whether of the wards of the same electoral area or of different electoral areas; or”;
- (2) in subsection (3) of that section, by the substitution in paragraph (b) of that subsection, for the words “in which the electoral area”, of the words “in which the ward”.

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Amendment of section 20 of the principal enactment.

**17.** Section 20 of the principal enactment as amended by Law, No. 24 of 1977, is hereby further amended in subsection (1) of that section, by the substitution for the words “electoral list of any electoral area”, of the words “electoral lists of the wards of any electoral area,”.

Amendment of section 22 of the principal enactment.

**18.** Section 22 of the principal enactment is hereby amended by the substitution for the word “list” wherever that word appears in that section, of the word “lists”.

Amendment of section 23 of the principal enactment.

**19.** Section 23 of the principal enactment is hereby amended by the substitution for the words “electoral list of any electoral area,”, of the words “electoral lists of the wards of any electoral area,”.

Replacment of section 26 of the principal enactment.

**20.** Section 26 of the principal enactment is hereby repealed and the following section substituted therefor—

"Notice of nomination period.

26. Whenever a general election of the members of a local authority is due to be held in any year, the returning officer of the district in which the electoral area of such local authority is situated, shall publish a notice of his intention to hold such election. The notice shall specify the name of the returning officer who is appointed to receive nomination papers of the recognized political parties and independent groups whose candidates are contesting in each ward of that electoral area, the period (hereinafter referred to as the “nomination period”) and the office hours during which nomination papers shall be received by the respective returning officer in his office and the place where such nomination papers shall be so received. Such nomination period shall commence on the fourteenth day after the date of the publication of the notice and shall expire at twelve noon on the seventeenth day after the date of publication of the notice. The notice shall also specify the date, time and place at

which the approved symbols shall be allotted and in respect of a local authority area.”.

**21.** Section 27A of the principal enactment is hereby amended by the repeal of subsections (3), (4) and (5) of that section.

Amendment of section 27A of the principal enactment.

**22.** Section 28 of the principal enactment as last amended by Act, No. 25 of 1990, is hereby further amended as follows :—

Amendment of section 28 of the principal enactment.

- (1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection:—

“(1) Any person who is qualified under section 8 of this Ordinance to be elected as a member of a local authority, may be nominated as a candidate for election for any ward of the electoral area of such authority, provided that no such person shall be nominated as a candidate for election in respect of more than one ward of any electoral area of a local authority.”;

- (2) by the repeal of subsections (1A) and (1B) of that section;

- (3) by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

“(2) Any recognized political party or any group of persons contesting as independent candidates (hereinafter referred to as an “independent group”) may for the purpose of election as members of any local authority, submit one single nomination paper in respect of all the wards of such local authority, substantially in the Form set out in the First Schedule, setting out the names:—

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- (a) of candidates being nominated in respect of each ward of that local authority and which number shall be equivalent to the number of members to be elected as elected members in respect of those several wards; and
- (b) of such number of additional persons as is equivalent to thirty *per centum* of the total number of persons being nominated as candidates to be elected under paragraph (a), from among whom the members of that local authority who shall be returned under section 65A of this Ordinance, shall be appointed:

Provided that where the number constituting thirty *per centum* referred to in this paragraph is an integer and fraction, the integer shall be deemed to be the number which shall constitute thirty *per centum*, for the purpose of this paragraph.

The returning officer shall as soon as is practicable make a copy of each nomination paper received by him and display such copies of the nomination papers on his notice board. The nomination paper shall be prepared in duplicate, with the word “copy” being written clearly on the duplicate copy.”.

- (4) by the insertion immediately after subsection (2) of that section, of the following new subsections :—

“(2A) A nomination paper referred to in subsection (1), shall—

- (a) in the case of a recognized political party, be submitted by the secretary or an authorized agent of such party or the

candidate whose name appears in the nomination paper being submitted and who is nominated for such purpose by the secretary; and

- (b) in the case of an independent group, be submitted by the group leader of the independent group or his authorized agent, so however the group leader shall at the time of the deposit of the legal tender with the returning officer under section 29 of the Ordinance nominate a person from among the candidates as an authorized agent.

(2B) Notwithstanding any provision to the contrary in this Ordinance, twenty-five *per centum* of the total number of candidates and additional persons whose names appear in each nomination paper submitted under subsection (2) of this section, may consist of women and youth.

(2c) Where the number constituting the twenty - five *per centum*, referred to in subsection (2B) is an integer and fraction, the integer shall be deemed to be the number which shall constitute twenty five *per centum* for the purpose of that subsection.”.

- (5) in subsection (4) of that section, by the substitution for the words “consent of each candidate to be nominated”, of the words “consent of each candidate and each person being nominated”;
- (6) in subsection (4A) of that section, by the substitution for the words “youth candidate”, where ever it appears in that subsection, of the words “youth”;

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- (7) by the insertion immediately after subsection (4A) of that section, of the following new subsection:—

“(4B) A declaration of the assets and liabilities under the Declaration of Assets and Liabilities Law, No. 1 of 1975 in the form as prescribed under that Law, shall be required to be submitted in respect of each candidate and persons whose names appear in a nomination paper, within three months of the submission of such nomination paper.”.

Amendment of section 29 of the principal enactment.

**23.** Section 29 of the principal enactment as last amended by Act, No. 24 of 1977, is hereby further amended as follows :—

- (1) by the repeal of subsection (1) and subsection (2) of that section, and the substitution therefor of the following subsections :—

“(1) (a) Every recognized political party and independent group shall, between the date of the publication of the notice under section 26 and the submission of the nomination paper and in any case not later than twelve noon on the day immediately preceding the end of the nomination period, deposit the legal tender with the returning officer to whom the nomination paper is to be submitted, a sum of:—

- (i) five thousand rupees in respect of each candidate and each additional person being nominated by a recognized political party; and



(ii) twenty thousand rupees in respect of each candidate and each additional person being nominated by an independent group.

(b) The deposit the legal tender shall—

(i) in the case of a recognized political party, be submitted by the secretary of the recognized political party or his authorized agent; and

(ii) in the case of an independent group, be submitted by the leader of the independent group.

(2) No deposit made on behalf of a candidate under subsection (1) shall be accepted by the returning officer, unless it is made within the time specified in that subsection.”;

(2) by the substitution for the marginal note to that section, of the following marginal note:—

“Deposits  
to be made  
on behalf  
candidates.”.

**24.** Section 30 of the principal enactment as last amended by Act, No. 25 of 1990, is hereby further amended by the repeal of subsection (4) of that section, and the substitution therefor of the following subsection:—

Amendment of  
section 30 of the  
principal  
enactment.

“(4) Where the candidate of a recognized political party or independent group on whose

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behalf a deposit was made is not elected and where the number of votes polled by such candidate does not exceed one-twentieth of the total number of valid votes polled in the ward in which he contested, the deposit made on behalf of such candidate shall be declared forfeit. The returning officer with whom it was deposited, shall transfer such amount from the deposit account to the Consolidated Fund and in every other case the deposit shall be returned to the candidate who made the deposit, as soon as may be after the result of the election is declared :

Provided that, where any recognized political party or independent group fails to obtain more than one twentieth of the total number of valid votes which contested the election in such local authority area, the deposit made by each such recognized political party or independent group, in respect of all the additional persons whose names appear in the nomination paper submitted by such recognized political parties or independent group, shall be declared forfeit and the provisions of this subsection shall apply in regard to the transfer of such deposit.”.

Amendment of section 31 of the principal enactment.

**25.** Section 31 of the principal enactment as last amended by Act, No. 25 of 1990, is hereby further amended as follows :—

(1) in subsection (1) of that section :—

(a) by the repeal of paragraphs (bb) and (bbb) of that subsection; and

- (b) by the repeal of paragraph (d) of that subsection;
- (2) by the addition immediately after subsection (2) of that section the following new subsection :—

“(3) Where a candidate or any person whose name appears on a nomination paper submitted by a recognized political party or an independent group, as the case may be, is found to be disqualified due to the failure of such candidate or person:—

- (a) where the candidate or person concerned is a youth, to have attached to the nomination paper a certified copy of his Certificate of Birth or in the event the Certificate of Birth is not available an affidavit signed by such youth certifying his date of birth; or
- (b) to have his consent which is required to be included in such nomination paper to be endorsed on the nomination paper, and to have annexed to the nomination paper his oath or affirmation in the form set out in the Seventh Schedule to the Constitution,

the nomination paper so submitted shall not be rejected, but the name of the candidate or the person concerned who is found to be disqualified due to any of the reasons specified in this subsection, shall be removed from the nomination paper so submitted. Where a name of any candidate or any person is removed from a nomination paper, the political

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party or the independent group, as the case may be, which submitted such nomination paper, shall not thereafter be entitled to replace the name so removed with any other new name and the deposit made in respect of the candidate or other person whose names was removed, shall be forfeited.”.

Amendment of section 35 of the principal enactment.

**26.** Section 35 of the principal enactment as amended by Act, No. 25 of 1990, is hereby further amended by the repeal of subsection (1) of that section and the substitution therefor of the following subsection:—

“(1) (a) Where in the case of any electoral area, the returning officer finds at the expiry of the nomination period:—

- (i) that no nomination paper has been duly received on behalf of any recognized political party or independent group; or
- (ii) that all the nomination papers received by him have been rejected or that the names of all the candidates appearing in such nomination paper have been removed from such nomination paper in terms of subsection (3) of section 31, as the case may be,

the returning officer shall forthwith report to the elections officer of the district in which the area is situated the fact that no nomination papers have been received, or that all the nomination papers received by him have been rejected, or that the names of all the candidates appearing in any nomination paper have been removed from such nomination paper under subsection (3) of section 31, as the case may be.

(b) The election officer shall, not later than seven days after the receipt of the report, publish a notice prescribing a further nomination period. The notice shall specify the period (hereinafter referred to as the “second nomination period”) during which the nomination papers are to be received by the returning officer at his office and all the provisions of this Ordinance shall thereupon apply.”.

**27.** Section 36 of the principal enactment as last amended by Act, No. 25 of 1990, is hereby further amended by the repeal of paragraph (b) of subsection (1) of that section and the substitution therefor of the following paragraph:—

Amendment of  
section 36 of the  
principal  
enactment.

“(b) after the rejection of a nomination paper or papers or where the names appearing in any nomination paper or papers are removed under subsection (3) of section 31 due to any reason specified therein, the candidates of only one recognized political party or an independent group stand nominated for election, the returning officer shall inform the Commissioner of such fact. The Commissioner shall thereupon call the secretary of such recognized political party or the leader of such independent group, as the case may be, to specify which of the candidates from among those whose names appear in the nomination paper under paragraph (a) of subsection (2) of section 28, shall be declared elected as the Mayor and Deputy Mayor of that local authority. Upon such secretary or the group leader, as the case may be, communicating his decision to the Commissioner, the Commissioner shall declare the member so specified elected as the Mayor and Deputy Mayor respectively, of that local authority;”.

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Amendment of  
section 37 of the  
principal  
enactment.

**28.** Section 37 of the principal enactment is hereby amended by the repeal of subsection (1) of that section and the substitution therefor of the following subsection:—

“(1) If at the expiry of the nomination period appointed for each ward of an electoral area and after the rejection of any nomination paper or papers or the names appearing in any nomination paper or papers is removed under subsection (3) of section 31 due to any reason specified therein, the candidates of more than one recognized political party or of an independent group stands duly nominated for the election, the returning officer shall forthwith allot for the purpose of that election:—

- (a) to each candidate from a recognized political party, the approved symbol of that party; and
- (b) to each candidate from an independent group, any approved symbol and where there are more than one independent groups contesting such election, an approved symbol determined :—
  - (i) in the first instance by agreement among the independent groups contesting; or
  - (ii) in the absence of such agreement, by the draw of lots cast or drawn in such manner as the returning officer may, in his absolute discretion, determine,

and such symbol shall be printed on the ballot paper opposite the name of the respective recognized political party or the independent group.”.

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**29.** Section 38 of the principal enactment as amended by Act, No. 25 of 1990, is hereby further amended in subsection (1) of that section, by the repeal of paragraph (c) of that subsection and the substitution therefor of the following paragraph:—

Amendment of section 38 of the principal enactment.

“(c) the date of the poll, such date being a date other than a Poya day or any public holiday as specified in the First Schedule to the Holidays Act, No. 29 of 1971, but wherever possible a Saturday or a date or dates determined by the returning officer with the concurrence of the Commissioner and being a date not less than five weeks and not more than seven weeks from the date of the publication of the notice; and”.

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

Replacement of section 39 of the principal enactment.

"Death of a candidate after nomination.

39. (1) Notwithstanding the death of a candidate for election for any local authority between the adjournment of the election for the purposes of the poll and the commencement of the poll, the poll shall be taken on the date specified for the same under paragraph (c) of subsection (1) of section 38.

(2) In the event a vacancy occurring due to the death of a candidate, the secretary of the recognized political party or the group leader of the independent group or person whose name appears in the second place in the nomination paper submitted by such recognized political party or independent group, to which such candidate who died belonged, shall nominate a person who is qualified to be elected as a member under section 8 of this Ordinance, to fill such vacancy.”.

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Amendment of section 39A of the principal enactment.

**31.** Section 39A of the principal enactment as amended by Law, No. 24 of 1977, is hereby further amended in subsection (1) of that section as follows :—

- (1) by the substitution for the words “in the electoral list of that area”, of the words “in the electoral list of any ward of that area,”; and
- (2) by the repeal of paragraph (c) of that subsection and the substitution therefor of the following paragraph :—

“(c) the number of the ward;

(cc) the number of the polling districts.”

Amendment of section 40 of the principal enactment.

**32.** Section 40 of the principal enactment as amended by Law, No. 24 of 1977, is hereby further amended by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

“(1) For the purpose of each election for any electoral area, the returning officer of that electoral area shall appoint:—

- (a) one or more persons (hereinafter referred to as “presiding officer”) to preside at each polling station in each polling district; and
- (b) where more than one person is appointed as a presiding officer in respect of a polling station, appoint one of such presiding officers to be the senior presiding officer of that polling station and the senior presiding officer shall exercise general supervision over every other presiding officer, and overall arrangements for the conduct of the poll in the election.”.



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- 33.** Section 43 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the words “in force for any electoral area” and for the words “of that electoral area”, of the words “in force for any ward of any electoral area” and of the words “for that ward”, respectively.
- Amendment of section 43 of the principal enactment.
- 34.** Section 44 of the principal enactment is hereby amended in paragraph (d) of that section, by the substitution for the words “for that electoral area”, of the words “for that ward”.
- Amendment of section 44 of the principal enactment.
- 35.** Section 45 of the principal enactment as amended by Law No. 24 of 1977, is hereby further amended in subsection (1) of that section, by the repeal of paragraph (b) of that subsection and the substitution therefor of the following paragraph :—
- Amendment of section 45 of the principal enactment.
- “(b) outside the polling station, a notice specifying the names of candidates as indicated by each recognized political party and independent group, in alphabetical order in Sinhala and the approved symbol allotted to each such party or group.”.
- 36.** Section 47 of the principal enactment as last amended by Act, No. 25 of 1990 is hereby further amended, in paragraph (a) of that section, by the substitution for all the words from “set out against the distinguishing number” to the end of that paragraph, of the words “set out against the distinguishing number of such group.
- Amendment of section 47 of the principal enactment.
- 37.** Section 52 of the principal enactment as amended by Act, No.14 of 2004 is hereby further amended in subsection (1) of that section as follows :—
- Amendment of section 52 of the principal enactment.
- (1) by the substitution in the paragraph titled “First” of that section, for the words “electoral list now in force for this electoral area.”, of the words “electoral list now in force for this ward.”; and

- (2) by the substitution in the paragraph titled “Second:—” of that section, for the words “member for this electoral area.”, of the words “member for this ward.”.

Amendment of section 53A of the principal enactment.

**38.** Section 53A of the principal enactment as amended by Act, No. 14 of 2004 is hereby further amended in paragraph (a) of subsection (2) of that section, by the substitution for the words “list of the electoral area in which”, of the words “list of the ward in which”.

Replacement of section 59A of the principal enactment.

**39.** Section 59A of the principal enactment is hereby repealed and the following section substituted therefor :—

"Counting of votes. 59A. (1) The counting of votes in each polling station shall take place at each such polling station.

(2) The senior presiding officer of each polling station or where there is only one presiding officer, such presiding officer shall function as the counting officer of that station and the staff at that polling station shall function as the counting staff.

(3) Subject to the general or special directions of the Commissioner, each returning officer of an electoral area shall appoint one of the senior presiding officers appointed under paragraph (b) of subsection (1) of section 40, or where only a single presiding officer is appointed, such presiding officer, to be the chief counting officer for each ward of that electoral area. The returning officer may at the same time appoint such number of assistants and clerks and other officers as he may consider necessary to assist the counting officer and the

chief counting officer, as the case may be, in the performance of their duties.”.

(4) Where there are any objections from the authorized agents relating to the functioning of any person as a counting officer of any polling station, the Commissioner of Elections may on being satisfied of the circumstances appoint any other senior presiding officer to function as a counting officer in the place of the first mentioned person.”.

**40.** The following new section is hereby inserted immediately after section 59A of the principal enactment and shall have effect as section 59B of that enactment :—

Insertion of new section 59B in the principal enactment.

"Change of venue for counting of votes.

59B. (1) Notwithstanding the provisions of section 59A, where as a result of any incidents or disturbances which took place at a polling station during a poll or thereafter or due to any other security reasons, the presiding officer of such polling station is of the opinion that the counting of votes shall not take place at the polling station, he shall inform the assistant returning officer appointed by the returning officer to supervise the polling in the ward in which such polling station is situated, of such fact and such assistant returning officer shall thereafter determine the new venue at which the counting of votes shall take place.

(2) In the event of a change of venue of a counting centre under subsection (1), adequate notice of the new venue at which the counting is due to take place and the time at which the counting is due to commence, shall be notified by the assistant returning officer, to the counting agents appointed under section 60,

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who are present at the counting centre at the particular time.

(3) The counting of votes at the new venue as determined by the assistant returning officer shall be conducted by the presiding officer of the polling station, with the assistance of the staff at that polling station.

(4) At the close of the counting of votes at the new venue, the counting officer shall submit to the returning officer of the electoral area, a report on the incident, disturbance or the security reason, as the case may be, which warranted the change of the venue of the counting centre and returning officer shall communicate to the Commissioner the information contained in such report."

Replacement of sections 60 and 61 of the principal enactment.

**41.** Section 60 and 61 of the principal enactment are hereby repealed and the following sections substituted therefor :—

"Appointment of counting agents.

60. Each authorized agent of a recognised political party or group leader of an independent group, as the case may be, shall be entitled to appoint two agents (hereinafter referred to as the "counting agents") to attend the counting of votes at each polling station. The names, addresses and the National Identity Card numbers of the agents so appointed shall be given in writing to the counting officer before the commencement of the count. A candidate may remain in the polling station at the time of the counting of votes, only as a counting agent.

Time of count and declaration of result.

61. (1) The counting officer of each polling station shall make arrangements for the counting of votes in the presence of the

counting agents, as soon as possible after the close of the poll.

(2) The counting officer shall on completing the counting of votes forward the result of such count to the chief counting officer appointed to the ward under subsection (3) of section 59A.

(3) The time of commencement of the count and the time and place of declaration of the result of such count, shall be intimated in writing by the returning officer of the electoral area to all the candidates who are contesting in the particular ward.”.

**42.** Section 63 of the principal enactment as amended by Act, No. 24 of 1987 is hereby further amended as follows :—

Amendment of section 63 of the principal enactment.

(1) in subsection (1) of that section :—

(a) by the repeal of paragraph (b) of that subsection and the substitution therefor of the following paragraph :—

“(b) on which votes are marked for more than one recognized political party or independent group;”;

(b) by the repeal of paragraph (d) of that subsection and the substitution therefor of the following paragraph:—

“(d) which is unmarked or void for uncertainty as to which recognized political party or independent group the vote is marked;”;

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- (2) by the repeal of subsection (6) of that section and the substitution therefor of the following subsection :—

“(6) The counting officer shall prepare a written statement in words as well as in figures, of the number of votes given to each recognized political party or independent group. The statement so prepared shall be certified by the counting officer and witnessed by one of his clerks and the counting agents who are present and who desires to sign.”; and

- (3) by the repeal of subsections (6A), (6B) and (6c) of that section.

Amendment of section 64 of the principal enactment.

- 43.** Section 64 of the principal enactment as amended by Act, No. 24 of 1987 is hereby further amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

“(2) Each counting officer shall deliver to the chief counting officer in charge of the ward appointed under subsection (3) of section 59A, the packets containing unused ballot papers, spoilt ballot papers, tendered ballot papers, marked copies of the electoral list, counterfoils of the ballot papers issued, tendered votes list, the list of voters to whom ballot papers were not issued under section 53A, the ballot paper account, written statement of the number of votes given to each recognized political party or independent group and the record of the counting of votes under subsection (2) of section 62, together with the sealed packets referred to in subsection (1).”.

Replacement of section 65 of the principal enactment.

- 44.** Section 65 of the principal enactment is hereby repealed and the following section is substituted therefor :—

“Declaration  
of candidate  
obtaining  
highest votes  
as a member.

65. (1) Upon receipt of the documents referred to in section 64, the chief counting officer in charge of the ward appointed under subsection (3) of section 59A, shall declare as elected as member of the ward, the name of the candidate belonging to the recognized political party or the independent group who obtained the highest number of votes in that ward and who was nominated by such recognized political party or independent group in its nomination paper as its candidates for that ward. He shall also declare the number of votes received by all the other recognized political parties and independent groups, which contested the election in that ward.

(2) Where an equality of votes is found to exist between any two or more recognized political parties or two or more independent groups, and the addition of a vote would entitle the nominated candidate of one such recognized political party or independent group to be elected, the determination of the recognized political party or independent group to which such additional vote shall be deemed to have been given, shall be made by lot drawn in the presence of the chief counting officer, in such manner as he shall determine.

(3) After making the declaration of the candidate who is elected as the member of the ward, the chief counting officer shall, immediately upon receipt of the documents referred to in subsection (1) and (2) of section 64, deliver to the returning officer all such documents so received.”

Replacement of section 65A of the principal enactment.

**45.** Section 65A of the principal enactment is hereby repealed and the following section substituted therefor :—

"Declaration of members to be elected to a multi member ward.

65A. (1) In the case of a multi member ward. The candidates to be declared as elected members of that ward, shall be based on the number of votes polled by each recognized political party and independent group which contested the election in such ward. The counting officer shall declare first the candidate of the recognized political party or the independent group, who or whcih as the case may be, who polled the highest number of votes, an elected member for that ward and the balance number of members required to be elected as members of that ward, being declared accordingly.

(2) If due to any reason whatsoever, a single recognized political party or independent group alone has contested at an election in any multi member ward, the candidates to be declared elected as members of such multi member ward shall be nominated by the secretary of the recognized political party or the leader of the independent group, as the case may be, from among the persons whose names appear in the list of additional persons included in the nomination paper submitted by such recognized political party or independent group, as the case may be."

Insertion of new section 65B in the principal enactment.

**46.** The following new section is hereby inserted immediately after section 65A of the principal enactment and shall have effect as section 65B of that enactment :—

"Candidates entitled to be returned to represent electors who have not secured any representaion

65B. (1) Upon the declaration under section 65, all the members elected for all the wards of the electoral area, the number of members for that local authority to be returned under paragraph (b) of subsection (1) of section 5 of



the Municipal Councils Ordinance (Chapter 252) paragraph (b) of subsection (1) of section 5 of the Urban Councils Ordinance (Chapter 255) or paragraph (b) of subsection (1) of section 4 of the Pradeshiya Sabha Act, No. 15 of 1987, as the case may be, shall be apportioned in the manner hereinafter provided for in this section.

(2) The total number of votes received by all the candidates of each recognized political party and independent group, excluding the votes polled by:—

- (a) those candidates who were declared elected as members of each ward under section 65; and
- (b) those candidates of each recognized political party and independent group, who received less than one-twentieth of the total number of valid votes polled in the ward in which such candidate contested,

(hereinafter in this section referred to as “balance candidates”), shall then be added and the percentage of the aggregate, to the total valid votes polled by all the candidates who are elected to the serveral wards of the local authority together with the votes polled by the balance candidates shall be the criteria for determining the number of members to be returned in terms of subsection (1).

(3) The number of members to be returned in terms of subsection (1) shall, where the percentage determined under subsection (2):—

- (a) exceeds thirty *per centum*, shall be thirty *per centum* of the total number of members

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to be elected to all the wards of that local authority area, under this section; or

(b) is less than thirty *per centum*, shall be equal to that percentage of the number of members to be elected to all the wards of that local authority area, under this section.

(4) Where the number constituting thirty *per centum* referred to in subsection (3) is an integer and fraction, the integer shall be deemed to be the number which shall constitute such thirty *per centum*, for the purpose of that subsection.

(5) The number of members to be returned as determined under subsection (3), shall be apportioned among the recognized political parties and independent groups which contested in that election, by dividing the aggregate of the total valid votes polled by the balance candidates by the number of members entitled to be returned as determined under that subsection. The number resulting from such division (any fraction not being taken into account) shall hereinafter in this section be referred to as the “qualifying number”.

(6) The aggregate of the votes received by the balance candidates of each recognized political party and independent group, shall then be divided by the qualifying number, in order to ascertain the number of persons entitled to be returned as members of that local authority in terms of subsection (1) by such recognized political party or independent group, as the case may be. Where the number ascertained by this method is an integer and a fraction, the integer shall be deemed to be the number for the purpose of this subsection.

(7) Where at the conclusion of ascertaining the number of members to be returned by any

recognized political party or independent group on the method specified in subsection (5), there remains a further number of members to be returned under the proportional representation system as determined under subsection (3), such remaining number shall be allocated on the basis of the highest fraction received by each recognized political party or independent group, as ascertained under subsection (6).

(8) The returning officer shall inform the secretary of the recognized political party or the leader of the independent group, as the case may be, which is entitled to return a member as ascertained under subsection (5), of the number of members that such recognized political party or independent group, as the case may be, is entitled to return and request such secretary or leader, as the case may be, to nominate from among the persons, whose names were included in the nomination paper under paragraph (b) of subsection (1) of section 5 of the Municipal Councils Ordinance (Chapter 252) or paragraph (b) of subsection (1) of section 5 of the Urban Councils Ordinance (Chapter 255) or paragraph (b) of subsection (1) of section 4 of the Pradeshiya Sabha Act, No. 15 of 1987, as the case may be, the names of persons who are to be returned as members under that subsection.

(9) The names of the candidates who are returned under this section shall thereafter be declared by the returning officer of the respective electoral area.”.

**47.** Section 66 of the principal enactment is hereby repealed and the following section is substituted therefor :—

“Publication of the result.

66. (1) Upon the declaration of the candidates elected as members of each ward under section 65 and of those candidates returned under section 65A of this Ordinance

Replacement of section 66 of the principal enactment.

in respect of a local authority, the returning officer of the electoral area of such local authority shall :—

- (a) publish a notice specifying the names of all the candidates elected or returned as members of the local authority; and
- (b) report to the Commissioner the result through the election officer of the district in which the electoral area is situated.

(2) The Commissioner shall upon receipt of the report of the result, cause the names of the candidates elected to be members of that local authority, to be published in the *Gazette*.”.

Insertion of new sections 66A, 66B, 66C, 66D, 66E, 66F and 66G in the principal enactment.

**48.** The following new sections are hereby inserted immediately after section 66 of the principal enactment and shall have effect as sections 66A, 66B, 66C, 66D, 66E, 66F and 66G of that enactment :—

"Filling of vacancies in local authorities.

66A. (1) Where the office of a member of a local authority falls vacant under the provisions of the Municipal Councils Ordinance (Chapter 252) Urban Councils Ordinance (Chapter 255) or the Pradeshiya Sabha Act, No. 15 of 1987, as the case may be, the returning officer appointed for the electoral area in which such local authority is situated, shall, where such vacancy is in respect of a member—

- (a) elected for any ward in that electoral area by ballot, request the secretary to the recognized political party or the leader of the independent group, as the case may be, to which such member belongs, to nominate within thirty days of the occurrence of the vacancy, any other person who is qualified under section 8 of this Ordinance to be elected as a member of local authority to fill that vacancy in the ward in which the vacancy has occurred; or

(b) returned under section 65A of this Ordinance then, depending on whether the candidate whose office fell vacant is from a recognized political party or an independent group, call upon the secretary of the recognized political party or the leader of the independent group, as the case may be, to nominate within thirty days of the occurrence of the vacancy a person to fill such vacancy from among those persons nominated by such recognized political party or the independent group under paragraph (b) of subsection (1) of section 5 of the Municipal Councils Ordinance (Chapter 252) or paragraph (b) of subsection (1) of section 5 of the Urban Councils Ordinance (Chapter 255) or paragraph (b) of subsection (1) of section 4 of the Pradeshiya Sabha Act, No. 15 of 1987, as the case may be and where no person remains to be so nominated the returning officer shall request the secretary of the recognized political party or leader of the independent group, as the case may be, to nominate a person qualified to be elected as a member in terms of section 8 of this Ordinance to fill such vacancy.

(2) The candidate elected to fill a vacancy of any member of a local authority under subsection (1), shall hold office only for the unexpired period of the term of office of the member whom he succeeds.

Declaration of Mayor, where a recognized political party or independent group receives over fifty *per centum* of the seats

66B. (1) Where any recognized political party or independent group has obtained fifty *per centum* or more of the total number of seats in a local authority, the Commissioner shall upon the publication by the Commissioner under subsection (2) of section 66 of names of the candidates elected

as members of such local authority, call upon the secretary of such recognized political party or the leader of that independent group, as the case may be, to determine from among members who belong to such recognized political party or the independent group, as the case may be, the members who shall be declared as the Mayor and the Deputy Mayor, respectively, of such local authority.

(2) Where the office of Mayor or Deputy Mayor as determined under subsection (1) of this section falls vacant during the term of office of such local authority, the Commissioner shall, subject to the provisions of subsection (4) of this section, call upon the secretary of the recognized political party or the leader of the independent group, as the case, may be, to which such Mayor or the Deputy Mayor belonged, to determine the members from among the members of that local authority who belong to such recognized political party or the independent group, as the case may be, who shall become the new Mayor or the Deputy Mayor of the local authority and communicate the same, within thirty days, to the Commissioner. Upon receipt of such determination, the Commissioner shall declare the member named in such determination, as the new Mayor or the Deputy Mayor, as the case may be, of that local authority.

(3) In the event that such communication is not received within the aforesaid thirty days under subsection (2), the Commissioner shall proceed to appoint as the new Mayor or deputy Mayor, the member who has obtained the

highest percentage of votes and who belongs to the recognized, political party or the independent group as the case may be, to which the Mayor or the Deputy Mayor whose office fell vacant" belonged.

(4) Notwithstanding the provisions of subsection (2) of this section, where a vacancy occurs in the office of Mayor as a result of the Mayor being deemed to have resigned his office under section 215<sup>A</sup> of the Municipal Councils Ordinance (Chapter 252) or section 178<sup>A</sup> of the Urban Councils Ordinance (Chapter 255) or section 169 of the Pradeshiya Sabha Act, No. 15 of 1987, as the case may be, and such vacancy is filled in accordance with the procedure specified in that subsection, and the member so appointed to fill such vacancy himself resigns thereafter from his office as Mayor under the sections referred to above, the vacancy so created shall not be filled following the procedure specified in subsection (2) of this section. In such an instance, the local authority in which the vacancy in the office of Mayor has occurred "be deemed to be dissolved, and in terms of the powers conferred by section 2 of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989 the Provincial Minister in charge of the subject of Local Government or the Governor of the Province as the case may be, shall appoint a Sepcial Commissioner, for the local authority concerned who shall hold office as Special Commissioner, for the balance period remaining of the term of office of such local authority.

First meeting  
of the Local  
Authority.

66C. (1) Where any recognized political party or independent group has obtained less than fifty *per centum* of the total number of seats in a local authority, the Mayor and the Deputy Mayor of such

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local authority shall be elected at the first meeting of such local authority.

(2) The first meeting of the Council shall be convened by the Commissioner of Local Government within one week of the publication by the Commissioner under subsection (2) of section 66, of the names of the candidates elected and returned as members of any local authority, by notice published in that behalf. Such notice shall be given not less than seven days before the date fixed for the meeting and shall be:—

- (a) published in the *Gazette* and in one newspaper each, in all three languages; and
- (b) dispatched by registered post to each of the members of that Council.

(3) Every notice published under subsection (1), shall specify the date, time and place of the first meeting and the date to be so specified shall be a date within one month next succeeding the date appointed for the commencement of the term of office of the Council or in the case of a Council elected as successor to a Council going out of office otherwise than by effluxion of time, within one month next succeeding the date on which the election or nomination of the members of the new Council is completed.

(4) Where for any reason the meeting is not held on the date specified in the notice published under subsection (1), the Commissioner of Local Government may, by further notice or notices published in that



behalf, convene the meeting for any other date, so however that such other date is within one month next succeeding the date specified in the notice published under subsection (2).

Procedure for the election of Mayor and Deputy Mayor at the first meeting or other meeting of a local authority.

66D. (1) The first meeting and any other meeting that may be convened under section 66C until the election of a Mayor, shall be presided over by the Commissioner of Local Government (in this section referred to as the “presiding officer”).

(2) The members of the Council shall at its first meeting, elect one of their members to be the Mayor of the Council.

(3) The election of the Mayor of the Council under subsection (2) shall not take place, unless there is present at such meeting a quorum consisting of not less than half the membership of the Council.

(4) Any member of the Council may, with his consent, be proposed and seconded for election as Mayor by any other member present at the meeting.

(5) Where only one name of the member is proposed and seconded for election as Mayor, the presiding officer of the meeting at which the election takes place, shall declare that member elected as the Mayor.

(6) Where two or more names of members are proposed and seconded for election as Mayor, the mode of election shall be by open voting, and the presiding officer shall take the votes by calling the name of each member present and asking him how he desires to vote and recording the votes accordingly. A member may decline to vote and in such a case,

the presiding officer shall record the fact of such member declining to vote.

(7) Where it is determined under subsection (6) that the election of the Mayor shall be by open voting, the presiding officer shall take the votes by calling the name of each member present and asking him how he desires to vote and recording the votes accordingly. A member may decline to vote and in such a case, the presiding officer shall record the fact of such member declining to vote.

(8) Where it is determined under subsection (6) that the election of a Mayor shall be by secret voting, the election shall be by ballot papers.

(9) At the end of the proceedings for the election of a Mayor, the presiding officer shall declare the result of the voting.

Where no member obtain the required number of votes.

66E. (1) Where the names of more than two members are proposed and seconded for election as Mayor and no single member receives at the first voting more votes than the aggregate of the votes received by the remaining members, one member shall be excluded from the election as hereinafter provided, and the voting shall proceed in the same manner, one member being excluded from the election after each subsequent voting, until a member receives more votes than the aggregate of the votes received by the remaining members at that voting or until voting in respect of two members only is held and completed, as the case may be.

(2) The manner in which a member may be excluded from the election as referred to in subsection (1), shall be as follows :—

- (a) if the number of votes received by one member is lower than the number of votes received by each of the remaining members, the candidate receiving the lowest number shall be excluded; and
- (b) if each of all the members receive an equal number of votes or if each of two or more members receives an equal number of votes which is less than the number of votes received by the remaining member or each of the remaining members, one of the members receiving the equal number of votes shall be excluded and the determination as to which of the members is to be excluded, shall be made by lot to be drawn in the presence of the presiding officer, in such manner as he shall determine.

(3) Where there are two members at any voting and the number of votes cast is equally divided and the addition of one vote would entitle one of the members to be elected as Mayor, the determination of the member to whom the additional vote shall be deemed to have been given, shall be made by lot to be drawn in the presence of the presiding officer, in such manner as he shall determine.

Election of  
Deputy  
Mayor.

66F. (1) The first Deputy Mayor of a local authority shall be elected at the first meeting of the Council held under section 66c, presided over by the newly elected Mayor.

(2) The provisions of sections 66c and 66d shall apply in respect of the election of a Deputy Mayor, in like manner as though every

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reference in those sections to “Mayor” were a reference to Deputy Mayor.

Vacancy in the office of the Mayor or Deputy Mayor.

66G. Whenever the office of Mayor or Deputy Mayor of a Council falls vacant during the term of office of such Council, the Commissioner of Local Government shall, within two weeks of his receiving notice from the Council of such vacancy and by notice or notices served in accordance with the provisions of subsections (2) or (4) of section 66C, convene a meeting for the election of a new Mayor or Deputy Mayor, as the case may be, and the date specified for the meeting in such notice or notices shall be such as to ensure that the new Mayor or Deputy Mayor, as the case may be, is elected within six weeks next succeeding the occurrence of the vacancy.”.

Amendment of section 67 of the principal enactment.

49. Section 67 of the principal enactment is hereby amended by the repeal of subsection (2) of that section, and the substitution therefor of the following subsection:—

“(2) The returning officer shall forward to the elections officer of the district in which the electoral area is situated, all the ballot papers, a statement of the number of votes given to each candidate, the ballot paper account, tendered votes list, packets of counterfoils and the marked copies of electoral lists sent by the counting officers under section 64, endorsing on each packet a description of its contents, the date of the election to which they relate and the names of the wards in which the election was held.”.

Repeal of section 68 of the principal enactment.

50. Section 68 of the principal enactment is hereby repealed.

Repeal of section 69A of the principal enactment.

51. Section 69A of the principal enactment is hereby repealed.

**52.** The following new section is hereby inserted immediately after section 72 of the principal enactment and shall have effect as section 72A of that enactment :—

Insertion of new section 72A in the principal enactment.

"Disturbances at polling stations. 72A. (1) Where due to the occurrence of certain events of such a nature :—

- (a) it is not possible to commence the poll at a polling station at the hour fixed for the commencement of the poll;
- (b) the poll at such polling station commences at the hour fixed for the opening of the poll, but cannot be continued until the hour fixed for the closing of the poll;
- (c) it is not possible to conduct the poll at that polling station, due to any reason beyond the control of presiding officer;
- (d) one or more polling agents are threatened, executed or chased out of the polling station during a disturbance at the poll;
- (e) the polling staff is unable to arrive at the polling station due to any obstructions on the way;
- (f) any disturbance of peace at the polling station makes it impossible to conduct the poll at such polling station;
- (g) any stuffing of ballot papers is forcibly carried out by any person; or
- (h) there is no genuine, free, fair and secret poll at any polling station,

the presiding officer of that polling station shall forthwith inform the returning officer, who in

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turn shall inform the Commissioner of such event.

(2) The Commissioner may upon receiving any information under subsection (2) and after making such inquiries as he may consider necessary to ascertain the accuracy of such information received, by Order published in the *Gazette* declare the poll taken at such polling station void.”.

Replacement of section 73 of the principal enactment.

**53.** Section 73 of the principal enactment is hereby repealed and the following section is substituted therefor :—

"Candidates may act as his own counting agent or assist such agent.

73. A candidate for election at any election under this Ordinance may himself do any act or thing which a counting agent of his, if appointed, would have been required or authorized to do or may assist such agent in doing any such act or thing. However prior to acting under this section, the candidate shall make the declaration required to be made by such an agent.”.

Replacement of section 74 of the principal enactment.

**54.** Section 74 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Non attendance of the agents of candidates.

74. Where under this Ordinance any act or thing is required or authorized to be done in the presence of any agent or agents of the candidate at any election under this Ordinance, the non-attendance of any such agent or agents at the time and the place appointed for the purpose shall not, if that act or thing is otherwise duly done, invalidate the act or thing done.”.

Replacement of section 75 of the principal enactment.

**55.** Section 75 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Prohibition of disclosure of vote.

75. Any person who has voted at any election under this Ordinance shall not, in any

legal proceeding instituted to question such election, be required to state for whom he voted.”.

**56.** Section 75A of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of section 75 of the principal enactment.

"Group leader.

75A. Where any person designated as the group leader of an independent group dies during pendency of, or after, an election, to a local authority, the person whose name has been nominated by the group leader as his authorized agent shall be deemed to be the group leader of that independent group".

**57.** The following new section is hereby inserted immediately after section 76 of the principal enactment and shall have effect as section 76A of that enactment :—

Insertion of new section 76A in the principal enactment.

"Commissioner to issue directions.

76A. If any difficulty arises in the conduct of an election under this Ordinance, the Commissioner may by Order published in the *Gazette*, issue all such directions as he may consider necessary, with a view to providing for any special or unforeseen circumstances or for the determination or adjustment of any question or matter for the determination or adjustment of which, no provision or effective provision is made by this Ordinance.”.

**58.** Section 78 of the principal enactment as last amended by Act, No. 25 of 1990, is hereby further amended in subsection (1) of that section by the repeal of paragraph (aa) of that subsection.

Amendment of section 78 of the principal enactment.

**59.** Section 81A of the principal enactment is hereby amended in subsection (1) of that section by the repeal of paragraph (c) of that subsection and the substitution therefor of the following paragraph:—

Amendment of section 81A of the principal enactment.

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“(c) persuading any voter not to vote for a candidate of any particular political party or independent group.”.

Amendment of section 81A of the principal enactment.

**60.** Section 81B of the principal enactment is hereby amended as follows :—

(1) by the insertion immediately after subsection (1) of that section, of the following new subsection :—

“(1A) During the period commencing on the first day of the nomination period of any election under this Ordinance and ending on the day following the date on which the poll is taken at such election :—

(a) no *ad-hoc* appointments in any Government institution or in any public undertaking, which may have the effect of influencing the voters to vote in favour of any particular candidate contesting from the political party in power shall be made ; and

(b) no Minister or any Minister of the Board of Ministers of any Provincial Council, shall enter any polling station during the poll or during the counting of votes, except for the purpose of casting his vote.”;

(2) in subsection (2) of that section, by the substitution for the words “provisions of subsection (1)”, of the words “provisions of subsections (1) or (1A)”; and

(3) in subsection (5) of that section, by the substitution for the words “the provisions of subsection (1)”, of the words “the provisions of subsection (1) or (1A)”.

Amendment of section 82 of the principal enactment.

**61.** Section 82 of the principal enactment is hereby amended by the substitution for the words “whether in the



same electoral area”, of the words “whether in the same ward, the same electoral area”.

**62.** Section 82c of the principal enactment is hereby amended in subsections (2), (3) and (4) of that section, by the substitution for the words “any recognized political party or independent group”, wherever those words appear in those subsections, of the words “for a candidate of any recognized political party or independent group”.

Amendment of section 82C of the principal enactment.

**63.** Section 82d of the principal enactment is hereby amended in paragraphs (*h*) of that section, by the substitution for the words “recognized political party or independent group” wherever those words appear in that paragraph, of the words “candidate of a recognized political party or independent group”.

Amendment of section 82D of the principal enactment.

**64.** Section 82P of the principal enactment is hereby amended in subsection (1) of that section, as follows :—

Amendment of section 82P of the principal enactment.

- (1) by the substitution for the words “in respect of any electoral area”, of the words “in respect of any ward of any electoral area”;
- (2) in paragraph (*a*) of that subsection, by the substitution for the words “for the recognized political party or independent group which it preferred”, of the words “for the candidate of any recognized political party or independent group which it preferred”.

**65.** Section 82Q of the principal enactment is hereby amended by the substitution for the words “election petition is in relation to an election for any electoral area”, of the words “election petition is in relation to an election for any ward of an electoral area”.

Amendment of section 82Q of the principal enactment.

**66.** Section 82R of the principal enactment is hereby amended as follows:—

Amendment of section 82R of the principal enactment.

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- (1) in paragraph (a) of that section, by the substitution for the words “elected at such election”, of the words “elected for any ward at such election”; and
- (2) in paragraph (b) of that section, by the substitution for the words “a candidate at such election”, of the words “a candidate for any ward at such election”.

Amendment of section 87S of the principal enactment.

**67.** Section 82s of the principal enactment is hereby amended in paragraph (a) of that section, by the substitution for the words “in respect of any electoral area”, of the words “in respect of any ward of any electoral area”.

Amendment of section 82U of the principal enactment.

**68.** Section 82U of the principal enactment is hereby amended in paragraph (e) of that section, by the substitution for the words “in respect of any electoral area”, of the words “in respect of any ward of any electoral area”.

Amendment of section 82AD of the principal enactment.

**69.** Section 82AD of the principal enactment is hereby amended in paragraph (c) of that section, by the substitution for the words “election in respect of any electoral area is to be declared void”, of the words “election in respect of any ward of any electoral area is to be declared void.”.

Replacement of section 82AG of the principal enactment.

**70.** Section 82AG of the principal enactment is hereby repealed and the following section is substituted therefore:—

“Expenses of election. 82AG. No elector who has voted at an election shall, in any proceeding to question such election, be required to state for which candidate he has voted.”.

Replacement of section 84 of the principal enactment.

**71.** Section 84 of the principal enactment is hereby amended by the substitution for the words “electoral lists of any electoral area”, of the words “electoral list of each ward of any electoral area”.

**72.** Section 86 of the principal enactment is hereby repealed and the following section is substituted therefore:—

Replacement of section 86 of the principal enactment.

"Expenses of election. 86. All expenses incurred under this Ordinance in the preparation of the electoral list of each ward of any electoral area, in connection with the nomination of candidates for the purpose of any election of any local authority and in the conduct of a general election, shall be defrayed out of the Consolidated Fund."

**73.** Section 89 of the principal enactment as last amended by Act, No.25 of 1990, is hereby further amended as follows :—

Replacement of section 89 of the principal enactment.

- (1) immediately after the definition of the expression "appointed date", of the following new definition:

"approved symbol" means a symbol approved by the Commissioner for the purposes of this Ordinance, by notification published in the *Gazette*."

- (2) by the repeal of the definition of the expression "authorized agent"; and

- (3) by the insertion immediately after the definition of the expression "Commissioner of Elections", of the following new definition :—

"Council" means a Municipal Council, an Urban Council or a Pradeshiya Sabha, as the case may be;"

Replacement of the first section to the principal enactment.

**74.** The First Schedule to the principal enactment is hereby repealed and the following Schedule is substituted therefor :—

“FIRST SCHEDULE [Section 28 (2)]

**FORM OF NOMINATION PAPER**

.....Council/Pradeshiya Sabha

The.....Party, being a recognized political party/independent group of candidates [of which (in the case of an independent group)..... is the group leader], hereby nominates the following persons as candidates for election of members of the..... Municipal Council/Urban Council/Pradeshiya Sabha.

**GROUP I – CANDIDATES**

1	2	3	4	5	6	7
Name and Number of ward†	Name and NIC Number	Address	Occupation	Women (W) Youth (Y)	Polling District Number and Serial Number of candidate	Signature Signifying consent of candidate

**GROUP II – ADDITIONAL PERSONS**

1	2	3	4	5	6
Name and NIC Number	Address	Occupation	Women (W) Youth (Y)	Polling District Number and Serial Number of additional person	Signature Signifying consent Number of additional person

I do hereby certify that all the youth candidates whose names appear in this nomination paper are within the age stipulated in section 89 of the Ordinance.

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Signature of Secretary of recognized political party/group leader.

Name : .....

Address : .....

Signed by the above named

.....

Secretary of recognized political party/group leader in my presence  
at..... on this.....day of.....2010.

State whether it is a multi member ward, indicating by the  
inclusion of one asterisk \* in the case of election of two  
members and by two (\*\*) in the cause of election of three  
members.

Before me  
(Justice of the Peace/Commissioner for Oath)

**75.** The Second Schedule to the principal enactment is  
hereby repealed and the following Schedule is substituted  
therefor :—

Replacement of  
the Second  
Schedule to the  
principal  
enactment.

“SECOND SCHEDULE [Section 45]

FORM OF DIRECTIONS FOR THE GUIDANCE OF A VOTER IN  
VOTING, WHICH SHALL BE EXHIBITED OUTSIDE EVERY  
POLLING STATION AND IN EVERY COMPARTMENT OF EVERY  
POLLING STATION

Every voter shall have one vote, which may be given to the  
candidate of a recognized political party or independent group, of his  
choice.

The voter will go into one of the compartments and place a cross  
(X) on the right hand side of the ballot paper opposite the symbol of  
the recognized political party or the independent group as the case  
may be.

The voter who cast his vote by a ballot paper will then fold up the  
ballot paper so as to show the official mark on the back to the presiding

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officer and put the ballot paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the presiding officer, who will, if satisfied with such inadvertence, give him another ballot paper.

If the voter :—

- (a) votes for more than one candidate, or
- (b) places any mark on the ballot paper by which he may be afterwards identified,

his ballot paper will be void and will not be counted.

If the voter takes a ballot paper out of the polling station or puts into a ballot box anything other than a ballot paper which he is authorized to put into the box, he will be liable on conviction after summary trial before a Magistrate to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding six months or both such fine and imprisonment.”.

Replacement of the Third Schedule to the principal enactment.

**76.** The Third Schedule to the principal enactment is hereby repealed and the following Schedule is substituted therefor :—

“THIRD SCHEDULE [Section 47]

**FORM OF FRONT OF BALLOT PAPER**

Counterfoil No.

PARTY “A”	SYMBOL
PARTY “B”	SYMBOL
PARTY “C”	SYMBOL
“INDEPENDENT GROUP” 1	SYMBOL
“INDEPENDENT GROUP” 2	SYMBOL
“INDEPENDENT GROUP” 3	SYMBOL

Replacement of the Fourth Schedule to the principal enactment.

**77.** The Fourth Schedule to the principal enactment is hereby repealed and the following Schedule is substituted therefor :—

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“FOURTH SCHEDULE [Section 76(1) ]

**FORM OF DECLARATION OF SECRECY**

I ..... (name), solemnly promise and declare that I will not at this election for the ..... ward of the electoral area of the ..... Municipal Council/Urban Council/Pradeshiya Sabha, do anything forbidden by section 76 of the Local Authorities Elections Ordinance, which has been read to me.

.....  
Name and designation Signature of declarant

of person taking the declaration

Note – This section must be read to the declarant by the person taking the declaration.”.

**78.** The Seventh Schedule to the principal enactment is hereby repealed and the following Schedule is substituted therefor :—

Replacement of the Seventh Schedule to the principal enactment.

“SEVENTH SCHEDULE [Section 53A]

**FORM OF THE LIST**

**List of Voters to whom ballot papers were not delivered**

Name of Local Authority:.....

Ward No. : .....

Date of Election : .....

Polling Station : .....

No.in electoral list	Name of voter	Address of voter	Reason for not delivering ballot paper			
			Refused appropriate inspection	Already marked with appropriate mark	Refuses to be marked with appropriate mark	No valid identity document or identity not established

Repeal of the eight schedule to the principal enactment.

**79.** The Eight Schedule to the principal enactment is hereby repealed.

Sinhala text to prevail in case of inconsistency.

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

Interpretation and repeal.

**81.** (1) Every reference in the principal enactment to “elections officer of the district” and “elections officer” shall, after the commencement of this Act, be read and construed as a reference to the district returning officer appointed under subsection (1) of section 4 of the principal enactment, for the district within which the relevant electoral area is situated.

(2) Section 34 of the Local Authorities Elections (Amendment) Act, No. 24 of 1987 is hereby repealed.

Law applicable to the holding of elections in respect of certain local authorities.

**82.** Where, as at the date of the coming into operation of this Act, the poll for the election of Chairman or members to the Puthukudiruppu Pradeshiya Sabha and Maritime Paththu Pradeshiya Sabha was not taken due to the said election being postponed within the limits of the said Sabhas for the reasons that the demining process has not being completed and therefore resettlement had not being completed then, notwithstanding anything to the contrary in any other written law for the time being in force, the poll for the next elections in respect of the two Pradeshiya Sabhas mentioned above shall be taken in terms of the provisions of the Local Authorities Elections Ordinance (Chapter 262) which were in operation in respect thereof on the date immediately prior to the date of the coming into operation of this Act.



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

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**APPROPRIATION ACT, No. 23 OF 2012**

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[Certified on 08th December, 2012]

*Printed on the Order of Government*

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*Appropriation Act, No. 23 of 2012*

[Certified on 08th December, 2012]

L.D.—O. 29 /2012.

AN ACT TO PROVIDE FOR THE SERVICE OF THE FINANCIAL YEAR 2013 ; 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. 23 of 2012. Short title.

2. (1) Without prejudice to any other law authorizing any expenditure and subject to the provisions of subsection (4) of this section, the expenditure of the Government which is estimated will be rupees one thousand three hundred eighty seven billion for the service of the period beginning on January 1, 2013 and ending on December 31, 2013 (in this Act referred to as the “financial year 2013”), shall be met – Appropriation for financial year, 2013.

- (a) from payments which are hereby authorized 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 authorized in terms of relevant laws 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 one thousand three hundred three billion and the details of such loans shall be incorporated in the final Budget Position Report which is required to be tabled in Parliament under section 13 of the Fiscal Management (Responsibility) Act, No. 3 of 2003.

(2) The sum of rupees one thousand three hundred eighty seven billion 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, authorizing the raising of loans for and on behalf of the Government.

(4) The estimated expenditure of the Government authorized by laws to be charged on the Consolidated Fund, will be rupees one thousand one hundred eighty billion, for the service of the period beginning on January 1, 2013 and ending on December 31, 2013. The expenditure Heads and the laws under which such expenditure is authorized to be made, are as specified in the Second Schedule to this Act.

Financial provisions in respect of certain activities of the Government for the financial year 2013.

**3.** (1) The receipts of the Government during the financial year 2013, 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 2013.

(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 2013 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 2013 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 2013, 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 2013.

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 authorized 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 and the details of all such withdrawals shall be incorporated in the Final Budget Position Report which is required to be tabled in Parliament under section 13 of the Fiscal Management (Responsibility) Act, No. 3 of 2003.

**8.** (1) The Minister with the approval of the Government may, on or before May 31, 2014, 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.** 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.

**FIRST SCHEDULE — ESTIMATE — 2013**  
**Sums Payable for General Services**

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Head 1 - 22</b>		
	<b>Recurrent</b>	<b>9,206,561,000</b>	
	<b>Capital</b>	<b>4,320,000,000</b>	
Made up as follows :—			
Head 1	<b>His Excellency the President</b>		
	Programme 01 Operational Activities	3,842,050,000	1,502,420,000
	Programme 02 Development Activities	—	2,060,000,000
Head 2	<b>Office of the Prime Minister</b>		
	Programme 01 Operational Activities	226,325,000	96,400,000
Head 3	<b>Secretariat for Special Functions (Senior Ministers)</b>		
	Programme 01 Operational Activities	344,425,000	51,000,000
Head 4	<b>Judges of the Superior Courts</b>		
	Programme 01 Operational Activities	71,500,000	34,300,000
Head 5	<b>Office of the Cabinet of Ministers</b>		
	Programme 01 Operational Activities	65,075,000	12,100,000
Head 6	<b>Public Service Commission</b>		
	Programme 01 Operational Activities	107,975,000	2,175,000

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Head 7	<b>Judicial Service Commission</b> Programme 01 Operational Activities	35,371,000	575,000
Head 8	<b>National Police Commission</b> Programme 01 Operational Activities	35,635,000	210,000
Head 9	<b>Administrative Appeals Tribunal</b> Programme 01 Operational Activities	17,075,000	915,000
Head 10	<b>Commission to Investigate Allegations of Bribery or Corruption</b> Programme 01 Operational Activities	157,150,000	11,500,000
Head 11	<b>Office of the Finance Commission</b> Programme 01 Operational Activities	41,340,000	4,800,000
Head 12	<b>National Education Commission</b> Programme 01 Operational Activities	26,075,000	3,350,000
Head 13	<b>Human Rights Commission of Sri Lanka</b> Programme 01 Operational Activities	149,950,000	5,900,000
Head 14	<b>Department of Attorney General</b> Programme 01 Operational Activities	433,630,000	29,300,000
Head 15	<b>Department of Legal Draftsman</b> Programme 01 Operational Activities	59,055,000	50,550,000
Head 16	<b>Parliament</b> Programme 01 Operational Activities	1,565,590,000	110,650,000
Head 17	<b>Office of the Leader of the House of Parliament</b> Programme 01 Operational Activities	24,725,000	1,300,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 18	<b>Office of the Chief Govt. Whip of Parliament</b> Programme 01 Operational Activities	32,375,000	950,000
Head 19	<b>Office of the Leader of the Opposition of Parliament</b> Programme 01 Operational Activities	60,840,000	25,775,000
Head 20	<b>Department of Elections</b> Programme 01 Operational Activities	1,217,200,000	34,000,000
Head 21	<b>Auditor General</b> Programme 01 Operational Activities	686,000,000	281,600,000
Head 22	<b>Office of the Parliamentary Commissioner for Administration</b> Programme 01 Operational Activities	7,200,000	230,000
	<b>Ministry of Buddha Sasana and Religious Affairs</b>		
	<b>Recurrent</b>	<b>950,000,000</b>	
	<b>Capital</b>	<b>878,000,000</b>	
Made up as follows :—			
Head 101	<b>Minister of Buddha Sasana and Religious Affairs</b> Programme 01 Operational Activities Programme 02 Development Activities	105,060,000 —	230,950,000 265,000,000
Head 201	<b>Department of Buddhist Affairs</b> Programme 01 Operational Activities Programme 02 Development Activities	32,325,000 560,645,000	116,600,000 —
Head 202	<b>Department of Muslim Religious and Cultural Affairs</b> Programme 02 Development Activities	58,620,000	122,300,000

Head 203	<b>Department of Christian Religious Affairs</b> Programme 02 Development Activities	81,400,000	30,000,000
Head 204	<b>Department of Hindu Religious and Cultural Affairs</b> Programme 02 Development Activities	77,650,000	110,900,000
Head 205	<b>Department of Public Trustee</b> Programme 01 Operational Activities	34,300,000	2,250,000
	<b>Ministry of Finance and Planning</b>		
	<b>Recurrent</b>	<b>65,387,841,000</b>	
	<b>Capital</b>	<b>67,230,092,000</b>	

Made up as follows :—

Head 102	<b>Minister of Finance and Planning</b> Programme 01 Operational Activities Programme 02 Development Activities	647,850,000 —	651,450,000 1,157,000,000
Head 237	<b>Department of National Planning</b> Programme 01 Operational Activities	62,387,000	59,200,000
Head 238	<b>Department of Fiscal Policy</b> Programme 01 Operational Activities	98,625,000	900,000
Head 239	<b>Department of External Resources</b> Programme 01 Operational Activities	169,850,000	421,800,000
Head 240	<b>Department of National Budget</b> Programme 01 Operational Activities Programme 02 Development Activities	222,989,000 45,900,000,000	1,756,166,000 28,750,000,000
Head 241	<b>Department of Public Enterprises</b> Programme 01 Operational Activities	47,785,000	5,000,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 242	<b>Department of Management Services</b> Programme 01 Operational Activities	35,200,000	15,200,000
Head 243	<b>Department of Development Finance</b> Programme 01 Operational Activities Programme 02 Development Activities	408,025,000 —	700,000 2,065,500,000
Head 244	<b>Department of Trade Tariff and Investment Policy</b> Programme 01 Operational Activities	832,850,000	1,600,000
Head 245	<b>Department of Public Finance</b> Programme 01 Operational Activities	138,000,000	1,600,000
Head 246	<b>Department of Inland Revenue</b> Programme 01 Operational Activities	1,647,180,000	198,000,000
Head 247	<b>Sri Lanka Customs</b> Programme 01 Operational Activities	1,493,675,000	759,800,000
Head 248	<b>Department of Excise</b> Programme 01 Operational Activities	470,550,000	174,500,000
Head 249	<b>Department of Treasury Operations</b> Programme 01 Operational Activities Programme 02 Development Activities	12,181,650,000 —	30,006,800,000 560,000,000
Head 250	<b>Department of State Accounts</b> Programme 01 Operational Activities	37,685,000	2,100,000
Head 251	<b>Department of Valuation</b> Programme 01 Operational Activities	232,560,000	28,000,000

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Head 252	<b>Department of Census and Statistics</b> Programme 01 Operational Activities	612,500,000	604,426,000
Head 280	<b>Department of Project Management and Monitoring</b> Programme 02 Development Activities	70,215,000	7,100,000
Head 296	<b>Department of Import and Export Control</b> Programme 01 Operational Activities	41,120,000	1,000,000
Head 323	<b>Department of Legal Affairs</b> Programme 01 Operational Activities	11,435,000	650,000
Head 324	<b>Department of Management Audit</b> Programme 01 Operational Activities	25,710,000	1,600,000
	<b>Ministry of Defence and Urban Development</b>		
	<b>Recurrent</b>	<b>248,102,534,000</b>	
	<b>Capital</b>	<b>41,400,000,000</b>	

Made up as follows :—

Head 103	<b>Minister of Defence and Urban Development</b> Programme 01 Operational Activities Programme 02 Development Activities	12,905,215,000 692,500,000	2,666,492,000 12,611,000,000
Head 222	<b>Sri Lanka Army</b> Programme 01 Operational Activities	118,167,214,000	3,999,225,000
Head 223	<b>Sri Lanka Navy</b> Programme 01 Operational Activities	38,816,025,000	3,845,680,000
Head 224	<b>Sri Lanka Air Force</b> Programme 01 Operational Activities	27,539,665,000	13,987,075,000
Head 225	<b>Department of Police</b> Programme 01 Operational Activities	38,704,635,000	2,045,558,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 226	<b>Department of Immigration and Emigration</b> Programme 01 Operational Activities	735,220,000	520,250,000
Head 227	<b>Department of Registration of Persons</b> Programme 01 Operational Activities	215,650,000	63,570,000
Head 291	<b>Department of Coast Conservation</b> Programme 01 Operational Activities	142,810,000	1,536,000,000
Head 320	<b>Department of Civil Security</b> Programme 01 Operational Activities	10,147,300,000	67,650,000
Head 325	<b>Department of Sir Lanka Coast Guard</b> Programme 01 Operational Activities	36,300,000	57,500,000
	<b>Ministry of Economic Development</b>		
	<b>Recurrent</b>	<b>25,000,000,000</b>	
	<b>Capital</b>	<b>63,900,000,000</b>	
Made up as follows :—			
Head 105	<b>Minister of Economic Development</b> Programme 01 Operational Activities Programme 02 Development Activities	1,191,704,000 8,489,300,000	240,950,000 62,551,025,000
Head 218	<b>Department of Commissioner General of Samurdhi</b> Programme 01 Operational Activities	14,901,406,000	11,500,000
Head 294	<b>Department of National Zoological Gardens</b> Programme 02 Development Activities	172,200,000	647,025,000

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Head 305	<b>Department of Up-Country Peasantry Rehabilitation</b>		
	Programme 02 Development Activities	18,440,000	1,350,000
Head 322	<b>Department of National Botanical Gardens</b>		
	Programme 02 Development Activities	226,950,000	448,150,000
	<b>Ministry of Disaster Management</b>		
	<b>Recurrent</b>	<b>654,550,000</b>	
	<b>Capital</b>	<b>711,575,000</b>	
	Made up as follows :—		
Head 106	<b>Minister of Disaster Management</b>		
	Programme 01 Operational Activities	100,850,000	53,950,000
	Programme 02 Development Activities	374,100,000	613,025,000
Head 304	<b>Department of Meteorology</b>		
	Programme 02 Development Activities	179,600,000	44,600,000
	<b>Ministry of Postal Services</b>		
	<b>Recurrent</b>	<b>8,499,930,000</b>	
	<b>Capital</b>	<b>314,800,000</b>	
	Made up as follows :—		
Head 108	<b>Minister of Postal Services</b>		
	Programme 01 Operational Activities	83,030,000	8,000,000
	Programme 02 Development Activities	4,000,000	165,000,000
Head 308	<b>Department of Posts</b>		
	Programme 01 Operational Activities	8,412,900,000	141,800,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>	14
	<b>Ministry of Justice</b>			
	<b>Recurrent</b>	<b>4,351,000,000</b>		
	<b>Capital</b>	<b>1,044,000,000</b>		
	Made up as follows :—			
Head 110	<b>Minister of Justice</b> Programme 01 Operational Activities	520,000,000	87,800,000	<i>Appropriation Act, No. 23 of 2012</i>
Head 228	<b>Courts Administration</b> Programme 01 Operational Activities	3,589,000,000	887,200,000	
Head 231	<b>Department of Debt Conciliation Board</b> Programme 01 Operational Activities	9,700,000	700,000	
Head 233	<b>Department of Government Analyst</b> Programme 01 Operational Activities	115,400,000	60,000,000	
Head 234	<b>Registrar of Supreme Court</b> Programme 01 Operational Activities	103,200,000	5,900,000	
Head 235	<b>Department of Law Commission</b> Programme 01 Operational Activities	13,700,000	2,400,000	
	<b>Ministry of Health</b>			
	<b>Recurrent</b>	<b>74,999,998,000</b>		
	<b>Capital</b>	<b>18,522,264,000</b>		
	Made up as follows :—			
Head 111	<b>Minister of Health</b> Programme 01 Operational Activities	66,488,192,000	863,765,000	
	Programme 02 Development Activities	8,511,806,000	17,658,499,000	



<b>Ministry of External Affairs</b>				
	<b>Recurrent</b>	<b>7,200,000,000</b>		
	<b>Capital</b>	<b>855,000,000</b>		
Made up as follows :—				
Head 112	<b>Minister of External Affairs</b>			
	Programme 01 Operational Activities	135,100,000	6,300,000	
	Programme 02 Development Activities	7,064,900,000	848,700,000	
<b>Ministry of Transport</b>				
	<b>Recurrent</b>	<b>15,971,760,000</b>		
	<b>Capital</b>	<b>28,799,700,000</b>		
Made up as follows :—				
Head 114	<b>Minister of Transport</b>			
	Programme 01 Operational Activities	146,000,000	12,400,000	
	Programme 02 Development Activities	4,086,000,000	5,986,000,000	
Head 306	<b>Department of Sri Lanka Railways</b>			
	Programme 02 Development Activities	10,291,460,000	21,750,500,000	
Head 307	<b>Department of Motor Traffic</b>			
	Programme 02 Development Activities	1,448,300,000	1,050,800,000	
<b>Ministry of Petroleum Industries</b>				
	<b>Recurrent</b>	<b>115,000,000</b>		
	<b>Capital</b>	<b>17,000,000</b>		
Made up as follows :—				
Head 115	<b>Minister of Petroleum Industries</b>			
	Programme 01 Operational Activities	115,000,000	17,000,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Co-operatives and Internal Trade</b>		
	<b>Recurrent</b>	<b>1,300,000,000</b>	
	<b>Capital</b>	<b>720,000,000</b>	
	Made up as follows :—		
Head 116	<b>Minister of Co-operatives and Internal Trade</b>		
	Programme 01 Operational Activities	953,086,000	179,010,000
	Programme 02 Development Activities	—	271,385,000
Head 298	<b>Department of Measurement Units, Standards and Services</b>		
	Programme 01 Operational Activities	62,020,000	225,500,000
Head 300	<b>Department of Food Commissioner</b>		
	Programme 01 Operational Activities	225,794,000	27,485,000
Head 301	<b>Department of Co-operative Development (Registrar of Co-operative Societies)</b>		
	Programme 01 Operational Activities	47,130,000	15,750,000
Head 302	<b>Co-operative Employees Commission</b>		
	Programme 01 Operational Activities	11,970,000	870,000
	<b>Ministry of Ports and Highways</b>		
	<b>Recurrent</b>	<b>214,370,000</b>	
	<b>Capital</b>	<b>131,400,000,000</b>	
	Made up as follows :—		
Head 117	<b>Minister of Ports and Highways</b>		
	Programme 01 Operational Activities	214,370,000	10,000,000
	Programme 02 Development Activities	—	131,390,000,000

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	<b>Ministry of Agriculture</b>		
	<b>Recurrent</b>	<b>2,694,000,000</b>	
	<b>Capital</b>	<b>2,700,210,000</b>	
Made up as follows :—			
Head 118	<b>Minister of Agriculture</b>		
	Programme 01 Operational Activities	131,250,000	22,100,000
	Programme 02 Development Activities	346,230,000	1,145,550,000
Head 285	<b>Department of Agriculture</b>		
	Programme 01 Operational Activities	260,350,000	34,460,000
	Programme 02 Development Activities	1,956,170,000	1,498,100,000
	<b>Ministry of Power and Energy</b>		
	<b>Recurrent</b>	<b>1,100,000,000</b>	
	<b>Capital</b>	<b>27,450,149,000</b>	
Made up as follows :—			
Head 119	<b>Minister of Power and Energy</b>		
	Programme 01 Operational Activities	1,100,000,000	1,444,249,000
	Programme 02 Development Activities	—	26,005,900,000
	<b>Ministry of Child Development and Women's Affairs</b>		
	<b>Recurrent</b>	<b>795,365,000</b>	
	<b>Capital</b>	<b>251,685,000</b>	
Made up as follows :—			
Head 120	<b>Minister of Child Development and Women's Affairs</b>		
	Programme 01 Operational Activities	315,290,000	123,000,000
	Programme 02 Development Activities	300,690,000	115,860,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 217	<b>Department of Probation and Child Care Services</b>		
	Programme 01 Operational Activities	16,550,000	675,000
	Programme 02 Development Activities	162,835,000	12,150,000
	<b>Ministry of Public Administration and Home Affairs</b>		
	<b>Recurrent</b>	<b>130,500,000,000</b>	
	<b>Capital</b>	<b>2,385,000,000</b>	
Made up as follows :—			
Head 121	<b>Minister of Public Administration and Home Affairs</b>		
	Programme 01 Operational Activities	533,650,000	525,250,000
Head 253	<b>Department of Pensions</b>		
	Programme 01 Operational Activities	119,246,100,000	31,900,000
Head 254	<b>Department of Registrar General</b>		
	Programme 01 Operational Activities	691,400,000	64,850,000
Head 255	<b>District Secretariat, Colombo</b>		
	Programme 01 Operational Activities	461,550,000	230,250,000
Head 256	<b>District Secretariat, Gampaha</b>		
	Programme 01 Operational Activities	614,025,000	61,300,000
Head 257	<b>District Secretariat, Kalutara</b>		
	Programme 01 Operational Activities	524,750,000	60,600,000
Head 258	<b>District Secretariat, Kandy</b>		
	Programme 01 Operational Activities	688,400,000	121,650,000

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Head 259	<b>District Secretariat, Matale</b> Programme 01 Operational Activities	362,525,000	50,250,000
Head 260	<b>District Secretariat, Nuwara-Eliya.</b> Programme 01 Operational Activities	295,875,000	58,350,000
Head 261	<b>District Secretariat, Galle</b> Programme 01 Operational Activities	628,925,000	58,775,000
Head 262	<b>District Secretariat ,Matara</b> Programme 01 Operational Activities	531,625,000	97,300,000
Head 263	<b>District Secretariat , Hambantota</b> Programme 01 Operational Activities	481,695,000	119,150,000
Head 264	<b>District Secretariat/ Kachcheri - Jaffna</b> Programme 01 Operational Activities	402,610,000	44,850,000
Head 265	<b>District Secretariat/ Kachcheri - Mannar</b> Programme 01 Operational Activities	127,450,000	22,700,000
Head 266	<b>District Secretariat/ Kachcheri - Vavuniya</b> Programme 01 Operational Activities	131,950,000	28,850,000
Head 267	<b>District Secretariat/ Kachcheri - Mullaitivu</b> Programme 01 Operational Activities	117,925,000	59,250,000
Head 268	<b>District Secretariat/ Kachcheri - Killinochchi</b> Programme 01 Operational Activities	105,925,000	50,200,000
Head 269	<b>District Secretariat/ Kachcheri - Batticaloa</b> Programme 01 Operational Activities	309,425,000	23,700,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 270	<b>District Secretariat, Ampara</b> Programme 01 Operational Activities	513,010,000	60,000,000
Head 271	<b>District Secretariat/ Kachcheri - Trincomalee</b> Programme 01 Operational Activities	219,700,000	73,300,000
Head 272	<b>District Secretariat, Kurunegala</b> Programme 01 Operational Activities	915,300,000	36,500,000
Head 273	<b>District Secretariat, Puttalam</b> Programme 01 Operational Activities	402,100,000	63,200,000
Head 274	<b>District Secretariat, Anuradhapura</b> Programme 01 Operational Activities	488,075,000	39,425,000
Head 275	<b>District Secretariat - Polonnaruwa</b> Programme 01 Operational Activities	231,675,000	46,750,000
Head 276	<b>District Secretariat - Badulla</b> Programme 01 Operational Activities	396,635,000	69,850,000
Head 277	<b>District Secretariat, Moneragala</b> Programme 01 Operational Activities	282,750,000	94,750,000
Head 278	<b>District Secretariat, Ratnapura</b> Programme 01 Operational Activities	433,275,000	91,150,000
Head 279	<b>District Secretariat, Kegalle</b> Programme 01 Operational Activities	361,675,000	100,900,000

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**Ministry of Mass Media and Information**  
**Recurrent**  
**Capital**

**2,200,325,000**  
**518,200,000**

Made up as follows :—

Head 122	<b>Minister of Mass Media and Information</b>		
	Programme 01 Operational Activities	181,750,000	31,750,000
	Programme 02 Development Activities	223,000,000	310,500,000
Head 210	<b>Department of Information</b>		
	Programme 01 Operational Activities	176,200,000	9,350,000
Head 211	<b>Department of Government Printing</b>		
	Programme 01 Operational Activities	1,619,375,000	166,600,000

**Ministry of Construction, Engineering Services,  
Housing and Common Amenities**  
**Recurrent**  
**Capital**

**735,417,000**  
**2,850,000,000**

Made up as follows :—

Head 123	<b>Minister of Construction, Engineering Services, Housing and Common Amenities</b>		
	Programme 01 Operational Activities	201,352,000	9,745,000
	Programme 02 Development Activities	95,600,000	2,479,135,000
Head 309	<b>Department of Buildings</b>		
	Programme 01 Operational Activities	71,810,000	27,650,000
	Programme 02 Development Activities	167,385,000	13,340,000
Head 310	<b>Government Factory</b>		
	Programme 01 Operational Activities	29,335,000	4,910,000
	Programme 02 Development Activities	24,800,000	313,950,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 311	<b>Department of National Physical Planning</b> Programme 01 Operational Activities	145,135,000	1,270,000
	<b>Ministry of Social Services</b> <b>Recurrent</b> <b>Capital</b>	<b>3,582,510,000</b> <b>269,595,000</b>	
	Made up as follows :—		
Head 124	<b>Minister of Social Services</b> Programme 01 Operational Activities Programme 02 Development Activities	264,040,000 2,988,550,000	16,200,000 219,470,000
Head 216	<b>Department of Social Services</b> Programme 01 Operational Activities Programme 02 Development Activities	99,530,000 230,390,000	20,950,000 12,975,000
	<b>Ministry of Education</b> <b>Recurrent</b> <b>Capital</b>	<b>30,500,490,000</b> <b>7,425,075,000</b>	
	Made up as follows :—		
Head 126	<b>Minister of Education</b> Programme 01 Operational Activities Programme 02 Development Activities	561,740,000 27,923,775,000	110,550,000 7,081,425,000
Head 212	<b>Department of Examinations</b> Programme 02 Development Activities	1,988,550,000	188,200,000
Head 213	<b>Department of Educational Publications</b> Programme 02 Development Activities	26,425,000	44,900,000

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Appropriation Act, No. 23 of 2012



	<b>Ministry of Labour and Labour Relations</b>		
	<b>    Recurrent</b>	<b>1,270,460,000</b>	
	<b>    Capital</b>	<b>810,035,000</b>	
Made up as follows :—			
Head 127	<b>Minister of Labour and Labour Relations</b>		
	Programme 01 Operational Activities	80,735,000	37,050,000
	Programme 02 Development Activities	89,095,000	12,710,000
Head 221	<b>Department of Labour</b>		
	Programme 01 Operational Activities	557,250,000	214,000,000
	Programme 02 Development Activities	543,380,000	546,275,000
	<b>Ministry of Traditional Industries and Small Enterprise Development</b>		
	<b>    Recurrent</b>	<b>540,000,000</b>	
	<b>    Capital</b>	<b>383,000,000</b>	
Made up as follows :—			
Head 128	<b>Minister of Traditional Industries and Small Enterprise Development</b>		
	Programme 01 Operational Activities	119,000,000	7,200,000
	Programme 02 Development Activities	421,000,000	375,800,000
	<b>Ministry of Local Government and Provincial Councils</b>		
	<b>    Recurrent</b>	<b>103,000,000,000</b>	
	<b>    Capital</b>	<b>29,790,000,000</b>	
Made up as follows :—			
Head 130	<b>Minister of Local Government and Provincial Councils</b>		
	Programme 01 Operational Activities	200,000,000	43,400,000
	Programme 02 Development Activities	—	2,792,400,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 312	<b>Western Provincial Council</b>		
	Programme 01 Operational Activities	8,501,755,000	—
	Programme 02 Development Activities	—	2,071,000,000
Head 313	<b>Central Provincial Council</b>		
	Programme 01 Operational Activities	14,863,832,000	—
	Programme 02 Development Activities	—	3,575,000,000
Head 314	<b>Southern Provincial Council</b>		
	Programme 01 Operational Activities	12,908,465,000	—
	Programme 02 Development Activities	—	1,929,000,000
Head 315	<b>Northern Provincial Council</b>		
	Programme 01 Operational Activities	10,075,295,000	—
	Programme 02 Development Activities	—	3,887,700,000
Head 316	<b>North Western Provincial Council</b>		
	Programme 01 Operational Activities	14,118,105,000	—
	Programme 02 Development Activities	—	2,137,000,000
Head 317	<b>North Central Provincial Council</b>		
	Programme 01 Operational Activities	7,345,621,000	—
	Programme 02 Development Activities	—	2,369,500,000
Head 318	<b>Uva Provincial Council</b>		
	Programme 01 Operational Activities	10,263,208,000	—
	Programme 02 Development Activities	—	2,836,000,000
Head 319	<b>Sabaragamuwa Provincial Council</b>		
	Programme 01 Operational Activities	13,088,463,000	—
	Programme 02 Development Activities	—	3,017,000,000

Head 321	<b>Eastern Provincial Council</b>		
	Programme 01 Operational Activities	11,635,256,000	—
	Programme 02 Development Activities	—	5,132,000,000
	<b>Ministry of Technology and Research</b>		
	<b>Recurrent</b>	<b>1,293,000,000</b>	
	<b>Capital</b>	<b>2,140,000,000</b>	
	Made up as follows :—		
Head 133	<b>Minister of Technology and Research</b>		
	Programme 01 Operational Activities	168,371,000	36,050,000
	Programme 02 Development Activities	1,124,629,000	2,103,950,000
	<b>Ministry of National Languages and Social Integration</b>		
	<b>Recurrent</b>	<b>319,185,000</b>	
	<b>Capital</b>	<b>212,435,000</b>	
	Made up as follows :—		
Head 134	<b>Minister of National Languages and Social Integration</b>		
	Programme 01 Operational Activities	135,400,000	93,070,000
	Programme 02 Development Activities	100,070,000	83,850,000
Head 236	<b>Department of Official Languages</b>		
	Programme 01 Operational Activities	83,715,000	35,515,000
	<b>Ministry of Plantation Industries</b>		
	<b>Recurrent</b>	<b>1,749,750,000</b>	
	<b>Capital</b>	<b>1,080,300,000</b>	
	Made up as follows :—		
Head 135	<b>Minister of Plantation Industries</b>		
	Programme 01 Operational Activities	107,510,000	10,350,000
	Programme 02 Development Activities	898,390,000	973,950,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 293	<b>Department of Rubber Development</b> Programme 02 Development Activities	743,850,000	96,000,000
	<b>Ministry of Sports</b>		
	<b>Recurrent</b>	<b>843,000,000</b>	
	<b>Capital</b>	<b>1,800,000,000</b>	
	Made up as follows :—		
Head 136	<b>Minister of Sports</b>		
	Programme 01 Operational Activities	151,275,000	187,770,000
	Programme 02 Development Activities	193,568,000	304,160,000
Head 219	<b>Department of Sports Development</b>		
	Programme 01 Operational Activities	120,067,000	11,200,000
	Programme 02 Development Activities	378,090,000	1,296,870,000
	<b>Ministry of Indigenous Medicine</b>		
	<b>Recurrent</b>	<b>950,000,000</b>	
	<b>Capital</b>	<b>804,000,000</b>	
	Made up as follows :—		
Head 138	<b>Minister of Indigenous Medicine</b>		
	Programme 01 Operational Activities	229,250,000	84,280,000
	Programme 02 Development Activities	—	144,000,000
Head 220	<b>Department of Ayurveda</b>		
	Programme 01 Operational Activities	89,363,000	11,220,000
	Programme 02 Development Activities	631,387,000	564,500,000

**Ministry of Fisheries and Aquatic Resources Development**  
**Recurrent** 876,572,000  
**Capital** 1,810,750,000

Made up as follows :—

Head 139	<b>Minister of Fisheries and Aquatic Resources Development</b>		
	Programme 01 Operational Activities	154,834,000	58,450,000
	Programme 02 Development Activities	475,050,000	1,394,500,000
Head 290	<b>Department of Fisheries and Aquatic Resources</b>		
	Programme 01 Operational Activities	246,688,000	357,800,000

**Ministry of Livestock and Rural Community Development**  
**Recurrent** 461,962,000  
**Capital** 2,407,630,000

Made up as follows :—

Head 140	<b>Minister of Livestock and Rural Community Development</b>		
	Programme 01 Operational Activities	150,406,000	126,230,000
	Programme 02 Development Activities	—	1,748,500,000
Head 292	<b>Department of Animal Production and Health</b>		
	Programme 01 Operational Activities	311,556,000	60,400,000
	Programme 02 Development Activities	—	472,500,000

**Ministry of National Heritage**  
**Recurrent** 850,000,000  
**Capital** 725,000,000

Made up as follows :—

Head 142	<b>Minister of National Heritage</b>		
	Programme 01 Operational Activities	123,390,000	12,250,000
	Programme 02 Development Activities	28,920,000	164,700,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 207	<b>Department of Archaeology</b>		
	Programme 01 Operational Activities	73,890,000	13,800,000
	Programme 02 Development Activities	444,090,000	147,650,000
Head 208	<b>Department of National Museums</b>		
	Programme 01 Operational Activities	17,445,000	3,100,000
	Programme 02 Development Activities	91,825,000	89,300,000
Head 209	<b>Department of National Archives</b>		
	Programme 01 Operational Activities	26,060,000	19,800,000
	Programme 02 Development Activities	44,380,000	274,400,000
	<b>Ministry of Parliamentary Affairs</b>		
	<b>Recurrent</b>	<b>373,000,000</b>	
	<b>Capital</b>	<b>44,000,000</b>	
	Made up as follows :—		
Head 143	Minister of Parliamentary Affairs		
	Programme 01 Operational Activities	373,000,000	44,000,000
	<b>Ministry of Re-settlement</b>		
	<b>Recurrent</b>	<b>174,092,000</b>	
	<b>Capital</b>	<b>263,230,000</b>	
	Made up as follows :—		
Head 145	<b>Minister of Re-settlement</b>		
	Programme 01 Operational Activities	142,042,000	7,080,000
	Programme 02 Development Activities	32,050,000	256,150,000

**Ministry of Industry and Commerce**

**Recurrent**

**950,405,000**

**Capital**

**1,710,000,000**

Made up as follows :—

Head 149	<b>Minister of Industry and Commerce</b>			
	Programme 01	Operational Activities	181,315,000	17,400,000
	Programme 02	Development Activities	387,910,000	1,655,075,000
Head 295	<b>Department of Commerce</b>			
	Programme 01	Operational Activities	95,976,000	11,425,000
Head 297	<b>Department of the Registrar of Companies</b>			
	Programme 01	Operational Activities	28,550,000	—
Head 299	<b>National Intellectual Property Office of Sri Lanka</b>			
	Programme 01	Operational Activities	20,925,000	—
Head 303	<b>Department of Textile Industries</b>			
	Programme 02	Development Activities	235,729,000	26,100,000

**Ministry of Irrigation and Water Resources Management**

**Recurrent**

**3,600,000,000**

**Capital**

**36,900,000,000**

Made up as follows :—

Head 152	<b>Minister of Irrigation and Water Resources Management</b>			
	Programme 01	Operational Activities	108,770,000	16,025,000
	Programme 02	Development Activities	2,054,980,000	30,918,320,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 282	<b>Department of Irrigation</b>		
	Programme 01 Operational Activities	372,350,000	41,625,000
	Programme 02 Development Activities	1,063,900,000	5,924,030,000
	<b>Ministry of Land and Land Development</b>		
	<b>Recurrent</b>	<b>2,663,358,000</b>	
	<b>Capital</b>	<b>2,759,400,000</b>	
Made up as follows :—			
Head 153	<b>Minister of Land and Land Development</b>		
	Programme 01 Operational Activities	140,628,000	14,500,000
	Programme 02 Development Activities	—	2,500,000,000
Head 286	<b>Department of Land Commissioner</b>		
	Programme 02 Development Activities	199,800,000	51,600,000
Head 287	<b>Department of Land Settlement</b>		
	Programme 02 Development Activities	192,250,000	5,700,000
Head 288	<b>Department of Survey</b>		
	Programme 01 Operational Activities	159,220,000	59,400,000
	Programme 02 Development Activities	1,786,590,000	77,900,000
Head 327	<b>Department of Land Use Policy Planning</b>		
	Programme 02 Development Activities	184,870,000	50,300,000
	<b>Ministry of Yourth Affairs and Skills Development</b>		
	<b>Recurrent</b>	<b>4,198,470,000</b>	
	<b>Capital</b>	<b>4,275,000,000</b>	

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Made up as follows :—

Head 156	<b>Minister of Yourth Affairs and Skills Development</b>		
	Programme 01 Operational Activities	123,890,000	21,150,000
	Programme 02 Development Activities	2,753,680,000	4,058,750,000
Head 215	<b>Department of Technical Education and Training</b>		
	Programme 01 Operational Activities	139,000,000	13,600,000
	Programme 02 Development Activities	1,181,900,000	181,500,000
	<b>Ministry of Environment</b>		
	<b>Recurrent</b>	<b>1,500,000,000</b>	
	<b>Capital</b>	<b>1,800,000,000</b>	

Made up as follows :—

Head 160	<b>Minister of Environment</b>		
	Programme 01 Operational Activities	186,930,000	25,750,000
	Programme 02 Development Activities	407,000,000	1,320,350,000
Head 283	<b>Department of Forests</b>		
	Programme 01 Operational Activities	906,070,000	453,900,000
	<b>Ministry of Water Supply and Drainage</b>		
	<b>Recurrent</b>	<b>180,000,000</b>	
	<b>Capital</b>	<b>34,771,000,000</b>	

Made up as follows :—

Head 166	<b>Minister of Water Supply and Drainage</b>		
	Programme 01 Operational Activities	116,000,000	6,800,000
	Programme 02 Development Activities	64,000,000	34,764,200,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Higher Education</b>		
	<b>Recurrent</b>	<b>18,000,430,000</b>	
	<b>Capital</b>	<b>9,900,405,000</b>	
	Made up as follows :—		
Head 171	<b>Minister of Higher Education</b>		
	Programme 01 Operational Activities	254,630,000	397,025,000
	Programme 02 Development Activities	620,000,000	2,138,380,000
Head 214	<b>University Grants Commission</b>		
	Programme 02 Development Activities	17,125,800,000	7,365,000,000
	<b>Ministry of Public Management Reforms</b>		
	<b>Recurrent</b>	<b>82,050,000</b>	
	<b>Capital</b>	<b>90,000,000</b>	
	Made up as follows :—		
Head 173	<b>Minister of Public Management Reforms</b>		
	Programme 01 Operational Activities	82,050,000	90,000,000
	<b>Ministry of Rehabilitation and Prison Reforms</b>		
	<b>Recurrent</b>	<b>4,141,510,000</b>	
	<b>Capital</b>	<b>1,180,320,000</b>	
	Made up as follows :—		
Head 174	<b>Minister of Rehabilitation and Prison Reforms</b>		
	Programme 01 Operational Activities	370,080,000	129,600,000

Head 232	<b>Department of Prisons</b>			
	Programme 01	Operational Activities	3,700,500,000	1,045,000,000
Head 326	<b>Department of Community Based Corrections</b>			
	Programme 01	Operational Activities	70,930,000	5,720,000
	<b>Ministry of State Resources and Enterprise Development</b>			
	<b>Recurrent</b>		<b>115,000,000</b>	
	<b>Capital</b>		<b>315,000,000</b>	
	Made up as follows :—			
Head 175	<b>Minister of State Resources and Enterprise Development</b>			
	Programme 01	Operational Activities	115,000,000	48,000,000
	Programme 02	Development Activities	—	267,000,000
	<b>Ministry of Civil Aviation</b>			
	<b>Recurrent</b>		<b>110,000,000</b>	
	<b>Capital</b>		<b>15,000,200,000</b>	
	Made up as follows :—			
Head 176	<b>Minister of Civil Aviation</b>			
	Programme 01	Operational Activities	110,000,000	4,200,000
	Programme 02	Development Activities	—	14,996,000,000
	<b>Ministry of Culture and the Arts</b>			
	<b>Recurrent</b>		<b>950,000,000</b>	
	<b>Capital</b>		<b>675,000,000</b>	
	Made up as follows :—			
Head 177	<b>Minister of Culture and the Arts</b>			
	Programme 01	Operational Activities	141,815,000	15,700,000
	Programme 02	Development Activities	492,665,000	507,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 206	<b>Department of Cultural Affairs</b>		
	Programme 01 Operational Activities	79,150,000	7,500,000
	Programme 02 Development Activities	236,370,000	144,800,000
	<b>Ministry of Coconut Development and Janatha Estate Development</b>		
	<b>Recurrent</b>	<b>599,525,000</b>	
	<b>Capital</b>	<b>1,035,800,000</b>	
	Made up as follows :—		
Head 178	<b>Minister of Coconut Development and Janatha Estate Development</b>		
	Programme 01 Operational Activities	62,525,000	15,800,000
	Programme 02 Development Activities	537,000,000	1,020,000,000
	<b>Ministry of Agrarian Services &amp; Wildlife</b>		
	<b>Recurrent</b>	<b>41,943,000,000</b>	
	<b>Capital</b>	<b>1,316,000,000</b>	
	Made up as follows :—		
Head 179	<b>Minister of Agrarian Services &amp; Wildlife</b>		
	Programme 01 Operational Activities	76,265,000	13,650,000
	Programme 02 Development Activities	37,866,840,000	129,450,000
Head 281	<b>Department of Agrarian Development</b>		
	Programme 01 Operational Activities	229,385,000	56,000,000
	Programme 02 Development Activities	3,238,900,000	474,000,000
Head 284	<b>Department of Wildlife Conservation</b>		
	Programme 01 Operational Activities	531,610,000	642,900,000

	<b>Ministry of Minor Export Crop Promotion</b>			
	<b>    Recurrent</b>	<b>435,780,000</b>		
	<b>    Capital</b>	<b>494,550,000</b>		
	Made up as follows :—			
Head 180	<b>Minister of Minor Export Crop Promotion</b>			
	Programme 01 Operational Activities	64,970,000	14,750,000	
	Programme 02 Development Activities	65,000,000	64,000,000	
Head 289	<b>Department of Export Agriculture</b>			
	Programme 02 Development Activities	305, 810,000	415,800,000	
	<b>Ministry of Productivity Promotion</b>			
	<b>    Recurrent</b>	<b>350,000,000</b>		
	<b>    Capital</b>	<b>113,000,000</b>		
	Made up as follows :—			
Head 181	<b>Minister of Productivity Promotion</b>			
	Programme 01 Operational Activities	63,900,000	14,000,000	
	Programme 02 Development Activities	42,100,000	55,800,000	
Head 328	<b>Department of Man Power and Employment</b>			
	Programme 01 Operational Activities	244,000,000	43,200,000	
	<b>Ministry of Foreign Employment Promotion and Welfare</b>			
	<b>    Recurrent</b>	<b>100,725,000</b>		
	<b>    Capital</b>	<b>225,000,000</b>		
	Made up as follows :—			
Head 182	<b>Minister of Foreign Employment Promotion and Welfare</b>			
	Programme 01 Operational Activities	47,925,000	9,850,000	
	Programme 02 Development Activities	52,800,000	215,150,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Public Relations and Public Affairs</b>		
	<b>Recurrent</b>	<b>60,000,000</b>	
	<b>Capital</b>	<b>153,000,000</b>	
	Made up as follows :—		
Head 183	<b>Minister of Public Relations and Public Affairs</b>		
	Programme 01 Operational Activities	60,000,000	153,000,000
	<b>Ministry of Private Transport Services</b>		
	<b>Recurrent</b>	<b>560,475,000</b>	
	<b>Capital</b>	<b>206,800,000</b>	
	Made up as follows :—		
Head 184	<b>Minister of Private Transport Services</b>		
	Programme 01 Operational Activities	59,975,000	44,800,000
	Programme 02 Development Activities	500,500,000	162,000,000
	<b>Ministry of Telecommunication and Information Technology</b>		
	<b>Recurrent</b>	<b>117,600,000</b>	
	<b>Capital</b>	<b>425,800,000</b>	
	Made up as follows :—		
Head 185	<b>Minister of Telecommunication and Information Technology</b>		
	Programme 01 Operational Activities	81,950,000	17,450,000
	Programme 02 Development Activities	35,650,000	408,350,000

SECOND SCHEDULE — ESTIMATE 2013

Expenditure of the Government, Authorised by Laws and to be Charged on the Consolidated Fund

<i>Head No.</i>	<i>Unit/ Ministry/Department or Institution by whom expenditure is incurred</i>	<i>Law under which expenditure is authorised</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
4	Judges of the Superior Courts	Article 108 of the Constitution	Programme 01-Operational Activities	28,000,000	—	28,000,000
6	Public Service Commission	Chapter IX of the Constitution	Programme 01-Operational Activities	3,660,000	—	3,660,000
7	Judicial Service Commission	Chapter XV A of the Constitution	Programme 01-Operational Activities	1,301,000	—	1,301,000
8	National Police Commission	Chapter XV III A of the Constitution	Programme 01-Operational Activities	3,113,000	—	3,113,000

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<i>Head No.</i>	<i>Unit/ Ministry/Department or Institution by whom expenditure is incurred</i>	<i>Law under which expenditure is authorised</i>	<i>Expenditure Programme</i>	<i>Recurrent Rs.</i>	<i>Capital Rs.</i>	<i>Total Rs.</i>
10	Commission to Investigate Allegations of Bribery or Corruption	The Commission to Investigate Allegations of Bribery or Corruption Commission Act, No. 19 of 1994	Programme 01-Operational Activities	2,400,000	—	2,400,000
16	Parliament	Article 65 of the Constitution	Programme 01-Operational Activities	1,237,000	—	1,237,000
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	780,000	—	780,000
22	Office of the Parliamentary Commissioner for Administration	Article 156 of the Constitution	Programme 01-Operational Activities	780,000	—	780,000
111	Ministry of Health	Medical Ordinance (Chapter. 105)	Programme 01-Operational Activities	2,000	—	2,000

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239	Department of External Resources	Bretton Woods Agreements (Special Provisions) Law No. 10 of 1978 Asian Development Bank Agreement (Ratification) Act, No. 21 of 1966	Programme 01- Operational Activities	133,159,000	521,000,000	654,159,000
249	Department of Treasury Operations	Foreign Loans Act, No. 29 of 1957 (section 2 Paragraphs (a) and (c), Local Treasury Bills Ordinance (Chapter 417)	Programme 01- Operational Activities	437,800,000,000	717,000,000,000	1,154,800,000,000
253	Department of Pensions	Widows' and Orphans' Pension Fund Ordinance (Chapter 431), Widowers' and Orphans' Pensions Act, No. 24 of 1983, Widows' and Orphans' Pension Scheme(Armed Forces) Act, No. 18 of 1970, School Teachers' Pensions Act (Chapter 432)	Programme 01- Operational Activities	24,500,000,000	—	24,500,000,000

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THIRD SCHEDULE — ESTIMATE —2013

Limits of Advance Account Activities —2013

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
1	His Excellency the President	00101	Advances to Public Officers	23,000,000	12,500,000	100,000,000	—
2	Office of the Prime Minister	00201	Advances to Public Officers	5,500,000	3,000,000	22,000,000	—
3	Secretariat for Special Functions (Senior Ministers)	00301	Advances to Public Officers	4,000,000	900,000	11,000,000	—
4	Judges of the Superior Courts	00401	Advances to Public Officers	3,000,000	1,000,000	15,000,000	—
5	Office of the Cabinet of Ministers	00501	Advances to Public Officers	3,000,000	2,400,000	14,000,000	—
6	Public Service Commission	00601	Advances to Public Officers	8,000,000	3,500,000	32,000,000	—
7	Judicial Service Commission	00701	Advances to Public Officers	3,000,000	1,200,000	20,000,000	—
8	National Police Commission	00801	Advances to Public Officers	1,800,000	1,100,000	12,000,000	—
9	Administrative Appeals Tribunal	00901	Advances to Public Officers	1,000,000	200,000	3,400,000	—

10	Commission to Investigate Allegations of Bribery or Corruption	01001	Advances to Public Officers	5,500,000	3,000,000	25,000,000	—
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	12,000,000	—
12	Office of the Finance Commission	01101	Advances to Public Officers	3,500,000	1,000,000	20,000,000	—
13	National Education Commission	01201	Advances to Public Officers	1,500,000	600,000	6,000,000	—
14	Department of Attorney General	01401	Advances to Public Officers	25,000,000	12,000,000	90,000,000	—
15	Department of Legal Draftsman	01501	Advances to Public Officers	5,300,000	2,000,000	24,000,000	—
16	Parliament	01601	Advances to Public Officers	39,000,000	24,000,000	175,000,000	—
17	Office of the Leader of the House of Parliament	01701	Advances to Public Officers	1,500,000	800,000	3,500,000	—
18	Office of the Chief Government Whip of Parliament	01801	Advances to Public Officers	1,500,000	1,000,000	8,500,000	—
19	Office of the Leader of the Opposition of Parliament	01901	Advances to Public Officers	2,000,000	1,000,000	9,000,000	—
20	Department of Elections	02001	Advances to Public Officers	23,000,000	13,000,000	80,000,000	—
21	Auditor-General	02101	Advances to Public Officers	55,000,000	43,000,000	300,000,000	—
22	Office of the Parliamentary Commissioner for Administration	02201	Advances to Public Officers	800,000	200,000	3,000,000	—
23	Minister of Buddha Sasana and Religious Affairs	10101	Advances to Public Officers	6,000,000	1,900,000	22,000,000	—
24	Minister of Finance and Planning	10201	Advances to Public Officers	16,000,000	8,000,000	70,000,000	—
25	Minister of Defence and Urban Development	10301	Advances to Public Officers	285,000,000	120,000,000	650,000,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
26	Minister of Economic Development	10501	Advances to Public Officers	120,000,000	57,000,000	460,000,000	—
27	Minister of Disaster Management	10601	Advances to Public Officers	4,000,000	2,500,000	16,000,000	—
28	Minister of Postal Services	10801	Advances to Public Officers	5,000,000	1,900,000	30,000,000	—
29	Minister of Justice	11001	Advances to Public Officers	11,000,000	5,800,000	48,000,000	—
30	Minister of Health	11101	Advances to Public Officers	930,000,000	900,000,000	2,067,000,000	—
31	Minister of External Affairs	11201	Advances to Public Officers	30,000,000	18,000,000	125,000,000	—
32	Minister of Transport	11401	Advances to Public Officers	8,000,000	2,600,000	33,500,000	—
33	Minister of Petroleum Industry	11501	Advances to Public Officers	4,000,000	1,200,000	13,000,000	—
34	Minister of Co-operatives and Internal Trade	11601	Advances to Public Officers	6,000,000	3,400,000	30,000,000	—
35	Minister of Ports and Highways	11701	Advances to Public Officers	8,000,000	3,900,000	34,000,000	—
36	Minister of Agriculture	11801	Advances to Public Officers	8,500,000	4,800,000	55,000,000	—
37	Minister of Power and Energy	11901	Advances to Public Officers	5,000,000	2,400,000	20,000,000	—
38	Minister of Child Development and Women's Affairs	12001	Advances to Public Officers	22,000,000	8,000,000	80,000,000	—

39	Minister of Public Administration and Home Affairs	12101	Advances to Public Officers	29,000,000	14,000,000	100,000,000	—
40	Minister of Mass Media and Information	12201	Advances to Public Officers	6,000,000	3,700,000	22,000,000	—
41	Minister of Construction, Engineering Services, Housing and Common Amenities	12301	Advances to Public Officers	7,500,000	4,000,000	70,000,000	—
42	Minister of Social Services	12401	Advances to Public Officers	8,000,000	3,500,000	48,000,000	—
43	Minister of Education	12601	Advances to Public Officers	850,000,000	675,000,000	2,750,000,000	—
44	Minister of Labour and Labour Relations	12701	Advances to Public Officers	6,500,000	2,000,000	21,000,000	—
45	Minister of Traditional Industries and Small Enterprises Development	12801	Advances to Public Officers	6,500,000	2,500,000	23,000,000	—
46	Minister of Local Government and Provincial Councils	13001	Advances to Public Officers	8,000,000	4,000,000	35,000,000	—
47	Minister of Technology and Research	13301	Advances to Public Officers	27,000,000	10,000,000	85,000,000	—
48	Minister of National Languages and Social Integration	13401	Advances to Public Officers	8,500,000	4,000,000	50,000,000	—
49	Minister of Plantation Industries	13501	Advances to Public Officers	6,000,000	2,800,000	30,000,000	—
50	Minister of Sports	13601	Advances to Public Officers	6,000,000	2,800,000	24,000,000	—
51	Minister of Indigenous Medicine	13801	Advances to Public Officers	11,000,000	4,000,000	36,000,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
52	Minister of Fisheries and Aquatic Resources Development	13901	Advances to Public Officers	6,300,000	3,800,000	38,000,000	—
53	Minister of Livestock and Rural Community Development	14001	Advances to Public Officers	6,000,000	3,700,000	30,000,000	—
54	Minister of National Heritage	14201	Advances to Public Officers	4,500,000	1,700,000	28,000,000	—
55	Minister of Parliamentary Affairs	14301	Advances to Public Officers	6,000,000	2,000,000	21,500,000	—
56	Minister of Resettlement	14501	Advances to Public Officers	6,000,000	2,400,000	17,000,000	—
57	Minister of Industry and Commerce	14901	Advances to Public Officers	12,000,000	8,000,000	55,000,000	—
58	Minister of Irrigation and Water Resources Management	15201	Advances to Public Officers	11,000,000	5,500,000	38,000,000	—
59	Minister of Land and Land Development	15301	Advances to Public Officers	13,000,000	4,500,000	50,000,000	—
60	Minister of Youth Affairs and Skills Development	15601	Advances to Public Officers	21,000,000	14,400,000	93,000,000	—
61	Minister of Environment	16001	Advances to Public Officers	7,500,000	5,600,000	45,000,000	—

62	Minister of Water Supply and Drainage	16601	Advances to Public Officers	4,800,000	2,000,000	25,000,000	—
63	Minister of Higher Education	17101	Advances to Public Officers	4,500,000	2,000,000	20,000,000	—
64	Minister of Public Management Reforms	17301	Advances to Public Officers	2,500,000	1,000,000	8,500,000	—
65	Minister of Rehabilitation and Prison Reforms	17401	Advances to Public Officers	3,500,000	1,000,000	15,000,000	—
66	Minister of State Resources and Enterprise Development	17501	Advances to Public Officers	5,000,000	1,500,000	20,000,000	—
67	Minister of Civil Aviation	17601	Advances to Public Officers	2,500,000	1,700,000	14,000,000	—
68	Minister of Culture and the Arts	17701	Advances to Public Officers	32,000,000	14,000,000	110,000,000	—
69	Minister of Coconut Development and Janatha Estate Development	17801	Advances to Public Officers	4,000,000	800,000	8,000,000	—
70	Minister of Agrarian Services and Wildlife	17901	Advances to Public Officers	5,000,000	4,000,000	30,000,000	—
71	Minister of Minor Export Crop Promotion	18001	Advances to Public Officers	3,500,000	900,000	10,000,000	—
72	Minister of Productivity Promotion	18101	Advances to Public Officers	7,500,000	1,300,000	10,000,000	—
73	Minister of Foreign Employment Promotion and Welfare	18201	Advances to Public Officers	4,000,000	1,100,000	8,000,000	—
74	Minister of Public Relations and Public Affairs	18301	Advances to Public Officers	3,000,000	300,000	7,000,000	—
75	Minister of Private Transport Services	18401	Advances to Public Officers	2,000,000	600,000	5,500,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
76	Minister of Telecommunication and Information Technology	18501	Advances to Public Officers	2,800,000	400,000	7,000,000	—
77	Department of Buddhist Affairs	20101	Advances to Public Officers	20,000,000	9,000,000	58,000,000	—
78	Department of Muslim Religious and Cultural Affairs	20201	Advances to Public Officers	2,500,000	900,000	12,000,000	—
79	Department of Christian Religious Affairs	20301	Advances to Public Officers	1,500,000	500,000	6,000,000	—
80	Department of Hindu Religious and Cultural Affairs	20401	Advances to Public Officers	4,500,000	2,000,000	11,500,000	—
81	Department of Public Trustee	20501	Advances to Public Officers	3,000,000	1,300,000	11,000,000	—
82	Department of Cultural Affairs	20601	Advances to Public Officers	19,000,000	8,000,000	87,000,000	—
83	Department of Archaeology	20701	Advances to Public Officers	50,000,000	23,000,000	150,000,000	—
84	Department of National Museums	20801	Advances to Public Officers	9,000,000	4,500,000	45,000,000	—
85	Department of National Archives	20901	Advances to Public Officers	6,500,000	2,700,000	26,000,000	—
86	Department of Information	21001	Advances to Public Officers	8,000,000	5,000,000	46,000,000	—



87	Department of Government Printing	21101 Advances to Public Officers	55,000,000	38,000,000	300,000,000	—
88	Department of Examinations	21201 Advances to Public Officers	19,000,000	14,000,000	100,000,000	—
89	Department of Educational Publications	21301 Advances to Public Officers	7,000,000	3,200,000	33,000,000	—
90	Department of Educational Publications	21302 Printing, Publicity and Sales of Publications	2,500,000,000	2,500,000,000	4,000,000,000	1,000,000,000
91	Department of Technical Education and Training	21501 Advances to Public Officers	60,000,000	46,000,000	300,000,000	—
92	Department of Social Services	21601 Advances to Public Officers	18,200,000	11,200,000	100,000,000	—
93	Department of Probation and Child Care Services	21701 Advances to Public Officers	12,000,000	7,000,000	75,000,000	—
94	Department of Commissioner General of Samurdhi	21801 Advances to Public Officers	14,000,000	9,500,000	98,000,000	—
95	Department of Sports Development	21901 Advances to Public Officers	8,000,000	4,000,000	38,000,000	—
96	Department of Ayurveda	22001 Advances to Public Officers	32,000,000	21,000,000	172,000,000	—
97	Department of Labour	22101 Advances to Public Officers	98,000,000	45,000,000	248,000,000	—
98	Sri Lanka Army	22201 Advances to Public Officers	2,450,000,000	1,750,000,000	4,600,000,000	—
99	Sri Lanka Navy	22301 Advances to Public Officers	500,000,000	280,000,000	1,000,000,000	—
100	Sri Lanka Navy (Explosive items)	22302 Stores Advances Account	535,000,000	540,000,000	450,000,000	—
101	Sri Lanka Air Force	22401 Advances to Public Officers	510,000,000	415,000,000	1,739,000,000	—
102	Department of Police	22501 Advances to Public Officers	1,580,000,000	1,250,000,000	5,120,000,000	—
103	Department of Immigration and Emigration	22601 Advances to Public Officers	29,000,000	21,000,000	154,000,000	—
104	Department of Registration of Persons	22701 Advances to Public Officers	21,000,000	12,000,000	95,000,000	—
105	Courts Administration	22801 Advances to Public Officers	348,000,000	166,000,000	880,000,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
106	Department of Debt Conciliation Board	23101	Advances to Public Officers	1,000,000	300,000	2,400,000	—
107	Department of Prisons	23201	Advances to Public Officers	150,000,000	110,000,000	500,000,000	—
108	Department of Prisons	23202	Prisons Industrial and Agricultural undertakings	90,000,000	115,000,000	30,000,000	12,000,000
109	Department of Government Analyst	23301	Advances to Public Officers	7,000,000	3,500,000	32,000,000	—
110	Registrar of Supreme Court	23401	Advances to Public Officers	12,000,000	5,000,000	42,000,000	—
111	Law Commission of Sri Lanka	23501	Advances to Public Officers	1,200,000	200,000	3,000,000	—
112	Department of Official Languages	23601	Advances to Public Officers	7,000,000	3,000,000	30,000,000	—
113	Department of National Planning	23701	Advances to Public Officers	5,000,000	2,500,000	30,000,000	—
114	Department of Fiscal Policy	23801	Advances to Public Officers	3,000,000	1,000,000	10,000,000	—
115	Department of External Resources	23901	Advances to Public Officers	4,500,000	2,500,000	32,000,000	—
116	Department of National Budget	24001	Advances to Public Officers	8,000,000	3,800,000	37,000,000	—
117	Department of Public Enterprises	24101	Advances to Public Officers	4,000,000	1,500,000	18,000,000	—

118	Department of Management Services	24201	Advances to Public Officers	4,500,000	2,000,000	23,000,000	—
119	Department of Development Finance	24301	Advances to Public Officers	2,500,000	400,000	7,600,000	—
120	Department of Trade Tariff and Investment Policy	24401	Advances to Public Officers	3,000,000	1,200,000	12,000,000	—
121	Department of Public Finance	24501	Advances to Public Officers	4,000,000	1,000,000	18,000,000	—
122	Department of Inland Revenue	24601	Advances to Public Officers	85,000,000	50,000,000	295,000,000	—
123	Sri Lanka Customs	24701	Advances to Public Officers	42,000,000	35,000,000	300,000,000	—
124	Sri Lanka Customs	24702	Expenses in connection with Seized and Forfeited Goods	4,000,000	2,000,000	15,000,000	—
125	Department of Excise	24801	Advances to Public Officers	40,000,000	22,000,000	198,000,000	—
126	Department of Treasury Operations	24901	Advances to Public Officers	4,500,000	2,800,000	24,000,000	—
127	Department of State Accounts	25001	Advances to Public Officers	4,000,000	1,500,000	18,000,000	—
128	Department of State Accounts	25002	Advances for Payments on behalf of other Governments	4,000,000	4,500,000	3,500,000	—
129	Department of State Accounts	25003	Miscellaneous Advances	10,000,000	2,500,000	513,000,000	—
130	Department of Valuation	25101	Advances to Public Officers	17,000,000	12,000,000	70,000,000	—
131	Department of Census and Statistics	25201	Advances to Public Officers	50,000,000	22,000,000	215,000,000	—
132	Department of Pensions	25301	Advances to Public Officers	30,000,000	16,000,000	120,000,000	—
133	Department of Registrar General	25401	Advances to Public Officers	64,000,000	35,000,000	22,000,000	—
134	District Secretariat, Colombo	25501	Advances to Public Officers	47,000,000	34,000,000	200,000,000	—
135	District Secretariat, Gampaha	25601	Advances to Public Officers	68,000,000	58,000,000	240,000,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of the Government	Minimum Limits of Receipts to be credited to the Accounts of the Government	Maximum Limits of Debit Balance of the Government	Maximum Limits of Liabilities of the Government
				Rs.	Rs.	Rs.	Rs.
136	District Secretariat, Kalutara	25701	Advances to Public Officers	70,000,000	38,000,000	265,000,000	—
137	District Secretariat, Kandy	25801	Advances to Public Officers	65,000,000	52,000,000	244,000,000	—
138	District Secretariat, Matale	25901	Advances to Public Officers	25,000,000	24,000,000	150,000,000	—
139	District Secretariat, Nuwara-Eliya	26001	Advances to Public Officers	30,000,000	18,800,000	120,000,000	—
140	District Secretariat, Galle	26101	Advances to Public Officers	52,000,000	46,000,000	223,000,000	—
141	District Secretariat, Matara	26201	Advances to Public Officers	53,000,000	36,000,000	200,000,000	—
142	District Secretariat, Hambantota	26301	Advances to Public Officers	40,000,000	25,000,000	155,000,000	—
143	District Secretariat/Kachcheri, Jaffna	26401	Advances to Public Officers	43,000,000	25,000,000	110,000,000	—
144	District Secretariat/Kachcheri, Mannar	26501	Advances to Public Officers	12,000,000	6,000,000	50,000,000	—
145	District Secretariat/Kachcheri, Vavuniya	26601	Advances to Public Officers	8,000,000	7,000,000	40,000,000	—
146	District Secretariat/Kachcheri, Mullaitivu	26701	Advances to Public Officers	13,000,000	5,000,000	44,000,000	—
147	District Secretariat/Kachcheri, Killinochchi	26801	Advances to Public Officers	16,000,000	6,000,000	57,000,000	—
148	District Secretariat/ Kachcheri, Batticaloa	26901	Advances to Public Officers	37,000,000	21,000,000	90,000,000	—
149	District Secretariat, Ampara	27001	Advances to Public Officers	55,000,000	46,000,000	183,000,000	—

150	District Secretariat/Kachcheri, Trincomalee	27101	Advances to Public Officers	33,000,000	18,000,000	130,000,000	—
151	District Secretariat, Kurunegala	27201	Advances to Public Officers	95,000,000	75,000,000	375,000,000	—
152	District Secretariat, Puttalam	27301	Advances to Public Officers	40,000,000	30,000,000	184,000,000	—
153	District Secretariat, Anuradhapura	27401	Advances to Public Officers	60,000,000	42,000,000	220,000,000	—
154	District Secretariat, Polonnaruwa	27501	Advances to Public Officers	30,000,000	20,000,000	126,000,000	—
155	District Secretariat, Badulla	27601	Advances to Public Officers	43,000,000	31,500,000	155,000,000	—
156	District Secretariat, Monaragala	27701	Advances to Public Officers	34,000,000	23,000,000	147,000,000	—
157	District Secretariat, Ratnapura	27801	Advances to Public Officers	52,000,000	37,000,000	207,000,000	—
158	District Secretariat, Kegalle	27901	Advances to Public Officers	42,000,000	29,000,000	170,000,000	—
159	Department of Project Management and Monitoring	28001	Advances to Public Officers	4,000,000	2,200,000	20,000,000	—
160	Department of Agrarian Development	28101	Advances to Public Officers	250,000,000	140,000,000	830,000,000	—
161	Department of Irrigation	28201	Advances to Public Officers	146,000,000	102,000,000	500,000,000	—
162	Department of Forests	28301	Advances to Public Officers	75,000,000	45,000,000	301,000,000	—
163	Department of Wildlife Conservation	28401	Advances to Public Officers	44,000,000	28,000,000	140,000,000	—
164	Department of Agriculture	28501	Advances to Public Officers	185,000,000	135,000,000	600,000,000	—
165	Department of Agriculture	28502	Maintenance of Agricultural Farms and Seed Sales	330,000,000	330,000,000	70,000,000	—
166	Department of Land Commissioner	28601	Advances to Public Officers	19,000,000	11,000,000	85,000,000	—
167	Department of Land Settlement	28701	Advances to Public Officers	18,000,000	6,500,000	48,000,000	—
168	Department of Surveyor General	28801	Advances to Public Officers	155,000,000	100,000,000	492,000,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
169	Department of Export Agriculture	28901	Advances to Public Officers	31,000,000	20,000,000	118,000,000	—
170	Department of Fisheries and Aquatic Resources	29001	Advances to Public Officers	20,000,000	12,000,000	112,000,000	—
171	Department of Coast Conservation	29101	Advances to Public Officers	14,000,000	7,000,000	59,000,000	—
172	Department of Animal Production and Health	29201	Advances to Public Officers	28,000,000	15,000,000	110,000,000	—
173	Department of Rubber Development	29301	Advances to Public Officers	18,000,000	11,000,000	54,000,000	—
174	Department of National Zoological Gardens	29401	Advances to Public Officers	13,000,000	7,500,000	60,000,000	—
175	Department of Commerce	29501	Advances to Public Officers	5,000,000	2,000,000	20,000,000	—
176	Department of Import and Export Control	29601	Advances to Public Officers	4,000,000	2,000,000	18,000,000	—
177	Department of the Registrar of Companies	29701	Advances to Public Officers	4,500,000	2,100,000	32,000,000	—
178	Department of Measurement Units, Standards and Services	29801	Advances to Public Officers	9,000,000	3,500,000	35,000,000	—
179	National Intellectual Property Office of Sri Lanka	29901	Advances to Public Officers	3,500,000	1,200,000	13,000,000	—

180	Department of Food Commissioner	30001	Advances to Public Officers	7,500,000	3,500,000	46,000,000	—
181	Department of Co-operative Development (Registrar of Co-operative Societies)	30101	Advances to Public Officers	6,000,000	2,000,000	22,000,000	—
182	Co-operative Employees Commission	30201	Advances to Public Officers	2,000,000	300,000	6,000,000	—
183	Department of Textile Industries	30301	Advances to Public Officers	5,500,000	3,200,000	32,000,000	—
184	Department of Meteorology	30401	Advances to Public Officers	13,000,000	5,500,000	70,000,000	—
185	Department of Up-Country Peasantry Rehabilitation	30501	Advances to Public Officers	2,500,000	1,000,000	9,000,000	—
186	Department of Sri Lanka Railways	30601	Advances to Public Officers	570,000,000	375,000,000	1,852,000,000	—
187	Department of Sri Lanka Railways	30602	Railway Stores Advance Account	1,450,000,000	850,000,000	5,640,000,000	800,000,000
188	Department of Motor Traffic	30701	Advances to Public Officers	22,000,000	15,000,000	110,000,000	—
189	Department of Posts	30801	Advances to Public Officers	700,000,000	480,000,000	2,700,000,000	—
190	Department of Buildings	30901	Advances to Public Officers	20,000,000	12,000,000	85,000,000	—
191	Government Factory	31001	Advances to Public Officers	28,000,000	18,000,000	122,000,000	—
192	Government Factory	31002	Government Factory Stores Advance Account	120,000,000	120,000,000	10,000,000	20,000,000
193	Government Factory	31003	Government Factory Work Done Advance Account	260,000,000	280,000,000	180,000,000	5,000,000
194	Department of National Physical Planning	31101	Advances to Public Officers	14,000,000	7,400,000	90,000,000	—

SRL No.	Ministries / Departments	Item No.	I Activities of the Government	II	III	IV	V
				Maximum Limits of Expenditure of Activities of the Government	Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government	Maximum Limits of Debit Balance of Activities of the Government	Maximum Limits of Liabilities of Activities of the Government
				Rs.	Rs.	Rs.	Rs.
195	Department of Civil Security	32001	Advances to Public Officers	175,000,000	160,000,000	75,000,000	—
196	Department of National Botanical Gardens	32201	Advances to Public Officers	17,000,000	8,000,000	66,000,000	—
197	Department of Legal Affairs	32301	Advances to Public Officers	1,200,000	200,000	3,000,000	—
198	Department of Management Audit	32401	Advances to Public Officers	2,000,000	1,200,000	11,000,000	—
199	Department of Community Based Correction	32601	Advances to Public Officers	5,000,000	2,500,000	25,000,000	—
200	Department of Land Use Policy Planning	32701	Advances to Public Officers	18,000,000	6,500,000	60,000,000	—
201	Department of Man Power & Employment	32801	Advances to Public Officers	20,000,000	8,000,000	73,000,000	—
<b>Total</b>				<b>18,330,400,000</b>	<b>13,830,400,000</b>	<b>30,122,900,000</b>	<b>1,837,000,000</b>



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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.