

ACTS OF PARLIAMENT 2014

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

**INSTITUTE OF POLICY STUDIES OF SRI LANKA
(AMENDMENT) ACT, No. 1 OF 2014**

[Certified on 06th February, 2014]

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*Institute of Policy Studies of Sri Lanka
(Amendment) Act, No. 1 of 2014*

[Certified on 06th February, 2014]

L.D.—O. 34/2012.

AN ACT TO AMEND THE INSTITUTE OF POLICY STUDIES OF SRI LANKA
ACT, NO. 53 OF 1988

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

- 1.** This Act may be cited as the Institute of Policy Studies of Sri Lanka (Amendment) Act, No. 1 of 2014.

Short title.
- 2.** Section 7 of the Institute of Policy Studies of Sri Lanka Act, No. 53 of 1988 is hereby amended by the repeal of paragraph (c) of that section, and the substitution therefor of the following paragraph:—

Amendment of Section 7 of Act, No.53 of 1988.

“(c) the Governor of the Central Bank of Sri Lanka or an officer nominated by the Governor;”.
- 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.

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



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
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**NATIONAL INSTITUTE OF BUSINESS
MANAGEMENT (AMENDMENT)
ACT, No. 2 OF 2014**

[Certified on 21st February, 2014]

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*National Institute of Business Management
(Amendment) Act, No. 2 of 2014*

[Certified on 21st February, 2014]

L.D.—O. 36/2012.

AN ACT TO AMEND THE NATIONAL INSTITUTE OF BUSINESS
MANAGEMENT LAW, NO. 23 OF 1976

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

1. This Act may be cited as the National Institute of
Business Management (Amendment) Act, No. 2 of 2014.

Short title.

2. Section 6 of the National Institute of Business
Management Law, No. 23 of 1976 is hereby amended in
subsection (1) of that section, by the repeal of the paragraphs
(a) and (b) thereof, and the substitution therefor, of the
following new paragraphs:—

Amendment of
section 6 of the
Law, No. 23 of
1976.

“(a) the following *ex-officio* members, namely _

- (i) the Director-General of the Institute
appointed under section 16;
- (ii) the President or Vice President of the
Federation of Chambers of Commerce and
Industry of Sri Lanka or any member
nominated by the President;
- (iii) the President or Vice President of the
National Chamber of Commerce of Sri Lanka
or any member nominated by the President;
- (iv) the Director of the Postgraduate Institute of
Management established under the
Universities Act, No. 16 of 1978;
- (v) Secretary to the Ministry of the Minister in
charge of the subject of Technical and
Vocational Education and Training or Senior
Officer nominated by the Secretary;

2 *National Institute of Business Management
(Amendment) Act, No. 2 of 2014*

- (vi) a Senior Officer of Central Bank of Sri Lanka nominated by the Governor of such Bank;
 - (vii) Secretary to the Ministry of the Minister in charge of the subject of Finance and Planning or Senior Officer nominated by the Secretary; and
 - (viii) the Chief Executive Officer of the Institute of Information and Communication Technology Agency of Sri Lanka established under the Information and Communication Technology Act, No. 27 of 2003 or Senior Officer nominated by such Chief Executive Officer.
- (b) the following members to be appointed by the Minister—
- (i) two members being persons with a minimum of ten years experience in Business Management and have achieved distinction in the area of management; and
 - (ii) one member being a person with a minimum of ten years experience in industrial relations and trade union activities.”.

Sinhala text to prevail in case of inconsistency.

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

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



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

**INSTITUTE OF GEOLOGY, SRI LANKA
(INCORPORATION) ACT, No. 3 OF 2014**

[Certified on 04th March, 2014]

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*Institute of Geology, Sri Lanka
(Incorporation) Act, No. 3 of 2014*

[Certified on 04th March, 2014]

L.D.—O. (Inc.) 12/2011.

AN ACT TO INCORPORATE THE INSTITUTE OF GEOLOGY, SRI LANKA

WHEREAS an Institute called and known as the “Institute of Geology, Sri Lanka” has heretofore being established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Institute according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Institute 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 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 Institute of Geology, Sri Lanka (Incorporation) Act, No. 3 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act such and so many persons as now are members of the ‘Institute of Geology, Sri Lanka’ (hereinafter referred to as the “Institute”) and 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 ‘Institute of Geology, Sri Lanka’ (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 Institute of Geology, Sri Lanka.

(2) The Corporation shall be deemed to be a Voluntary Social Service Organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

Objects of the Corporation.

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

- (a) to promote the acquisition, dissemination and exchange of knowledge relating to Geology;
- (b) to encourage research activities into Geological matters;
- (c) to assess the eligibility of candidates for admission to various grades of membership;
- (d) to regulate its professional activities and to assist in maintaining high standards in the general conduct of its activities;
- (e) to promote, maintain and uphold professional and ethical principles and standards in all matters connected with the practice of Geology;
- (f) to enhance and promote the interests and status of the professionals of Geology;
- (g) to provide services to public and private institutions in matters connected with the application of Geology to activities relating to the development and progress of the country; and
- (h) to foster co-ordination with similar professional Institutes in Sri Lanka and other countries in furthering the objects of the Corporation.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Council (hereinafter referred to as the "Council") consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Council of the Institute holding office on the day immediately preceding the date of commencement of this Act, shall function as the Council of the Corporation until the first Council is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Council of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Council including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after the lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Council shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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—

- (a) to purchase, rent, construct, renovate lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Council 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Council may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;

- (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 organize lectures, seminars and conferences with a view to promoting the objects of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation, and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for 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 Council or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;

- (d) the procedure to be followed for the summoning and holding of meetings of the Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Council and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its objects and dissolution 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.

(4) The rules made under this section shall be published in the government *Gazette*.

Register of members.

8. The Council shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Fund of the Corporation.

9. (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 Council 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.

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

Accounts and Auditing.

(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 a qualified auditor appointed by Auditor General.

(4) For the purposes of 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 practise as an Accountant, issued by the Council of 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 practise as an Accountant, issued by the Council of such Institute.

11. (1) The Council shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Environment and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

Annual Report.

(2) A separate Account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by
and payable to
the Institute.

12. All debts and liabilities of the Institute 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 Institute on that day shall be paid to the Corporation for the purposes of this Act.

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 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.

Application of
moneys and
property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Seal of the
Corporation.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the members of the Council 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Council as may be decided by such Council.

Property
remaining on
dissolution.

16. (1) 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 any other institution having objects

similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

17. 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.

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.

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



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
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**PHILIP GUNAWARDENA
COMMEMORATIVE SOCIETY
(INCORPORATION) ACT, No. 4 OF 2014**

[Certified on 04th March, 2014]

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*Philip Gunawardena Commemorative Society
(Incorporation) Act, No. 4 of 2014*

[Certified on 04th March, 2014]

L.D.—O.(Inc.) 11/2012.

AN ACT TO INCORPORATE THE PHILIP GUNAWARDENA
COMMEMORATIVE SOCIETY

WHEREAS a Society called and known as the “Philip Gunawardena Commemorative Society” has heretofore been established in Sri Lanka 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 established 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 Philip Gunawardena Commemorative Society (Incorporation) Act, No. 4 of 2014.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Philip Gunawardena Commemorative Society” (hereinafter referred to as “the Society”) and 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 “Philip Gunawardena Commemorative Society” (hereinafter referred to as “the Corporation”) and by that name may sue and be sued with full power and authority to have, and use a common seal and to alter the same at its pleasure.

Incorporation of the Philip Gunawardena Commemorative Society.

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

General objects of the Corporation.

(a) to research into, foster and promote the philosophy and thinking of the late Mr. Philip Gunawardena;

2 *Philip Gunawardena Commemorative Society
(Incorporation) Act, No. 4 of 2014*

- (b) to collect and preserve available materials connected with the philosophy of the late Mr. Philip Gunawardena, including the speeches made, books and articles written on such philosophy;
- (c) to carry out various commemorative activities in memory of the late Mr. Philip Gunawardena;
- (d) to act in collaboration with Philip Gunawardena Foundation Trust established under the Public Trustee ;
- (e) to foster and promote with reference to the philosophy of the late Mr. Philip Gunawardena, social, educational and cultural development of the disadvantaged and marginalized groups, particularly the youth of Sri Lanka;
- (f) to propagate the memory and the philosophy of the late Mr. Philip Gunawardena by—
 - (i) assisting the relevant authorities to establish and maintain institutions such as orphanages and homes for the aged;
 - (ii) assisting the relevant authorities to establish and maintain vocational training institutions, with a view to promoting self employment among the unemployed youth and to assist such youth to engage successfully in business ventures by providing them with financial, marketing and other necessary assistance;
 - (iii) assisting the relevant authorities to establish and maintain institutions such as preschools and child care centers and to formulate and implement programmes for the welfare of such children;

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- (iv) assisting the relevant authorities to establish and maintain libraries and to carry out programmes on the importance of patronizing such libraries;
- (v) assisting the relevant authorities to establish and maintain educational institutions;
- (vi) granting scholarships and bursaries to deserving students; and
- (vii) the provision of food, clothing, shelter and other forms of relief to needy people.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Committee of Management (hereinafter referred to as the "Committee") consisting of such number of office bearers as may be specified by the rules of the Corporation made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Committee of the Society that holds office on the day immediately preceding the date of commencement of this Act, shall function as the Committee of the Corporation until the first Committee is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Committee of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

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(Incorporation) Act, No. 4 of 2014*

(3) (a) Every office bearer of the Committee including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to death, resignation, incapacity or removal from office of an office bearer, the Committee shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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—

(a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Committee 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 made to the Corporation.

- (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 Government Department, Provincial Council or non Governmental organization or any other person or institution whether in Sri Lanka or abroad with a view to promoting the objects of the Corporation ;
- (e) to invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Committee may determine;
- (f) to undertake, accept execute, perform and administer any lawful trust and conditions affecting any real or personal property with a view to promoting the objects of the Corporation;
- (g) 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 ;
- (h) to organize lectures, seminars and conferences with a view to promoting the objectives of the corporation ;
- (i) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (j) to train personnel in Sri Lanka or abroad for the purposes of the Corporation ; and

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(Incorporation) Act, No. 4 of 2014*

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

Rules of the Corporation.

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

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members;
- (b) the election of office bearers of the Committee or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers ;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation ;
- (d) the procedure to be followed for the summoning and holding of meetings of the Committee or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of the business thereat;
- (e) the qualifications and disqualifications to be members of the Committee and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' object and dissolution of the Corporation.

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(Incorporation) Act, No. 4 of 2014

(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.

8. (1) The Committee shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Register of members.

(2) No member shall exercise his vote in person or by proxy or stand election for any office unless he has paid his subscription and other dues before the annual general meeting of the Corporation.

9. (1) The Corporation shall have its own Fund.

Fund of the Corporation.

(2) All moneys received by way of gift, bequest, donations, subscription, contribution, fees or grant for and on account of the Corporation shall be deposited in one or more banks approved by the 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.

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

Accounts and Auditing.

(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.

8 *Philip Gunawardena Commemorative Society*
(Incorporation) Act, No. 4 of 2014

(3) The accounts of the Corporation shall be audited annually by the Auditor General or a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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
- (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.

Debts due by and payable to the Society.

11. All debts and liabilities of the Society 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 Society on that day shall be paid to the Corporation for the purposes of this Act.

Corporation may hold property movable and immovable.

12. 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.

Philip Gunawardena Commemorative Society 9
(Incorporation) Act, No. 4 of 2014

13. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of moneys and property.

14. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of the 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.

Seal of the Corporation.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Committee as may be decided by such Committee.

15. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution, at a general meeting by the majority of votes of the members present.

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

Saving of the rights of the Republic.

17. 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.

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



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

**CHANDIMA WEERAKKODY FOUNDATION
(INCORPORATION) ACT, No. 5 OF 2014**

[Certified on 04th March, 2014]

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Chandima Weerakkody Foundation
(Incorporation) Act, No. 5 of 2014

[Certified on 04th March, 2014]

L.D.—O.(Inc.) 3/2012.

AN ACT TO INCORPORATE THE CHANDIMA WEERAKKODY FOUNDATION

WHEREAS a Foundation called and known as the “Chandima Weerakkody Foundaton” has heretofore been created for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which the said Foundation 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 Chandima Weerakkody Foundation (Incorporation) Act, No. 5 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Chandima Weerakkody 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 Chandima Weerakkody 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 to use a common seal and to alter the same at its pleasure.

Incorporation of the Chandima Weerakkody Foundation.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purposes of the voluntary social services organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act, shall apply to and in relation to the management of the affairs of the Corporation.

2 *Chandima Weerakkody Foundation
(Incorporation) Act, No. 5 of 2014*

General objects
of the Corpora-
tion.

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

- (a) to assist financially or otherwise the needy school children to enable them to continue their studies;
- (b) to provide assistance to the needy;
- (c) to award scholarships to deserving students selected to follow courses in Universities and other Higher Educational Institutions;
- (d) to conduct workshops, discussions and seminars to train teachers of daham schools and preschools and to provide incentives to inaugurate preschools with the approval of the relevant provincial educational authorities if so required by law;
- (e) to assist in providing wheel chairs, crutches, spectacles and other medical equipment and food to the needy, destitute and sick;
- (f) to encourage the under privileged to engage in self employment programmes;
- (g) to develop religious places belonging to all religions;
- (h) to assist in the activities of societies established in the Grama Niladhari Divisions.

Corporation to ensure of no conflict with work of Ministry or Department of the Central Government or Province.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

5. (1) The affairs of the Corporation shall, subject to the provisions of this Act and the rules made under section 7, be administered by a Committee of Management (hereinafter referred to as the “Committee”) consisting of the Chairman, Secretary, Treasurer and four other members who shall be elected in accordance with the rules of the Corporation.

Management of
the affairs of the
Corporation.

(2) The founder member of the Foundation, Honourable Chandima Weerakkody, Member of Parliament shall be the first Chairman of the Committee of Management of the Corporation.

(3) (a) The first Committee of the Corporation shall be the Committee of Management of the Foundation holding office on the day immediately preceding the date of commencement of this Act, who shall hold office until the new members are elected in terms of the provisions of this Act.

(b) The first Committee of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(4) (a) Every office bearer of the Committee including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after a lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the committee shall, having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

4 *Chandima Weerakkody Foundation
(Incorporation) Act, No. 5 of 2014*

General Powers
of the
Corporation.

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

- (a) open, operate and close bank accounts;
- (b) borrow or raise money with or without security, and to receive or collect grants and donations:

Provided that, the Committee 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 made to the Corporation.

- (c) utilize the funds belonging to the Corporation for the achievement of the objects of the Corporation, in a manner determined by the Committee;
- (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 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 promoting the objects of the Corporation;
- (e) employ and dismiss officers and servants required for the carrying out of the objects of the Corporation;
- (f) to liaise and co-ordinate with other local or foreign institutions which have similar objects; and
- (g) do all other acts and things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any General Meeting 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:-

Rules of the Corporation.

- (a) the election of the office bearers, their term of office, resignation from, or vacation of, or removal from office and their powers and duties;
- (b) the election and the terms of office of members of the Committee other than the office bearers and the powers and duties of the committee;
- (c) classification of membership, admission, withdrawal, 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 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).

(3) Every rule made under subsection (1) shall be Gazetted.

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

6 *Chandima Weerakkody Foundation
(Incorporation) Act, No. 5 of 2014*

Fund of the Corporation.

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 may determine.

(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.

Audit and accounts.

9. (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.

(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 practise 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 practise as an Accountant, issued by the Council of such Institute.

Annual Report.

10. (1) The Committee shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the

subject of Social Services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

11. 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 or 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 with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold movable and immovable property.

12. 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 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 due by and payable to the Foundation.

13. The seal of the Corporation shall not be affixed to any instrument except in the presence of the Chairman and two members of the Corporation as may be decided by the Committee, 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. 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

Property remaining on dissolution.

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 Committee on or before the dissolution of the Corporation.

Saving of the rights of the Republic and others.

15. 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.

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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SRI LANKA**

**MEDICAL (AMENDMENT)
ACT, No. 6 OF 2014**

[Certified on 10th April, 2014]

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Medical (Amendment) Act, No. 6 of 2014

[Certified on 10th April, 2014]

L. D. —O. 81/2006 (II).

AN ACT TO AMEND THE MEDICAL ORDINANCE (CHAPTER 105)

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

- 1.** This Act may be cited as the Medical (Amendment) Act, No. 6 of 2014. Short title.
- 2.** Section 29 of the Medical Ordinance (Chapter 105) (hereinafter referred to as the “principal enactment”) is hereby amended— Amendment to section 29 of Chapter 105.

- (1) in subsection (1) of that section by the repeal of sub-paragraph (i) of paragraph (b) and the substitution therefor of the following :—

“(i) holds a degree of Bachelor of Medicine of—

(a) the University of Ceylon or a corresponding university ;

(b) a Degree Awarding Institute ; or

(c) the General Sir John Kotelawala Defence University,

and a certificate granted by the Medical Council under section 32 ; or”;

- (2) in subsection (2) of that section by the substitution—

(a) in sub-paragraph (i) of paragraph (b), for the words “or a Degree Awarding Institute ; or” of the words “or a Degree Awarding Institute or

the General Sir John Kotelawala Defence University; or”;

- (b) in sub-paragraph (ii) of paragraph (b), for the words “or Degree Awarding Institute” of the words or “or Degree Awarding Institute or the General Sir John Kotelawala Defence University”.

Amendment of section 74 of the principal enactment.

3. Section 74 of the principal enactment is hereby amended by the insertion, immediately after the definition of the expression “estate apothecary” of the following definition :—

“General Sir John Kotelawala Defence University” means the General Sir John Kotelawala Defence University established under the Sir John Kotelawala Defence Academy Act, No. 68 of 1981;”.

Sinhala text to prevail in case of inconsistency.

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

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following. (Tel. 011-2512759)



**PARLIAMENT OF THE DEMOCRATIC
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**VALUE ADDED TAX (AMENDMENT)
ACT, No. 7 OF 2014**

[Certified on 24th April, 2014]

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*Value Added Tax (Amendment)
Act, No. 7 of 2014*

[Certified on 24th April, 2014]

L.D. – O. 4/2014

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

BE it enacted by the Parliament of 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 2014 and shall be deemed to have come into operation on January 1, 2014. Short title and date of operation.
- 2.** Section 3 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 3 of Act, No.14 of 2002.
- (a) by the renumbering of that section as subsection (1) thereof;
- (b) in the renumbered subsection (1) of that section, by the repeal of paragraph (f) and the substitution therefor of the following:-
- “(f) any person or a partnership having total supplies for any consecutive period of three months in any calendar year of not less than rupees two hundred and fifty million, including the supplies under the preceding paragraphs of this section and any supplies exempted under Part II of the First Schedule:”;
- (c) by the repeal of the second proviso to that section and the substitution therefor of the following:-
- “Provided further, the chargeability to tax referring to any registered person specified in paragraph (f) shall be subject to the exemption granted under section 8, subject to the conditions specified therein:”;

(d) immediately after subsection (1) of that section, by the insertion of the following:-

“(2) For the purposes of paragraph (f), the total supplies means, the aggregate value of supplies of-

- (i) any person or partnership engaged in the wholesale or retail business while carrying on other business of similar nature in one place or different places under one or more registrations for the purposes of this Act; and
- (ii) with regard to any subsidiary or associated company of a group of companies, engaged in the wholesale or retail business, the aggregate value of supplies of each company of the group, other than any company not engaged in the wholesale or retail business.”.

Amendment of section 8 of the principal enactment.

3. Section 8 of the principal enactment is hereby amended by the substitution for the words “in the First Schedule to this Act as such supplies and imports are not taxable unless zero rated under section 7.” of the following:-

“in the First Schedule to this Act as such supplies and imports are not taxable unless zero rated under section 7:

Provided that, in the case of a registered person referred to in paragraph (f) of section 3 of this Act, the value of the supply of goods exempted under this Act made by such registered person directly or on behalf of any other person, which is in excess of twenty five *per centum* of the total supply of such registered person other than zero rated supplies and where the supply is

made by the importer himself, the value of such supply of goods subject to Special Commodity Levy, shall notwithstanding the provisions contained in the Special Commodity Levy Act, No. 48 of 2007 be deemed to be treated as liable supplies of such registered person and chargeable to tax at the rate specified in section 2 of this Act using the fraction on the tax inclusive consideration:

Provided further, in the case of a registered person -

- (a) who supplies pharmaceuticals, specified as exempted in PART II of the First Schedule to this Act; or
- (b) who supplies software dedicated products including computers and computer accessories, exceeding seventy five *per centum* of the total value of supplies respectively of such registered person under paragraph (a) or paragraph (b) of this proviso, as the case may be, such registered person shall not be liable to tax on any deemed liable supplies referred to in this section.”.

4. Section 10 of the principal enactment is hereby amended in subsection (2) of that section by the substitution for the words “is not less than rupees five hundred million” of the words “is not less than rupees two hundred and fifty million”.

Amendment of section 10 of the principal enactment.

5. Section 20 of the principal enactment is hereby amended by the insertion immediately after the first proviso to subsection (1) of that section, of the following:-

Amendment of section 20 of the principal enactment.

“Provided further, any tax invoice shall not be issued on the supplies considered as deemed liable supplies referred to in section 8 of this Act.”.

6. Section 22 of the principal enactment is hereby amended by the insertion immediately after subsection (11) of that section, the following:-

Amendment of section 22 of the principal enactment.

“(12) in the case of a person engaged in the insurance business and carrying on both long term insurance

business and general insurance business, and who segregates such long term insurance business and the general insurance business into two separate companies, as required by section 53 of the Regulation of Insurance Industry (Amendment) Act, No. 3 of 2011, the balance, if any, of the amount unabsorbed input credit relating to the business of general insurance as at the date of such segregation, shall notwithstanding anything to the contrary in any other provision of this Act, but subject to the preceding provisions of this section, be treated as an unabsorbed input credit by the company carrying on the general insurance business after such segregation.

(13) any unabsorbed input credit of any bank established under the Banking Act, No.30 of 1988 or Finance Company licensed under the Finance Business Act, No.42 of 2011, relating to the liable business of such bank or finance company as at the date of acquisition or merger of such bank or finance company, as the case may be, shall be allowed to be claimed subject to the provisions of this Act, and in accordance with the guidelines issued by the Central Bank for this purpose.”.

Amendment of section 25C of the principal enactment.

7. Section 25C of the principal enactment is hereby amended in subsection (4) by the repeal of that subsection and the substitution therefor of the following:-

“(4) Notwithstanding anything contained in subsection (1), any person to whom this Chapter applies-

- (a) may in writing communicate to the Commissioner-General, his intention to calculate subject to the provisions of subsection (5), the tax to which he is liable in respect of any month commencing on or after July 1, 2003 but for the period prior to January 1, 2014. The provisions of subsection (5)

shall however be applicable for the period subsequent to the communication in writing to the Commissioner-General which communication shall not be revocable.

(b) shall for any month commencing from January 1, 2014, be subject to the provisions of subsection (5).”.

8. Section 25D of the principal enactment is hereby amended by the substitution for the words “a tax credit shall be allowed” of the words and figures “a tax credit shall be allowed for any taxable period prior to January 1, 2014”.

Amendment of section 25D of the principal enactment.

9. Section 40 of the principal enactment is hereby amended by the repeal of paragraph (iii) of the proviso to that section and the substitution therefor of the following:-

Amendment of section 40 of the principal enactment.

“(iii) as regards movable property –

(a) for any taxable period ending prior to January 1, 2014, where tax for more than four taxable periods is in default, the tax for four taxable periods only to be selected by the Commissioner-General shall rank in priority to any lien or encumbrance created *bona fide* for value prior to the date of default of such tax; and

(b) for any taxable period commencing on or after January 1, 2014, where the tax for more than taxable periods for five years is in default, the tax for taxable periods within five years only to be selected by the Commissioner-General, shall rank in priority to any lien or encumbrance created *bona fide* for value prior to the date of default of such tax.”.

Amendment of section 71 of the principal enactment.

10. Section 71 of the principal enactment is hereby amended by the repeal of item (ii) of subsection (2) of that section and the substitution therefor of the following:-

“(ii) (a) ten *per centum* for the period prior to January 1, 2014;

(b) Six *per centum* for any period from or after January 1, 2014

of the tax collected by the Director-General of Customs on importation of goods referred to in subsection (3) of section 2 on or before the fifteenth day of the month immediately succeeding that month and each month thereafter.”.

Amendment of section 83 of the principal enactment.

11. Section 83 of the principal enactment is hereby amended in the definition of the expression “international transportation” by the addition immediately after paragraph (c) thereof, of the following new paragraph:-

“(d) from an international airport in Sri Lanka to another international airport in Sri Lanka by way of air transportation.”.

Amendment of the First Schedule of the principal enactment.

12. The First Schedule to the principal enactment is hereby amended in Part II thereof as follows:-

(1) in paragraph (a) of that Part, -

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

“(i) wheat, wheat flour or powdered milk;”;

(b) by the repeal of item (iii) and the substitution therefor of the following:-

“(iii) ayurvedic preparations which belong to the Ayurveda Pharmacopoeia or ayurvedic preparations (other than

cosmetic preparations) or unani, siddha or homeopathic preparations (other than cosmetic preparations identified under the Harmonized Commodity Description and Coding System Numbers for custom purposes) and raw materials for such preparations with the recommendation of the Commissioner of Ayurveda;”;

(c) by the repeal of item (viii) and the substitution therefor of the following:-

“(viii) agricultural tractors or road tractors for semi-trailers prior to January 1, 2014;”;

(d) in item (xxii), by the repeal of sub item (vi) and the substitution therefor of the following:-

“(vi) bowsers, bulldozers, graders, levelers, excavators, firefighting vehicles, gully bowsers, semi-trailers for road tractors, machinery, equipment used for garbage disposal activities or garbage trucks;”;

(e) by the addition immediately after item (vii) the following new item:-

“(viii) ties and bows or designer pens;”;

(f) by the addition immediately after item (xxiii) of the following items:-

“(xxiv) frozen bait, fish hooks/rods/ reels , fishing tackle and marine propulsion engines identified under the Harmonized Commodity Description and Coding System Numbers for Custom proposes.;

(xxv) copper cables for telecom industry -

- imported where such copper cables
are not available in Sri Lanka; or -

- purchased from a local
manufacturer.”.

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

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

“(xiii) imported unprocessed timber logs,
ships, rattans or any article subject
to the Special Commodity Levy
under the Special Commodity Levy
Act, No. 48 of 2007 subject to the
condition that such goods are sold
by the importer himself without any
processing except adaptation for
sale;”;

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

“(xxxi) telecommunication services
subject to the telecommunication
levy under the Telecommunication
Levy Act, No. 21 of 2011;”;

(iii) by the addition immediately after item (xLvi)
of the following new items:-

“(xLvii) desiccated coconut, rubber, latex,
tea including green leaf, rice, rice
flour, bread, eggs, liquid milk so
far as such products are
manufactured locally;

(xLviii) machinery or equipment for tea or rubber industry or agricultural tractors or road tractors for semi-trailers, so far as such products are manufactured locally;

(xLix) services by any headquarters or regional head offices of institutions in the international network relocated in Sri Lanka as exempted for income tax purposes under section 7 of the Inland Revenue Act, No. 10 of 2006, so far as such receipts are in foreign currency received.

(L) locally manufactured ayurvedic preparations which belong to the Ayurveda Pharmacopoeia or Ayurveda preparations (other than cosmetic preparations) or unani, siddha or homeopathic preparations (other than cosmetic preparations).”.

(3) in item (xvi) of paragraph (c) of that Part by the substitution for the words “machinery identified under” of the words and figures “machinery prior to January 1, 2014 identified under”.

13. In the principal enactment, -

(a) by the substitution for the word “Commissioner” wherever that word appears of the words “Senior Commissioner”;

(b) by the substitution for the words “Deputy Commissioner” wherever such words appear of the word “Commissioner”;

General amendment to the principal enactment.

10 *Value Added Tax (Amendment)*
Act, No. 7 of 2014

- (c) by the substitution for the word “Senior Assessor” wherever such word appears of the words “Senior Commissioner” or “Deputy Senior Commissioner”;
- (d) by the substitution for the word “Assessor” wherever such word appears of the words “Assessor” or “Assistant Commissioner”.

Validation.

14. Any person who is authorized to collect the Value Added Tax as provided for in this Act during any period commencing from January 1, 2014 and ending on the date on which the Certificate of the Speaker is endorsed in respect 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 :

Provided that, the aforesaid provisions shall not affect any decision or Order made by any Court or any proceedings pending in any Court in respect of any tax collected as provided for in this Act during such period.

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**

**INLAND REVENUE (AMENDMENT)
ACT, No. 8 OF 2014**

[Certified on 24th April, 2014]

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Inland Revenue (Amendment) Act, 8 of 2014

[Certified on 24th April, 2014]

L.D.—O. 5/2014

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. This Act may be cited as the Inland Revenue (Amendment) Act, No. 8 of 2014, and shall be deemed for all purposes to have come into operation on April 1, 2014.

Short title and the date of operation.

2. The Inland Revenue Act, No. 10 of 2006 (hereinafter referred to as the “principal enactment”) as last amended by Act, No.18 of 2013 is hereby further amended as follows:-

Amendment of Act, No. 10 of 2006.

- (1) by the substitution for the words “Senior Deputy Commissioner-General” wherever such words occur in the principal enactment, of the words “Additional Commissioner-General”;
- (2) by the substitution for the word “Commissioner” wherever such word occurs in the principal enactment, of the words “Senior Commissioner”;
- (3) by the substitution for the words “Deputy Commissioner” wherever such words occur in the principal enactment, of the word “Commissioner”;
- (4) by the substitution for the words “Senior Assessor” wherever such words occur in the principal enactment, of the words “Deputy Commissioner or Senior Deputy Commissioner”; and
- (5) by the substitution for the word “Assessor” wherever such word occurs in the principal enactment, of the words “Assessor or Assistant Commissioner”.

2 *Inland Revenue (Amendment) Act, 8 of 2014*

Amendment of section 7 of the principal enactment.

3. Section 7 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended as follows:-

(1) in paragraph (b) of that section –

(a) by the substitution in sub-paragraph (lxviii), for the words and figures “Companies Act, No. 17 of 1982; and”, of the words and figures “Companies Act, No. 17 of 1982;”;

(b) by the substitution in sub-paragraph (lxix), for the words “the circulars issued by such Ministry.”, of the words “the circulars issued by such Ministry;”; and

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

“(lxx) the National Enterprise Development Authority established under the National Enterprise Development Authority Act, No. 17 of 2006;

(lxxi) the Sri Lanka Institute of Marketing incorporated under the Sri Lanka Institute of Marketing (Incorporation) Act, No. 41 of 1980;

(lxxii) the Institute of Physics, Sri Lanka incorporated under the Institute of Physics, Sri Lanka (Incorporation) Act, No. 12 of 1986;”; and

(lxxiii) the Lionel Wendt Memorial Fund incorporated under section 114 of the Trusts Ordinance (Chapter 87).”;

(2) by the substitution in paragraph (k) of that section, for the words "for such year of assessment", of the words "for the year of assessment immediately preceding such year of assessment";

- (3) by the substitution in paragraph (l) of that section, for the words and figures “the Monetary Law Act (Chapter 422).”, of the words and figures “the Monetary Law Act (Chapter 422);”; and
- (4) by the addition immediately after paragraph (l) of that section, of the following new paragraph :-

“(m) the profits and income of any institution, established on or after April 1, 2013, by relocating in Sri Lanka the headquarters or regional head offices of institutions in the international network, as specified by the Commissioner-General by Notice published in the Gazette.”.

4. Section 8 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended in subsection (1) of that section as follows:-

Amendment of section 8 of the principal enactment.

- (1) by the substitution in paragraph (s) of that subsection, for the words “any allowance paid in lieu of the provision of such vehicle;”, of the words “the aggregate of any allowance paid in lieu of the provision of such vehicle and the value of any transport facility as may be specified by the Commissioner-General by Order published in the Gazette;”;
- (2) by the substitution in paragraph (w) of that subsection, for the words “not resident in Sri Lanka.”, of the words “not resident in Sri Lanka;”; and
- (3) by the addition immediately after paragraph (w) of that subsection, of the following new paragraph:-

“(x) the profits and income not exceeding forty eight thousand rupees for any year of assessment, if the aggregate of such profits and income is not more than forty eight thousand rupees other than any employment income or any profits and income which is taxable at source as final

4 *Inland Revenue (Amendment) Act, 8 of 2014*

tax, of any individual who is an employee and who is not engaged in any trade, business, profession or vocation, if tax is deducted from his employment income for that year of assessment.”.

Amendment of section 9 of the principal enactment.

5. Section 9 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended as follows:-

(1) by the substitution in paragraph (a) of that section, for all the words from “to the Government of Sri Lanka” to the words, “to any other undertaking,”, of the words “to any person or partnership in Sri Lanka, notwithstanding whether such company, partnership or body of persons has a permanent establishment or any business connection in Sri Lanka,”; and

(2) by the substitution in paragraph (k) of that section, for the words “Treasury Bond Investment External Rupee Account;”, of the words “Securities Investment Account;”.

Amendment of section 10 of the principal enactment.

6. Section 10 of the principal enactment as last amended by Act, No. 8 of 2012 is hereby further amended in subsection (1) of that section as follows :-

(1) by the substitution in the proviso to paragraph (k) of that subsection, for the words “within one year thereafter.”, of the words “within one year thereafter;”; and

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

“(l) any dividend paid to a shareholder of a company out of such dividend as is referred to in paragraph (j), received by that company, if the first mentioned dividend is paid within three months of the receipt of the second mentioned dividend by that company.”.

7. Section 13 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended as follows:-

Amendment of section 13 of the principal enactment.

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

“(yyyyyyy) the profits and income of any person resident in Sri Lanka who acquires any internationally recognized intellectual property on or after April 1, 2014 and who earns profits and income by way of royalty out of such intellectual property, if such royalty is received in foreign currency and remitted to Sri Lanka through a bank;” and

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

“(zzzzzzz) the profits and income arising or accruing to any company, partnership or body of persons in a country outside Sri Lanka, from any payment made for the use of any computer software, by Sri Lankan Air Lines Ltd or Mihin Lanka (Pvt) Ltd, as a special requirement of such Airlines, if a Double Taxation Avoidance Agreement providing relief for double taxation of such profits and income is not in force between Sri Lanka and that country or tax is not payable in such country on such profits and income.”.

Amendment of section 16D of the principal enactment.

8. Section 16D of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended by the substitution for the words and figures “any new undertaking established on or after April 1, 2012 and”, of the words and figures “any new undertaking established on or after April 1, 2012, but prior to April 1, 2015 and”.

Amendment of section 16E of the principal enactment.

9. Section 16E of the principal enactment is hereby amended by the substitution for the words “organic fertilizers,”, of the words “organic fertilizers or biological fertilizers,”.

Amendment of section 17A of the principal enactment.

10. Section 17A of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended in subsection (2) of that section, by the substitution for all the words and figures from “the development of national economy ;” to the end of that section, of the following words and figures:-

“the development of national economy ;

- (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 I of the Schedule to subsection (1);
- (c) which commences commercial operations on or after April 1, 2011, but prior to April 1, 2016; and
- (d) which is not formed by the splitting up or reconstruction or acquisition of any business which was previously in existence.

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

Amendment of section 22 of the principal enactment.

11. Section 22 of the principal enactment as last amended by Act, No. 9 of 2008 is hereby further amended in subsection (1) of that section, by the substitution for the words “with an investment of not less than two million rupees

made within one year from the commencement of such undertaking,” of the words and figures “with an investment of not less than two million rupees, made within one year from the commencement of such undertaking, but prior to April 1, 2014.”.

12. Section 25 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended in subsection (1) of that section as follows:-

Amendment of section 25 of the principal enactment.

- (1) by the substitution in paragraph (*u*) of that subsection, for the words “to the Government.”, of the words “to the Government;”; and
- (2) by the addition immediately after paragraph (*u*) of that subsection, of the following new paragraphs:-
 - “(v) the cost of acquisition of any internationally recognized intellectual property used for producing such profits and income;
 - (w) any royalty or ground rent paid by such person.”.

13. Section 26 of the principal enactment as last amended by Act, No.18 of 2013 is hereby further amended as follows:-

Amendment of section 26 of the principal enactment.

- (1) in subsection (1) of that section-
 - (a) by the substitution in sub-paragraph (vi) of paragraph (*l*) of that subsection, for the words and figures “Finance Act, No. 5 of 2005.”, of the words and figures “Finance Act, No. 5 of 2005; or”;
 - (b) by the insertion immediately after sub-paragraph (vi) of paragraph (*l*) of that subsection, of the following new sub-paragraph:-
 - “(vii) any Crop Insurance Levy levied under section 14 of PART IV of the Finance Act, No. 12 of 2013.”;

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(c) by the substitution for paragraph (m) of that subsection, of the following paragraph:-

“(m) any annuity paid by such person;”;
and

(2) by the substitution in subsection (4) of that section, for all the words from “any part thereof,” to the words “assessment is made:”, of the words “any part thereof, and an assessment shall be made disallowing the entirety or any part of such expenditure notwithstanding anything to the contrary in any other provisions of this Act, if it appears to the Assessor that the debt or such part thereof attributable to such expenditure or any part thereof, remains unpaid at the time such assessment for that year of assessment is made:”.

Amendment
of section 32
of the principal
enactment.

14. Section 32 of the principal enactment as last amended by Act, No. 8 of 2012 is hereby further amended as follows:-

(1) in subsection (5) of that section –

(a) by the substitution in paragraph (a) of that subsection, for the words and figures “annuity, ground rent, royalty or interest not deductible under section 25.”, of the words and figures “annuity or interest, not deductible under section 25.”; and

(b) by the insertion immediately after paragraph (c) of that subsection, of the following new paragraph:-

“(cc) Where any person who is engaged in carrying on both life insurance business and general insurance business segregates such life insurance business and the general insurance business into two separate companies, as required by section 53 of the Regulation of Insurance Industry (Amendment) Act, No. 3 of 2011, incurred any loss prior to such

segregation of which the entirety or any part thereof had not been deducted previously, the balance, if any, as at the date of such segregation shall, notwithstanding anything to the contrary in any other provision of this Act, but subject to the provisions of paragraph (b), be deducted from the total statutory income of the respective companies in the following manner:-

- (i) such part of the loss as attributable to the life insurance business, from the total statutory income of the company which carries on long term insurance business;
 - (ii) such part of the loss as attributable to the general insurance business, from the total statutory income of the company which carries on general insurance business.”; and
- (2) by the substitution in paragraph (a) of subsection (6) of that section, for the words and figures “from income tax under section 16, section 17, section 18,”, of the words and figures “from income tax under section 16, section 16A, section 16B, section 16C, section 16D, section 17, section 17A, section 18,”.

15. Section 33 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended in item (ii) of the further proviso to subsection (1) of that section, by the substitution for the words and figures “any part of any allowance under section 34 from any employment income”, of the words and figures “any part of any allowance under section 34, other than the allowance referred to in paragraphs (u) and (v) of subsection (2) of section 34, from any employment income”.

Amendment of section 33 of the principal enactment.

Amendment
of section 34
of the principal
enactment.

16. Section 34 of the principal enactment as last amended by Act, No.18 of 2013 is hereby further amended as follows:-

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

(a) by the substitution for paragraph (s) of that subsection, of the following paragraph:-

“(s) investment of not less than fifty million rupees in the acquisition of fixed assets made by any person on or after April 1, 2011 but before April 1, 2014 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:

Provided however, where such investment is made in any high tech plant, machinery or equipment which is acquired for energy efficiency purposes or for technology upgrading purposes or introducing any new technology or for power generation using renewable energy resources in the expansion of such undertaking on or after April 1, 2011, but prior to April 1, 2015 such investment shall comprise a qualifying payment.”;

(b) by the substitution in paragraph (u) of that subsection, for the words “whichever is lower;”, of the words “whichever is lower;”;

(c) by the substitution in paragraph (v) of that subsection, for the words “not resident in Sri Lanka.”, of the words “not resident in Sri Lanka;”; and

(d) by the addition immediately after paragraph (v) of that subsection, of the following new paragraphs:-

“(w) any expenditure incurred not exceeding six hundred thousand rupees for any year of assessment commencing on or after April 1, 2014 on the repayment of the capital of a loan obtained from any bank licensed under the Banking Act, No. 30 of 1988 or any finance company licensed under the Finance Business Act, No. 42 of 2011, of which the proceeds are utilized to construct a house or to purchase a house or a unit of a residential apartment complex, by an individual who is a professional and who furnishes a return under section 106, whether such individual obtained such loan alone or together with any other individual:

Provided that, if such loan is obtained together with another individual or obtained for a co-owned property, such deduction shall not exceed the amount of expenditure attributable to such individual who obtained such loan.

For the purpose of this paragraph, “professional” shall have the same meaning as given for that expression in section 40c;

(x) any expenditure incurred by any bank or any finance company licensed under the Finance Business Act, No.42 of 2011, by way of cost of acquisition or merger of any other bank or any other

finance company, where such cost is ascertained by considering all the facts on case by case basis in accordance with the guidelines issued by the Central Bank of Sri Lanka for that purpose, and such expenditure is not deductible under section 25.”;

(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 “(t), (u) and (v) of subsection (2)”, of the words and figures “(t), (u), (v) and (w) of subsection (2)”;

(b) by the substitution in sub-paragraph (i) of paragraph (b) of that subsection, for the words and figures “(r), (s) and (t) of subsection (2)”, of the words and figures “(r), (s), (t) and (x) of subsection (2)”.

Amendment of section 40A of the principal enactment.

17. Section 40A of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended by the substitution for the words and figures “commencing on or after April 1, 2008,”, of the words and figures “commencing on or after April 1, 2008, but prior to April 1, 2014,”.

Insertion of new section 40c in the principal enactment.

18. The following new section is hereby inserted immediately after section 40B of the principal enactment and shall have effect as section 40c of that enactment :-

“Rates of income tax on the profits from employment of professionals.

40c. (1) Where the taxable income of any individual, being a citizen of Sri Lanka, for any year of assessment commencing on or after April 1, 2014, includes any profits from employment (hereinafter in this section referred to as “relevant profits”) in the exercise of his duties as a professional, and the rate of income tax payable on a part of such taxable income (hereinafter in this section referred to as the

“relevant part of the taxable income”) exceeds sixteen *per centum*, then in regard to the relevant part of the taxable income, the tax payable shall be computed as follows:-

- (a) where such relevant part of the taxable income exceeds the amount of the relevant profits:-
 - (i) the tax payable on such portion of the relevant part of the taxable income as is equal to the amount of such relevant profits, shall be computed at the rate of sixteen *per centum*; and
 - (ii) the tax payable on the balance of the relevant part of the taxable income, shall be computed according to such of the rates above sixteen *per centum*, as are applicable thereto, under the First Schedule to this Act; or
- (b) where such relevant part of the taxable income does not exceed the amount of the relevant profits, the tax payable on the entirety of the relevant part of the taxable income, shall be computed at the rate of sixteen *per centum*.

(2) For the purpose of this section “professional” means a doctor registered under the Medical Ordinance (Chapter 105), a chartered engineer, a chartered architect, a member of the Institute of Chartered Accountants of Sri Lanka, a member of the Association of Chartered Certified Accountants, a member of the Chartered Institute of Management Accountants (U.K.) and an attorney-at-law, and includes a software engineer, a pilot licensed under the Air Navigation Act (Chapter 365), a navigation officer and a researcher or senior academic, recognized as an accredited professional.”

Amendment of section 50 of the principal enactment.

19. Section 50 of the principal enactment is hereby amended by the substitution for the words and figures “taxable income of that person for any year of assessment commencing prior to April 1, 2014 includes”, of the words “taxable income of that person for any year of assessment includes”.

Amendment of section 51 of the principal enactment.

20. Section 51 of the principal enactment is hereby amended by the substitution for the words and figures “taxable income of that company for any year of assessment commencing prior to April 1, 2014 includes”, of the words “taxable income of that company for any year of assessment includes”.

Amendment of section 52 of the principal enactment.

21. Section 52 of the principal enactment is hereby amended by the substitution for the words and figures “taxable income of that company for any year of assessment commencing prior to April 1, 2015 includes”, of the words “taxable income of that company for any year of assessment includes”.

Amendment of section 56c of the principal enactment.

22. Section 56c of the principal enactment is hereby amended by the substitution for the words “from the sale of any product manufactured in Sri Lanka”, of the words and figures “from the sale of any product manufactured in Sri Lanka, other than such part of the profits and income exempt under section 13,”.

Replacement of section 58 of the principal enactment.

23. Section 58 of the principal enactment is hereby repealed and the following section is substituted therefor:-

“Rate of tax on profits and income from the supply of any services to any exporter.

58. Such part of the profits and income within the meaning of paragraph (a) of section 3, of any person as consists of profits and income from the supply of any services, to any exporter of goods or services or to any foreign principal of such exporter directly, being services which could be treated as essentially related to the manufacture of such goods or provision of such services exported by such exporter either directly or through any export

trading house, including any service provided by an agent of a ship operator to such agent's foreign principal, and the payment for such services are made by such exporter or foreign principal to such person in Sri Lanka in foreign currency, shall, notwithstanding anything to the contrary in any other provision of this Act, be chargeable with income tax at the appropriate rate specified in the Fifth Schedule to this Act, if -

- (a) such supply is covered by an international letter of credit or a letter of credit opened in a bank in Sri Lanka on a back to back basis against an international letter of credit for the remittance to Sri Lanka of the foreign exchange value of the exports related to such supply; or
- (b) (i) the payment of the consideration for such supply is made in foreign currency by means of a draft or telegraphic transfer made in favour of such person by such exporter or foreign principal; and
- (ii) such other documentary evidence as is required by the Commissioner-General to satisfy himself that the goods or services relating to such supply have in fact been exported, is adduced.”.

24. Section 59B of the principal enactment as last amended by Act, No.18 of 2013 is hereby further amended in subsection (1) of that section, by the substitution for the words “any other provisions of this Act”, of the words “any other provisions of this Act, but subject to provisions of section 59F”.

Amendment of section 59B of the principal enactment.

Amendment of section 59D of the principal enactment.

25. Section 59D of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the words “holding of its shares by the general public.”, of the following words and figures:-

“holding of its shares by the general public:

Provided however, where any company lists its shares in the aforesaid manner, on or before April 1, 2017 and which is liable to pay income tax at the rate specified in item 3 of PART-B of Second Schedule to this Act, such rate shall be reduced by fifty *per centum* for the year of assessment in which such shares are listed and for another two years of assessment immediately succeeding that year of assessment subject such company after listing continues to maintain not less than twenty *per centum* of holding of its shares by the general public.”.

Insertion of new sections 59F, 59G and 59H in the principal enactment.

26. The following new sections are hereby inserted immediately after section 59E of the principal enactment and shall have effect as sections 59F, 59G and 59H respectively, of that enactment:-

“Rate of income tax on the profits and income from the provision of professional services.

59F. (1) Where the taxable income of any individual being a citizen of Sri Lanka, for any year of assessment commencing on or after April 1, 2014, includes any profits and income from providing professional services as a professional, such part of the taxable income shall, notwithstanding anything to the contrary in any other provisions of this Act, be chargeable with income tax at the appropriate rate specified in the Fifth Schedule to this Act.

(2) For the purpose of this section, “professional” shall have the same meaning as given for that expression in section 40c.

Rate of income tax applicable to the profits and income earned by any bank on loans granted to professionals for construction purposes.

59G. (1) The tax rate applicable on the profits and income earned by a bank for any year of assessment commencing on or after April 1, 2014, on any loan granted to any individual, who is a professional, for the purpose of constructing a house or purchasing a house or a unit of a residential apartment complex, by such individual alone or together with any other individual, shall be reduced by fifty *per centum*.

(2) For the purpose of this section, “professional” shall have the same meaning as given for that expression in section 40c.

Income tax payable by ship operators, ship builders or any agent of a foreign ship.

59H. Such part of the tax computed in accordance with this Act, as being payable by any ship operator, ship builder or any agent of a foreign ship shall, notwithstanding anything to the contrary in any other provision of this Act, be reduced by ten *per centum*, if such ship operator, ship builder or agent provides training on skill development in the shipping industry to trainees.”.

27. Section 63 of the principal enactment as last amended by Act, No. 10 of 2007 is hereby further amended by the substitution for the words “such dividend shall,”, of the words “profits and income from such dividend shall,”.

Amendment of section 63 of the principal enactment.

28. Section 76 of the principal enactment is hereby amended in subsection (2) of that section, by the substitution for the words “the amount of any interest, annuity, ground rent or royalty”, of the words “the amount of any interest or annuity”.

Amendment of section 76 of the principal enactment.

29. Section 79 of the principal enactment as last amended by Act, No.18 of 2013 is hereby further amended by the repeal of subsection (3) of that section, and the substitution therefor, of the following subsection:-

Amendment of section 79 of the principal enactment.

“(3) For any year of assessment commencing prior to April 1, 2013, an individual who has been deemed resident for two or more consecutive years of assessment shall be deemed to be resident until such time as he is continuously absent from Sri Lanka for an unbroken period of three hundred and sixty five days. When such person is so absent, he shall notwithstanding the provisions of subsection (2), be deemed to be non-resident from the commencement of the year of assessment in which such absence commences.”.

Amendment of section 105 of the principal enactment.

30. Section 105 of the principal enactment is hereby amended in subsection (3) of that section, by the substitution for the words “provisions of this Act,”, of the words “provisions of this Act, and shall notwithstanding anything to the contrary in any other provision of this Act, be chargeable with income tax at the appropriate rate specified in the Fifth Schedule to this Act,”.

Amendment of section 106 of the principal enactment.

31. Section 106 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended by the addition immediately after subsection (19) of that section, of the following new subsection:-

“(20) For the purposes of this Act, the Commissioner-General may give notice in writing to any person requiring him to furnish within the period specified in such notice, any information in relation to any transaction between such person and any other person or class of persons.”.

Amendment of section 107 of the principal enactment.

32. Section 107 of the principal enactment as last amended by Act, No.8 of 2012 is hereby further amended in subsection (3) of that section as follows:-

(a) by the substitution in paragraph (a) of that subsection, for the words ““approved accountant” means -”, of the words ““approved accountant” for any year of assessment commencing prior to April 1, 2014 means -”;

- (b) by the insertion immediately after paragraph (a) of that subsection, of the following new paragraph:-

“(aa) “approved accountant” for any year of assessment commencing on or after April 1, 2014 means an accountant who is a member of the Institute of Chartered Accountant of Sri Lanka;” and

- (c) by the substitution in paragraph (b) of that subsection, for the words “commercial practices and accounting standards;”, of the words “commercial practices and accounting standards and the operational profits calculated in accordance with the Sri Lanka Financial Reporting Standards;”.

33. Section 117 of the principal enactment as last amended by Act, No. 22 of 2011 is hereby further amended in subsection (1) of that section, by the substitution for the words “provides a benefit in cash or in kind to any other person who”, of the words “to any other person and where such director, chairperson or other person”.

Amendment of section 117 of the principal enactment.

34. Section 117A of the principal enactment is hereby amended as follows :-

Amendment of section 117A of the principal enactment.

- (1) by the substitution in subsection (1) of that section, for all the words and figures from “shall deduct tax at the rate of –” to the end of that subsection, of the following words and figures:-

“shall deduct tax at the rate of –

(a) *ten per centum* -

- (i) where the aggregate of such payments or value of such benefits does not exceed twenty five thousand rupees per month; or

- (ii) where the aggregate of such payments or value of such benefits does not exceed fifty thousand rupees per month, if such employee is an individual employed in the public sector; or

(b) sixteen *per centum*—

- (i) where the aggregate of such payments or value of such benefits exceeds twenty five thousand rupees per month; or
- (ii) where the aggregate of such payments or value of such benefits exceeds fifty thousand rupees per month, if such employee is an individual employed in the public sector;

on such payments or the value of such benefits in terms of the provisions of this Chapter. No direction shall be issued or entertained under section 118 in relation to such payments or value of such benefits.”; and

- (2) by the addition immediately after subsection (3) of that section, of the following new subsection:-

“(4) Where an individual is employed under more than one employer or has more than one employment and receiving any benefit from the private use of a motor vehicle or any allowance paid in lieu of the provision of such vehicle or value of any transport facility from more than one employer or from more than one employment, the excess of aggregate of such benefit or allowance or such value over fifty thousand rupees shall form part of such employee’s employment income liable to tax.”.

35. Section 133 of the principal enactment as last amended by Act, No 22 of 2011 is hereby further amended in subsection (3) of that section as follows :-

Amendment of section 133 of the principal enactment.

- (1) by the substitution in paragraph (b) of that subsection, for the words "under this Act ; or", of the words "under this Act ;";
- (2) by the substitution in paragraph (c) of that subsection, for the words and figure "section 95 ."; of the words and figure "section 95 ; or"; and
- (3) by the addition, immediately after paragraph (c) of that subsection, of the following new paragraph :-

“(d) which is paid on the deposits made by any participating institution under the standing deposit facility with the Central Bank of Sri Lanka.”.

36. Section 134 of the principal enactment as last amended by Act, No. 10 of 2007 is hereby further amended by the addition at the end of subsection (2) of that section, of the following new subsection :-

Amendment of section 134 of the principal enactment.

“(3) The deduction referred to in subsection (1) shall not apply to any interest which is exempt from income tax under this Act.”.

37. Section 135 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended by the substitution in paragraph (c) of subsection (1) of that section, for the words and figures “any interest or discount referred to in paragraph (o) of section 9.”, of the words and figures “any interest or discount referred to in paragraph (aa) or paragraph (o) of section 9.”.

Amendment of section 135 of the principal enactment.

Amendment of section 137 of the principal enactment.

38. Section 137 of the principal enactment as last amended by Act, No.10 of 2007, is hereby further amended by the insertion immediately after subsection (2) of that section, of the following new subsection:-

“(3) For the avoidance of doubt, interest income referred to in subsection (1) in relation to any bank or financial institution means the profits and income earned or accrued from any Security, Bond or Bill.”.

Amendment of section 163 of the principal enactment.

39. Section 163 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended in subsection (5) of that section, by the substitution in the proviso to that subsection, for the words “in respect of any year of assessment, consequent to the receipt by such person of any arrears relating to the profits from employment of that person for that year of assessment:”, of the following words:-

“in respect of any year of assessment consequent to –

- (i) the receipt by such person of any arrears relating to the profits from employment of that person for that year of assessment; or
- (ii) any adjustment made in line with the adoption of the Sri Lanka Financial Reporting Standards for the year of assessment in which such adoption was made:”.

Amendment of section 176 of the principal enactment.

40. Section 176 of the principal enactment is hereby amended in subsection (2) of that section, by the substitution for the words “chargeable for one complete year of assessment”, of the words “chargeable for five complete years of assessment”.

Amendment of section 195 of the principal enactment.

41. Section 195 of the principal enactment is hereby amended by the addition immediately after subsection (2) of that section, of the following new subsection:-

“(3) Without prejudice to the generality of subsection (1) and subsection (2), no notice, assessment, certificate, or other proceeding purporting to be in accordance with the provisions of this Act shall be quashed, or deemed to be void or voidable or be affected by reason of any variance in the designation of the officer who signed or executed such notice, assessment, certificate or other proceeding as the case may be, due to the implementation of the Minutes of the Sri Lanka Inland Revenue Service as published in the *Gazette*, if the same is in substance and effect in conformity with, or according to, the intent and meaning of this Act or any other Act administered by the Commissioner-General, and if the person assessed or intended to be assessed or affected thereby, is designated therein according to common intent and understanding.”.

42. Section 209 of the principal enactment is hereby amended as follows:-

Amendment
of section 209
of the principal
enactment.

- (1) by the substitution in subsection (1) of that section, for the words “his authorized representative or to the Minister or the Secretary”, of the words “his authorized representative or to the Minister or the Secretary”;
- (2) by the addition immediately after paragraph (d) of subsection (5) of that section, of the following new paragraphs:-
 - “(e) if required by a letter in writing by the Director General of Customs, in the course of carrying out the official duties, furnish as specified in such letter, all information available to him relating to the affairs of any person in respect of whom an investigation is being conducted by the Director General of Customs, or of the spouse or a son or daughter of such person, which is in the possession or under the control of the Commissioner-General;

- (f) if required by a letter in writing by the Director General of Census and Statistics, in the course of carrying out the official duties, furnish as specified in such letter, all information available to him relating to the affairs of any person in respect of whom information and statistics are being collected by the Director General of Census and Statistics, or of the spouse or a son or daughter of such person, which is in the possession or under the control of the Commissioner-General;
- (g) if required in pursuance to an Order issued by a competent Court, by the Inspector General of Police, in the course of an investigation of any crime or proceeds of crime which affects to the public interest, against any person, or after the commencement of prosecution of any person for bribery or corruption, furnish, all information available to him relating to the affairs of such person or of the spouse or a son or daughter of such person, as specified in such order, and provide a certified copy of any document relating to such person, spouse, son or daughter, which is in the possession or under the control of the Commissioner-General.”; and

- (3) by the substitution in subsection (12) of that section, for the words “Minister or the Secretary” of the words “Minister or the Secretary”.

Amendment
of section 212
of the principal
enactment.

43. Section 212 of the principal enactment is hereby amended in subsection (2) of that section as follows:-

- (1) by the substitution in paragraph (d) of that subsection, for the words “five hundred rupees.”, of the words “five hundred rupees;” and

- (2) by the addition immediately after paragraph (d) of that subsection, of the following new paragraph:-

“(e) the manner of computation of profits and income whenever the Financial Accounting Standards applicable in Sri Lanka are changed.”.

44. Section 217 of the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended as follows:-

Amendment of section 217 of the principal enactment.

- (1) in the definition of the expression “authorized representative” by the repeal of item (ii) of subparagraph (a) of paragraph (1); and
- (2) in the definition of the expression “executive officer”, by the substitution for the words “not less than twenty thousand rupees;”, of the words “not less than seventy five thousand rupees;”.

45. The Second Schedule to the principal enactment as last amended by Act, No. 18 of 2013 is hereby further amended in PART- B of that Schedule as follows:-

Amendment of the Second Schedule to the principal enactment.

- (1) in item 1 of that PART –
- (a) by the substitution in paragraph (c) of that item, for all the words and figures from “Any company-” to the end of that item, of the following words and figures:-

“Any company other than any company engaged in the manufacture of any article or in the provision of any service -

(A)(i) of which the taxable income does not exceed Rs. 5,000,000/-;

(ii) which is not a company referred to in PART-A; and

(B) which is not the holding company, a subsidiary company, or an associate company of a group of companies,

on the taxable income *12 per centum;*”;

(b) by the insertion immediately after paragraph (c) of that item, of the following new paragraph:-

“(d) For any year of assessment commencing on or after April 1, 2011, but prior to April 1, 2014 –

any company engaged in the manufacture of any article or in the provision of any service-

(A)(i) of which the taxable income does not exceed Rs. 5,000,000/-;

(ii) which is not a company referred to in PART-A; and

(B) which is not the holding company, a subsidiary company, or an associate company of a group of companies,

on the taxable income *12 per centum;*

For the purpose of item (B) of paragraph (b), paragraph (c) and paragraph (d), the expressions “holding company”, “subsidiary company”, and “group of companies” shall have the same respective meanings which they have in the Companies Act, No.7 of 2007 and includes a holding company or a subsidiary of any company incorporated or registered outside Sri Lanka.”;

- (2) by the substitution for item 2 of that PART, of the following item:-

“2 Any company for the year of assessment being any year of assessment commencing prior to April 1, 2011 in which its shares are first quoted in any official list published by a stock exchange licensed by the Securities and Exchange Commission of Sri Lanka (hereinafter referred to as the “first year of assessment”) and for each year of assessment within the period of four years immediately succeeding that first year of assessment,

- (a) for which the taxable income exceeds Rs. 5,000,000/-; or
- (b) if such company is a holding company, a subsidiary company or an associate company of a group of companies,

on the taxable income for that year of assessment—

- (i) for any year of assessment commencing prior to April 1, 2011 $33 \frac{1}{3}$ per centum
- (ii) for any year of assessment commencing on or after April 1, 2011 28 per centum

Provided that, where such first year of assessment is any year of assessment which commences prior to April 1, 2006, the rate of $33 \frac{1}{3}$ per centum shall apply in relation to any year of assessment which falls within such period of four years, but which commences on or after April 1, 2006.”.

Amendment
of the Fifth
Schedule to the
principal
enactment.

46. The Fifth Schedule to the principal enactment as last amended by the Act, No.18 of 2013 is hereby further amended as follows :-

- (1) by the substitution for item 22 of that Schedule, of the following item:-

“22 The rate of income tax on profits and income referred to in section 58-

(a) for any year of assessment commencing prior to April 1, 2011 *15 per centum*

(b) for any year of assessment commencing on or after April 1, 2011, but prior to April 1, 2014 *12 per centum*

(c) for any year of assessment commencing on or after April 1, 2014 *As per the First Schedule, but subject to a maximum of 12 per centum for an individual, and 12 per centum for a company”;*

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

“33 The rate of income tax applicable to profits and income of any person from any undertaking referred to in section 59B-

- (a) for any year of assessment commencing prior to April 1, 2014

As per the First Schedule, but subject to a maximum of 10 per centum for an individual, and 10 per centum for a company

- (b) for any year of assessment commencing on or after April 1, 2014

As per the First Schedule but subject to a maximum of 12 per centum for an individual, and 12 per centum for a company”;

- (3) by the substitution for item 42 of that Schedule, of the following item:-

“42 The rate of income tax applicable to such part of the profits and income of any person from any undertaking referred to in section 56A-

12 per centum ”;

- (4) by the addition immediately after item 45 of that Schedule, of the following new item:-

“46 The rate of income tax applicable to such part of the profits and

30 *Inland Revenue (Amendment) Act, 8 of 2014*

income of any individual, from a profession as referred to in section 59F-

on the first Rs. 500,000/-
of the taxable income *4 per centum*

on the next Rs. 500,000/-
of the taxable income *8 per centum*

on the next Rs. 24,000,000/-
of the taxable income *12 per centum*

on the next Rs. 10,000,000/-
of the taxable income *14 per centum*

on the balance of the taxable
income *16 per centum.*"

"Validation.

47. The amount of tax charged or collected from any person by or on behalf of the Commissioner-General, by virtue of the application of any provision of this Act, during the period commencing on April 1, 2014 and ending on the date on which the certificate of the Speaker is endorsed in respect of this Act, shall be deemed to have been validly and lawfully charged or collected under this Act by the Commissioner-General or by such person who charged or collected such tax on behalf of the Commissioner-General :

Provided that, the aforesaid provision shall not affect any decision or order made by any Court or any proceedings pending in any Court in respect of any tax charged or collected during such period.

Sinhala text to prevail in case of an inconsistency.

48. 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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**ECONOMIC SERVICE CHARGE
(AMENDMENT) ACT, No. 9 OF 2014**

[Certified on 24th April, 2014]

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*Economic Service Charge (Amendment)
Act, No. 9 of 2014*

[Certified on 24th April, 2014]

L. D.—O. 7/2014.

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. 9 of 2014 and shall come into operation on April 1, 2014.

Short title and
date of
operation.

2. Section 3 of the Economic Service Charge Act, No. 13 of 2006 (hereinafter referred to as the “principal enactment”) as last amended by Act, No. 11 of 2008 is hereby further amended by the insertion, immediately after subsection (3) of that section, of the following new subsection—

Amendment of
section 3 of Act,
No. 13 of 2006.

“(3A) Where an insurer engaged in carrying on both long term insurance business and general insurance business segregates such business into long term insurance business and general insurance business to be carried on by two separate companies, as required by section 53 of the Regulation of Insurance Industry (Amendment) Act, No. 3 of 2011, the balance, if any, as at the date of such segregation of the amount levied as service charge after the deduction in accordance with subsection (1), (2) or (3) shall notwithstanding anything to the contrary in any other provisions of this Act, but subject to the preceding provisions of this section, be deducted from income tax payable by the company that is carrying on the general insurance business after such segregation as if the same company were continuing to carry on the business.”.

2 *Economic Service Charge (Amendment)*
Act, No. 9 of 2014

Amendment of section 9 of the principal enactment.

3. Section 9 of the principal enactment as last amended by Act, No. 15 of 2007 is hereby further amended by the repeal of subsection (4) of that section and the substitution therefor of the following:—

“(4) No assessment or additional assessment shall be made under this Act in respect of a person or partnership—

- (a) who or which has made a return for any relevant quarter in any year of assessment on or before the dates referred to in section 7,
 - (i) where such quarter is any relevant quarter ending on or before March 31, 2014 after the expiry of eighteen months from the end of the year of assessment within which such relevant quarter falls; or
 - (ii) where such quarter is any relevant quarter commencing on or after April 1, 2014 after the expiry of eighteen months from the thirtieth day of November of the year of assessment immediately succeeding the year of assessment within which such relevant quarter falls,

if his or its return of income has been made under subsection (1) or subsection (7) of section 106 of the Inland Revenue Act, No. 10 of 2006; or

- (b) who or which has failed to make a return on or before such date as referred to in paragraph (a) after the expiry of a period of four years from the thirtieth day of

Economic Service Charge (Amendment) 3
Act, No. 9 of 2014

November of the year of assessment immediately succeeding the year of assessment within which such relevant quarter falls.”.

- 4.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
- Sinhala text to prevail in the case of inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC
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**NATION BUILDING TAX (AMENDMENT)
ACT, No. 10 OF 2014**

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*Nation Building Tax (Amendment)
Act, No. 10 of 2014*

[Certified on 24th April, 2014]

L. D.—O. 6/2014.

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. 10 of 2014 and shall be deemed to have come into operation from January 1, 2014.

Short title and date of operation.

2. Section 3 of the Nation Building Tax Act, No. 9 of 2009 as last amended by Act, No. 11 of 2013 (hereinafter referred to as the “principal enactment”) is hereby further amended in subsection (2) of that section as follows :—

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

(1) by the substitution in paragraph (iii) thereof, for the words, “other than any excepted service referred to in the First Schedule to this Act,” of the following words and figures:—

“other than any excepted service referred to in the First Schedule to this Act:

Provided that, the liable turnover from the supply of any financial service in Sri Lanka, by any person carrying on the business of banking or finance shall, notwithstanding anything contrary in any other provision of this Act, be the value addition attributable to such financial service, calculated for the purposes of applying the attributable method referred to in subsection (4) of section 25C of the Value Added Tax Act, No. 14 of 2002, for the payment of Value Added Tax on the supply of financial services :

Provided further, that in calculating the value addition attributable to such financial service, where

2 *Nation Building Tax (Amendment)*
 Act, No. 10 of 2014

the amount of profits for each relevant quarter cannot be accurately ascertained, such amount may be estimated on the basis of available information. The estimated amount shall be adjusted to reflect the actual amount with the audited statement of accounts on yearly basis and such adjustment shall be submitted within six months after the closing date of the relevant accounting period.”;

(2) in paragraph (iv) –

(i) by the substitution for subparagraph (2) thereof of the following subparagraph:—

“(2) (a) 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 sold on or before December 31, 2013, by the importer of such article; or

(b) any article which is subject to the Special Commodity Levy under the provisions of the Special Commodity Levy Act, No. 48 of 2007, where such article is sold on or after January 1, 2014, by the importer of such article without any processing except for adaption for sale;”;

(ii) by the substitution in subparagraph (7) thereof for the words “producer thereof; and” of the words “producer thereof;”;

(iii) by the substitution in subparagraph (8) thereof for the words “in a filling station.” of the words “in a filling station;”;

Nation Building Tax (Amendment) 3
Act, No. 10 of 2014

- (iv) by the addition immediately after subparagraph (8) of that paragraph, of the following subparagraphs:—

“(9) retail sale of any article at duty free shops for payment in foreign currency; and

(10) distribution of LP Gas.”.

- 3.** The First Schedule to the principal enactment as last amended by Act, No. 11 of 2013 ,is hereby further amended as follows:—

Amendment of First Schedule of the principal enactment.

- (1) In PART I of that Schedule:—

- (a) by the substitution for item (xiii) thereof, of the following item:—

“(xiii) pharmaceuticals identified under the Harmonized of Commodity Description and Coding Numbers for Custom purposes;”;

- (b) by the substitution for item (xix) thereof, of the following item:—

“(xix) locally manufactured tractors at the point of sale;”;

- (c) by the substitution in item (XLIV) for the words “project implementation period; and” of the words “project implementation period;”;

- (d) by the substitution in item (XLV) for the words “approved by the Minister of Finance.” of the words “approved by the Minister of Finance; and”;

4 *Nation Building Tax (Amendment)
Act, No. 10 of 2014*

- (e) by the insertion immediatly after item (XLV) thereof the following new item:—

“(XLVI)locally manufactured coconut oil at the point of sale by the manufacturer, for a period of three years commencing from January 1, 2014;”and;

- (2) In PART II of that schedule :—

- (a) by the substitution for item (i) thereof of the following item:—

“(i) the business of Banking or Finance for any period ended on or before December 31, 2013;

- (b) by the substitution for item (vi) thereof of the following item:—

“(vi) the provision of finance leasing facilities in respect of any movable property;”;

- (c) by the substitution for item (xxvi) thereof of the following item:—

“(xxvi) services provided to or within any port or airport in relation to international transportation;”;

- (d) by the substitution for item (xxviii) thereof of the following item:—

“(xxviii) telecommunication services, in respect of which the telecommunication levy has been paid under the Telecommunication Levy Act, No. 21 of 2011;”;

Nation Building Tax (Amendment) 5
Act, No. 10 of 2014

- (e) by the substitution in item (xxxv) for the words “Monetary Law Act (Chapter 422); and” of the words “Monetary Law Act (Chapter 422);”;
- (f) by the substitution in item (xxxvi) for the words “on behalf of the Government.” of the words “on behalf of the Government; and”;
- (g) by the insertion immediately after the item (xxxvi), of the following new item:—

“(xxxvii) the services provided by any relocated international headquarters or regional head office of any institution in the international network, prescribed for the purpose of Inland Revenue Act, for payment in foreign currency.”.

4. 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 from January 1, 2014 and ending on the date on which the certificate of the Speaker is endorsed in respect 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:

Validation.

Provided that the aforesaid provisions of this section shall not affect any decision or order made by any Court or any proceedings pending in any Court in respect of any tax collected during the aforesaid period.

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

Sinhala text to prevail in case of an inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC
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**TELECOMMUNICATION LEVY
(AMENDMENT) ACT, No. 11 OF 2014**

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*Telecommunication Levy (Amendment)
Act, No. 11 of 2014*

[Certified on 24th April, 2014]

L.D.—O. 8/2014.

AN ACT TO AMEND THE TELECOMMUNICATION LEVY
ACT, NO. 21 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 Telecommunication Levy (Amendment) Act, No. 11 of 2014, and shall except as is provided for in section 3 of this Act, be deemed for all purposes to have come into operation with effect from January 1, 2014.

Short title and date of operation.

2. Section 2 of the Telecommunication Levy Act, No. 21 of 2011 (hereinafter referred to as the “principal enactment”) as last amended by Act, No. 8 of 2013 is hereby further amended by the substitution for all the words and figures from “a levy called Telecommunication Levy-” to the words “such telecommunication service in respect of each month.” of the words and figures,

Amendment of section 2 of the Tele-communication Levy Act, No.21 of 2011.

“a levy called Telecommunication Levy—

- (a) for the period commencing on or after January 1, 2011 but prior to January 1, 2013, at the rate of twenty *per centum* ;
- (b) for the period commencing on or after January 1, 2013 but prior to January 1, 2014—
 - (i) at the rate of ten *per centum*, on the value of supply of internet services ; and
 - (ii) at the rate of twenty *per centum*, on the value of the supply of telecommunication services other than the supply of internet services ;

2 *Telecommunication Levy (Amendment)*
 Act, No. 11 of 2014

(c) for any period commencing on or after January 1, 2014—

(i) at the rate of ten *per centum*, on the value of supply of internet services ; and

(ii) at the rate of twenty five *per centum*, on the value of the supply of telecommunication services other than the supply of internet services,

on the value of the supply of the telecommunication services provided by the operator, on the receipt of such telecommunication service in respect of each month :”;

Amendment of section 3 of the principal enactment.

3. Section 3 of the principal enactment is hereby amended by the substitution for the words “along with such details as may be specified by the Commission” of the following words and figures :—

“along with such details as may be specified by the Commission :

Provided that, with effect from May 1, 2014, where the levy is collected prior to issuing invoices or without issuing invoices, such levy—

(a) collected for the period commencing from the 1st day to the 15th day of that month, shall be paid on or before the 20th day of that month ; and

(b) collected for the period commencing from the 16th day to the end of that month, shall be paid on or before the 5th day of the succeeding month.

Telecommunication Levy (Amendment) 3
Act, No. 11 of 2014

4. Section 4 of the principal enactment is hereby amended by the substitution for the words “credited within seven days from the receipt of the levy to the Consolidated Fund.” of the words “credited within five days from the receipt of the levy to the Consolidated Fund.”.

Amendment of section 4 of the principal enactment.

5. Section 12 of the principal enactment is hereby amended by the repeal of the definition of the expression “operator” and the substitution therefor of the following new definition :—

Amendment of section 12 of the principal enactment.

““operator” means an operator licensed under section 17 of the Sri Lanka Telecommunications Act, No. 25 of 1991, other than the operator who is authorized solely to provide public pay phone service.”.

6. The Telecommunication Levy charged and collected by any operator authorized under section 2 of the principal enactment from any recipient for the purposes authorized by this Act to charge or collect, during the period commencing from January 1, 2014 and ending on the date on which the certificate of the speaker is endorsed in respect of this Act, shall be deemed to have been validly charged and collected by such operator under this Act :

Validation.

Provided that, the aforesaid provisions of this section shall not affect any decision or order made by any Court or any proceedings pending in any Court in respect of any levy charged and collected during that period.

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

Sinhala text to prevail in case of inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC
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**SPECIAL COMMODITY LEVY
(AMENDMENT) ACT, No. 12 OF 2014**

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*Special Commodity Levy (Amendment)
Act, No. 12 of 2014*

[Certified on 24th April, 2014]

L. D.—O. 10/2014.

AN ACT TO AMEND THE SPECIAL COMMODITY LEVY
ACT, NO. 48 OF 2007

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

- 1.** This Act may be cited as the Special Commodity Levy (Amendment) Act, No. 12 of 2014.

Short title.
- 2.** The Schedule to the Special Commodity Levy Act, No. 48 of 2007 is hereby amended by the addition immediately after item 6 of that Schedule, of the following new item:—

Amendment of the Schedule to the Special Commodity Levy Act, No. 48 of 2007.

“7. The Nation Building Tax Act, No. 9 of 2009.”.
- 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.

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



**PARLIAMENT OF THE DEMOCRATIC
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**COMPANIES (AMENDMENT)
ACT, No. 13 OF 2014**

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*Companies (Amendment)
Act, No. 13 of 2014*

[Certified on 24th April, 2014]

L.D.—O. 11/2014.

AN ACT TO AMEND THE COMPANIES
ACT, NO. 7 OF 2007

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

1. This Act may be cited as the Companies (Amendment) Act, No. 13 of 2014 as follows :— Short title.

2. Section 132 of the Companies Act, No. 7 of 2007 (hereinafter referred to as the “principal enactment”) is hereby amended by the repeal of that section and the substitution therefore of the following new section :— Amendment of section 132 of the Companies Act, No.7 of 2007.

“Declaration and certificates to be sent by every private company with the annual return.

132. (1) Every private company shall transmit to the Registrar with its annual return—

(a) a declaration signed by the directors of the company to the effect that to the best of their knowledge and belief, they have complied with the requirements of the principal enactment ;

(b) a certificate signed by a director and the secretary of the company—

(i) confirming that the company has not since the date of the last return or in the case of a first return, since the date of the incorporation of the company, as the case may be, issued any invitation to the public to subscribe for any shares or debentures of the company ;

*Companies (Amendment)
Act, No. 13 of 2014*

(ii) where the annual return discloses the fact that the number of shareholders of the company exceeds fifty, and such excess consists wholly of persons not included under section 27 in relation to that limit imposed under that section ;

(c) a certificate issued by the Commissioner-General of Inland Revenue confirming that the company has fulfilled the requirements specified in section 106 of the Inland Revenue Act, No. 10 of 2006.

(2) (a) Subject to section 131, every private company shall with the annual return of such company, or any time prior to the winding up of such company or change of status or a similar situation specified in this Act, notify in writing to the Registrar in the manner prescribed any such winding up or change if any to be taken place.

(b) It shall be the duty of the Registrar to transmit a copy of such notice to the Commissioner-General of Inland Revenue.

For the purposes of this section—

“Similar situation” means an arrangement, amalgamation, merger or compromise as specified in the Act.”.

3. The item 2 of the Ninth Schedule to the principal enactment is hereby amended as follows :—

Amendment of Ninth Schedule to the principal enactment.

- (1) in paragraph (b), by the substitution for the words “chargeable for one complete year prior to the commencement of the liquidation, that year to be selected” of the words “chargeable for five complete years prior to the commencement of the liquidation, that five year period to be selected”;
- (2) in paragraph (d), by the repeal of that paragraph and substitution therefor of the following new paragraph :—

“(d) value added tax charged or chargeable for taxable periods within five year period prior to the commencement of the liquidation, such taxable periods to be selected by the Commissioner-General of Inland Revenue in accordance with the provisions of the Value Added Tax Act, No. 14 of 2002;”.

4. Section 529 of the principal enactment is hereby amended by the insertion immediately after the definition of the expression “class” of the following definition :—

Amendment of section 529 of the principal enactment.

“Commissioner-General of Inland Revenue” means the Commissioner-General of Inland Revenue appointed under section 208 of the Inland Revenue Act, No. 10 of 2006.

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

Sinhala text to prevail in case of inconsistency.

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

**DEFAULT TAXES (SPECIAL PROVISIONS)
(AMENDMENT) ACT, No. 14 OF 2014**

[Certified on 24th April, 2014]

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*Default Taxes (Special Provisions) (Amendment)
Act, No. 14 of 2014*

[Certified on 24th April, 2014]

L. D- O. 12/2014.

AN ACT TO AMEND THE DEFAULT TAXES (SPECIAL PROVISIONS) ACT,
No. 16 OF 2010

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

1. This Act may be cited as the Default Taxes (Special Provisions) (Amendment) Act, No. 14 of 2014 . Short title.

2. Section 10 of the Default Taxes (Special Provisions) Act, No. 16 of 2010 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:- Amendment of section 10 of Act, No. 16 of 2010.

(1) by re-numbering section 10 of that section as subsection (1) thereof ; and

(2) by the addition immediately after re- numbered subsection (1), of the following subsection :-

“(2) Where the Commissioner - General is satisfied that immediate action is necessary for the recovery of a tax in default, he may, instead of instituting an action under subsection (1), take the steps stipulated in sections 10A, 10B, 10C, 10D, 10E, 10F and 10G of this Act.”.

3. The following new sections are inserted immediately after section 10 of the principal enactment and shall have effect as sections 10A, 10B, 10C, 10D, 10E, 10F and 10G of that enactment:-

Insertion of Sections 10A, 10B, 10C, 10D, 10E , 10F and 10G in the principal enactment.

“Where immediate action for recovery of tax in default is necessary. **10A.** (1) Where the Commissioner- General decides to take steps in terms of subsection (2) of section 10, to recover any tax in default he shall within fourteen days of the date on which he takes such steps , issue a notice to the

2 *Default Taxes (Special Provisions) (Amendment)*
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defaulter stating the particulars of the tax in respect of which such steps have been taken and the nature of the steps taken.

(2) Where there is an appellate procedure against the assessment or assessments made under the relevant law, under which the tax in default is charged and the defaulter has not appealed within the proper time under that law against such assessment or assessments, he may within thirty days of the notice issued under subsection (1), make any objection to the tax so charged and the Commissioner-General shall, consider such objection and give his decision thereon which shall be final:

Provided that, where the Commissioner-General is satisfied that owing to illness, absence from Sri Lanka or other reasonable cause, the defaulter was prevented from objecting within thirty days of the notice issued under subsection (1), he shall grant an extension of time for preferring such objections.

(3) Where the tax recovered as a result of any steps taken under subsection (1), is in excess of the amount of tax determined under subsection (2), to be payable by the defaulter in respect of any year of assessment, such excess shall be refunded to the defaulter:

Provided that, no refund under this subsection shall exceed the tax recovered as a result of steps taken under subsection (1).

Recovery of tax from principal officers and others.

10B. (1) Where a body corporate has not paid any tax on or before the due date, as required by the relevant law under which such tax in default is charged, it shall be lawful for

the Commissioner-General to proceed under section 10A, 10B, 10C,10D,10E, 10F or 10G of this Act against the manager, secretary, any director or any other principal officer of such body corporate, as if such manager, secretary, director or principal officer, as the case may be, is responsible for such default, unless such manager, secretary, director or principal officer, as the case may be, proves the contrary to the satisfaction of the Commissioner-General, notwithstanding anything in any other written law relating to such body corporate.

(2) Where an unincorporated body of persons has not paid any tax on or before the due date, as required by the relevant law under which the tax in default is charged, it shall be lawful for the Commissioner-General to proceed under section 10A, 10B, 10C,10D, 10E, 10F or 10G of this Act against any partner or office bearer of such unincorporated body of persons as if he is responsible for such default, unless such partner or office bearer, as the case may be, proves the contrary to the satisfaction of the Commissioner-General, notwithstanding anything in any other written law.

Recovery
of tax by
seizure
and sale.

10C. (1) The Commissioner-General may appoint persons to be tax collectors under this Act .

(2) (a) Where any tax is in default under section 2 of this Act, the Commissioner-General may issue a certificate to a Government Agent, Assistant Government Agent, Fiscal, Deputy Fiscal or tax collector, containing particulars of such tax and the name of the defaulter and the officer to whom such certificate is issued

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Act, No. 14 of 2014

shall be empowered and is hereby required, to cause the tax to be recovered from the defaulter named in the certificate by seizure and sale of his movable property.

(b) A seizure of movable property shall be effected in such manner as such officer shall deem most expedient in that behalf and as soon as any movable property is seized by such officer, a list of such property shall forthwith be made and signed by him and shall be given to the defaulter and a copy thereof furnished to the Commissioner-General.

(c) Where the property so seized is –

- (i) cash in Sri Lankan currency, such cash shall be first applied in the payment of the cost and charges of seizure and any balance applied in satisfaction of the tax in default;
- (ii) cash in foreign currency, such cash shall be deposited in the Central Bank or any commercial bank and the proceeds therefrom applied to the payment of the costs and charges of seizure and any balance applied in satisfaction of the tax in default; and
- (iii) property other than cash, such property shall be kept for five days at the cost and charges of the defaulter. If the defaulter does not pay the tax in default together with the costs and

Default Taxes (Special Provisions) (Amendment) 5
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charges within the five days, the Government Agent, Assistant Government Agent, Fiscal, Deputy Fiscal or tax collector shall cause such property to be sold by public auction, or where such property is a negotiable instrument or a share in any corporation or public company, to be sold through a broker at the market rate of the day.

- (d) The sum realized by a sale referred in sub-paragraph (iii) of paragraph (c) shall be applied -
- (i) firstly, in payment of the costs and charges of seizing, keeping and selling of property; and
 - (ii) secondly, in satisfaction of the tax in default, and any balance shall be paid to the owner of the property seized.
- (e) It shall be lawful for any officer to recover from any defaulter, reasonable expenses incurred by him in proceeding against such defaulter under this section, notwithstanding that no seizure of property was effected.
- (f) In this subsection the expression “movable property” includes any plant or machinery affixed to the ground of a factory.

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(3) Where any tax is in default and the Commissioner-General is of the opinion that the recovery by the means provided in subsection (2) is impracticable or inexpedient, he may issue a certificate to a District Court having jurisdiction in any district where the defaulter resides or in which any property, movable or immovable, owned by the defaulter is situated, containing particulars of such tax and the name or names of the person or persons by whom the tax is payable, and the courts shall thereupon direct a writ of execution to issue to the Fiscal, authorizing and requiring him to seize and sell all or any of the property, movable and immovable, of the defaulter, or such part thereof as he may deem necessary for recovery of the tax, and the provisions of sections 226 to 297 of the Civil Procedure Code (Chapter 101) shall, *mutatis mutandis*, apply to such seizure and sale.

(4) Wherever the Commissioner-General issues a certificate under this section, he shall at the same time issue to the defaulter, whether resident or non-resident, a notification thereof by personal service, registered letter sent through the post or telegraph; but the non-receipt of such notification by the defaulter shall not invalidate proceedings under this section.

Proceedings
for recovery
before
Magistrate.

10D. (1) Where the Commissioner-General is of the opinion in any case that recovery of tax in default by seizure and sale is impracticable or inexpedient, or where the full amount of the tax has not been recovered by seizure and sale, he may issue a certificate containing particulars of such tax and the name and last known place of business or residence

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of the defaulter, to a Magistrate having jurisdiction in the division in which such place is situated. The Magistrate shall thereupon summon such defaulter before him to show cause why further proceedings for the recovery of the tax should not be taken against him, and in default of sufficient cause being shown the tax in default shall be deemed to be a fine imposed by a sentence of the Magistrate on such defaulter for an offence punishable with fine only or not punishable with imprisonment, and the provisions of subsection (1) of section 291 (except paragraphs (a), (d) and (i) thereof) of the Code of Criminal Procedure Act, No. 15 of 1979 relating to default of payment of a fine imposed for such an offence shall thereupon apply, and the Magistrate may make any direction which, by the provisions of that subsection, he could have made at the time of imposing such sentence.

(2) The correctness of any statement in a certificate issued by the Commissioner-General for the purposes of subsection (1), shall not be called in question or examined by the Magistrate in any proceeding under this section and accordingly, nothing in that subsection shall be read and construed as authorizing a Magistrate to consider, or decide the correctness of any statement in such certificate or to postpone or defer such proceeding for a period exceeding thirty days, by reason only of the fact that an appeal is pending against the assessment, in respect of which the tax in default is charged.

(3) Nothing in subsections (2) to (5) of section 291 of the Code of Criminal Procedure Act, No. 15 of 1979, shall apply in any case referred to in subsection (1) of this section.

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Act, No. 14 of 2014

(4) In any case referred to in subsection (1) in which the defaulter is sentenced to imprisonment in default of payment of the fine deemed by that subsection to have been imposed on him, the Magistrate may allow time for the payment of the amount of that fine or direct payment of that amount to be made in instalments.

(5) The Court may require bail to be given as a condition precedent to allowing time under subsection (1) for showing cause as therein provided, or under subsection (4) for the payment of the fine; and the provisions of Chapter XXXIV of the Code of Criminal Procedure Act, No. 15 of 1979, shall apply, where the defaulter is so required to give bail.

(6) Where a Magistrate directs under subsection (4) that payment be made in instalments and default is made in the payment of any one instalment, proceedings may be taken as if default had been made in payment of all the instalments then remaining unpaid.

(7) In any proceeding under subsection (1), the Commissioner-General's certificate shall be sufficient evidence that the tax has been duly assessed and is in default, and any plea that the tax is excessive, incorrect, or under appeal, shall not be entertained.

(8) Where the tax default referred to in this section is made by a body corporate, or an unincorporated body of persons, the manager, secretary, any director or any other principal officer of such body corporate, or any partner or office bearer of such unincorporated body of persons, as the case may be, in addition to a

fine imposed by a sentence of the Magistrate under this section, shall be liable on conviction after summary trial before the Magistrate, to an imprisonment of either description for a period not exceeding three months:

Provided that, the Magistrate may allow such manager, secretary, any director or any other principal officer of such body corporate, or any partner or office bearer of such unincorporated body of persons, as the case may be, to show cause that he is not responsible for such default or that he has taken all necessary steps within his power to avoid the default of such tax.

Recovery of
tax out of
debts & c.

10E. (1) Where tax payable by any person under any of the laws specified in the Schedule to this Act is in default and the Commissioner-General is of the opinion that recovery of tax in default in terms of sections 10A, 10B, 10C and 10D is impracticable or inexpedient and it also appears to him to be probable that any other person –

- (a) owes or is about to pay money to the defaulter or his agent;
- (b) holds money for or on account of the defaulter or his agent;
- (c) holds money on account of some other person for payment to the defaulter or his agent; or
- (d) has authority from some other person to pay money to the defaulter or his agent,

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Act, No. 14 of 2014

the Commissioner-General may give to such other person notice in writing (a copy of which shall be sent by post to the defaulter) requiring him to pay any such moneys not exceeding the amount of the tax in default, to the officer named in such notice. The notice shall apply to all such moneys which are in his hands or due from him at the date of receipt of such notice, or come into his hands or become due from him or are about to be paid by him at any time within a period of three months, after the date of such notice.

(2) Where a person holds money for or on account of the defaulter and any other person or persons jointly (in this section referred to as the “joint account holder or holders”) the Commissioner-General may give a notice under subsection (1) to such person, requiring him to pay the amount of the tax in default or part thereof to the officer named in such notice, out of the monies or such part of such moneys in the joint account which the Commissioner-General is satisfied is attributable to the contributions made by the defaulter, and is so certified by the Commissioner-General:

Provided that –

- (a) every person remitting money in compliance with a notice issued under subsection (1), shall intimate such fact to every other joint account holder;
- (b) every joint account holder other than the defaulter may, within two weeks of the date on which he received an intimation under paragraph (a),

make a claim to the Commissioner-General in respect of any part of such remittance which represents his net contribution to the balance in such joint account as at the date of notice issued by the Commissioner-General, and the Commissioner-General shall consider such claim and make his order thereon;

- (c) every joint account holder who is aggrieved by the order of the Commissioner-General made under paragraph (b), may institute an action in the District Court seeking an order for the recovery of such money or part of such money which he claims to be attributable to the contributions made by him.

(3) Notwithstanding any provision in the Prescription Ordinance (Chapter 68), no action shall be instituted for the recovery of such money or part of such money after the expiration of three months from the date of notice issued by the Commissioner-General.

(4) Any person who has made any payment in pursuance of this section shall be deemed to have acted under the authority of the defaulter, and of all other persons concerned, and hereby indemnified in respect of such payment against all proceedings, civil or criminal, notwithstanding the provisions of any written law, contract or agreement.

(5) Any person to whom a notice has been given under subsection (1), who is unable to comply therewith owing to the fact

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Act, No. 14 of 2014

that no moneys referred to in that subsection have come into his hands or that no such moneys have become due from him within the period referred to in that subsection, shall within fourteen days of expiration thereof, give notice in writing to the Commissioner-General apprising him of the facts.

(6) Where any person to whom a notice has been given under subsection (1), is unable to comply therewith and has failed to give notice to the Commissioner-General as provided in subsection (5), or where such person has deducted or could have deducted the tax to which the notice relates or any part thereof, and has not paid over, as required by the Commissioner-General the amount of such tax or part thereof within fourteen days after the expiration of the period referred to in subsection (1), such person shall, if he is an individual be liable, or where such person is a company or body of persons whether corporate or unincorporated, the secretary, manager or other principal officer of such company or body shall be personally liable, for the whole of the tax which such person has been required to deduct, and such tax may be recovered from such individual, secretary, manager or other principal officer, as the case may be, by any of the means provided in this Act.

(7) For the purpose of this section, the expression "defaulter" shall be deemed to include the agent of a person who is in default and the provisions of this section shall apply in any case where the tax which would have been payable by any person if he were alive is

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in default; and for the purposes of the application of those provisions in any such case, the expression “defaulter” in subsection (1) means -

- (a) the executor or administrator of a deceased person;
- (b) any person who takes possession of or intermeddles with, the property of a deceased person; or
- (c) any person who has applied or is entitled to apply to a District Court for the grant or resealing of a probate or letters of administration, in respect of the estate of a deceased person .

Transfer of immovable property to Government in lieu of payment of tax in cash.

10F. (1) Any person liable to pay tax in default under any of the laws specified in the Schedule to this Act , may apply to the Commissioner-General to transfer any immovable property owned by such person to the Government, in lieu of payment of such tax in cash at such value as is placed on such property by agreement between such person and the Commissioner-General, and the Commissioner-General may allow such application having regard to the feasibility of managing such property after it is transferred to the Government.

(2) Where the Commissioner-General allows an application made under subsection (1), and the amount agreed to in accordance with the provisions of that subsection as the value of the property in respect of which the application is made, exceeds the amount of tax payable by the applicant, the excess shall

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Act, No. 14 of 2014

be deemed to be a donation within the meaning of paragraph (b) of subsection (2) of section 34 of the Inland Revenue Act, No. 10 of 2006, made to the Government of Sri Lanka by the applicant.

Tax in default to be recovered from remuneration of employees.

10G. (1) The Commissioner-General may, by notice in writing given to any employer of an employee or to the person responsible for the payment of remuneration of an employee, direct such employer or person to deduct during such period as may be specified in such notice, from the remuneration of such employee, the amount of tax in default payable by such employee, in such number of monthly instalments as may be specified in such notice. The amount so deducted in each month from the remuneration of an employee shall be paid to the Commissioner-General by such employer or such person, as the case may be.

(2) Where any tax is deducted under subsection(1) from the remuneration of an employee by his employer or by the person responsible for the payment of such remuneration, such employee shall for the purposes of this Act, be deemed to have paid such tax or part thereof on the date on which the deduction is made.

(3) The Commissioner-General may at any time after he has made a direction under subsection (1), withdraw such direction wholly or partly by notice given in writing to the employer or the person responsible for the payment of the remuneration of the employee, if the employee has made arrangements to the satisfaction of the Commissioner-General, for the payment of his tax in default.

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(4) Where any employee from whose remuneration any tax in default is to be deducted under the preceding provisions of this section by his employer or the person responsible for the payment of such remuneration, is about to leave or leaves his employment, the employer or such person shall deduct the whole amount of such tax or any balance thereof which he has been directed to deduct by the notice given to him by the Commissioner-General, from all or any payments payable by him to such employee, after he becomes aware that such employee is leaving, or has left, his employment.

(5) Where a direction for the deduction of any tax from the remuneration of an employee is given under subsection(1) to his employer or to the person responsible for the payment of such remuneration, and such employer or person is unable to deduct the whole or any part of such tax for the reason that such employee has left his employment or for any other reason, such employer or person shall forthwith give notice in writing to the Commissioner –General apprising him of the facts of the matter, and any tax which such employer or person has not deducted or cannot deduct, shall immediately become payable by the employee and be recovered by any of the means provided under this Act.

(6) Where the employer or the person responsible for the payment of remuneration to an employee has failed to deduct from such remuneration any tax which he has been directed to deduct under subsection (1), and such employer or person has failed to give notice to the Commissioner-General as required

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Act, No. 14 of 2014

by subsection (5), within fourteen days of the date on which such deduction should have been made, or where such employer or person has deducted or could have deducted tax in any month from such remuneration in accordance with a direction under subsection (1), but has not paid the amount of such tax to the Commissioner-General by the fifteenth day of the following month, such employer or person, if he is an individual, shall be liable, or where such employer or person is a company or a body of persons, whether corporate or unincorporated, the secretary, manager or other principal officer of such company or body shall be personally liable, for the whole of the tax which such employer or such person has been directed to deduct under this section, and such tax may be recovered from such individual, secretary, manager or other principal officer by any of the means provided in this Act, and such tax shall be deemed to be in default.

(7) Every employer or other person who deducts tax from the remuneration of any employee in accordance with a direction under subsection (1), shall on request made by such employee, issue to him a certificate in such form as is specified by the Commissioner-General, of the amount of tax deducted.”.

Sinhala text to prevail in case of inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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**MONETARY LAW (AMENDMENT)
ACT, No. 15 OF 2014**

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*Monetary Law (Amendment)
Act, No. 15 of 2014*

[Certified on 24th April, 2014]

L. D.—O. 13/2014.

AN ACT TO AMEND THE MONETARY LAW ACT (CHAPTER 422)

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

- 1.** This Act may be cited as the Monetary Law (Amendment) Act, No. 15 of 2014. Short title.
- 2.** Section 6 of the Monetary Law Act (Chapter 422) is hereby amended by the substitution for the words “which sum is hereby appropriated to the bank from the surplus assets of the Board of Commissioners of Currency.” of the following words:—

“which sum is hereby appropriated to the bank from the surplus assets of the Board of Commissioners of Currency:

Provided however, the Monetary Board may from time to time, having regard to the viability and stability of the financial system of Sri Lanka and in the interest of the national economy, with the concurrence of the Minister to whom the subject of Finance has been assigned, increase the capital of the Central Bank to an amount not exceeding fifty billion rupees.”.

Amendment of section 6 of Chapter 422.
- 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 the case of inconsistency.

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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
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**SAMASTHA LANKA SASANARAKSHAKA
MANDALAYA (INCORPORATION)
ACT, No. 16 OF 2014**

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*Samastha Lanka Sasanarakshaka Mandalaya
(Incorporation) Act, No. 16 of 2014*

[Certified on 24th April, 2014]

L.D.—O. (Inc.) 18/2012.

AN ACT TO INCORPORATE THE SAMASTHA LANKA SASANARAKSHAKA
MANDALAYA

WHEREAS a Board called and known as the "Samastha Lanka Sasanarakshaka Mandalaya" has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Board according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Board 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 Samastha Lanka Sasanarakshaka Mandalaya (Incorporation) Act, No. 16 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the "Samastha Lanka Sasanarakshaka Mandalaya" (hereinafter referred to as the "Board") and shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate (hereinafter referred to as the "Corporation") with perpetual succession, under the name and style of the "Samastha Lanka Sasanarakshaka Mandalaya" 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 Samastha Lanka Sasanarakshaka Mandalaya.

2 *Samastha Lanka Sasanarakshaka Mandalaya*
(Incorporation) Act, No. 16 of 2014

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the voluntary social services organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects of
the Corporation.

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

- (a) assist the relevant authorities to take steps to promote wellbeing of Buddha Sasana;
- (b) assist the relevant authorities to take steps to promote the development of Bikku society;
- (c) assist the relevant authorities in promoting the development and rehabilitation of the Buddhist Temples situated in remote areas;
- (d) assist the relevant authorities in ensuring a cordial relationship between the Buddhist monks and the lay Buddhists;
- (e) assist the relevant authorities to develop "Dhamma School Education";
- (f) assist the relevant authorities to act for the welfare of the teachers and students of Dhamma Schools;
- (g) assist the relevant authorities to enhance and protect the Buddhist heritage from external influences;
- (h) assist the relevant authorities to propagate Buddhist customs among the Buddhist adherents and take necessary steps to protect the same; and
- (i) coordinate with, supervise and provide guidelines to the district and provincial branches of the Corporation to achieve the objectives of the Corporation.

4. The objects of the Corporation shall be carried out in such manner so as not to create conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to other provisions of this Act the Management and administration of the affairs of the Corporation shall be carried out by a Executive Committee (hereinafter referred to as the “Committee”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Committee of the Society that hold office on the day immediately preceding the date of commencement of this Act, shall function as the Committee of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Committee of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Committee including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or adviser shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death resignation, incapacity or removal from office of an office bearer, the Committee shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

4 *Samastha Lanka Sasanarakshaka Mandalaya*
(Incorporation) Act, No. 16 of 2014

General Power
of the
Corporation.

6. 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:—

- (a) purchase, acquire, hold, take or give 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 grants, gifts, donations and bequests in cash or in kind:

provided that, notwithstanding anything to the contrary in any other provisions of this Act, 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;

- (d) invest its funds, and to open, maintain and close current, deposit and savings accounts in any bank;
- (e) borrow or raise any money from any bank or institution approved by the Executive Committee, for the purposes of the Corporation in such manner and upon such security as the Executive Committee may think fit; and

- (f) appoint, employ transfer, remunerate, exercise disciplinary control over and dismiss officers and servants required for the carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for 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 Committee or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;
- (d) The procedure to be followed for the summoning and holding of meetings of the Committee, or any sub-committee thereof, notices and agenda of such meetings, the quorum the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Committee and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution of the Corporation.

6 *Samastha Lanka Sasanarakshaka Mandalaya*
(Incorporation) Act, No. 16 of 2014

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

(4) The rules made under this section shall be published in the *Government Gazette*.

Register of members.

8. The Committee shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Fund of the Corporation.

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

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the 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.

10. (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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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
- (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.

11. (1) The Committee shall prepare a report of the activities of the corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Buddha sasana and Religious Affairs and to the Registrar of Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates. Annual Report.

(2) A separate Account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

12. All debts and liabilities of the Board 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 Board on that day shall be paid to the Corporation for the purposes of this Act. Debts due by and payable to the Board.

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 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 full power to sell, mortgage, lease exchange or otherwise dispose of, the same.

Application of moneys and property.

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

Seal of the Corporation.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of the Committee 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Committee as may be decided by such Committee.

Property remaining on dissolution.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its or members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the

Samastha Lanka Sasanarakshaka Mandalaya 9
(Incorporation) Act, No. 16 of 2014

Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

17. 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.

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.

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



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

**THE REHABILITATION OF BUDDHIST
TEMPLES FOUNDATION (INCORPORATION)
ACT, No. 17 OF 2014**

[Certified on 24th April, 2014]

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*The Rehabilitation of Buddhist Temples
Foundation (Incorporation) Act, No. 17 of 2014*

[Certified on 24th April, 2014]

L.D.—O.(Inc.) 15/2010.

AN ACT TO INCORPORATE THE REHABILITATION OF BUDDHIST
TEMPLES FOUNDATION

WHEREAS a foundation called and known as the “Rehabilitation of Buddhist Temples Foundation” has heretofore been formed for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated and it is expedient to grant such application:

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

1. This Act may be cited as the Rehabilitation of Buddhist Temples Foundation (Incorporation) Act, No. 17 of 2014.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of “The Rehabilitation of Buddhist Temples 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 Rehabilitation of Buddhist Temples 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 alter the same at its pleasure.

Incorporation of
The
Rehabilitation of
Buddhist
Temples
Foundation.

2 *The Rehabilitation of Buddhist Temples
Foundation (Incorporation) Act, No. 17 of 2014*

Objects of the
Corporation.

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

- (a) to provide financial and other assistance to Buddhist Temples faced with financial difficulties to improve the infrastructure of such Buddhist temples and buildings situated within the premises which are owned by such temples and which require rehabilitation;
- (b) to take necessary measures for the fostering of spiritual values amongst the Buddhists in the area by encouraging involvement in national and religious customs and promotion of the Buddhist way of life; and
- (c) to work in collaboration with any other institution having objects similar to those of the Corporation with a view to facilitating the exchange of ideas and experience.

Management of
the affairs of the
Corporation.

4. (1) The management and administration of the affairs of the Corporation, shall subject to the provisions of this Act and rules of the Corporation made under section 6, be administered by a Committee of Management (hereinafter referred to as the “Committee”) consisting of a President, Secretary, Treasurer and such number of other members as are elected or appointed in accordance with the rules made under section 6.

(2) The first Committee of the Corporation shall consist of the members of the Committee of the Foundation holding office on the day immediately preceding the date of commencement of this Act and shall continue to hold office until a new Committee is appointed in accordance with the rules made under section 6.

(3) No act or proceeding of the Committee shall be deemed to be invalid by reason only of the existence of a

The Rehabilitation of Buddhist Temples 3
Foundation (Incorporation) Act, No. 17 of 2014

vacancy among its members or any defect on the election or nomination of any member thereof.

5. Subject to the provisions of this Act or any other written law, the Corporation shall have the following powers:— Powers of the Corporation.

- (a) to receive or collect money, gifts, donations, grants or any other assistance from persons or organizations in Sri Lanka or abroad:

Provided that, notwithstanding anything to the contrary in any other provisions of this Act, the Committee 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;

- (b) to open and maintain current, savings or any other account in any bank or banks, as may be determined by the Committee;
- (c) to enter into, perform and execute contracts and agreements either directly or through an officer or agent authorized by the Corporation for such purpose in order to achieve the objects of the Corporation;
- (d) to borrow money or raise funds for the purposes of the Corporation;
- (e) to invest funds of the Corporation in any institution approved by the Committee; and
- (f) to appoint officers and servants for the fulfillment of objects of the Corporation.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by a majority of the Rules of the Corporation.

4 *The Rehabilitation of Buddhist Temples
Foundation (Incorporation) Act, No. 17 of 2014*

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 followign matters:—

- (a) the classification of membership and admission, withdrawal or expulsion of members;
- (b) the election or appointment of the members of the Committee, their powers, duties, functions and the terms of office;
- (c) the appointment of various officers, agents and servants of the Corporation and their powers, duties, functions and disciplinary control;
- (d) the procedure to be followed at the summoning and holding of meetings of the Committee, the time, place, notice and agenda of such meetings, the quorum therefor and the conduct of business thereat;
- (e) management of properties of the Corporation and custody of its funds and generally for the management of the affairs 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).

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

Fund of the Corporation.

7. (1) The Corporation shall have its own fund and all monies here to for or hereafter received by way of gift, bequest, donation, subscription, contribution, fess or grants or any financial investment shall be credited to the fund of the Corporation (hereinafter referred to tas the “Fund”) and such fund shall be maintained in one or more banks as may be determined by the Committee.

The Rehabilitation of Buddhist Temples 5
Foundation (Incorporation) Act, No. 17 of 2014

(2) The following sums of money shall be credited to the Fund:—

- (a) all monies received and collected by the Corporation by way of gifts, donations, subscriptions, contributions, fees, or grants and profits from investments;
- (b) all monies received by the Corporation in the exercise of its powers and performance of its functions under this Act;
- (c) all monies received by the Corporation as loans, grants or donations from sources in Sri Lanka or abroad.

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

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

Corporation may hold property movable and immovable.

9. The moneys and property of the Corporation 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, bouns, profit or otherwise howsoever to the members of the Corporation.

Application of money and property.

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

Audit of Accounts.

6 *The Rehabilitation of Buddhist Temples
Foundation (Incorporation) Act, No. 17 of 2014*

(2) The provisions of Article 154 of the Constitution shall be applicable in respect of the audit of the account of the Corporation.

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

Seal of the Corporation.

11. (1) The seal of the Corporation shall be in the custody of such person as may be determined by the Committee, and may be altered from time to time, in the manner determined by the Committee.

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

Property remaining on the dissolution of the Corporation.

12. If upon the dissolution of the Corporation there remains after the satisfaction of all debts and liabilities, any property whatsoever, such property, shall not be distributed among the members of the Corporation but shall be given or transferred to some other 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.

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

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

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



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

**NATIONAL ENTERPRISE DEVELOPMENT
AUTHORITY (AMENDMENT)
ACT, No. 18 OF 2014**

[Certified on 04th June, 2014]

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*National Enterprise Development
Authority (Amendment) Act, No. 18 of 2014*

[Certified on 04th June, 2014]

L.D.— O. 40/2011

AN ACT TO AMEND THE NATIONAL ENTERPRISE DEVELOPMENT
AUTHORITY ACT, NO. 17 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 National Enterprise Development Authority (Amendment) Act, No. 18 of 2014.

Short title.
- 2.** Section 3 of the National Enterprise Development Authority Act, No. 17 of 2006 is hereby amended by the repeal of paragraph (a) of subsection (1) of that section, and the substitution therefor of the following:—

Amendment of section 3 of the National Enterprise Development Authority Act, No. 17 of 2006.

“(a) two *ex-officio* members, namely—

 - (i) the Secretary to the Treasury or his representative; and
 - (ii) the Secretary to the Ministry of the Minister to whom the Authority has been assigned or his representative; and”.
- 3.** 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.

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



**PARLIAMENT OF THE DEMOCRATIC
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**MOHAN LAL GRERO FOUNDATION
(INCORPORATION) ACT, No. 20 OF 2014**

[Certified on 17th June, 2014]

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Mohan Lal Grero Foundation
(Incorporation) Act, No. 20 of 2014

[Certified on 17th June, 2014]

L.D.—O. (Inc. 13/2013)

AN ACT TO INCORPORATE THE MOHAN LAL GRERO FOUNDATION

WHEREAS a Foundation called and known as the “Mohan Lal Grero 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 established 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 Mohan Lal Grero Foundation (Incorporation) Act, No. 20 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Mohan Lal Grero 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 “Mohan Lal Grero 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 Mohan Lal Grero Foundation.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the voluntary social services organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to assist the relevant authorities to promote, improve and develop education and the knowledge of languages with special emphasis on the language of English ;
- (b) to assist the relevant authorities to promote, develop and maintain overall welfare of the under-privileged and to provide necessary guidance, counselling or advice to uplift their living standards ;
- (c) to assist the relevant authorities to promote, improve, develop and maintain the abilities and aptitudes of the people in the fields of education, science, culture, literature, arts, aesthetic studies and sports ;
- (d) to promote, propagate and foster humanitarian ideas, democratic and pluralistic values, good citizenship and patriotic concepts and beliefs ;
- (e) to assist the relevant authorities to organize, establish and create community development facilities in the rural areas of the country and to inculcate in, teach and impart to, the rural community the values of self-development and self-employment ;
- (f) to encourage and assist the youth to acquire proficiency in new technical skills ;
- (g) to improve, develop, foster and maintain talents and abilities in entrepreneurship, research and training in business, technology and management and concepts of income-generating and self-employment ventures and enterprises ;

- (h) to provide necessary services to promote activities which encourage the improvement of knowledge and disciplined thinking ;
- (i) to provide guidance to improve proficiency in international languages used in commercial activities ;
- (j) to collaborate with any other local and foreign institutions having objects similar to that of the Corporation ;
- (k) to grant scholarships and bursaries to needy and deserving students ;
- (l) to educate the Sri Lankan citizens on the value of the environment and forestry, the environmental impacts of modern technology, afforestation, deforestation and environmental pollution and hazards relating thereto ;
- (m) to organize and establish facilities for promoting mutual understanding, co-operation and assistance, harmony, exchange of ideas and good fellowship among various cultural, religious and ethnic groups ;
- (n) to assist the relevant authorities to promote, develop and facilitate international understanding, co-operation and assistance in all spheres of cultural, economic, scientific and educational activities ; and
- (o) to assist the relevant authorities to establish, improve, encourage, develop and maintain research facilities in scientific, cultural, education, economic and all other aspects of human development.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Management of the affairs of the Corporation.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Board of Directors (hereinafter referred to as the “Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

(2) (a) The Board of the Foundation that holds office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

6. 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, rent, construct, renovate lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine ;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation ;

- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation ;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation ;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation ; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Rules of the Corporation.

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

- (a) classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members ;
- (b) the election of office bearers of the Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers ;
- (c) the terms and conditions of appointment, powers, functions and duties 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 Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat ;
- (e) the qualification and disqualifications to be a member of the Board and the Corporation ;
- (f) the administration and management of the property of the Corporation ; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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.

(4) The rules made under this section shall be published in the Gazette.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Register of members.

9. (1) The Corporation shall have its own Fund.

Fund of the Corporation.

(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 Board 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.

10. (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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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 practise as an Accountant, issued by the Council of 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 practise as an Accountant issued by the Council of such Institute.

Annual Report.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the

Secretary to the Ministry of the Minister assigned the subject of Education and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate Account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

12. 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.

13. 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.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of moneys and property.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

Property remaining on dissolution.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

Saving of the rights of the Republic and others.

17. 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.

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

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



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

**VICTOR ANTONY EDUCATIONAL, SOCIAL,
ECONOMIC SERVICES AND CHARITY
FOUNDATION (INCORPORATION)
ACT, No. 21 OF 2014**

[Certified on 17th June, 2014]

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*Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

[Certified on 17th June, 2014]

L.D.—O. (Inc.) 31/2012.

AN ACT TO INCORPORATE THE VICTOR ANTONY EDUCATIONAL,
SOCIAL, ECONOMIC SERVICES AND CHARITY FOUNDATION

WHEREAS a Foundation called and known as the "Victor Antony Educational, Social, Economic Services and Charity Foundation" has heretofore been formed 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 expedient 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 Victor Antony Educational, Social, Economic Services and Charity Foundation (Incorporation) Act, No. 21 of 2014.

Short title

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the "Victor Antony Educational, Social, Economic Services and Charity Foundation" (hereinafter referred to as the "Foundation") and 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 "Victor Antony Educational, Social, Economic Services and Charity 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 Victor
Antony
Educational,
Social,
Economic
Services and
Charity
Foundation.

2 *Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to provide medical aid and food to the poor, the destitute and the sick;
- (b) to support and encourage senior citizens movements in order to enhance the services provided by them;
- (c) to assist the development of religious places of all religions;
- (d) to establish and maintain pre-school for the development of early childhood of needy children;
- (e) to assist the relevant authorities with the consent of such authorities;
 - (i) in designing and implementing social mobilization programmes and educational and training programmes for the development of the children and women;
 - (ii) to conduct self-employment oriented vocational training programmes on different subjects including engineering, technology, carpentry, driving and computer technology for the benefit of the youth from the families of low income level; and
 - (iii) to organize and conduct extra classes, seminars, workshops, lectures, exhibitions

and educational tours with the view of promoting education of needy school children;

- (f) to make awareness among the employees of small and medium scale industries to organize and work towards their future advancement;
- (g) to assist needy students by way of offering scholarships;
- (h) to grant scholarships to any employee of any institution assisting the furtherance of the objects of the Corporation;
- (i) to promote understanding, co-operation and friendship with organizations and institutions having objects similar to the objects of the Corporation; and
- (j) to identify children of school going age who do not go to school for various reasons and to assist in directing them towards schools and to support their education through providing social and economic assistance.

(2) In the implementation of the objects specified in subsection (1) the Board shall ensure that such implementation shall be carried out without any distinction based on race, religion, caste, sex, political opinion, place of birth or any of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Minister or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the central Government or Province.

4 *Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

Management of
the affairs of the
Corporation.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Board of Directors (hereinafter referred to as “the Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

(2) (a) The Board of Directors of the foundation that holds office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the
Corporation.

6. 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:—

(a) to purchase, acquire rent, construct, renovate and otherwise obtain lands or buildings which may be

Victor Antony Educational, Social, Economic Services and Charity Foundation (Incorporation) 5
Act, No. 21 of 2014

required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board 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 made to the Corporation;

- (c) 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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;

6 *Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Rules of the
Corporation.

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

- (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 Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers functions and duties 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 Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;

*Victor Antony Educational, Social, Economic 7
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution of the Corporation.

(2) Any rules 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 rules made under subsection (1) shall be published in the *Gazette*.

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

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed. Register of members.

9. (1) The Corporation shall have its own Fund. Fund of the Corporation

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Board 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.

10. (1) The financial year of the Corporation shall be the calendar year. Accounts and Auditing.

(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.

8 *Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

(3) The accounts of the Corporation shall be audited annually by the Auditor General or a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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
- (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.

Annual Report.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by
and payable to
the Foundation.

12. 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

Victor Antony Educational, Social, Economic 9
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014

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 purpose of this Act.

13. 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.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of moneys and property.

15. (1) The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

10 *Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)
Act, No. 21 of 2014*

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

Saving of the Rights of the Republic and others.

17. 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.

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

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



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

**DAMPE, MEEGODA,
BODHIWARDHANARAMA
SRI MADURASAMA PIRIVEN VIHARASTHA
SANWARDHANA SABHAWA
(INCORPORATION) ACT, No. 22 OF 2014**

[Certified on 23rd July, 2014]

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*Dampe, Meegoda, Bodhiwardhanarama
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014*

[Certified on 23rd July, 2014]

L.D.—O. (Inc) 30/2010.

AN ACT TO INCORPORATE THE DAMPE, MEEGODA,
BODHIWARDHANARAMA SRI MADURASAMA PIRIVEN VIHARASTHA
SANWARDHANA SABHAWA

WHEREAS a Sabhawa called and known as the “Dampe, Meegoda, Bodhiwardhanarama Sri Madurasama Piriven Viharastha Sanwardhana Sabhawa” has heretofore been established in Sri Lanka, for the purpose of effectually carrying out its objects and transacting all matters connected with the said Sabhawa according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Sabhawa 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 Dampe, Meegoda, Bodhiwardhanarama Sri Madurasama Piriven Viharastha Sanwardhana Sabhawa (Incorporation) Act, No. 22 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Dampe, Meegoda, Bodhiwardhanarama Sri Madurasama Piriven Viharastha Sanwardhana Sabhawa” (hereinafter referred to as the "Sabhawa") 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 "Dampe, Meegoda, Bodhiwardhanarama Sri Madurasama Piriven Viharastha Sanwardhana Sabhawa"

Incorporation of
the Dampe,
Meegoda,
Bodhiwardhanarama
Sri Madurasama
Piriven Viharastha
Sanwardhana
Sabhawa.

2 *Dampe, Meegoda, Bodhiwardhanarama
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014*

(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.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to protect and foster Buddhism;
- (b) to conduct activities for the promotion of religious favour among Buddhist;
- (c) to ordain Buddhist youth with the requisite qualifications and religious devotion and provide them with the four requisites;
- (d) to teach the Dhamma and Vinaya to monks, to train them in Yoga exercises and to make them proficient in Pali, Sinhala and other oriental and western languages;
- (e) to foster and maintain Sri Ratnakara Dhamma School and to assist the relevant authorities to establish and maintain other Dhamma Schools for the purpose of providing knowledge of the Dhamma among the younger generation of the Buddhist;
- (f) to establish, develop and maintain a Dhamma library;

- (g) to provide assistance by way of scholarships, cash or otherwise to monks, volunteers and other persons of the Buddhist faith, engaged in the furtherance of the objects of the Corporation;
- (h) to maintain buildings owned by the Dampe, Meegoda, Bodhiwardhanarama Sri Madurasama Pirivena and to construct and maintain new buildings as and when necessary;
- (i) to maintain cordial relations with other Buddhist organizations in and out side Sri Lanka;
- (j) to organise welfare activities pertaining to the social, cultural and economic upliftment of the members of the Corporation; and
- (k) to develop and maintain Dampe Madhurasama Mulika Pirivena.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, language, caste, sex, political opinion, place of birth or any of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by an Executive Committee (hereinafter referred to as the “Committee”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

4 *Dampe, Meegoda, Bodhiwardhanarama
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014*

(2) (a) The Committee of the Sabhawa holding office on the day immediately preceding the date of commencement of this Act, shall function as the Committee of the Corporation until the first Committee is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Committee of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Committee including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Committee shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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—

(a) to purchase, rent, construct, or renovate lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 committee 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Committee may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation; and
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation.

6 *Dampe, Meegoda, Bodhiwardhanarama
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014*

Rules of the
Corporation.

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

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members;
- (b) the election of office bearers of the Committee or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;
- (d) the procedure to be followed for the summoning and holding of meetings of the Committee or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Committee and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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.

Dampe, Meegoda, Bodhiwardhanarama 7
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014

- 8.** The Committee shall maintain a register of members in which name, address and other essential details of the members shall be inscribed. Register of members.
- 9.** (1) The Corporation shall have its own Fund. Fund of the Corporation.
- (2) All moneys received by way of a gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the 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.
- 10.** (1) The financial year of the Corporation shall be the calendar year. Accounts and Auditing .
- (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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.
- (4) For the purposes of 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

8 *Dampe, Meegoda, Bodhiwardhanarama
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014*

- (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.

Annual Report.

11. (1) The Committee shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Buddhasasana and Religious Affairs and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A statement of accounts relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the Sabhawa.

12. All debts and liabilities of the Sabhawa 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 Sabhawa on that day shall be paid to the Corporation for the purposes of this Act.

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 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.

Dampe, Meegoda, Bodhiwardhanarama 9
Sri Madurasama Piriven Viharastha Sanwardhana
Sabhawa (Incorporation) Act, No. 22 of 2014

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of moneys and property.

15. (1) The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of the Committee 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Committee as may be decided by such Committee.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution, at a general meeting by the majority of votes of the members present.

17. 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.

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.

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



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

**NIMAL SIRIPALA DE SILVA FOUNDATION
(INCORPORATION) ACT, No. 23 OF 2014**

[Certified on 23rd July, 2014]

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(Incorporation) Act, No. 23 of 2014*

[Certified on 23rd July, 2014]

L.D.—O.(Inc.) 23/2012.

AN ACT TO INCORPORATE THE NIMAL SIRIPALA DE SILVA FOUNDATION

WHEREAS a Foundation called and known as the "Nimal Siripala de Silva Foundation" has heretofore been formed for the purpose of effectually carrying out and transacting 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 such application;

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

1. This Act may be cited as the Nimal Siripala de Silva Foundation (Incorporation) Act, No. 23 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Nimal Siripala de Silva Foundation (hereinafter referred to as the "Foundation") and 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 Nimal Siripala de Silva 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 Nimal Siripala de Silva Foundation.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

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(Incorporation) Act, No. 23 of 2014

General objects
of the
Corporation.

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

- (a) to establish and maintain water supply schemes in areas where there is a scarcity of water, subject to the provisions of section 21 of the National water supply and Drainage Board Law No. 2 of 1974 ;
- (b) to organize awareness programmes on methods to minimize to impact of natural disasters ;
- (c) to provide land and houses to families who do not own land and houses, in accordance with the applicable laws ;
- (d) to assist the relevant authorities to—
 - (i) provide scholarships to needy students and youth ;
 - (ii) establish and maintain permanent and mobile libraries ;
 - (iii) promote artistic creations, sports skills and technical skills of students and the youth ;
 - (iv) conduct classes, lectures, seminars, conferences, workshops, discussions, dialogues, educational tours and exhibitions for the students with a view to improving their general literacy ;
 - (v) promote skills of the youth by granting opportunities for training in sports, leadership, computer, media and languages including Sinhala, Tamil and English ;

- (vi) construct buildings and provide other necessary assistance to schools in need of such assistance ;
- (vii) provide food and other necessary assistance to the poor, destitute and sick persons ; and
- (viii) establish and maintain welfare centres with suitable facilities for the blind, deaf, dumb, aged and displaced persons.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, caste, sex political opinion, place of birth or any one of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out by the Government or any Provincial Council or Statutory Body.

Corporation to ensure no conflict with work of the Government or any Provincial Council.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Board of Management (hereinafter referred to as the “Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Board of Management of the Foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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 :—

(a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine ;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation ;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation ;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation ;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation ; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any General Meeting of the Corporation and by a majority of not less than two-thirds of the members present

Rules of the Corporation.

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 classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members ;
- (b) the election of office bearers of the Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers ;
- (c) the terms and conditions of appointment, powers, functions and duties 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 Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat ;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation ;
- (f) the administration and management of the property of the Corporation ; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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).

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

(4) The rules made under this section shall be published in the *Gazette*.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed. Register of members.

9. (1) The Corporation shall have its own fund. Fund of the Corporation.

(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 Board 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.

10. (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 annually by the Auditor General or a qualified auditor appointed by Auditor General.

(4) For the purposes of 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

8 *Nimal Siripala de Silva Foundation
(Incorporation) Act, No. 23 of 2014*

- (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.

Annual Report.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Social Service and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the foundation.

12. 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.

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 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 purposes 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.

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

Application of moneys and property.

15. (1) The Seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which, is by the rules thereof, prohibited from distributing any income or property among its or members.

Property remaining or dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

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

Saving of the rights of the Republic and others.

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**

**LAKSHMAN WASANTHA PERERA
COMMUNITY DEVELOPMENT
FOUNDATION (INCORPORATION)
ACT, No. 24 OF 2014**

[Certified on 23rd July, 2014]

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*Lakshman Wasantha Perera Community
Development Foundation (Incorporation)
Act, No. 24 of 2014*

[Certified on 23rd July, 2014]

L.D.—O. (Inc) 1/2013.

AN ACT TO INCORPORATE THE LAKSHMAN WASANTHA PERERA
COMMUNITY DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as the “Lakshman Wasantha Perera Community Development Foundation” has heretofore been formed 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 established 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 Lakshman Wasantha Perera Community Development Foundation (Incorporation) Act, No. 24 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Lakshman Wasantha Perera Community Development Foundation” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the “Lakshman Wasantha Perera Community Development 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 Lakshman Wasantha Perera Community Development Foundation.

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Development Foundation (Incorporation)
Act, No. 24 of 2014*

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to provide aid and assistance to needy students to further their education;
- (b) to collect, print, publish and distribute books, journals and magazines;
- (c) to assist the relevant authorities with the consent of such authorities—
 - (i) to execute randoad development and housing programmes;
 - (ii) to construct and develop hospitals, aesthetic educational centers, schools and community centers;
 - (iii) to establish and maintain libraries and reading centers;
 - (iv) to formulate and implement community welfare, educational and social development projects for the welfare of the Sri Lankans;
 - (v) to provide facilities for the improvement of educational, health, cultural and agricultural sectors in Sri Lanka;
 - (vi) to promote the various forms of traditional, indigenuos and hereditary knowledge and to assist to establish institutions with a view of preserving such knowledge for future generations;

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Development Foundation (Incorporation)
Act, No. 24 of 2014

(vii) to formulate and maintain projects for the protection and conservation of the environment; and

(d) to liaise with other local or foreign institutions having similar objects.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to other provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Board of Directors (hereinafter referred to as “the Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Board of Administration of the foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a

4 *Lakshman Wasantha Perera Community
Development Foundation (Incorporation)
Act, No. 24 of 2014*

period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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:—

- (a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board 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 made to the Corporation;

- (c) to open, operate maintain and close accounts in any bank;

- (d) to invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

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

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Development Foundation (Incorporation)
Act, No. 24 of 2014*

- (b) the election of office bearers of the Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;
- (d) the procedure to be followed for the summoning and holding of meetings of the Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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.

(4) The rules made under this section shall be published in the Gazette.

Register of
members.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Lakshman Wasantha Perera Community 7
Development Foundation (Incorporation)
Act, No. 24 of 2014

9. (1) The Corporation shall have its own fund. Fund of the Corporation.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Board 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.

10. (1) The financial year of the Corporation shall be the calendar year. Accounts and Auditing.

(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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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
- (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.

8 *Lakshman Wasantha Perera Community
Development Foundation (Incorporation)
Act, No. 24 of 2014*

Annual Report.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of social services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the Foundation.

12. 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 and subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

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 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 purposes of this Act and subject to the rules of the Corporation made under section 7, with full power to sell, mortgage, lease, exchange or otherwise dispose of, the same.

Application of moneys and property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of its objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Lakshman Wasantha Perera Community 9
Development Foundation (Incorporation)
Act, No. 24 of 2014

15. (1) The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by the Board.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its or members.

Property remaining on dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

17. 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.

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.

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



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

**INSTITUTE OF FUNDAMENTAL STUDIES,
SRI LANKA (AMENDMENT)
ACT, No. 25 OF 2014**

[Certified on 08th August, 2014]

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*Institute of Fundamental Studies, Sri Lanka
(Amendment) Act, No. 25 of 2014*

[Certified on 08th August, 2014]

L.D.—O. 50/2011.

AN ACT TO AMEND THE INSTITUTE OF FUNDAMENTAL
STUDIES, SRI LANKA ACT, NO. 55 OF 1981

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

- 1.** This Act may be cited as the Institute of Fundamental Studies, Sri Lanka (Amendment) Act, No. 25 of 2014.

Short title.
- 2.** The Long Title to the Institute of Fundamental Studies, Sri Lanka Act, No. 55 of 1981, (hereinafter referred to as “the principal enactment”) is hereby amended by the substitution, for the words “AN INSTITUTE OF FUNDAMENTAL STUDIES” of the words “A NATIONAL INSTITUTE OF FUNDAMENTAL STUDIES”.

Amendment of Long Title to Act, No.55 of 1981.
- 3.** (1) In the principal enactment and in any other written law there shall be substituted for the words “Institute of Fundamental Studies, Sri Lanka” and “Institute of Fundamental Studies” of the words “National Institute of Fundamental Studies, Sri Lanka.”

Amendment to the principal enactment and written law.

(2) Every reference to the “Institute of Fundamental Studies, Sri Lanka” or “Institute of Fundamental Studies” denoting the Institute of Fundamental Studies, Sri Lanka in any notice, contract, communication or other document shall be read and construed as a reference to the “National Institute of Fundamental Studies, Sri Lanka.”
- 4.** Section 3 of the principal enactment is hereby amended as follows:—

Amendment of section 3 of the principal enactment.

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

“(aa) to collabrate with public and private institutions as may be necessary to further

2 *Institute of Fundamental Studies, Sri Lanka
(Amendment) Act, No. 25 of 2014*

develop applications relevant to the studies conducted in relation to paragraph (a)”;

(2) by the insertion, immediately after paragraph (d) of that section of the following:—

“(e) provide training, guidance and assistance for research leading to the award of post graduate degrees by institutions recognized by the University Grants Commission established by the Universities Act, No.16 of 1978.”;

(3) by re-lettering of paragraph (e) as paragraph (f) of that section.

Replacement of section 6 of the principal enactment.

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

“6. (1) The administration, management and control of the affairs of the Institute shall be vested in the Board of Governors (hereinafter referred to as the “Board”) which shall consist of:—

(a) the following *ex-officio* members, namely:—

(i) the Advisor to the President on Scientific Affairs;

(ii) the Chairman of the University Grants Commission; and

(iii) the Director of the Institute;

(b) the following appointed members:—

(i) four persons appointed by the President for a period of three years, from among persons who are specially qualified in relation to the

work of the Institute and one of whom shall be appointed by the President as the Chairman of the Board; and

- (ii) two persons appointed by the Minister for a period of three years from among persons, who are specially qualified in relation to the work of the Institute; and
- (c) two persons elected from among its members by the Research Council, for a period of three years or until he ceases to be a member of the Research Council, whichever date is earlier (hereinafter referred to as the “Council members”).

(2) An appointed member or a Council member vacating office after a period of three years from his date of appointment shall be eligible for re-appointment, unless removed on disciplinary grounds.

(3) (i) A member appointed by the President may, at any time resign his office by a letter addressed to the President and such resignation shall take effect on the date on which it is accepted by the President.

(ii) A member appointed by the Minister or a Council member may, at any time resign his office by a letter addressed to the Minister and such resignation shall take effect on the date on which it is accepted by the Minister.

(4) (i) The President may, for reasons assigned remove a member appointed by him.

(ii) A member appointed by the Minister or a Council member may be removed by the Minister for reasons assigned.

(5) (i) A vacancy occurring as a result of a member appointed by the President vacating office by death, resignation or removal shall be filled by the President having regard to the provisions of subsection (1).

4 *Institute of Fundamental Studies, Sri Lanka
(Amendment) Act, No. 25 of 2014*

(ii) A vacancy occurring as a result of a member appointed by the Minister vacating office by death, resignation or removal shall be filled by the Minister having regard to the provisions of subsection (1).

(iii) Any person appointed to fill a vacancy shall hold office for the unexpired period of the term of office whom he succeeds.

(6) (i) Where a member appointed by the President is, by reason of illness, infirmity or absence from Sri Lanka, for a period of not less than three months, temporarily unable to perform the duties of his office, he shall inform the President in writing such inability and the President may appoint another person to act in his place during the period of his absence.

(ii) Where a member appointed by the Minister is, by reason of illness, infirmity or absence from Sri Lanka, for a period of not less than three months, temporarily unable to perform the duties of his office, he shall inform the Minister in writing such inability and the Minister may appoint another person to act in his place during the period of his absence.

(iii) Where a Council member is, by reason of illness, infirmity or absence from Sri Lanka, for a period of not less than three months, temporarily unable to perform the duties of his office, he shall inform the Minister in writing such inability and the Minister may upon the recommendation of the Research Council appoint another person to act in his place during the period of his absence.”.

Amendment of section 7 of the principal enactment.

6. Section 7 of the principal enactment is hereby amended by the repeal of subsection (1) thereof and substitution therefor of the following:—

“(1) The Chairman shall preside at every meeting of the Board. Where the Chairman is absent from any meeting the

members present shall elect a Chairman for that meeting from among themselves.”.

7. Section 11 of the principal enactment is hereby amended by the repeal of paragraph (b) thereof and substitution therefor of the following:—

Amendment of section 11 of the principal enactment.

“(b) elect two members for appointment by the Minister to the Board and recommend the removal of any such member to the Minister ;”.

8. Section 44 of the principal enactment is hereby amended by the repeal of the definitions of the expressions of “Leader of the Opposition” and “Prime Minister” respectively.

Amendment of section 44 of the principal enactment.

9. For the avoidnace of doubts it is hereby declared that the National Institute of Fundamental Studies, Sri Lanka established by this Act, shall for all purposes be deemed to be the successor to the Institute of Fundamental Studies, Sri Lanka established under section 2 of the principal enactment, and accordingly—

Savings.

- (a) all contracts and agreements entered into, by the Institute of Fundamental Studies, Sri Lanka;
- (b) all suits, actions, appeals and other legal proceedings instituted by or against the Institute of Fundamental Studies, Sri Lanka;
- (c) all judgments and orders made in favour or against the Institute of Fundamental Studies, Sri Lanka;
- (d) all other rights, liabilities and obligations of the Institute of Fundamental Studies, Sri Lanka in existence as at the date of coming into operation of this Act; and
- (e) all properties movable or immovable, owned by the Institute of Fundamental Studies, Sri Lanka and

6 *Institute of Fundamental Studies, Sri Lanka
(Amendment) Act, No. 25 of 2014*

used for the purposes of the same on the day immediately preceding the relevant date,

shall be continued, enforced and carried out by the National Institute of Fundamental Studies, Sri Lanka.

Sinhala text to prevail in case of inconsistency.

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

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



**PARLIAMENT OF THE DEMOCRATIC
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SRI LANKA**

**PRESCRIPTION (AMENDMENT)
ACT, No. 26 OF 2014**

[Certified on 08th August, 2014]

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Prescription (Amendment) Act, No. 26 of 2014

[Certified on 08th August, 2014]

L.D.—O. 28/2013.

AN ACT TO AMEND THE PRESCRIPTION ORDINANCE (CHAPTER 68)

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

- 1.** This Act may be cited as the Prescription (Amendment) Act, No. 26 of 2014. Short title.
- 2.** Section 15 of the Prescription Ordinance, is hereby repealed and the following section is substituted therefor:— Replacement of section 15 of Chapter 68.

“This Ordinance not to affect State or causes matrimonial.

15. Nothing herein contained shall in any way—

 - (a) affect the alienable or inalienable rights of the State; or
 - (b) apply to any proceedings in any action for divorce, or to any case in which special provision has been or may hereafter be made for regulating and determining the period within which actions may be commenced against any public officer or other person.”.
- 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.

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



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

**JOHN SENEVIRATNE FOUNDATION
(INCORPORATION) ACT, No. 27 OF 2014**

[Certified on 20th August, 2014]

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John Seneviratne Foundation (Incorporation)
Act, No. 27 of 2014

[Certified on 20th August, 2014]

L.D.—O. (INC.) 28/2010.

AN ACT TO INCORPORATE THE JOHN SENEVIRATNE FOUNDATION.

WHEREAS a Foundation called and known as the “John Seneviratne 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 established and has applied to be incorporated and it will be for the public advantage to grant such application:

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

1. This Act may be cited as the John Seneviratne Foundation (Incorporation) Act, No. 27 of 2014. Short title.

2. (1) From and after the date of commencement of this Act such and so many persons as now are members of the “John Seneviratne Foundation” (hereinafter referred to as the “Foundation”) and 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 “John Seneviratne 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 John Seneviratne Foundation.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

2 *John Seneviratne Foundation (Incorporation)*
Act, No. 27 of 2014

General Objects
of the
Corporation.

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

- (a) to award scholarships to deserving students who have been select to follow courses at Universities and Technical Colleges;
- (b) to establish and maintain water supply schemes in areas where there is a scarcity of water, subject to the provisions of section 21 of the National Water Supply and Drainage Board Law, No 2 of 1974;
- (c) to organize tours, pleasure trips and such other activities, with a viwe to promoting the objects of the Corporation;
- (d) to promote peace, goodwill, understanding and co-operation among all communities and people of Sri Lanka;
- (e) to introduce suitable methods to prevent or minimize the impact of natural disasters;
- (f) to assist the relevent authorities—
 - (i) to organize workshops and seminars, and provide other necessary assistance to school principals and teachers in order to appreciate and encourage their services and to enhance their professional knowledge and skills;
 - (ii) to provide medical relief to the needy with the assistance of doctors and health workers attached to teaching hospitals;
 - (iii) to assist needy children financially or otherwise to enable them to continue their studies;

John Seneviratne Foundation (Incorporation) Act, No. 27 of 2014 3

- (iv) to grant lands and houses to needy families who do not own lands and houses in accordance with the applicable laws;
- (v) to establish and maintain vocational training institutions and encourage school leavers to improve their vocational skills by attending such institutions;
- (vi) to provide self-employment opportunities for unemployed;
- (vii) to print, publish and distribute such books, journals, bulletins and newspapers as are necessary to disseminate information relating to the objects of the Corporation; and
- (vii) to assist other voluntary organizations registered under the Ministry of Social Services in providing facilities to visually handicapped and hearing impaired persons.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Governing Board (hereinafter referred to as “the Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

4 *John Seneviratne Foundation (Incorporation)*
Act, No. 27 of 2014

(2) (a) The Board of the foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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—

(a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

6 *John Seneviratne Foundation (Incorporation)*
Act, No. 27 of 2014

Rules of the
Corporation.

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

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members;
- (b) the election of office bearers of the Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;
- (d) the procedure to be followed for the summoning and holding of meetings of the Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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.

John Seneviratne Foundation (Incorporation) 7
Act, No. 27 of 2014

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

(4) The rules made under this section shall be published in the *Government Gazette*.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Register of members.

9. (1) The Corporation shall have its own Fund.

Fund of the Corporation.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Board 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.

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

Accounts and Auditing.

(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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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

8 *John Seneviratne Foundation (Incorporation)
Act, No. 27 of 2014*

- (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.

Annual Report.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of social services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the Foundation.

12. 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.

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 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 purposes 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.

John Seneviratne Foundation (Incorporation) Act, No. 27 of 2014 9

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of moneys and property.

15. (1) The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of the votes of the members present.

17. 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.

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**

**BODHIRAJARAMA EDUCATIONAL AND
CULTURAL FOUNDATION (INCORPORATION)
ACT, No. 28 OF 2014**

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*Bodhirajarama Educational and Cultural
Foundation (Incorporation) Act, No. 28 of 2014*

[Certified on 21st August, 2014]

L.D.—O. (Inc. 35/2011)

AN ACT TO INCORPORATE THE BODHIRAJARAMA EDUCATIONAL AND
CULTURAL FOUNDATION

WHEREAS a Foundation called and known as the “Bodhirajarama Educational and Cultural 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 Bodhirajarama Educational and Cultural Foundation (Incorporation) Act, No. 28 of 2014. Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Bodhirajarama Educational and Cultural Foundation” (hereinafter referred to as the “Foundation”) and 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 “Bodhirajarama Educational and Cultural 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 Bodhirajarama Educational and Cultural Foundation.

2 *Bodhirajarama Educational and Cultural
Foundation (Incorporation) Act, No. 28 of 2014*

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the voluntary social services organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

Objects of the Corporation.

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

- (a) to take measures to develop all Buddhist temples with the aim of fostering spiritual development of the Buddhists and to take all necessary measures to add extensions to the Bodhirajarama temple;
- (b) to encourage the upliftment of moral values of the Buddhists and commence and implement various programmes for that purpose;
- (c) with the aim of assisting the Buddhists, to implement programs to establish pre-schools, day care centers, homes for children, homes for elders and Dhamma schools;
- (d) to commence and conduct various projects for the welfare of Sri Lankan Buddhist students who are unable to pursue their education either due to poverty or other disabilities;
- (e) to conduct lectures, seminars, discussions, workshops, educational trips, exhibitions and print publications for the Maha Sangha, Dasa Sil Mathas and the young and elderly Buddhist people with a view to promoting education;
- (f) to provide relief services such as assistance and housing, for the benefit of the poor, elderly and destitute people with physical and mental disabilities and the helpless, who are adherents of the Buddhist faith ;

- (g) to implement programmes in relation to child health, adult health, disease control, conduct medical clinics, physical training and sports centres and provide medical aid in order to ensure the welfare of the Buddhists ;
- (h) to commence and conduct programmes to preserve traditional heritage of Sri Lanka such as culture, literature, arts and crafts, indigenous medicine and environment conservation ; and
- (i) to collaborate with any other institution, whether foreign or local having objects similar to those of the Corporation.

(2) In the implementation of the objects specified in subsection (1), the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Working Council (hereinafter referred to as the “Council”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Council of the Foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Council of the Corporation until the first Council is appointed or elected in the manner provided for by rules made under section 7.

4 *Bodhirajarama Educational and Cultural
Foundation (Incorporation) Act, No. 28 of 2014*

(b) The first Council of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Council including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after the lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Council shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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—

(a) to purchase, rent, construct, renovate lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Council 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Council may determine ;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation ;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation ;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation ;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation ; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

6 *Bodhirajarama Educational and Cultural
Foundation (Incorporation) Act, No. 28 of 2014*

Rules of the
Corporation.

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

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members ;
- (b) the election of office bearers of the Council or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers ;
- (c) the terms and conditions of appointment, powers, functions and duties 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 Council or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat ;
- (e) the qualifications and disqualifications to be a member of the Council and the Corporation ;
- (f) the administration and management of the property of the Corporation ; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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.

Bodhirajarama Educational and Cultural 7
Foundation (Incorporation) Act, No. 28 of 2014

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

(4) The rules made under this section shall be published in the Government Gazette.

8. The Council shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Register of
Members.

9. (1) The Corporation shall have its own Fund.

Fund of the
Corporation.

(2) All moneys received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Council 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.

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

Accounts and
Auditing.

(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 a qualified auditor appointed by Auditor General, in terms of Article 154 of the Constitution.

(4) For the purposes of this section, “qualified auditor” means—

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

8 *Bodhirajarama Educational and Cultural
Foundation (Incorporation) Act, No. 28 of 2014*

or of any other institute established by law, possesses a certificate to practise as an accountant issued by the Council of 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 practise as an accountant, issued by the Council of such Institute.

Annual Report.

11. (1) The Council shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary to the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate statement of accounts relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by
and payable to
the Foundation.

12. 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.

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 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 purposes 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.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of moneys and property.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of the Council 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Council as may be decided by such Council.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

10 *Bodhirajarama Educational and Cultural
Foundation (Incorporation) Act, No. 28 of 2014*

Saving of the
rights of the
Republic and
others.

17. 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.

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

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



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

**VASANTHA SENANAYAKE FOUNDATION
(INCORPORATION) ACT, No. 29 OF 2014**

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*Vasantha Senanayake Foundation
(Incorporation) Act, No. 29 of 2014*

[Certified on 21st August, 2014]

L.D.—O.(Inc) 24/2013.

AN ACT TO INCORPORATE THE VASANTHA SENANAYAKE FOUNDATION

WHEREAS a Foundation called and known as the “Vasantha Senanayake 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 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 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 Vasantha Senanayake Foundation (Incorporation) Act, No. 29 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act such and so many persons as now are members of the “Vasantha Senanayake Foundation” (hereinafter referred to as the “Foundation”) and 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 “Vasantha Senanayake 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 Vasantha Senanayake Foundation.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations

2 *Vasantha Senanayake Foundation*
(Incorporation) Act, No. 29 of 2014

(Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to provide necessary training to any member, officer or servant of the Corporation who is engaged in furtherance of the objects of the Corporation;
- (b) to provide financial and other material assistance to children who are unable to pursue their education due to economic hardship;
- (c) to liaise with other local institutions and organizations having objects similar to those of the Corporation;
- (d) to promote mutual understanding and antional harmony among the people;
- (e) to assist the relevant authorities in creating awareness among the people of the importance of preserving the environment; and
- (f) to assist the relevant authorities in the maintenance of libraries and to subscribe for and print, publish and distribute such journal and souvenirs as are necessary for the attainment of the objects of the Corporation.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

(3) The implementation of the objects of the Corporation shall be carried out subject to the provisions of this Act and other written laws.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out by the Government or any Provincial Council or any statutory body.

Corporation to ensure no conflict with work of the Government or Provincial Council.

5. (1) Subject to other provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Board of Management (hereinafter referred to as “the Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Board of the Foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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:—

- (a) to purchase, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board of Management 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board of Management may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;

- (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 according to the relevant written laws;
- (g) to organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation any 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 Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;

6 *Vasantha Senanayake Foundation*
(Incorporation) Act, No. 29 of 2014

- (d) the procedure to be followed for the summoning and holding of meetings of the Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution 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 member of the Corporation shall at all times be subject to the rules of the Corporation.

(4) The rules made under this section shall be published in the Government *Gazette*.

Register of members.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Fund of the Corporation.

9. (1) The Corporation shall have its own Fund.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Board 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.

10. (1) The financial year of the Corporation shall be the calendar year. Accounts and auditing.

(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 a qualified auditor appointed by the Auditor General.

(4) For the purposes of 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
- (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.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Social Services and the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates. Annual report.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the Foundation.

12. 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.

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 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.

Application of moneys and property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Seal of the Corporation.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

Property remaining on dissolution.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

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

Saving of the rights of the Republic.

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.

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



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

**ROMAN CATHOLIC ARCHBISHOP AND
BISHOPS OF CEYLON (AMENDMENT)
ACT, No. 30 OF 2014**

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*Roman Catholic Archbishop and Bishops of
Ceylon (Amendment) Act, No. 30 of 2014*

[Certified on 21st August, 2014]

L.D.—O.(Inc.) 18/2013.

AN ACT TO AMEND THE ROMAN CATHOLIC ARCHBISHOP AND BISHOPS
OF CEYLON ORDINANCE

WHEREAS a portion of the area hitherto under the ecclesiastical jurisdiction of the Roman Catholic Bishop of Trincomalee has now been created into a new Diocese called the Roman Catholic Diocese of Batticaloa and the Right Reverend Dr. Joseph Ponniah has been duly appointed as the Roman Catholic Bishop of Batticaloa to administer the same :

Preamble.

AND WHEREAS it is expedient to amend the Roman Catholic Archbishop and Bishops of Ceylon Ordinance, to provide for the incorporation of the Roman Catholic Bishop of Batticaloa and in other respects :

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 Roman Catholic Archbishop and Bishops of Ceylon (Amendment) Act, No. 30 of 2014.

Short title.

2. The Roman Catholic Archbishop and Bishops of Ceylon Ordinance (hereinafter referred to as the “principal enactment”) as last amended by Act, No. 19 of 2000 is hereby further amended by the insertion immediately after section 3D thereof, of the following new section which shall have effect as section 3E of the principal enactment :—

Insertion of
new section
3E in Chapter
338.

“Incorporation of the Roman Catholic Bishop of Batticaloa.
3E. The Roman Catholic Bishop of Batticaloa, to wit, the Right Reverend Dr. Joseph Ponniah and his successors duly appointed according to the laws and usages of the Roman Catholic Church, shall be a body corporate and shall, for all purposes of this Ordinance, have the name of the “Roman

2 *Roman Catholic Archbishop and Bishops of Ceylon (Amendment) Act, No. 30 of 2014*

Catholic Bishop of Batticaloa”, and by such name shall have perpetual succession and shall have full power to acquire, purchase, take, hold and enjoy movable and immovable property of every description and to sell or otherwise dispose of the same, and may sue or be sued in respect of such property in all courts of justice.”.

Insertion of new section 5E in the principal enactment.

3. The following new section is hereby inserted immediately after section 5D of the principal enactment and shall have effect as section 5E of the principal enactment :—

“Vesting of property in the Roman Catholic Bishop of Batticaloa.

5E. All property both movable and immovable, already acquired, held or possessed by the said Right Reverend Dr. Joseph Ponniah, in his official capacity, shall, subject to any trust or condition affecting the same, vest in the said Roman Catholic Bishop of Batticaloa.”.

Amendment of section 6 of the principal enactment.

4. Section 6 of the principal enactment as last amended by Act, No. 19 of 2000 is hereby further amended by the addition immediately after subsection (5) of that section, of the following new subsection :—

“(6) Any instrument of conveyance, transfer or assignment executed by the Bishop of Trincomalee in favour of the Roman Catholic Bishop of Batticaloa of all the property movable or immovable which by reason of the creation of the Roman Catholic Diocese of Batticaloa become subject to the administration of the Roman Catholic Bishop of Batticaloa, shall be charged the stamp duty prescribed for such instrument, under section 2 of the Stamp Duty Act, No. 43 of 1982 or section 13 of the Stamp Duty (Special Provisions) Act, No. 12 of 2006, as the case may be.”.

Sinhala text to prevail in case of inconsistency.

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

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



**PARLIAMENT OF THE DEMOCRATIC
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**OCEAN UNIVERSITY OF SRI LANKA
ACT, No. 31 OF 2014**

[Certified on 07th September, 2014]

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Ocean University of Sri Lanka
Act, No. 31 of 2014

[Certified on 07th September, 2014]

L.D.—O. 31/2011.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT, MAINTENANCE AND ADMINISTRATION OF THE OCEAN UNIVERSITY OF SRI LANKA; TO PROVIDE THE NECESSARY LEGAL INFRASTRUCTURE FACILITATING COURSES LEADING TO HIGHER EDUCATION AT THE OCEAN UNIVERSITY OF SRI LANKA; TO REPEAL THE NATIONAL INSTITUTE OF FISHERIES AND NAUTICAL ENGINEERING ACT, NO. 36 OF 1999; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS there is a requirement to cater to the manpower needs in the fisheries, marine and maritime sectors of Sri Lanka: Preamble.

AND WHEREAS it is necessary to establish a higher education institution for the purpose of enhancing the scientific, technical and managerial skills of persons engaged in the fields of fisheries, ocean sciences, maritime technologies and allied fields:

AND WHEREAS it has become necessary to ensure that the higher educational qualification obtained by the persons who pursue studies in the above fields will be a qualification which has recognition within as well as outside Sri Lanka:

AND WHEREAS it has become a matter of national importance to establish a University to impart knowledge in the above fields in order that the knowledge acquired by the persons engaged in those fields be utilized for the development of the country.

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 Ocean University of Sri Lanka Act, No. 31 of 2014 and shall come into operation on such date as the Minister may appoint by Order published in the *Gazette* (hereinafter in this Act referred to as the “appointed date”). Short title and date of operation.

PART I

ESTABLISHMENT OF THE OCEAN UNIVERSITY OF SRI LANKA.

Establishment of
the Ocean
University of Sri
Lanka.

2. (1) Notwithstanding anything to the contrary in the Universities Act, No. 16 of 1978, there shall be established a University called the Ocean University of Sri Lanka (hereinafter in this Act referred to as “ the University”).

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

Seal of the
University.

3. (1) The University shall have the full power and authority to have and use a common seal which shall be in the custody of the Registrar of the University and may be altered in such manner as may be determined by the Board of Governors of the University.

(2) The seal shall not be affixed to any instrument or document except in the presence of the Registrar or any other officer as may be nominated by the Vice Chancellor in that behalf who shall sign such instrument or document in token of his presence.

PART II

OBJECTIVES AND POWERS OF THE UNIVERSITY.

Objectives of the
University.

- 4.** The objectives of the University shall be to—
- (a) provide for University education in the fields of fisheries, ocean sciences, maritime technology and allied fields;
 - (b) offer vocational and technical courses of study relating to fisheries and allied fields in order to cater to the manpower needs in any areas;

- (c) disseminate knowledge relating to fisheries, marine and maritime sectors among persons who are engaged in fisheries and allied fields;
- (d) provide for extension courses for continuous professional development in the fields of fisheries, ocean sciences, maritime technology and allied fields;
- (e) provide vocational and technical courses for personnel in the fields of fisheries and allied fields for admission to the University;
- (f) provide for the progressive development of students in the fields of engineering, scientific, technical and vocational education and training systems, based on their aptitude and ability to acquire a University education in the fields of fisheries, ocean sciences, maritime technology and allied fields; and
- (g) provide courses of study for those who possess National Vocational Qualifications and assist them to upgrade their competency and acquire academic qualifications in the fields of fisheries, ocean sciences, maritime technology and allied fields.

5. (1) The University shall subject to the provisions of powers of the this Act, have the power to— University.

- (a) acquire by way of purchase or otherwise both movable and immovable property and to take, accept and hold any such property which may become vested in it by virtue of such purchase or otherwise:

Provided that, any immovable property of the University shall not be disposed of without the prior written approval of the Minister to whom the subject of Skills Development is assigned.

- (b) exercise, perform and discharge such powers, functions and duties as are conferred or imposed on or assigned to the University by this Act;
- (c) admit students in keeping with the admission criteria for different categories of candidates along with an aptitude test as recommended by the Admission, Accreditation and Quality Assurance Council under section 23, and provide instructions for courses of study designed in keeping with the objectives of the University;
- (d) recognize examinations and duration of study programmes of any University established or deemed to be established under the Universities Act, No. 16 of 1978 and any higher educational institution, technical and vocational or professional institution, for the purpose of admitting students to the University;
- (e) conduct programmes of studies and training programmes relating to fisheries and Ocean sciences, maritime technology and allied fields;
- (f) hold examinations in the programmes specified in paragraph (e) and assess the performance of such students;
- (g) grant and confer degrees and other academic distinctions in conformity with any Statute enacted for such purpose;
- (h) establish institutions for vocational training in related fields including the National Institute of Fisheries and Maritime Training. The Institute of Fisheries and Maritime Training shall be established prior to the appointed date;
- (i) establish centers and campuses of the University on a provincial and Regional basis;

- (j) charge fees or any other payments for the courses of study and training programmes conducted by the University;
- (k) charge fees for any extension services provided to the public or any institution, as the case may be, and disburse the income so generated for the attainment of the objects of the University in such manner as shall be prescribed by Ordinance;
- (l) undertake advisory, consultancy and any income generating functions and disburse the proceeds thereof for the development of any scheme approved by the Board of Governors of the University;
- (m) establish any committee or sub-committee including an Audit and Management Committee as may be necessary to carry out the functions of the University;
- (n) invest any fund not immediately required for the purposes of the University in such manner as the Board of Governors of the University may consider appropriate;
- (o) co-operate by way of exchange of teachers, students and scholars with other institutions in or outside Sri Lanka having objects or interests similar to those of the University;
- (p) make arrangements for the conduct of examinations for persons in the affiliated institutions and also to enable the persons who do not receive instructions at the University to obtain degrees, diplomas and certificates from the University and to determine the courses of instruction for such examinations;
- (q) provide facilities for higher education to persons employed by the University;

- (r) make opportunities available to the staff and students of the University for research and thereby for the advancement and dissemination of knowledge;
- (s) confer honorary degrees or other distinctions on persons approved by the Academic Council and the Board of Governors of the University, in conformity with any Statute made for the purpose;
- (t) award fellowships, scholarships, bursaries, medals and other prizes in conformity with any Statutes made for the purpose;
- (u) introduce Senior Professorships, Professorships, Associate Professorships, Senior Lectureships, Lectureships, Assistant Lectureships and other non-academic positions, as may be required for the purposes of this Act;
- (v) establish and maintain libraries, laboratories and other buildings for instructional purposes as may be necessary for the purposes of this Act;
- (w) appoint, employ, remunerate and exercise disciplinary control and power of dismissal over such officers and servants as may be necessary for the purpose of achievement of the objects under this Act;
- (x) establish and regulate provident fund schemes or pension schemes for the benefit of the officers and servants of the University and make contributions to any such scheme;
- (y) open, operate and close bank accounts in any bank or banks approved by the Central Bank of Sri Lanka; and

- (z) do all such other acts or things as may be necessary for the attainment of the objects of this Act.

(2) The powers enumerated above shall unless otherwise expressly provided for by this Act be exercised by the Board of Governors of the University.

PART III

POWERS OF THE MINISTER

6. (1) The Minister shall be responsible for the administration and implementation of the provisions of this Act. Responsibility and powers of the Minister.

(2) The Minister, in fulfilling his responsibilities under subsection (1), shall in consultation with the Vice Chancellor of the University, issue to the Board of Governors of the University, from time to time, written directions as he may consider necessary for the smooth functioning of the University.

(3) It shall be the duty of the Board of Governors of the University to comply with all such directions as may be issued by the Minister under this section.

(4) The Minister may, from time to time, for the purpose of effectually fulfilling his responsibilities relating to the administration and implementation of the provisions of this Act, order that all or any of the activities pertaining to the administration of the University be investigated and reported to him by the Board of Governors of the University.

(5) Upon receipt of a report from the Board of Governors of the University in compliance with an order under subsection (4), the Minister upon consideration of the report shall direct the Board of Governors of the University to take such remedial action as he may consider appropriate in relation to the activity pertaining to the administration of

the University of which an investigation has been carried out under subsection (4).

Where situation prevails is likely to endanger the national security &c.

7. Where the Minister is of the view that any situation prevailing in the University is likely to endanger the national security or is detrimental or prejudicial to national policy or is likely to disrupt the smooth functioning of the University, he shall direct the Board of Governors of the University to take all such steps as may be necessary to bring such situation under control.

Measures to be taken by the Minister in the event of a lockout &c.

8. (1) Where the Minister, in consultation with the Vice Chancellor of the University is of the view that due to any strike, lockout or any such circumstances, the work or the administration of the University has been seriously disrupted and the relevant authorities of the University have failed to restore normal conditions, he shall take all such measures as may be necessary to ensure the restoration of normal conditions of the University. The Minister may, at any time prior to normal condition is restored, by Order published in the *Gazette* make such provisions as he may deem appropriate in respect of all or any of the following matters:—

- (a) the closure of the University;
- (b) the appointment of any person by name or by office to be a competent authority for the purpose of exercising, performing or discharging any power, function or duty under this Act, in lieu of the officer, authority or other body of the University;
- (c) any other matter connected with or relating to any of the matters specified in paragraph (a) or (b).

(2) An Order made by the Minister under subsection (1) shall come into force on such date as may be specified therein, and shall within one month from the date of publication of the *Gazette* be tabled in Parliament. The Order shall unless

earlier rescinded remain in force for a period not exceeding three months therefrom.

9. (1) The University shall before the expiry of a period of six months after the closure of each financial year, submit to the Minister a report containing a full account of its activities during that year. The Minister shall cause copies thereof to be tabled in Parliament. Annual Report of the University.

(2) The University shall cause copies of the report submitted under subsection (1) to be made available to the public on payment of a fee as may be determined by the University.

PART IV

CHANCELLOR AND OFFICERS OF THE UNIVERSITY

10. (1) The President shall appoint the Chancellor of the University who shall be the Head of the University and who shall hold office for a period of five years from the date of such appointment. Chancellor and officers of the University.

(2) The Chancellor shall when present preside at every Convocation of the University.

(3) The officers of the University shall be as follows:—

- (a) the Vice Chancellor;
- (b) the Deputy Vice Chancellor (if any)
- (c) the Rector of each Campus;
- (d) the Dean of each Faculty;
- (e) the Registrar of the University;
- (f) the Director, Media and Information Services;
- (g) the Director, Finance;

- (h) the Director, Admission, Accreditation and Quality Assurance Council; and
- (i) any person holding a post declared by any Statute to be that of an officer of the University.

The Vice
Chancellor.

11. (1) The Vice Chancellor of the University shall be appointed by the President in consultation with the Minister, from and out of a Panel of three persons nominated by the Board of Governors of the University.

(2) The Panel of three persons to be nominated for the purpose of subsection (1) shall be selected from amongst those who have academic qualifications, knowledge and experience in the fields of engineering, fisheries, science, technology, management or any other relevant field.

(3) The Vice Chancellor shall hold office for a period of four years. However a person shall not be appointed as a Vice Chancellor for more than two consecutive terms.

(4) The Vice Chancellor shall be a full-time officer of the University and shall be the principal executive officer and the principal academic officer thereof. He shall be an *ex-officio* member and Chairman of both the Board of Governors of the University and of the Academic Council. The Vice Chancellor shall be entitled to convene, be present and speak at any meeting of any other Authority of the University or other body as may be prescribed by Ordinance, but shall not be entitled to vote at any such meeting, unless he is a member of such other Authority or other body.

(5) It shall be the duty of the Vice Chancellor in accordance with such directions as may, from time to time, be lawfully issued to him in that behalf by the Board of Governors of the University, to ensure that the provisions of this Act and of any appropriate Instrument are duly observed, and he shall have and may exercise all such powers as he may deem necessary for the purpose.

(6) Subject to the provisions of this Act, it shall be the duty of the Vice Chancellor to give effect to and ensure that effect is given to the decisions of the Board of Governors of the University and of the Academic Council.

(7) The Vice Chancellor shall be the Accounting Officer of the University and shall be responsible for the maintenance of discipline within the University.

(8) The Vice Chancellor may, unless he vacates office earlier or is removed from office under subsection (9) of this section, hold office until he has completed his sixty fifth year or his term of office expires whichever is earlier.

(9) The President may remove the Vice Chancellor from office for reasons assigned therefor.

(10) Where the Vice Chancellor by reason of leave, illness, absence from Sri Lanka or for any other cause is temporarily unable to perform the duties of his office, the Deputy Vice Chancellor, if any, shall perform such duties on behalf of the Vice Chancellor. If a Deputy Vice Chancellor is not available, the Minister, on the recommendation of the Board of Governors of the University shall within seven days of the occurrence of such inability, make such arrangements as he may think fit for carrying on the duties of the office of the Vice Chancellor. The Registrar of the University shall until such arrangements are made carry out the routine duties of the office of the Vice Chancellor.

(11) Where any vacancy occurs in the office of the Vice Chancellor, the President may within seven days of the occurrence of such vacancy, make such arrangement as he may think fit, for carrying on the duties of the office until a permanent appointment is made. Until such arrangements are made, the Registrar of the University shall carry out the routine duties of the office of the Vice Chancellor.

Deputy Vice
Chancellor of the
University.

12. A Deputy Vice Chancellor of the University shall be appointed by the Board of Governors of the University upon the recommendation of a select committee, the composition of which shall be prescribed by Ordinance. On being appointed the Deputy Vice Chancellor shall function as a full time officer of the University under the direction of the Vice Chancellor. The Board of Governors of the University shall decide on the duties and functions of the Deputy Vice Chancellor, if any.

The Dean of a
Faculty.

13. (1) There shall be a Dean of each Faculty who shall be the academic and administrative Head of such Faculty. The Dean shall be elected by the Faculty from among the Senior Professors, Professors, Associate Professors and Senior Lecturers who are members of such Faculty.

(2) The Dean shall subject to the provisions of any appropriate instrument, hold office for a period of three years reckoned from the date of his election and shall unless disqualified from holding such office, be eligible for re-election. However he shall not in any event hold office for more than two consecutive terms.

(3) The Dean of a Faculty who is disqualified from continuing to function as an officer of the University under section 59 of this Act shall be removed from such office.

(4) Where owing to leave of absence, illness or other cause, the Dean of a Faculty is temporarily unable to perform the duties of his office for a period exceeding three months, the Vice Chancellor shall appoint a Senior Professor, Professor, Associate Professor or a Senior Lecturer of that Faculty, to act in the post of Dean for such period.

(5) Where a Dean of a Faculty is removed, retires, resigns, or is for any other reason unable to perform the duties of his office for a period exceeding three months, the post of Dean of the Faculty shall be deemed to have become vacant, and a new Dean shall be elected in accordance with the provisions

of subsection (1). The person so elected shall hold office for the un-expired term of office of his predecessor.

14. (1) The Registrar of the University shall be appointed by the Board upon the recommendation of a select committee the composition of which shall be prescribed by Ordinance and shall function as a full time officer of the University. The Registrar shall also be the Assistant Accounting officer of the University.

Registrar of the University.

(2) The Registrar shall—

- (a) subject to the direction and control of the Vice – Chancellor, be responsible for the general administration of the University and the disciplinary control of its non academic staff;
- (b) be responsible for the custody of the records and the property of the University; and
- (c) exercise, discharge and perform such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate instrument.

15. (1) The Director, Media and Information Services of the University shall be appointed by the Board of Governors of the University upon the recommendation of a select committee, the composition of which shall be prescribed by Ordinance, and shall function as a full-time officer of the University.

The Director,
Media and
Information
Services.

(2) The Director, Media and Information Services shall—

- (a) subject to the direction and control of the Vice Chancellor, be responsible for the general administration of the Media and Information Centre or Centres of the University; and

- (b) exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate instrument.

The Director,
Finance.

16. (1) The Director, Finance of the University, shall be appointed by the Board of Governors of the University upon the recommendation of a select committee, the composition of which shall be prescribed by Ordinance, and shall function as a full-time officer of the University.

(2) The Director, Finance shall—

- (a) subject to the direction and control of the Vice Chancellor, be responsible for the general administration of the finances of the University and shall maintain its accounts in such form and manner as may be prescribed by Ordinance; and
- (b) exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.

(3) The Director, Finance shall have the custody of all the funds of the University.

The Director,
Admission,
Accreditation and
Quality Assurance
Council.

17. (1) The Director, Admission, Accreditation and Quality Assurance Council of the University, shall be appointed by the Board of Governors of the University upon the recommendation of a select committee, the composition of which shall be prescribed by Ordinance. The Director, Admission, Accreditation and Quality Assurance Council shall function as a full-time officer of the University.

(2) The Director, Admission, Accreditation and Quality Assurance Council shall—

- (a) subject to the direction and control of the Vice Chancellor, be responsible for the admission criteria

and for ensuring quality assurance of courses and other supporting services provided by the University; and

- (b) exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.

PART V

THE AUTHORITIES OF THE UNIVERSITY

18. The Authorities of the University shall be the following :— The Authorities of the University.

- (a) the Board of Governors;
- (b) the Admission, Accreditation and Quality Assurance Council;
- (c) the Academic Council;
- (d) the Faculty Boards; and
- (e) such other bodies as may be prescribed by Ordinances to be Authorities of the University.

19. (1) The Board of Governors of the University (hereinafter in this Act referred to as the “Board”) shall consist of— The Board of Governors of the University.

- (a) the following *ex-officio* members:—
 - (i) the Vice Chancellor;
 - (ii) the Deputy Vice-Chancellor, if any;
 - (iii) Dean of each Faculty;

- (iv) the Director of each institute established under any Ordinance;
- (v) the Secretary to the Ministry of the Minister in charge of the subject of Skills Development or his nominee;
- (vi) the Secretary to the Ministry of the Minister in charge of the subject of Finance or his nominee;
- (vii) the Secretary to the Ministry of the Minister in charge of the subject of Higher Education or his nominee;
- (viii) the Secretary to the Ministry of the Minister in charge of the subject of Shipping or his nominee;
- (ix) the Secretary to the Ministry of the Minister in charge of the subject of Science and Technology or his nominee;
- (x) the Secretary to the Ministry of the Minister in charge of the subject of Fisheries and Aquatic Resources or his nominee;
- (xi) the Rector of each Campus, if any;
- (xii) the Chairman of the Vocational Training Authority of Sri Lanka, established by the Vocational Training Authority of Sri Lanka Act, No. 12 of 1995;
- (xiii) the Chairman of the National Aquatic Resources Research and Development Agency established by the National Aquatic Resources Research and Development Agency Act, No. 54 of 1981;

- (xiv) the Chairman of the National Apprentice and Industrial Training Authority, established by the Tertiary and Vocational Education Act, No. 20 of 1990; and
 - (xv) the Director-General of the Tertiary and Vocational Education Commission established by the Tertiary and Vocational Education Act, No. 20 of 1990; and
- (b) the following persons appointed by the Minister (in this Act referred to as “appointed members”)
- (i) two members of the Academic Council nominated by such Council from among its members;
 - (ii) one member representing each of the professional bodies in the areas of engineering, science and management;
 - (iii) three members from among persons who have rendered distinguished service in educational, professional and administrative spheres.

(2) The Chairman of the Board shall be the Vice Chancellor who shall preside at all meetings of the Board. If the Chairman is unable to preside at any meeting, the members present shall elect a member from among themselves to preside at such meeting. The Registrar of the University shall function as the secretary of the Board.

(3) An appointed member of the Board shall, unless he vacates office earlier, hold office for a term of three years reckoned from the date of his appointment, and shall, unless removed from office, be eligible for re-appointment:

Provided that, if any appointed member vacates his office prior to the expiry of his term, his successor shall hold office for the unexpired period of the term of the member whom he succeeds.

(4) An appointed member of the Board may resign his office by writing under his hand addressed to the Minister.

(5) An appointed member of the Board who is disqualified from continuing to be a member of an Authority of the University under section 59 of this Act shall be removed from such office.

(6) An appointed member of the Board who for whatever reason absents himself from three consecutive meetings of the Board, shall be deemed to have vacated his office as a member and the Minister shall, having regard to the provisions of paragraph (b) of subsection (1), appoint another person to fill the resulting vacancy.

(7) An appointed member of the Board may be paid such allowances as the Minister, in consultation with the Minister in charge of the subject of Finance shall determine.

(8) The quorum for a meeting of the Board shall be one third of the total number of members.

(9) The Board shall meet whenever necessary provided that it shall have at least ten meetings in each year.

(10) The Chairman of the Board shall whenever he thinks necessary or within one week upon the receipt by him of a written requisition from not less than one third of the total membership of the Board convene a special meeting of the Board.

Powers, duties and functions of the Board.

20. (1) Subject to the provisions of this Act, the Board shall exercise, perform and discharge the powers, duties and functions conferred or imposed on or assigned to the University by this Act.

(2) Without prejudice to the generality of the powers conferred upon it by subsection (1), the Board shall exercise,

perform and discharge the following powers, duties and functions:—

- (a) approve courses of study recommended by the Academic Council;
- (b) determine, from time to time, the requirements for the admission of students to the University having considered the recommendations made by the Admission, Accreditation and Quality Assurance Council;
- (c) hold, control and administer the property and funds of the University;
- (d) select a coat of arms for the University and determine its form;
- (e) regulate and determine all matters concerning the University in accordance with the provisions of this Act and of any appropriate instrument;
- (f) inquire into or investigate, from time to time, the financial needs of the University;
- (g) prepare, from time to time, corporate strategic plans and corresponding budgets for the University, for periods not less than three years at a time;
- (h) determine, from time to time, within the overall wage and salary policies of the Government, the quantum of remuneration that should be paid to the members of the staff of the University and other benefits that the staff is entitled to receive;
- (i) administer any funds placed at the disposal of the University for specific purposes;
- (j) receive and accept by way of bequests, donations, grants or otherwise property made to the University;

- (k) consider the annual report and the annual accounts of the University and submit such report and accounts, along with any amendments that it may consider necessary to the Minister;
- (l) prepare the budget estimates and the annual financial appropriations of the University and submit the same to the Minister;
- (m) make Statutes when so required for any matter in respect of which Statutes are required to be made under this Act;
- (n) make by-laws in respect of any matter for which by-laws are authorized to be made under this Act;
- (o) provide buildings, premises, furniture, equipment and other materials needed for the carrying on of the work of the University;
- (p) appraise performance of persons in the staff of the University;
- (q) appoint examiners, whether from the staff of the University or from elsewhere, after considering any recommendations made by the Academic Council, and determine the fees which may be paid to such examiners;
- (r) appoint a Board of Welfare which shall include a representative of the students, for the promotion of the general well being of the students of the University. The composition, powers, duties and functions of such Board shall be prescribed by Ordinance;
- (s) appoint a Board of Residence and Discipline which shall include a representative of the students, for the maintenance of discipline and provision of

residential facilities for the staff and students of the University and matters connected therewith or incidental thereto. The composition, powers, duties and functions of such Board shall be prescribed by Ordinance;

- (t) enter into, implement and where necessary cancel contracts on behalf of the University and invest any moneys belonging to the University, including any unapplied income generated by the University, in the purchase of immovable property in Sri Lanka, or any such investments or place in fixed deposits in any bank approved by the Board, any portion of such moneys not required for immediate expenditure;
- (u) determine after consultation with the Academic Council, the academic dress or insignia or both of the Vice Chancellor, the officers, the graduates and students of the University;
- (v) institute, abolish or suspend Senior Professorships, Professorships, Associate Professorships, Senior Lectureships, Lectureships and Assistant Lectureships, in consultation with the Admission, Accreditation and Quality Assurance Council;
- (w) institute, abolish or suspend any non-academic post in consultation with the Admission, Accreditation and Quality Assurance Council;
- (x) decide on the qualifications required for any post referred to in paragraphs (xxi) and (xxii) in consultation with the Admission Accreditation and Quality Assurance Council;
- (y) establish collaborations and partnerships with public and private sector, for the purpose of achieving the objects of the University;

- (z) establish such number of Faculties, Academic Divisions, Departments of Study, Units or Centres as may be recommended by the Academic Council;
- (aa) permit officers of the University, permanent staff or any members of the Board to serve on the Board of Management of any organization registered under the Companies Act, No. 7 of 2007 and contribute towards consultancy services of such organizations solely for the undertaking of income generation activities and commercialization of knowledge provided that, the profits of such organization would be donated to the University for its development and welfare of the staff and students,

For the purposes of this paragraph, “University Board” means any university Board, including the Board of Welfare and the Board of Residence and Discipline appointed by the Board of Governors.

- (bb) determine and assign the duties and functions of the Deputy Vice Chancellor, if any;
- (cc) award fellowships, scholarships, bursaries, medals and other prizes, on the recommendations of the Academic Council; and
- (dd) exercise all other powers of the University, the exercise of which is not otherwise provided for in this Act or in any appropriate Instrument.

(3) No resolution shall be passed by the Board in relation to any academic matter, unless the Academic Council has first been given an opportunity of recording and transmitting to the Board its opinion thereon.

In this section, “academic matter” means any matter which is subject to the control and general direction of the Academic Council.

21. (1) The Board may make Ordinances in respect of all such matters as it may deem necessary to enable it to effectively exercise, perform and discharge its powers, duties and functions under this Act.

Powers of the Board to make Ordinances.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Board may make Ordinances in respect of all or any of the following matters:—

- (a) all matters required to be prescribed by Ordinance or in respect of which Ordinances are authorized to be made by the Board under any other provision of this Act;
- (b) the establishment of institutions and maintenance of standards of such institutions for vocational training in related fields;
- (c) the terms and conditions of service of the full time officers of the University;
- (d) the terms and conditions of service of the staff of the University;
- (e) the establishment and maintenance of standards of instruction in the University for the grant of degrees, diplomas and other academic distinctions;
- (f) the recognition of foreign degrees and diplomas and other academic distinctions; and
- (g) any other matter connected with or incidental to any of the matters aforementioned.

(3) Every Ordinance made by the Board under this Act shall be published in the *Gazette* and shall come into operation on the date specified therein.

The Admission, Accreditation and Quality Assurance Council.

22. (1) The Admission, Accreditation and Quality Assurance Council of the University (hereinafter referred to as the “Quality Assurance Council”, shall consist of—

(a) the following *ex-officio* members:—

- (i) the Dean of each Faculty of the University;
- (ii) the Director-General of the Tertiary and Vocational Education Commission established by the Tertiary and Vocational Education Act, No. 20 of 1990;
- (iii) the Director of the Quality Assurance Council;
- (iv) the Registrar of the University;
- (v) the Head of the body entrusted with the responsibility of regulating the activities of Colleges of Technology; and

(b) the following persons appointed by the Vice Chancellor (in this section referred to as “appointed members”):—

- (i) one representative each from the professional bodies in Fisheries and Ocean Sciences, Maritime Technologies and allied fields up to a maximum of three members;
- (ii) one University academic each from other Universities in Fisheries and Ocean Sciences, Maritime Technologies and allied fields up to a maximum of three members elected from amongst the Deans of Faculties;
- (iii) three representatives from Academic Council, nominated by that Council from among its members; and

- (iv) Director of Quality Assurance Council of the University Grants Commission and two directors responsible for the National Vocational Qualifications and for Accreditation, from the Tertiary and Vocational Education Commission established by the Tertiary and Vocational Education Act, No. 20 of 1990.

(2) The Chairman of the Quality Assurance Council shall be elected from among the Deans of each faculty who shall preside at all meetings of such Council. If the Chairman is unable to preside at any meeting, the members present shall elect a member present to preside at such meeting.

(3) The Registrar of the University shall be the Secretary to the Quality Assurance Council.

(4) The quorum for a meeting of the Quality Assurance Council shall be one half of its total membership and the Quality Assurance Council shall meet whenever necessary, provided that it shall meet at least on one occasion in each year.

(5) An appointed member of the Quality Assurance Council shall unless he vacates office earlier, hold office for a term of four years reckoned from the date of his appointment, and shall, unless removed from office, be eligible for re-appointment:

Provided that, if any appointed member vacates his office prior to the expiry of his term, his successor shall hold office only for the unexpired period of the term of office of the member whom he succeeds.

(6) An appointed member of the Quality Assurance Council may resign his office by writing under his hand addressed to the Vice Chancellor.

(7) An appointed member of the Quality Assurance Council who is disqualified from continuing to be a member of an Authority of the University under section 59 of this Act shall be removed from such office.

(8) An appointed member of the Quality Assurance Council who for whatever reason absents himself from three consecutive meetings of the Quality Assurance Council, shall be deemed to have vacated his office as a member and the Vice Chancellor shall, having regard to the provisions of paragraph (b) of subsection (1), appoint another person to fill the resulting vacancy.

(9) An appointed member of the Quality Assurance Council may be paid such allowance as the Minister shall in consultation with the Minister in charge of the subject of Finance determine.

Powers of the
Quality Assurance
Council.

23. The Quality Assurance Council shall have the power to recommend to the Board upon consideration of any appropriate reports, on matters relating to—

(a) the admission criteria for courses of study at the University;

Provided that, any aptitude test for any category of candidates for the admission shall be conducted by the Department of Examinations in consultation with the University;

(b) the number of students to be admitted to each course of study;

(c) the qualifications from among National Vocational Qualifications and any other vocational qualifications awarded or granted by any public or private institution, that are required to be satisfied in order to gain admission for courses of study at the University;

- (d) the recruitment and promotion criteria for the staff of the University;
- (e) any matter relevant for the maintenance or upgrading of academic standards of courses;
- (f) the institution, abolition or suspension of Senior Professorships, Professorships, Associate Professorships, Senior Lectureships, Lectureships and Assistant Lectureships;
- (g) the formulation of accreditation requirements of courses of studies at the University, in consultation with the Academic Council and relevant stakeholders;
- (h) the qualification requirements of all teachers and non-academic staff of the University;
- (i) collaborations to be established with other national and international higher educational institutions and professional bodies to further the objectives of the University;
- (j) the appointment of such number of committees consisting of its own members and any other professionals outside its membership, as it may deem necessary to deliberate and report to it on matters pertaining to its powers, which may be referred to such committee; and
- (k) any other matter that may be referred to it by the Board for its recommendation.

24. (1) The Academic Council shall consist of—

The Academic Council.

(a) the following *ex-officio* members:—

- (i) the Vice Chancellor;

- (ii) the Deputy Vice-Chancellor, if any;
 - (iii) the Dean of each Faculty;
 - (iv) the Rector of each Campus and the Director of each Institute established under the University;
 - (v) every Senior Professor and Professor of the University;
 - (vi) the Registrar of the University;
 - (vii) the officer designated to be in charge of examinations;
 - (viii) the Director of media and information services;
 - (ix) the Director of the Quality Assurance Council;
 - (x) the Head of each academic Department of Study of the University;
- (b) the following elected and appointed members:—
- (i) such number of Associate Professors and Senior Lecturers not exceeding seven representatives from each faculty, as may be elected by the permanent teachers of such Faculty, from among their numbers;
 - (ii) such number of Lecturers as is equal to the total number of Faculties, elected by the faculty Board to represent each of such faculties ; and
 - (iii) such number of members as is equal to the total number of Faculties, appointed by the Board from among persons who have rendered distinguished service in educational, professional, commercial, industrial,

scientific or administrative spheres, as recommended by the respective Faculty Boards.

(2) Each member elected or appointed under paragraph (b) of subsection (1), shall hold office for a period of two years reckoned from the date of his election or appointment, as the case may be.

(3) The quorum for a meeting of the Academic Council shall be one third of its total membership.

(4) The Academic Council shall meet whenever necessary, provided that, it shall meet not less than ten occasions in each year.

(5) The Chairman of the Academic Council shall be the Vice Chancellor who shall preside at all meetings of the Academic Council. If the Chairman is unable to preside at any meeting, the Deputy Vice Chancellor, if any shall preside at such meeting. In the absence of the Deputy Vice Chancellor, the members present shall elect a member from among those present to preside at such meeting.

25. (1) The Academic Council shall be the academic authority of the University and subject to the provisions of this Act or any appropriate instrument, shall have control and general direction of the standard of instruction, education, research and examinations of the University.

Powers, duties and functions of the Academic Council.

(2) Without prejudice to the generality of the powers conferred upon it by subsection (1), the Academic Council shall exercise, perform and discharge the following powers, duties and functions:—

- (i) to advise the Board, upon consideration of the reports submitted by any Faculty on the methods of regulating the courses of study and examinations, and to make recommendations to the Board regarding such courses of study;

- (ii) recommend to the Board after considering any reports submitted by any Faculty or Faculties, the names of persons suitable to be appointed as examiners;
- (iii) evaluate any request made by a Faculty Board on any proposals relating to the institution, abolition or suspension of Senior Professorships, Professorships, Associate Professorships, Senior Lecturerships, Lecturerships and Assistant Lecturerships in the University, and make its recommendations on the same to the Quality Assurance Council;
- (iv) recommend to the Board after considering the reports submitted by any Faculty or Faculties—
 - (a) schemes for the re-organization of existing Faculties; and
 - (b) schemes for the assignment of subjects of study to the respective Faculties;
- (v) make recommendations to the Board on matters relating to the mode and conditions of competition to be imposed for the grant of fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (vi) make recommendations to the Board on matters relating to the award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (vii) appoint such number of Standing Committees, or *ad hoc* committees or Boards from and out of the members of the Academic Council as it may deem necessary, and in particular, the following:—
 - (a) Media and Information Services Committee;

- (b) Research and Publication Committee;
 - (c) Industry-University partnership Committee;
 - (d) Curriculum Development and Evaluation Committee;
 - (e) Leave and Awards Committee; and
 - (f) Regional Committee;
- (viii) specify the terms of reference of the Committees and Boards appointed under paragraph (vii) and to either approve the reports submitted by any such Committee or Board with or without modification, or to reject such reports;
- (ix) refer to the Quality Assurance Council any proposals made by a Faculty Board relating to the admission of students to any courses of study along with its observations on the same; and
- (x) recommend to the Board, from time to time, regarding the establishment of such Faculties as it may deem necessary for developing its teaching, research and extension programmes.

26. (1) The Faculty Board of each Faculty of the University shall consist of the following persons:— The Faculty Board.

- (a) the Dean of the Faculty;
- (b) the Head of each Academic Department of Study;
- (c) all Senior Professors, Professors, Associate Professors, Senior Lecturers and Lecturers of the Faculty;

- (d) the Director, Quality Assurance Council or his nominee;
- (e) the Director, Media and Information Services or his nominee;
- (f) two members of the permanent staff imparting instructions in the Faculty, excluding those referred to in paragraph (c), elected by themselves from among those in the permanent staff;
- (g) two students elected by the students of the Faculty from among their numbers:

Provided that, the members elected under this paragraph shall be excluded from the proceedings of any meeting of the Faculty Board relating to the election of the Dean under section 13 of this Act and relating to examinations and connected matters and any such meeting shall, notwithstanding such exclusion, be deemed to have been duly held ; and

- (h) five persons not being members of the staff of the University, nominated by the Faculty from among persons of eminence in areas of study relevant to the respective Faculty.

(2) The members elected under paragraph (g) of subsection (1) shall hold office as a member for a period of one year and all other elected members shall hold office for a period of three years, reckoned from the date of his election.

(3) The Chairman of the Faculty Board shall be the Dean of the Faculty who shall preside at all meetings of the Faculty Board. Where the Dean of the Faculty is unable to preside at any such meeting, the members present shall elect a member present other than a member elected under paragraph (g) of subsection (1), to preside at such meeting.

(4) The quorum for a meeting of the Faculty Board shall be one third of its total membership and it shall meet whenever necessary, provided that it shall meet not less than ten occasions in each year.

27. Subject to the provisions of this Act, a Faculty Board shall exercise, perform and discharge the following powers, duties and functions—

Powers duties and functions of the Faculty Board.

- (a) to consider and report on any matter referred to it by the Academic Council;
- (b) subject to the control of the Academic Council, to regulate matters connected with teaching, examinations and research in the various branches of oceanography, marine engineering, fisheries and ocean science and management, technical and vocational education and training;
- (c) to present recommendations and reports to the Academic Council on all matters connected with the courses of study and examinations in the Faculty;
- (d) to appoint committees which may include persons other than members of the Faculty for the purpose of considering and reporting on any special subject or subjects; and
- (e) recommend to the Academic Council names of persons suitable to be appointed as examiners.

PART VI

CAMPUSES

28. The Board may by an Order (hereinafter referred to as “the Campus Order”)—

Establishment of Campuses.

- (a) establish a Campus of the University;

- (b) assign a name and style to such Campus;
- (c) specify the location or site of such Campus;
- (d) assign a Faculty or Faculties to such Campus; and
- (e) specify the Department of Study comprising such Faculty or Faculties.

The Rector of a Campus.

29. (1) The Rector of a Campus shall be appointed by the Vice-Chancellor. He shall unless he vacates office earlier hold office for a period of three years reckoned from the date of his appointment and shall unless removed from office be eligible for re-appointment for a further period of three years immediately succeeding the aforesaid period.

(2) If the Rector by reason of leave, illness, absence from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Vice-Chancellor shall within seven days of the occurrence of such inability make such arrangements as he may think fit for carrying on the duties of the office. Until such arrangements are made the Registrar shall carry on the routine duties of the office of the Rector.

(3) The Rector shall be a full time officer of the Campus and shall be the academic and administrative Head of the Campus.

(4) The Rector shall be the Chairman of the Campus.

The Campus Board.

30. (1) A Campus shall have a Board, (hereinafter referred to as the "Campus Board"), the composition of which shall be prescribed by Ordinance.

(2) The Campus Board shall be responsible—

- (a) for the internal administration of the Campus;
- (b) for making arrangements for the general wellbeing of and the provision of amenities for persons attached to the Campus; and

- (c) for the performance of any other duty as may be prescribed by Statute.

(3) The Campus Board may with the approval of the Board of Governors of the University make Rules in respect of all matters relating or incidental to or connected with the internal administration of the Campus.

PART VII

CONVOCATION OF THE UNIVERSITY

31. (1) The University shall for the purpose of conferring degrees, hold a convocation once in every year on such date or dates as may be approved by the Chancellor:

Holding of the Convocation of the University.

Provided that, the University may hold a Special Convocation at any other time, as the Chancellor may determine.

(2) Notwithstanding the provisions of subsection (1), first degrees may be conferred without the holding of the convocation.

(3) The procedure for the holding of a Convocation shall be prescribed by by-laws.

(4) The President shall when present preside at Convocation. In the absence of the President, the Chancellor shall preside at such Convocation and in the absence of both the President and the Chancellor, the Vice Chancellor shall preside at such Conversation.

PART VIII

STAFF OF THE UNIVERSITY

32. Every appointment to the staff of the University shall be made by the Board in accordance with such schemes of recruitment and procedures as prescribed by Ordinance for the same.

Board to appoint staff of the University.

Determination of qualifications of staff of the University.

33. The qualifications of all teachers of the University shall be determined by the Board in consultation with the Quality Assurance Council while qualifications of all non-academic staff shall be determined by the Board in consultation where it considers necessary with the Quality Assurance Council.

Institution, abolition and suspension of posts in the staff of the University.

34. (1) It shall be the duty of each Faculty Board to make written proposals to the Academic Council relating to the institution, abolition and suspension of posts of teachers required for such Faculty. The Academic Council shall consider and evaluate such proposals and thereafter make its recommendations to the relevant Faculty Board.

(2) It shall be the duty of the Registrar of the University to make recommendations to the Board relating to the institution, abolition and suspension of all non-academic posts in the University.

(3) The Faculty Board may where it considers it appropriate prior to the institution, abolition or suspension of any post of a teacher or of any non-academic post in the University obtain the advice of the Quality Assurance Council regarding the same.

Probationary periods and confirmation.

35. (1) Every appointment to a post of a teacher shall in the first instance be for a probationary period of three years, which period may be extended by the Board for a period of one year at a time, so however the extension shall not in the aggregate exceed a period of three years. At the end of the probationary period, the appointment may be confirmed in accordance with the requirements or conditions as to confirmation provided for in the appropriate schemes of recruitments as prescribed by Ordinance.

(2) Every appointment to a non-academic post shall in the first instance be for a probationary period of three years and such appointment may thereafter be confirmed in accordance with the confirmation criteria as prescribed by Ordinance.

36. (1) A person holding the post of a teacher shall if he has been confirmed in his post, hold such post until he has completed sixty years. If the sixtieth year ends before the end of the academic year, he may continue till the end of such academic year and shall thereafter be deemed to have retired from service:

Retirement of teachers and persons holding a non-academic post.

Provided that, the holder of such post may at any time pending an inquiry by the Board be suspended for misconduct, inefficiency or dereliction of duty and may be dismissed or compulsorily retired if found guilty after such inquiry on a resolution adopted by such Board.

(2) Notwithstanding the provisions of subsection (1), a teacher who has reached sixty years of age and who in the opinion of the Board is competent to continue to hold such post may be recruited on contract basis to serve as a teacher for a maximum period of five years so however such period shall not exceed one year at a time. The period of service however may be extended further by one year each at a time, until he completes sixty-five years of age.

(3) Public Administration Circulars relating to the age of retirement of public officers shall be applicable in regard to the age of retirement of those holding any non-academic post in the University:

Provided that, the holder of any such post may at any time pending an inquiry by the Board be suspended for misconduct, inefficiency or dereliction of duty and may be dismissed or compulsorily retired if found guilty after such inquiry on a resolution adopted by the Board.

(4) Where before completing the probationary period referred to in section 35, a person holding—

- (a) the post of a teacher reaches the age of sixty years;
- or

- (b) a non-academic post reaches the age of retirement specified in the Public Administration Circular referred to in subsection (3),

such person shall be deemed to have retired from service from the date on which he reached that age.

(5) Every holder of a post in the University who is dismissed or is compulsorily retired from his post or is otherwise punished for misconduct, inefficiency or dereliction of duty may appeal against such dismissal or retirement or other punishment to the University Appeals Board.

Appointment of public officers to the staff of the University.

37. (1) At the request of the Board, an officer in the public service may with the consent of that officer, the Secretary to the Ministry by or under which that officer is employed, the Secretary of the Minister in charge of the subject of Public Administration and the Public Service Commission, be temporarily appointed to the post of a teacher of the University for such period as may be determined by the Board or with like consent be permanently appointed as a teacher.

(2) 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 any officer in the public service who is temporarily appointed to the post of a teacher of the University and the provisions of subsection (3) of section 14 of that Act shall *mutatis mutandis* apply to and in relation to any officer in the public service who is permanently appointed to the post of a teacher of the University.

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

38. At the request of the Board any teacher in the service of any Higher Educational Institution established under the Universities Act, No. 16 of 1978, may with the consent of such teacher, the University Grants Commission and the governing authority of that institution, be temporarily appointed to the post of a teacher of the University. Such appointment shall be for such period as may be determined by the Board or with like consent be permanently appointed to such post on such terms and conditions as may be agreed upon by the Board and such Higher Educational Institution. Such teacher shall be subject to the same disciplinary control as any other teacher in the staff of the University.

Appointment of teachers of Higher Educational Institutions to the staff of the University.

PART IX

UNIVERSITY APPEALS BOARD

39. (1) The Minister shall, from time to time, appoint from among persons who have knowledge and experience in the fields of oceanography, marine engineering, fisheries and ocean science, management, academic administration, financial management and legal or other relevant service sectors, a Panel of Inquiry and Investigation consisting of not less than nine persons.

Appointment of the Panel of Inquiry and Investigation.

(2) A person appointed as a member of the Panel of Inquiry and Investigation shall hold office for a period of five years from the date of appointment and unless removed from office shall be eligible for re-appointment.

(3) A member of the Panel of Inquiry and Investigation may resign from his office by writing addressed to the Minister.

40. (1) Where—

Constitution of the University Appeals Board.

(a) any appeal is made by any member of the staff of the University against an appointment, promotion, dismissal, suspension, disciplinary action taken against him or in respect of any salary anomaly; or

(b) any investigation is required to be made into any matter pertaining to the functions of the University,

the Board shall constitute a University Appeals Board consisting of three members, selected from and out of the persons appointed to the Panel of Inquiry and Investigation by the Minister under section 39 to inquire into such appeal or to conduct such investigation, as the case may be.

(2) The members of the University Appeals Board shall elect from among themselves one of its members to be the Chairman of such Board.

(3) There shall be a Secretary to the University Appeals Board appointed by the Chairman of such Appeals Board.

(4) The procedure for the conduct of the proceedings of a University Appeals Board shall be determined by the Board by rules made in that behalf.

(5) At the conclusion of an inquiry into an appeal or the conduct of the investigation, as the case may be, it shall be the duty of the Chairman of the University Appeals Board to convey to the Board, its decision and the reasons therefor along with a report on such appeal or investigation. Further, a copy of the decision and the reasons therefor shall also be sent through registered post to the person who preferred the appeal, within one week from the date of such decision.

(6) The members of the University Appeals Board shall in respect of each appeal inquired into or investigation conducted by them, be paid such allowance as the Minister shall determine in consultation with the Minister in charge of the subject of Finance.

Appeals from the decision of a University Appeals Board.

41. A person aggrieved by the decision of the University Appeals Board in respect of any appeal made under paragraph (a) of subsection (1) of section 40 may appeal against such decision to the Court of Appeal within fourteen days from the date on which the decision and the reasons therefor were sent to that person by registered post under subsection (5) of section 40.

42. (1) Any expense incurred by the University Appeals Board in any suit or prosecution brought by or against such University Appeals Board before any court shall be paid out of the University Fund, and any costs paid to or recovered by a University Appeals Board in any such suit or prosecution shall be credited to that Fund.

Expenses incurred in any suit or prosecution to be paid out of the Fund.

(2) Any expense incurred by a member of a University Appeals Board in any suit or prosecution brought against him before any court in respect of any act which is done or purported to be done by him under this Act or any appropriate instrument shall, if the court holds that such act was done in good faith, be paid out of the Fund of the University unless such expense is recovered by him in such suit or prosecution.

PART X

FINANCE

43. (1) The University shall have its own Fund into which shall be credited—

The University Fund.

- (a) all moneys voted for its use by Parliament;
- (b) all such sums of money as may be received by the University by way of donations or grants from any source whatsoever;
- (c) fees paid to the University in accordance with the provisions of any by-laws; and
- (d) any other payments required to be made to the University in accordance with any rule or regulation made under this Act.

(2) There shall be paid out of the Fund of the University all such sums of money as are required to defray all expenditure incurred by the University in the exercise of its powers under this Act.

Grants in aid of
the University.

44. The Deputy Secretary to the Treasury shall as soon as may be practicable after the commencement of each financial year, pay to the University such sums of money as may be provided for by Parliament by way of annual appropriation, supplementary vote or otherwise as a grant in aid of the University.

Board to consider
budget estimates
and annual
financial
appropriations.

45. The budget estimates and the annual financial appropriations of the University prepared with the assistance of the Director, Finance under paragraph (d) of section 46, shall be considered by the Board before such date as may be prescribed by by-law. The Board may make such alterations in such estimates and financial appropriations as it thinks fit, and shall submit them to the Minister together with the accounts of the University for the completed financial year and the Minister may where he considers it necessary amend any such estimates and financial appropriations.

Duties of the
Director, Finance.

46. It shall be the duty of the Director, Finance of the University to—

- (a) keep the accounts of the University in such form and in such manner as may be prescribed by rules;
- (b) receive all moneys paid into the Fund of the University and to credit such moneys to the proper heads of accounts;
- (c) make all payments in accordance with the applicable laws, Financial Regulations and Circulars;
- (d) assist the Board in the preparation of budget estimates and the annual financial appropriations of the University; and
- (e) prepare where necessary any supplementary estimates under section 50.

47. The income derived to the University from grants made for specific purposes or from endowments for specific objects shall be separately accounted for in the accounts of the University and no payment shall be made from such income for the general purposes of the University or for any purposes or objects other than those for which such grants or endowments were made.

income from grants for specific purposes to be separately accounted for.

48. The Board shall by resolution adopt the budget estimates, annual financial appropriations and annual accounts of the University prior to the transmission of the same to the Minister under section 53.

The Board to adopt budget estimates and annual financial appropriations.

49. It shall be lawful for the Board in case of necessity, to transfer funds from one vote to another of the annual estimates subject to the approval in writing of the Treasury.

Transfer of funds from one vote to another.

50. (1) In case of necessity and in order to meet any unforeseen expenditure, it shall be lawful at any time for Director, Finance, to prepare supplementary estimates of expenditure.

Supplementary estimates.

(2) Financial liability of a recurrent nature arising under subsection (1) shall not be incurred without the prior approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance.

(3) The supplementary estimates prepared under subsection (1) shall be submitted to the Board for its adoption and once adopted shall be made available to the Minister together with the annual appropriation for the succeeding year.

51. (1) The financial year of the University shall be the calendar year.

Financial year and audit of accounts.

(2) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to and in respect of the audit of accounts of the University.

Publications of audited accounts. **52.** The audited accounts of the University for each financial year, shall be published in the *Gazette*.

Annual accounts and Auditor-General's report to be transmitted to Minister. **53.** (1) The University shall within three months of the receipt of the Auditor-Generals report in respect of each financial year, transmit to the Minister such report with any comments made thereon by the Board together with the statement of accounts to which such report relates.

(2) The Minister shall cause copies of all the documents transmitted to him under subsection (1) to be tabled in Parliament before the end of the year next succeeding the year to which such accounts and report relate. The Vice Chancellor of the University shall attend and answer any questions arising therefrom before the Public Accounts Committee of Parliament.

PART XI

STUDENTS ASSEMBLY AND OTHER ASSOCIATIONS

Students Assembly. **54.** (1) The University shall have a Students Assembly consisting of student representatives elected from among persons who are for the time being students of the University.

(2) Every election to the Students Assembly shall be conducted by secret ballot at the commencement of each academic year by such person or persons as may be nominated by the Vice Chancellor.

(3) The term of office of the members of the Students Assembly shall expire at the end of the academic year in which the Students Assembly was elected.

Recognition of certain Societies and other Associations. **55.** (1) The Board may recognize any society or other association of students established for the sole purpose of furthering academic or social objectives and which will carry on such activities or functions as may be specified by the Board by by-laws made in that behalf.

(2) The membership of any society or other association established under subsection (1) shall consist entirely of students of the University.

(3) Subject to the provisions of section 54, the Board may specify by by-law, the mode of registration of societies and other associations recognized under subsection (1), their functions, the mode of conducting elections for the appointment of their office-bearers and the duties and functions of such office-bearers.

56. The Board may, from time to time, allocate to the Students Assembly or to any society or other association recognized under section 55, such sums of money as may be deemed necessary by the Board for approved activities.

Board to allocate money to Students Assembly etc, for approved activity.

57. The Board shall by Ordinance prescribe—

Board to prescribe constitution, duties and functions of Students Assembly.

- (a) the duties and functions of the Students Assembly;
- (b) the office bearers of the Students Assembly and the number of student representatives constituting the Students Assembly and their mode of election;
- (c) the duties and functions of the office bearers of the Students Assembly;
- (d) the Standing Committee or Committees which a Students Assembly may appoint and the duties and functions of such Committee;
- (e) the purpose for which the funds allocated to the Students Assembly and to any society or other association recognized by the Board under section 55 shall be utilized; and
- (f) the form and the manner in which the accounts of the Students Assembly and any society or other association shall be maintained and audited.

Suspension or dissolution of students Assembly, society or other association.

58. Where the Students Assembly or any society or other association conducts itself in a manner which in the opinion of the Vice Chancellor is detrimental or prejudicial to the good name of the University or acts in contravention of any provision of this Act or any appropriate Instrument, the Vice Chancellor may suspend or dissolve such Students Assembly, society or other association, as the case may be.

PART XII

GENERAL PROVISIONS

Disqualification from being members of any Authority of the University.

59. A person shall be disqualified from being appointed to or continuing as a member of any Authority of the University or as an officer of the University, if such person—

- (a) is an un-discharged bankrupt or insolvent;
- (b) is convicted of any offence involving moral turpitude;
- (c) is found or declared to be of unsound mind under any law in force in Sri Lanka or any other country;
- (d) is directly or indirectly by himself or by any person on his behalf or for his use or benefit holds or enjoys any right or benefit under any contract, other than his contract of employment, made by or on behalf of the University;
- (e) is or becomes, a Member of Parliament, a member of a Provincial Council or a member of any local authority;
- (f) is removed from the membership of any Authority or from any office of the University, for misconduct;
- (g) is found to be unfit to continue to be a member of an Authority or continue to hold office of the

University, by reason of ill health or physical or mental infirmity;

- (h) is found guilty of misconduct or corruption; or
- (i) is found guilty of gross abuse of power of his office.

60. All officers and members of the staff of the University shall be deemed to be public servants within the meaning and for the purposes of the Penal Code (Chapter 19).

Officers and servants of the University deemed to be public servants under the Penal Code.

61. The University shall be deemed to be a Scheduled institution within the meaning and for the purposes of the Bribery Act, and the provisions of that Act shall be construed accordingly.

University deemed to be a Scheduled institution within the meaning of the Bribery Act.

62. (1) Where the presence of any person within the University, other than of any officer, member of the staff or a student of the University is, in the opinion of the Vice Chancellor not conducive to the welfare of the University or its students, the Vice Chancellor may with the consent of the Board after giving such person an opportunity of being heard, serve on such person by writing under his hand, a notice prohibiting such person from entering or remaining within the precincts of the University or within such part thereof as may be specified in such notice. Such prohibition shall remain in force until revoked by the Board.

Prohibition on undesirable persons from entering precincts.

(2) A certificate under the hand of the Vice Chancellor to the effect that any person named in the certificate has been prohibited in accordance with the provisions of subsection (1) from entering or remaining in the precincts of the University or any part thereof, shall be admissible as evidence and shall be *prima facie* evidence of the facts stated in such Certificate.

(3) Any person who is prohibited under the provisions of subsection (1) from entering or remaining within the University precincts or part thereof and who without reasonable cause, enters or remains within such precincts or part thereof in contravention of such prohibition, shall be guilty of an offence and shall on conviction after summary trial by a Magistrate, be liable to a fine of one thousand rupees or to an imprisonment for a period not exceeding three years in respect of each day or part thereof on which he has entered or during which he has remained, within such precincts or part thereof.

(4) An offence under subsection (3) shall be a cognizable and a bailable offence within the meaning and for the purpose of the Code of Criminal Procedure Act, No. 15 of 1979.

Statutes.

63. (1) The Board may subject to the provisions of this Act, make Statutes in respect of all or any of the following matters:—

- (a) where unless otherwise provided for, the manner of filling of vacancies in and the convening of any Authority of the University;
- (b) the determination of the degrees and other academic distinctions to be conferred;
- (c) the criteria applicable for the conferment of honorary degrees or other distinctions;
- (d) the institution and award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes for which funds or property may in any manner whatsoever be provided; and
- (e) all matters for which under the provisions of this Act, Statutes are authorized or required to be made.

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

64. (1) Subject to the provisions of this Act, by-laws ^{By-Laws.} may be made by the Board in respect of all or any of the following matters:—

- (a) the courses of study approved by the Board for the grant of degrees, diplomas and other academic distinctions;
- (b) the conditions subject to which students shall be admitted to courses of study and examinations prescribed for degrees, diplomas and other academic distinctions;
- (c) the fees to be charged for courses of study, examinations and award of degrees and other academic distinctions;
- (d) all matters connected with the election of representatives to various authorities and other bodies of the University;
- (e) the conditions and mode of appointment of examiners, their duties, the fees to be paid to them and the conduct of and maintenance of standards at examinations; and
- (f) all matters for which under the provisions of this Act, by-laws are authorized or required to be made.

(2) A by-law in respect of any matter relating to or connected with teaching and the examinations of the University shall not be made by the Board, until a draft of such by-law has first been prepared and submitted to the Board by the Academic Council.

(3) Every by-law made by the Board shall come into force on such date as shall be specified therein.

Rules.

65. (1) Subject to the provisions of this Act, any Authority of the University may make rules in respect of all matters—

- (a) for which rules are required to be made under the provisions of this Act; and
- (b) required to be provided for in order to enable such Authority to carry on its duties and functions under this Act.

(2) Rules made by an Authority of the University under subsection (1), shall come into force on such date as shall be specified therein.

Provisions of the Universities Act, No. 16 of 1978 not to apply.

66. The provisions of the Universities Act, No. 16 of 1978, shall not apply to or in respect of the University established by this Act.

PART XIII

INTERPRETATION

Interpretation.

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

“Academic Council” means the apex academic body of the University;

“appropriate Instrument” means any Ordinance, Statute, by-law, regulation or rule made in accordance with the provisions of this Act;

“Authority” means any Authority specified in section 18 of this Act;

“by-law” means a by-law made by the Board under section 64 of this Act;

“degree” means both undergraduate and postgraduate degrees awarded by the University;

“Governing Body” means the overall administrative body of the University;

“Minister” means the Minister to whom the subject of Skills Development is assigned ;

“non-academic staff” means all the members of the staff other than the teaching staff of the University;

“Ordinance” means any Ordinance made by the Board under section 21 of this Act;

“rule” means any rule made by any Authority of the University under section 65 of this Act;

“Statute” means any Statute made by the Board under section 63 of this Act; and

“teaching staff” includes a Senior Professor, Professor, Librarian, Associate Professor, Senior Lecturer, Senior Assistant Librarian, Lecturer and an Assistant Librarian;

68. 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.

69. (1) Notwithstanding anything to the contrary contained in any other provisions of this Act, pending the establishment and organization of the Faculties, the constitution of the several Authorities and the appointment of the officers and other staff of the University under this Act, the President shall in consultation with the Minister to whom the subject of Skills Development is assigned, appoint an Interim Committee consisting of— Special Provisions pending the establishment of the University.

- (a) the Secretary to the Ministry of the Minister to whom the subject of Skills Development is assigned ;

- (b) the Chairman of the National Institute of Fisheries and Nautical Engineering established by the National Institute of Fisheries and Nautical Engineering Act, No. 36 of 1999 ;
- (c) the Director-General of the National Institute of Fisheries and Nautical Engineering established by the National Institute of Fisheries and Nautical Engineering Act, No. 36 of 1999.

(2) The Interim Committee appointed under subsection (1) shall subject to the provisions of subsection (4), function for a period of three months commencing from the appointed date and shall be responsible for taking all such measures and making arrangements as may be necessary to enable the University to commence its activities under this Act.

(3) The Interim Committee, in the discharge of its functions under subsection (2), shall have the power to—

- (a) allocate to the University, the staff, students, equipment, land, buildings and other facilities and to determine the structure and composition of each Faculty and any other Institution and the disciplines and subjects that are to be assigned to such Faculties or Institutions, as the case may be ; and
- (b) exercise the powers of the Board and of any other Authority of the University, in respect of any matter concerning the University and the appointment of any person or persons, inclusive of officers required to be appointed under this Act, for the purpose of organizing, carrying out and directing the functioning of the University during such period.

(4) The period of three months referred to in subsection (2) may be extended by the Minister on the recommendation of the Secretary to the Ministry of the Minister to whom the subject of Skills Development is assigned for a period not

exceeding a further three months, by Notification published in the *Gazette*. The Notification shall be brought before the Parliament for its approval within one month of the date of its publication in the *Gazette*. A Notification not so approved shall be deemed to be rescinded as from the date of disapproval but without prejudice to the validity of anything previously done thereunder.

(5) The date on which any Notification shall be deemed to be rescinded shall be published in the *Gazette*.

70. (1) Notwithstanding the provisions of the National Institute of Fisheries and Nautical Engineering Act, No. 36 of 1999 the officers and servants of the National Institute of Fisheries and Nautical Engineering established under the National Institute of Fisheries and Nautical Engineering Act, No. 36 of 1999 (in this section referred to as the Institute) and who are the staff of that Institute as on the appointed date, shall, prior to the expiry of a period of two months from the appointed date, by a written communication addressed to the First Vice Chancellor of the University inform such Vice Chancellor, whether such officer or servant would or would not accept employment in the University or in the National Institute of Fisheries and Maritime Training established under paragraph (h) of section 5, as the case may be, in the event of being offered employment therein.

Officers and servants of the National Institute of Fisheries and Nautical Engineering to be offered employment in the University.

(2) All officers and servants of the Institute who are offered employment in the University by the First Vice Chancellor and who express a desire to accept such employment, shall become members of the staff of the University or the National Institute of Fisheries and Maritime Training established under paragraph (h) of section 5, as the case may be, from the date specified in the Order made under subsection (1) of section 71. Such officers and servants shall be employed on terms not less favourable than their terms of employment in the Institute and the period of service rendered by them, to the Institute shall be regarded as a service rendered by them to the University.

(3) Where any officer or servant of the Institute expresses a desire not to accept employment in the University or the National Institute of Fisheries and Maritime Training established under paragraph (h) of section 5, as the case may be, such officer or servant shall be deemed to have retired from service from the date specified in the Order made under subsection (1) of section 71, and shall be eligible for the retirement benefits that such officer or servant would have been entitled to, if he retired from service in the Institute after reaching his age of retirement.

Repeal of the
National Institute of
Fisheries and
Nautical
Engineering Act,
No. 36 of 1999.

71. (1) The National Institute of Fisheries and Nautical Engineering Act, No. 36 of 1999 shall stand repealed from such date as the Minister shall specify by Order published in the *Gazette*, provided the date to be so specified shall be a date after three months but within six months of the appointed date.

(2) Notwithstanding the repeal of the aforementioned Act, from and after the date specified in the Order made under subsection (1) of this section-

- (a) all movable and immovable property of the National Institute of Fisheries and Nautical Engineering shall, from the date specified in the Order made under subsection (1), vest in the University;
- (b) all contracts and agreements entered into by or with the National Institute of Fisheries and Nautical Engineering and subsisting on the day immediately preceding the date specified in the Order made under subsection (1), shall be deemed to be contracts and agreements entered into, by or with the University;
- (c) all sums of money lying to the credit of the Fund of the National Institute of Fisheries and Nautical Engineering on the day immediately preceding the date specified in the Order made under subsection

(1), shall stand transferred with effect from that date, to the Fund established by section 43 of this Act; and

- (d) all liabilities of the National Institute of Fisheries and Nautical Engineering existing on the day immediately preceding the date specified in the Order made under subsection (1), shall be deemed to be the liabilities of the University.

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



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

**PIYASENA GAMAGE FOUNDATION
(INCORPORATION) ACT, No. 32 OF 2014**

[Certified on 07th September, 2014]

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Piyasena Gamage Foundation
(Incorporation) Act, No. 32 of 2014

[Certified on 07th September, 2014]

L.D.—O. (Inc.) 36/2012.

AN ACT TO INCORPORATE THE PIYASENA GAMAGE FOUNDATION

WHEREAS a foundation called and known as the “Piyasena Gamage Foundation” has heretofore been 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 established and has applied to be incorporated and it will be for the public advantage to grant said 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 Piyasena Gamage Foundation (Incorporation) Act, No. 32 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act such and so many persons as now are members of the “Piyasena Gamage Foundation” (hereinafter referred to as the “Foundation”) and 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 “Piyasena Gamage 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 Piyasena
Gamage
Foundation .

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the Corpora-
tion.

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

- (a) to sponsor and promote sports activities among children and youth according to their talents and interests;
- (b) to formulate and implement appropriate programmes to improve the language skills of students;
- (c) to formulate and implement suitable projects for the benefit of senior citizens, women and children;
- (d) to assist the relevant authorities with the consent of such authorities—
 - (i) to grant scholarships and bursaries to needy and deserving students in order to encourage the students to engage in higher educations;
 - (ii) by providing the necessary education, training and assistance to youth to improve their professional and vocational skills with a view to obtaining optimal services of such youth for the development of the nation;
 - (iii) to establish and maintain information technology centers particularly in the rural and under developed areas with a view to improving computer literacy of students;
 - (iv) in the area of agriculture by providing assistance to those engaged in agriculture.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Minister or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Central Government or Province.

5. (1) Subject to other provisions of this Act the management and administration of the affairs of the Corporation shall be carried out by a Board of Management (hereinafter referred to as “the Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Board of the Foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after the lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) above shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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:—

- (a) to purchase, acquire rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned with the subject of Finance, in respect of all foreign grants, gifts or donations made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;

- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for 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 Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties 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 Board or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution of the Corporation.

(2) Any rules 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 member of the Corporation shall at all times be subject to the rules of the Corporation.

(4) The rules under this section shall be published in the Government *Gazette*.

Register of members.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Fund of the Corporation.

9. (1) The Corporation shall have its own Fund.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Board 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.

10. (1) The financial year of the Corporation shall be the calendar year. Accounts and auditing.

(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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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

(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.

11. (1) The Board shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister to whom the subject of social services is assigned and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates. Annual Report.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the Foundation.

12. 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 purpose of this Act.

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 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.

Application of moneys and property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Seal of the Corporation.

15. (1) The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

Property remaining on dissolution.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

17. 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.

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**

**CONSTRUCTION INDUSTRY
DEVELOPMENT ACT, No. 33 OF 2014**

[Certified on 16th October, 2014]

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*Construction Industry Development
Act, No. 33 of 2014*

[Certified on 16th October, 2014]

L.D.—O. 59/2005.

AN ACT TO PROVIDE FOR THE DEVELOPMENT OF THE CONSTRUCTION INDUSTRY IN SRI LANKA; TO REGULATE, REGISTER, FORMALIZE AND STANDARDIZE THE ACTIVITIES OF THE CONSTRUCTION INDUSTRY; TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL ADVISORY COUNCIL ON CONSTRUCTION; THE ESTABLISHMENT OF THE CONSTRUCTION INDUSTRY DEVELOPMENT AUTHORITY; AND THE ESTABLISHMENT OF THE CONSTRUCTION INDUSTRY DEVELOPMENT FUND AND THE FUND OF THE CONSTRUCTION INDUSTRY DEVELOPMENT AUTHORITY; TO PROVIDE MEASURES FOR THE IMPROVEMENT AND WELLBEING OF THE INDUSTRY RELATED PROFESSIONALS, MANUFACTURERS, SUPPLIERS, CONTRACTORS AND CRAFTSMEN; AND FOR THE SETTLEMENT OF DISPUTES RELATED TO CONSTRUCTION ACTIVITIES; TO ENSURE PUBLIC SAFETY IN THE CONSTRUCTION INDUSTRY OF SRI LANKA; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. (1) This Act may be cited as the Construction Industry Development Act, No. 33 of 2014 and shall come into operation on such date (hereinafter referred to as the “appointed date”) as the Minister may appoint by Order published in the *Gazette*.

Short title, date of operation and application.

(2) This Act shall apply to all activities relating to the construction industry within the Democratic Socialist Republic of Sri Lanka, except otherwise provided herein.

PART I

NATIONAL POLICY ON CONSTRUCTION AND ITS IMPLEMENTATION

2. (1) The National Advisory Council on Construction established under Part II of this Act, shall formulate a National Policy on Construction and such policy shall comprise

National policy on Construction.

matters relating to the construction industry and its goals. The National Advisory Council on Construction shall on completion of the National Policy forward it to the Cabinet of Ministers for approval. Such National Policy may, from time to time, be revised in keeping with the developments of the construction industry.

(2) In formulating the National Policy in terms of subsection (1), emphasis shall be given to the involvement of professionals within the construction industry, including resource personnel in the field of traditional knowledge.

Implementation of
National Policy.

3. The Minister may, from time to time, for the purpose of implementing the National Policy on Construction prepared in terms of section 2, give such general or special directions as he may consider necessary to the Construction Industry Development Authority to provide for the promotion and implementation of the National Policy.

PART II

NATIONAL ADVISORY COUNCIL ON CONSTRUCTION

Establishment of
the National
Advisory
Council on
Construction.

4. There shall be established a council which shall be called the National Advisory Council on Construction (hereinafter referred to as the “Council”) and shall consist of the members as specified in section 5.

Constitution of
the Council.

5. (1) The Council shall consist of —

(a) the following *ex-officio* members, namely—

- (i) the Secretary to the Ministry of the Minister in charge of the subject of Construction who shall be the Chairman of the Council and in his absence, an officer not below the rank of an Additional Secretary of that Ministry, nominated by the Secretary;

- (ii) the Secretary to the Ministry of the Minister in charge of the subject of Urban Development or an officer not below the rank of a Senior Assistant Secretary in charge of development work of that Ministry nominated by the Secretary;
- (iii) the Secretary to the Ministry of the Minister in charge of the subject of Highways or an officer not below the rank of a Senior Assistant Secretary in charge of development work of that Ministry nominated by the Secretary;
- (iv) the Secretary to the Ministry of the Minister in charge of the subject of Water Supply and Drainage or an officer not below the rank of a Senior Assistant Secretary in charge of development work, of that Ministry nominated by the Secretary;
- (v) the Secretary to the Ministry of the Minister in charge of the subject of Irrigation or an officer not below the rank of a Senior Assistant Secretary in charge of development work, of that Ministry nominated by the Secretary;
- (vi) the Secretary to the Ministry of the Minister in charge of the subject of Housing or an officer not below the rank of a Senior Assistant Secretary in charge of development work, of that Ministry nominated by the Secretary;
- (vii) the Secretary to the Ministry of the Minister in charge of the subject of Vocational and Technical Training or an officer not below the rank of a Senior Assistant Secretary in charge of development work, of that Ministry nominated by the Secretary; and

- (b) the following fifteen members appointed by the Minister (hereinafter referred to as “appointed members”) as follows:—
- (i) the Chairman of the Construction Industry Development Authority established under section 8 of this Act;
 - (ii) the President of the Institution of Engineers, Sri Lanka established under the Institution of Engineers, Sri Lanka Act, No. 17 of 1968 or his representative;
 - (iii) the President of the Sri Lanka Institute of Architects established under the Sri Lanka Institute of Architects Law, No. 1 of 1976 or his representative;
 - (iv) the President of the Institute of Quantity Surveyors, Sri Lanka established under the Institute of Quantity Surveyors, Sri Lanka (Incorporation) Act, No. 20 of 2007 or his representative;
 - (v) the President of the Institute of Town Planners, Sri Lanka established under the Institute of Town Planners, Sri Lanka (Incorporation) Act, No. 23 of 1986 or his representative;
 - (vi) the President of the Association of Consulting Engineers, Sri Lanka established under the Association of Consulting Engineers, Sri Lanka (Incorporation) Act, No. 42 of 2003 or his representative;
 - (vii) the President of the Institution of Incorporated Engineers, Sri Lanka established under the Institution of Incorporated Engineers, Sri Lanka (Incorporation) Act, No. 64 of 1992 or his representative;

- (viii) two representatives from the National Construction Association of Sri Lanka representing the Major and Minor Contractors, respectively and who are nominated by the National Construction Association of Sri Lanka;
- (ix) one representative from the Chamber of Construction Industry, Sri Lanka nominated by the Chamber of Construction Industry, Sri Lanka;
- (x) one member nominated by the Institution of Engineers, Sri Lanka established by the Institution of Engineers, Sri Lanka Act, No. 17 of 1968; and
- (xi) four members appointed by the Minister from among persons who have achieved eminence in the fields of construction, environmental science, labour relations and public health or occupational health.

(2) A person shall be disqualified from being appointed or continuing as an appointed member of the Council—

- (a) if he is, or becomes a member of Parliament or any Provincial Council or any local authority; or
- (b) if he is not, or ceases to be a citizen of Sri Lanka; or
- (c) if he is under any law in force in Sri Lanka or in any other country found or declared to suffer from unsoundness of mind; or
- (d) if he is serving or has served a sentence of imprisonment imposed by any Court in Sri Lanka or any other country; or

- (e) if he holds or enjoys any right or benefit under any contract made by or on behalf of the Construction Industry Development Authority; or
- (f) if he has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Council.

(3) Every appointed member shall unless he vacates office earlier by death, resignation or removal, hold office for a term of three years from the date of his appointment and shall unless he has been removed, be eligible for reappointment.

(4) The Minister may, if he considers it expedient to do so, remove from office any appointed member after assigning reasons therefor.

(5) Any appointed member may at any time resign his office by letter to that effect addressed to the Minister and sent by registered post.

(6) In the event of vacation of office by death, resignation or removal of any appointed member, the Minister may having regard to the provisions of paragraph (b) of subsection (1) appoint any other person to succeed such member. Any member so appointed shall hold office for the unexpired term of office of the member whom he succeeds.

(7) Where an appointed member, by reason of illness, infirmity or absence from Sri Lanka for a period of not less than three months, is temporarily unable to perform his duties, it shall be the duty of such member to inform the Minister in writing of such inability. The Minister may, on receipt of such information, having regard to the provisions of paragraph (b) of subsection (1) appoint some other person to act in his place.

(8) No act or proceeding of the Council shall be invalid by reason only of the existence of any vacancy in the Council or any defect in the appointment of a member of the Council.

(9) All decisions at any meeting of the Council shall be arrived at by the vote of a majority of the members present. In the case of an equality of votes, the member presiding shall have a casting vote.

(10) The members of the Council shall be remunerated in such manner and at such rates as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

6. The objects of the Council shall be to—

Objectives of the Council.

- (a) formulate and amend the national policy on construction and its implementation mechanism;
- (b) make representations to the Minister on any need for the development of the construction industry;
- (c) advise the Minister and make recommendations on any regulation to be made under this Act;
- (d) advise and make recommendations to the Authority on strategic issues, policies and legislative proposals that may affect or which is incidental or connected with the construction industry; and
- (e) propose measures to the Authority which are necessary for the development and sustenance of the construction industry.

7. (1) The Council shall meet at least once in three months. The Minister may however call a special meeting if a need arises to discuss any matter of importance.

Meetings of the Council.

(2) The quorum for a meeting of the Council shall be eight members.

PART III

CONSTRUCTION INDUSTRY DEVELOPMENT AUTHORITY

Establishment of
the Construction
Industry
Development
Authority.

8. (1) There shall be established an authority called and known as the “Construction Industry Development Authority” (hereinafter referred to as “the Authority”).

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

Management
and
administration
of the affairs of
the Authority.

9. (1) The management and administration of the affairs of the Authority shall be vested in a Board of Management (hereinafter referred to as “the Board”) which shall consist of —

(a) the following *ex-officio* members—

- (i) the Secretary to the Ministry of the Minister in charge of the subject of Construction or an officer not below the rank of a Senior Assistant Secretary nominated by the Secretary; and
- (ii) the Secretary to the Ministry of the Minister in charge of the subject of Finance or an officer not below the rank of a Senior Assistant Secretary nominated by the Secretary; and

(b) the following twelve members appointed by the Minister (hereinafter referred to as “appointed members”)—

- (i) a member of the Institution of Engineers, Sri Lanka nominated by the Institution of Engineers, Sri Lanka established under the Institution of Engineers, Sri Lanka Act, No. 17 of 1968;

- (ii) a member of the Sri Lanka Institute of Architects nominated by the Sri Lanka Institute of Architects established under the Sri Lanka Institute of Architects Law, No. 1 of 1976;
- (iii) a member of the Sri Lanka Institute of Quantity Surveyors, Sri Lanka nominated by the Institute of Quantity Surveyors, Sri Lanka established under the Institute of Quantity Surveyors, Sri Lanka (Incorporation) Act, No. 20 of 2007;
- (iv) a member of the Association of Consulting Engineers, Sri Lanka nominated by the Association of Consulting Engineers, Sri Lanka established under the Association of Consulting Engineers Sri Lanka (Incorporation) Act, No. 42 of 2003;
- (v) a member of the National Construction Association of Sri Lanka nominated by the National Construction Association of Sri Lanka;
- (vi) a member of the Chamber of Construction Industry, Sri Lanka nominated by the Chamber of Construction Industry, Sri Lanka; and
- (vii) six other persons who are not members of the Council, of whom—
 - (a) three persons who have significantly contributed to the development of the construction industry in Sri Lanka; one of whom shall be a person appointed upon the request of the President of the Institution of Incorporated Engineers, Sri Lanka established under the Institution of Incorporated Engineers, Sri Lanka (Incorporation) Act, No. 64 of 1992; and

10 *Construction Industry Development
 Act, No. 33 of 2014*

(b) three other persons to represent the fields of—

(A) Agriculture, Water Resources or Environmental Science;

(B) Public Health or Vocational Health; and

(C) Social, Cultural Heritage or Traditional Knowledge.

(2) The Minister shall appoint one of the appointed members, to be the Chairman of the Board.

(3) The Minister shall appoint one of the appointed members as the Working Director of the Authority who shall be a full time officer.

(4) A person shall be disqualified from being appointed or continuing as a member of the Board—

(a) if he is, or becomes a member of Parliament or any Provincial Council, or any local authority; or

(b) if he is not, or ceases to be a citizen of Sri Lanka; or

(c) if he is under any law in force in Sri Lanka or in any other country found or declared to suffer from unsoundness of mind; or

(d) if he is serving or has served a sentence of imprisonment imposed by any Court in Sri Lanka or any other country; or

(e) if he holds or enjoys any right or benefit under any contract made by or on behalf of the Authority; or

(f) if he has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Board.

(5) Every appointed member shall, unless he vacates office earlier by death, resignation or removal, hold office for a term of three years from the date of his appointment and shall, unless he has been removed from office, be eligible for re-appointment.

(6) (a) The Minister may by Order published in the *Gazette* remove any appointed member from office for reasons assigned. A member in respect of whom an Order is so made under this section shall be deemed to have vacated office on the date of publication of that Order in the *Gazette*.

(b) Any appointed member may at any time resign from office by a letter to that effect, addressed to the Minister and sent by registered post.

(c) In the event of a vacation of office by death, resignation or removal of any appointed member nominated by an organization set out in subsection (1) of section 9, the Minister may appoint any other person to succeed such member as nominated by such organization. If such member was not nominated by an organization, then the Minister may appoint a suitable person from such organization to succeed such member. Any member so appointed shall hold office for the unexpired term of office of the member whom he succeeds.

(d) In the case of a member nominated by an organization, on the nomination of such a member being withdrawn by the relevant organization, such member shall cease to function as a member of the Board.

(e) Where an appointed member, by reason of illness, infirmity or absence from Sri Lanka for a period of not less than three months, is temporarily unable to perform his duties, it shall be the duty of such member to inform the Minister in writing of such inability. Thereupon, the Minister may, appoint some other person nominated by the relevant organization or any suitable person if such member was not nominated by any organization, to act in his place.

(7) The Minister may, for reasons assigned, remove the Chairman or the Working Director of the Board.

(8) If the Chairman or the Working Director, by reason of illness, infirmity or absence from Sri Lanka, is temporarily unable to perform the duties of his office, the Minister may nominate another member of the Board to act in his place.

(9) The Chairman or the Working Director may, at any time resign from office of the Chairman or the Working Director by a letter addressed to the Minister. Such resignation shall take effect upon it being accepted by the Minister in writing.

(10) Subject to the provisions of subsections (2) and (3), the term of office of the Chairman and the Working Director shall be three years. The Chairman and the Working Director shall be eligible for reappointment.

(11) The Chairman, Working Director and the appointed members of the Board may be paid such remuneration out of the fund of the Authority as the Minister may determine in consultation with the Minister in charge of the subject of Finance.

(12) The Chairman of the Board shall preside at every meeting of the Board. In the absence of the Chairman at any meeting, the members present shall elect one among their members to preside at such meeting.

Meetings of the Board.

10. (1) The quorum for a meeting of the Board shall be five members and the Board may subject to other provisions of this Act, regulate the procedure in respect of meetings of the Board and the transaction of business at such meetings.

(2) The Chairman or the member presiding at any meeting of the Board, shall, in addition to his own vote, have a casting vote where there is an equality of votes.

(3) The Board shall meet at least once in every month.

(4) No act, decision or proceeding of the Board shall be deemed to be invalid by reason only of the existence of any vacancy in the Board or any defect in the appointment of any member thereof.

- 11.** (1) The seal of the Authority— Seal of the Authority.
- (a) shall be in the custody of the Director-General of the Authority;
 - (b) may be altered in such manner as may be determined by the Authority; and
 - (c) shall not be affixed to any instrument or document except with the sanction of the Authority and in the presence of the Chairman and another member of the Authority who shall sign the instrument or document in token of their presence and such signing shall be independent of the signing of any person as a witness.

(2) The Authority shall maintain a register of the instruments and documents to which the seal of the Authority is affixed.

- 12.** The objects of the Authority shall be— Objects of the Authority.
- (a) to ensure the implementation of the National Policy on Construction in keeping with the directions issued by the Minister in that regard under section 3;
 - (b) to provide strategic leadership to the stakeholders of the construction industry to stimulate sustainable growth, reform, and improvement of the construction sector;
 - (c) to register and renew such registration of the stakeholders of the construction industry as may be prescribed from time to time;

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- (d) to promote sustainable growth of the construction industry with special attention to the design and development of energy efficient buildings and structures;
- (e) to promote appropriate research and dissemination and publication of research work on any matter relating to the construction industry and its development;
- (f) to formulate, in consultation with other relevant authorities, the standards in construction industry and categorize such standards as compulsory and voluntary standards; and
- (g) to implement the codes of conduct, practices, procedures and processes and documentations relating to construction industry as being formulated by the Authority.

Functions of the Authority.

- 13.** The functions of the Authority shall be—
- (a) to implement the policy formulated under section 2 in keeping with the directions issued by the Minister in that regard under section 3;
 - (b) to formulate strategies for the development of the construction industry;
 - (c) to collate and publish materials and information pertaining to the construction industry;
 - (d) to promote best practices relating to the construction industry;
 - (e) to implement the standards in construction work including the standards relating to quality of materials used and workmanship in consultation with the other relevant bodies;

- (f) to recommend to any relevant authority to formulate national procurement guidelines related to procurement of works, goods and services in relation to construction industry;
- (g) to provide for and regulate the presentation of national awards for construction excellence, outstanding achievements in different fields of construction and design and development of energy efficient buildings, structures and construction techniques;
- (h) to promote the standards of professionalism and employment in the construction industry;
- (i) to foster and promote entrepreneurship in construction contractors of Sri Lanka;
- (j) to provide for the registration and grading of construction contractors;
- (k) to provide for the registration of property developers and to grade them under financial and marketing capabilities;
- (l) to provide for the registration of persons competent to function as adjudicators on contractual disputes;
- (m) to maintain a directory of importers, manufacturers and suppliers of construction materials and construction components used in the construction industry, as may be determined by the rules made under this Act;
- (n) to maintain a Register of qualified persons as specified in section 26;
- (o) to provide for the registration of contractors specialized in the areas of electromechanical installations, other building fixtures and any other area relating to construction;

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- (p) to provide for the registration and issuing of Craft Identity Cards to skilled workers in construction trades as may be determined by the rules made under this Act;
- (q) to maintain a directory of heavy construction plant, machinery and equipment available in the country;
- (r) to undertake and facilitate the human resources development and training required for construction industry and to develop national standards for training and assessment in concurrence with relevant national agency;
- (s) to assess the competence of skilled workers engaged in the construction industry and issue certificates to such persons who do not possess such certificates;
- (t) to review and monitor the human resource requirements of the construction industry and to facilitate the development of curricula for newly emerging trades;
- (u) to promote and facilitate local consultancy services pertaining to construction industry and the undertaking of consultancy services in other countries by local consulting firms;
- (v) to promote and facilitate locally registered contractors undertaking construction works in other countries;
- (w) to provide information, advisory on matters relating to the construction industry;
- (x) to promote and encourage the adoption and propagation of new technologies related to environmentally friendly, appropriate, cost efficient and affordable innovations;

- (y) to review and monitor any material, plant and machinery requirements of the construction industry and to encourage the development and use of local products in the construction works;
- (z) to undertake, promote and co-ordinate research in various branches of the construction industry and to conduct training programmes for the improvement of quality and productivity of the construction industry;
- (aa) to assist institutions concerned with the construction industry in the development of their activities;
- (bb) to promote the construction of any building where necessary in a manner that may facilitate the easy access and use of such buildings by any elderly or differently abled persons;
- (cc) to undertake or assist any other activity for the promotion of the construction industry;
- (dd) to maintain a national data base on construction industry;
- (ee) to recommend to the relevant authority to regulate the health and safety standards and the use of hazardous material in construction industry;
- (ff) to establish standards for technical auditing and monitoring of the construction and management processes and the outcome of construction works which include compliance with stipulated conditions and approved standards;
- (gg) to recommend to the Minister to declare any project or undertaking as an “identified construction work” for the purposes of this Act.

Powers of the
Authority.

14. The Authority shall have such powers, as are necessary or incidental to the discharge of its functions under this Act, and in particular —

- (a) to acquire in any manner and hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of, any movable or immovable property;
- (b) to appoint, employ, remunerate officers, servants and agents for the purposes of this Act and to exercise disciplinary control over such officers, servants and agents;
- (c) to enter into, and perform, directly or through any servant or agent authorized in that behalf, all such contracts as may be necessary for the discharge of the functions of the Authority;
- (d) to open, maintain and close accounts in any state owned bank or any other financial institution with the prior approval of the Ministry of Finance;
- (e) to borrow such sums of money as may be necessary for the purpose of discharging the functions of the Authority;
- (f) to accept and receive grants, donations and bequests, both movable and immovable from sources in or outside Sri Lanka and utilize them for the discharge of the functions of the Authority:

Provided that, the Authority shall obtain prior written approval of the Director-General of the External Resources of the Ministry of the Minister to whom the subject of Finance has been assigned, in respect of all foreign grants, donations and bequests;

- (g) to make rules for the administration of the affairs of the Authority;

- (h) to levy fees or charges on registration of service providers of Construction Industry and renewal of such registration or charges as may be prescribed for any service rendered by the Authority; and
- (i) to do all other acts and things which, from time to time, in the opinion of the Authority are necessary or incidental to the proper discharge of the functions of the Authority.

15. (1) There shall be appointed a Director-General by the Authority who shall possess experience and qualifications in the field of construction and management. The Director-General shall be deemed to be a public officer.

Director-General of the Authority.

(2) The Director-General shall, subject to the general direction and control of the Chairman of the Board, be responsible for the administration and control of the officers and servants of the Authority.

16. The Authority may appoint such officers and servants as it may consider necessary for the efficient exercise, discharge and performance of its powers, duties and functions under this Act and shall determine the remuneration payable to, and the conditions of service and disciplinary control over such officers and servants.

Staff of the Authority.

17. (1) At the request of the Authority any officer in the public service may, with the consent of that officer and the Secretary to the Public Service Commission, be temporarily appointed to the staff of the Authority for such period as may be determined by the Authority or with like consent, be permanently appointed to such staff.

Appointment of Public Officers.

(2) Where any officer in the public service is temporarily appointed to the staff of the Authority, 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 the public service is permanently appointed to the staff of the Authority, 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 the Authority employs any person who has entered into a contract with the Government by which he has agreed to serve the Government for a specified period, any period of service with the Authority by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

(5) At the request of the Authority any officer of a Provincial Public Service may with the consent of that officer and the relevant Provincial Public Service Commission, be temporarily appointed to the staff of the Authority for such period as may be determined by the Authority or with like consent be permanently appointed to such staff.

Appointment of committees for implementation of construction standards.

18. (1) The Authority shall appoint in consultation with relevant authorities, the following committees to formulate standards, rules and regulations in the Construction Industry:—

- (a) the Committee on Technical Standards, Rules and Regulations;
- (b) the Committee on Environmental and Public Health Standards;
- (c) the Committee on Ethical and Social Responsibility Standards.

(2) The members of such committees shall be selected by the Authority in consultation with relevant professional bodies and other social and environmental organizations.

PART IV

CONSTRUCTION INDUSTRY DEVELOPMENT FUND AND FUND
OF THE AUTHORITY

19. (1) There shall be established a Fund known as the Construction Industry Development Fund (in this Act referred to as the “Development Fund”).

Construction
Industry
Development
Fund.

(2) There shall be paid into the Development Fund—

- (a) all such sums of money as may be received by the Development Fund by way of loans, rent, donations, gifts or grants whether from foreign or local sources;
- (b) all such sums collected as the Construction Industry Development Levy.

(3) There shall be paid out of the Development Fund all such sums of money as are required to defray any expenditure incurred by the Development Fund in the exercise of the powers and discharge of the functions under this Act, subject to following guidelines:—

- (a) more than fifty percentum (50%) of the fund shall be reserved for the well-being of the small scale contractors and self-employed registered craftsmen;
- (b) not less than five percentum (5%) of the fund shall be reserved for research and publications in the field related to construction industry;
- (c) not less than five percentum (5%) of the fund shall be reserved for the purpose of rewarding and encouraging the inventions, applications and propagation of environmentally friendly and cost efficient construction technologies;

(d) such amount as determined by the Authority is required to arrange long term insurance with pension benefits, for craftsmen registered with the Authority who are not entitled to any other form of retirement benefits under any other law.

(4) (a) For the purposes of this section, the Minister to whom the subject of Construction is assigned shall impose a levy of cess to be called the “Construction Industry Development Levy”. The rate of the cess to be so levied shall be as determined by the Minister to whom the subject of Construction is assigned with the concurrence of the Minister incharge of the subject of Finance as a percentage of construction cost of projects. Every such rate as determined shall be tabled in the Parliament for its approval.

(b) The Minister shall by Order published in the *Gazette* specify, from time to time, the rate of cess as determined under paragraph (a) of this subsection. Any Order made under this paragraph shall come into operation on the day of such publication in the *Gazette*.

(c) The Levy imposed under this section shall be collected by the Director-General of Construction Industry Development Authority and shall be credited to the Construction Industry Development Fund.

The management and administration of the Development Fund.

20. (1) The management and administration of the affairs of the Development Fund shall be vested with National Advisory Council on Construction.

(2) The Minister may make regulations specifying the manner in which the Development Fund should be administrated subject to paragraphs (a), (b), (c) and (d) of subsection (3) of section 19.

Audit of accounts.

21. The provisions of Article 154 of the Constitution relating to audit of accounts of public corporations shall apply to the audit of the accounts of the Development Fund.

22. The provisions of Part II of the Finance Act, No. 38 of 1971 shall *mutatis mutandis* apply to the financial control of the Development Fund. Application of Finance Act, No. 38 of 1971.

23. (1) The Authority shall have its own Fund (in this Act referred to as the “Fund of the Authority”). Fund of the Authority.

(2) There shall be paid into the Fund of the Authority—

(a) all such sums of money as may be voted, from time to time, by the Parliament for the use of the Authority including such sums of money needed to defray the salaries and other emoluments of the staff of the Authority;

(b) all such sums of money as may be received by the Authority in the exercise, discharge and performance of its powers, functions and duties; and

(c) all such sums of money as may be received by the Authority by way of loans, rents, donations, gifts, grants or levies and sale of assets.

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

24. The provisions of Article 154 of the Constitution relating to audit of accounts of public corporations shall apply to the audit of the accounts of the Fund of the Authority. Audit of accounts.

25. The provisions of Part II of the Finance Act, No. 38 of 1971 shall *mutatis mutandis* apply to the financial control of the Authority. Application of provisions of the Finance Act, No. 38 of 1971.

PART V

QUALIFIED PERSONS

Register of
Qualified
Persons.

26. (1) The Authority shall maintain a Register of persons recommended by the Credential Committee as being qualified persons (hereinafter referred to as the “Register of Qualified Persons”) in the following disciplines:—

- (a) Engineering, in consultation with the Institute of Engineers, Sri Lanka established under the Institution of Engineers, Ceylon Act, No. 17 of 1968;
- (b) Architecture, in consultation with the Sri Lanka Institute of Architects and Architects Registration Board established under the Sri Lanka Institute of Architects Law, No. 1 of 1976;
- (c) Quantity Surveying, in consultation with the Institute of Quantity Surveyors, Sri Lanka established under the Institute of Quantity Surveyors, Sri Lanka (Incorporation) Act, No. 20 of 2007;
- (d) Environmental and Public Health Engineering, in consultation with relevant professional and academic bodies; and
- (e) any other discipline not specified under paragraphs (a), (b), (c) and (d) but relating to the disciplines specified in paragraphs (a), (b), (c) and (d) and which shall be as prescribed from time to time, on the recommendation of the relevant academic or professional bodies or any board of registration relating to construction industry established by an Act of Parliament.

(2) (a) The Minister shall, in consultation with any relevant professional or academic body or any board of registration established by an Act of Parliament, as the case may be, prescribe the criteria for registration of persons who are not members of any professional body or persons who

are not registered with any board of registration relating to construction industry established by an Act of Parliament, as specified in paragraphs (a), (b) or (c) of subsection (1) and persons belonging to the disciplines specified in paragraphs (d) and (e) of subsection (1).

(b) Any person who is a member of a professional body or a person registered under any board of registration relating to construction industry established by an Act of Parliament as specified in paragraph (a), (b) or (c) of subsection (1) shall be a qualified person specified in paragraphs (a), (b) or (c) of subsection (1) and shall be exempted from the criteria for registration under this section.

(3) Any Person who wishes to register himself as a qualified person shall apply to the Authority in that behalf. The Authority on receipt of such application shall—

- (a) in the case of an application received from any professional body or board of registration relating to construction industry established by an Act of Parliament, on behalf of a person who is a member of such professional body or a person of such board of registration as specified in paragraphs (a), (b) or (c) of subsection (1), register such person as a Qualified Person under this Act and cause the names of such persons to be included in the Register of Qualified Persons;
- (b) in the case of an application received from a person who is not a member of any professional body or a person who is not registered under any board of registration relating to construction industry established by an Act of Parliament, as specified in paragraphs (a), (b) or (c) of subsection (1) and any person belonging to the disciplines specified in paragraphs (d) and (e) of subsection (1), refer such application to the Credential Committee for its recommendation.

(4) The Authority shall on the basis of the recommendation made to it by the Credential Committee

under subsection (3), appoint such persons so recommended as “qualified persons” and cause the names of such persons to be included in the Register of Qualified Persons.

(5) The procedure for registration of qualified persons and renewal of such registration shall be as prescribed and a registration number shall be issued to each such qualified person upon the name of such person being entered in the Register of Qualified Persons. Such Register shall be available for inspection by any person free of charge at the office of the Authority during office hours.

Credential
Committee and
its functions.

27. (1) The Authority shall appoint a Credential Committee which shall consist of not more than fifteen members out of whom, two members each shall be nominated by the relevant academic and professional bodies and any board of registration relating to construction industry established by an Act of Parliament, as specified in paragraphs (a), (b), (c) and (d) of subsection (1) of section 26 and Society of Structural Engineers — Sri Lanka established under the Society of Structural Engineers — Sri Lanka (Incorporation) Act, No. 40 of 2009.

(2) The function of such Credential Committee shall be to identify and categorize professional and vocational disciplines, minimum qualifications and experience required for registration of construction manpower including qualified persons under this Act, mode of practice of such disciplines and to recommend to the Authority the persons who may be registered as Qualified Persons under this Act.

Only qualified
persons to
engage in
identified
construction
works.

28. No person other than a qualified person shall be appointed for the purpose of, or engage in the carrying out of, designing, and preparation of required contract documentation and supervision of any identified construction work.

Records to be
maintained.

29. The Authority shall maintain records on the identified construction works.

30. Every qualified person shall adhere to the standards of design and documentation maintained by respective body or board of registration or organization and where such standards are not maintained by any body or board of registration or organization, the qualified persons who are members of such body or organization or persons registered under such board of registration shall adhere to the standards of the Authority as shall be prescribed, from time to time, in respect of identified construction works.

Qualified persons to adhere to standards.

31. Notwithstanding anything contained in any other law, no local authority shall entertain any application for building approval for any identified construction works unless the architectural, structural, electrical and water supply, sewerage and other designs and services relating to such construction are carried out by a qualified person.

Local authority approval for identified construction works.

32. (1) Any complaint against a qualified person relating to—

Conduct of investigations against qualified persons.

- (a) any professional negligence, lack of competency or violation of ethical and social standards;
- (b) moral turpitude, malpractice, fraud or dishonesty;
- (c) breach of any terms and conditions where his registration has been granted subject to any terms and conditions,

may be made to the Authority.

(2) Where the qualified person against whom any complaint has been made under subsection (1), is a member of any professional body or a person registered under any board of registration relating to construction industry established by an Act of Parliament, specified in paragraphs (a), (b) or (c) of subsection (1) of section 26, the Authority shall refer such complaint to the relevant professional body or any board of registration in the construction industry established by an Act of Parliament.

(3) On receipt of a complaint by the relevant professional body or any board of registration relating to construction industry established by an Act of Parliament, it shall carry out an investigation in respect of the matters referred to it under subsection (2). The findings in respect thereof shall be forwarded to the Authority as expeditious as possible and effect necessary disciplinary proceedings and report back to the Authority.

(4) Where no recommendation is made by the relevant professional body or any board of registration relating to the construction industry established by an Act of Parliament, under subsection (3), the Authority shall investigate into such matter and take necessary action.

(5) Any complaint against any qualified person who is not a member of any professional body or a person registered under any board of registration relating to the construction industry established by an Act of Parliament, shall be investigated by the Authority in keeping with the disciplinary procedure of the Authority as shall be prescribed.

Engagement of
foreign
consultants.

33. (1) Any person requiring to engage a foreign consultant as a qualified person in any identified construction work shall apply to the Authority for a provisional registration.

(2) Every foreign consultant shall, prior to being engaged in any identified construction work as a qualified person in Sri Lanka, apply to the Authority for a provisional registration as a qualified person which shall be subject to yearly renewal on the condition that the registration is linked to an approved project. The procedure for such registration shall be as prescribed.

(3) Any person who performs as a qualified person to carry out any identified construction work without obtaining a certificate of registration issued by the Authority shall be guilty of an offence under this Act.

(4) The provisions of this section shall not apply to any foreign consultant who engages in any identified construction work under any project of the Government of Sri Lanka. However the Authority may obtain from the institutions which employ foreign consultants, any particulars that may be required for the purpose of section 55 of this Act and such institutions shall comply with any request made by the Authority under this section.

PART VI

REGISTRATION OF CONTRACTORS, PROPERTY DEVELOPERS &C.

34. The Authority shall maintain a Register of Contractors in the manner and form as may be determined by the Authority by rules made by the Authority in that behalf (hereinafter referred to as the “Register of Contractors”) which shall be available free of charge for inspection at the office of the Authority by any person during office hours.

Register of Contractors.

35. (1) An application for registration as a contractor shall be made to the Authority. The manner of registration and fees shall be as prescribed.

Procedure for registration of contractors and renewal of registration.

(2) The Authority shall, in consultation with the relevant professional bodies and contractors’ associations appoint a committee to consider the applications for registration of persons as contractors. Criteria for such registration shall be as prescribed and shall include specific provisions relating to cost effective innovative technologies in order to accommodate the potentials of the contractors registered with the National Engineering Research and Development Centre.

(3) Where any person is registered as a contractor, the Authority shall issue to such person a Registration Number and a Certificate of Registration.

(4) The Certificate of Registration issued under this section shall be valid for the period specified in such Certificate and may be renewed on application made in that behalf and upon payment of the prescribed renewal fee.

Suspension or
cancellation of a
Certificate of
Registration.

36. (1) The Authority shall, where it receives any complaint against a contractor, refer such complaint to a disciplinary committee comprising eminent persons appointed by the Minister, which shall investigate and make recommendations in respect thereof to the Authority. The guidelines for disciplinary procedure shall be as prescribed.

(2) The disciplinary committee appointed under this section shall in making its recommendations to the Authority take the following matters into consideration—

- (a) Whether the contractor against whom the complaint has been made is found guilty of any professional negligence, lack of competency, moral turpitude, malpractice, fraud or dishonesty;
- (b) Whether the contractor against whom the complaint has been made is in breach of his contractual obligations as a contractor;
- (c) Whether the contractor against whom the complaint has been made is in breach of any terms and conditions subject to which such Certificate of Registration has been issued;
- (d) Whether the contractor against whom the complaint has been made has obtained registration as a contractor by fraud or misrepresentation; or
- (e) Whether the contractor against whom the complaint has been made has contravened or failed to comply with the provisions of this Act or any regulation made thereunder.

(3) The Authority may upon receipt of such recommendations made by the disciplinary committee under this section suspend or cancel a Certificate of Registration issued under this Act.

37. A person who is aggrieved by—

Appeals against refusal to register a contractor &c.

- (a) the refusal to register any contractor under this Act; or
- (b) the refusal to renew any Certificate of Registration issued to any contractor; or
- (c) the suspension or cancellation of a Certificate of Registration issued under this Act,

may within thirty days from the date of communication of such refusal, suspension or cancellation, as the case may be, appeal to the Appeals Board established by section 53 against such refusal, suspension or cancellation.

38. (1) Every identified construction work shall be carried out by a registered contractor according to the procedures and standards as may be prescribed for such purpose.

Employment of registered contractors in identified construction works.

(2) Any person who undertakes to carry out or carries out any identified construction works without obtaining a Certificate of Registration issued by the Authority shall be guilty of an offence under this Act.

39. (1) Every foreign contractor prior to engaging in any identified construction work in Sri Lanka shall obtain a temporary registration as a contractor. The procedure for registration and renewal of such registration shall be as prescribed.

Registration and employment of foreign contractors.

(2) No person shall engage a foreign contractor in any identified construction works unless such contractor is registered with the Authority under this section.

(3) The preceding provisions of this section shall not apply to a foreign contractor who has entered into an agreement with the Government of Sri Lanka to engage in any identified construction work. However the Authority may obtain from the institutions which employ such foreign contractors, any particulars that may be required for the purpose of section 55 of this Act and such institutions shall comply with any request made by the Authority under this section.

Monitoring of
contractors.

40. The Authority shall by rules made by the Authority in that behalf establish a monitoring system for the monitoring of contractors registered under this Act.

Register of
Property
Developers

41. The Authority shall maintain a Register of Property Developers which shall be available free of charge for inspection at the office of the Authority by any person during office hours.

Procedure for
registration of
property
developers and
renewal of
registration.

42. (1) An application for registration as a property developer shall be made to the Authority. The manner of registration and fees shall be as prescribed.

(2) The Authority shall, in consultation with the relevant professional bodies and property developers' associations appoint a committee to consider the applications for registration of persons as property developers. Criteria for such registration shall be as prescribed.

Directory of
importers,
manufactures,
and suppliers of
construction
materials and
components.

43. The Authority shall maintain a Directory of importers, manufacturers and suppliers of construction materials and construction components in the manner as may be determined by the rules made by the Authority. Such Directory shall be available free of charge for inspection at the office of the Authority by any person during office hours.

Directory of
heavy
construction
machinery and
equipment.

44. The Authority shall maintain a Directory of specified heavy construction machinery and equipment available in the manner as may be determined by the rules made by the Authority. Such Directory shall be available free of charge for inspection at the office of the Authority by any person during office hours.

PART VII

TECHNICAL AUDITING

45. (1) The Authority shall carry out technical auditing of any identified construction work if requested to do so by the owner of such construction work or any Government organization. Technical Auditing.

(2) The procedure and rates for the levying of fees in respect of such technical auditing shall be as prescribed.

(3) For the purposes of this Act, “Technical Auditing” means the inspection of identified construction works, which include construction process and management process as well as the final product and examination of contract documents and documents pertaining to payments requested to be made on contracts, in order to verify—

- (a) the compliance of the documentation relating to identified construction works which are prepared in compliance with the requirements of this Act;
- (b) the execution of identified construction works in conformity with the provisions of the contract and the provisions of this Act;
- (c) the compliance by parties referred to in the contract, with their respective obligations under the contract; and
- (d) the compliance with the basic public health, occupational health and environmental standards and technical standards which include efficient resource and energy utilization standards.

(4) The Authority shall register and maintain a register of quality management auditors for the purpose of carrying out technical auditing. The procedure for registration and the qualifications required of such auditors shall be as determined by the rules made by the Authority.

PART VIII

STANDARD DOCUMENTS AND HUMAN RESOURCE DEVELOPMENT

Standard documents specified by the Authority to be used.

46. Any party that engages a qualified person as a consultant or a registered contractor in any identified construction work shall use the standard documents specified for the purpose by the Authority.

Human resource development.

47. The Authority shall—

- (a) develop strategies to meet the future demands for qualified construction personnel, through training;
- (b) facilitate the conduct or conduct training programmes for quality and productivity improvement;
- (c) facilitate the development of national standards on skills and national trade tests;
- (d) facilitate the development of curricula for the newly emerging trades;
- (e) establish a scheme for the exchange of information relating to construction training;
- (f) conduct surveys related to training, manpower needs and related matters;
- (g) facilitate the improvement of social recognition and standard of the construction personnel;
- (h) facilitate the development of a career path for construction personnel to enhance the human resource requirements of the construction industry;

- (i) develop contract documents and implementing strategies to support registered craftsmen and small scale contractors who enter into individual contracts with clients without the involvement of qualified persons; and
- (j) facilitate translations of contract documentation into Sinhala and Tamil languages.

48. (1) Any person who possesses any skill in any craft as may be determined by the rules made by the Authority, from time to time, may apply to the Authority for the issuance of an Identity Card. Skilled persons.

(2) The Authority may, considering the competency and capacity of such applicant issue an Identity Card (hereinafter referred to as a "Craft Identity Card") to such person in the form and manner determined by the rules made by the Authority with an identification number specifying the category and grade of such craft identity card holder.

(3) No person other than a craft identity card holder shall be engaged independently in any identified construction work unless under the supervision of a craft identity card holder on the relevant craft.

(4) Any person producing a forged or false craft identity card to any other person or having in possession such forged or false craft identity card or similar document shall be guilty of an offence under this Act.

(5) Any craft identity card holder shall be entitled to display conspicuously in his place of work a board bearing the description "Registered Craftsman" or "Registered Master Craftsman", as the case may be.

(6) The conditions relating to the issue of craft identity cards and the Code of Conduct for such craft identity card holders shall be as prescribed.

(7) The Authority shall not grant approval for the engagement of any foreign craftsman in any identified construction work if the required skills in any required area are locally available.

(8) The Authority may subject to the approval of the Cabinet of Ministers arrange any long term insurance policy or any pension scheme with the utilization of the Development Fund for the craftsmen who are registered under this Act.

(9) The Authority shall maintain a register of craft identity card holders in the form and manner as may be determined by the rules made by the Authority. Such register shall be available for inspection free of charge at the office of the Authority.

Registration of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and other professionals in the construction industry.

49. (1) The Authority shall maintain a Register of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and other professionals in the construction industry as shall be prescribed and which shall be available for inspection free of charge at the office of the Authority.

(2) The registration of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and other professionals in the construction industry shall be done according to different skills and qualifications, and the procedure for registration and renewal of such registration shall be determined by the Authority in accordance with the rules made by the Authority.

PART IX

SETTLEMENT OF DISPUTES

Settlement of disputes through conciliation or mediation by the Authority.

50. If the parties so desire any dispute relating to a contract for construction works, if it is not provided for in the contract, may be settled through conciliation or mediation by the Authority.

51. (1) A party to any contract relating to an identified construction work, if unable to settle any dispute by conciliation or mediation by the Authority, may refer such dispute for adjudication.

Right to refer for adjudication.

(2) The procedure for adjudication of any dispute under this section shall be as prescribed.

For the purpose of this section, “dispute” includes any difference of opinion between the parties to an identified construction work.

52. (1) The Authority shall maintain a Register of Adjudicators who are competent to adjudicate disputes relating to any contract of construction works in the form and manner as may be determined by the rules made by the Authority. The Register of Adjudicators shall be available for inspection free of charge at the office of the Authority.

Register of Adjudicators.

(2) The procedure for registration of such adjudicators and renewal of such registration shall be done according to the procedure as may be prescribed.

PART X

APPEALS BOARD

53. (1) There shall be established for the purpose of this Act, an Appeals Board consisting of not more than seven members who shall be appointed by the Minister upon the recommendation of the Authority. All members of the Appeals Board shall be qualified persons as specified in this Act with not less than twenty years of experience in the field of construction.

Establishment of Appeals Board.

(2) Any person who is aggrieved by a decision of the Authority made under this Act may appeal to the Appeals Board in the manner as shall be prescribed.

(3) Members of the Appeals Board may hold office for a term of three years and shall be eligible for re-appointment.

(4) The provisions of subsection (2) of section 5 shall *mutatis mutandis* apply to appointment of members to the Appeals Board.

(5) There shall be a Secretary to the Appeals Board who shall be appointed by the members of the Appeals Board from amongst its members.

(6) The members of the Appeals Board shall be remunerated in such manner as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

(7) Subject to the provisions of this Act, the Appeals Board may regulate its own procedure at its meetings and the transaction of business thereat.

Hearing and
determination of
appeals.

54. (1) Every appeal made to the Appeals Board shall—

- (a) be in the prescribed form and accompanied by a copy of the decision appealed against;
- (b) set out precisely the grounds of appeal; and
- (c) be delivered to the Secretary of the Appeals Board within thirty days from the date of the decision of the Authority.

(2) An appeal shall be heard by not less than three members of the Appeals Board.

(3) On receipt of an appeal, the Secretary of the Appeals Board shall fix a date, time and place for the hearing of such appeal, and shall give fourteen days notice thereof to the appellant and to the Authority.

(4) Every appellant may appear before the Appeals Board in person or with an authorized representative.

(5) After the hearing of an appeal the Appeals Board shall give its decision within two months from the date on which such appeal was received by the Appeals Board and may confirm, vary or reverse the decision appealed against.

(6) The decision of the Appeals Board and the reasons therefor shall be notified in writing to the appellant and the Authority.

(7) Any person aggrieved by the decision of the Appeals Board in respect of any appeal made under subsection (1) may appeal against such decision to the Court of Appeal within thirty days from the date on which the decision and the reasons therefor were notified to the appellant.

PART XI

COLLECTION, PROCESSING AND DISTRIBUTION OF INFORMATION IN THE CONSTRUCTION INDUSTRY

55. (1) The Authority shall be responsible for the maintenance of a National Data Base in the construction industry for which a dedicated information secretariat (hereinafter referred to as the “information secretariat”) shall be established within the Authority.

Authority to maintain a National Data Base for the construction industry.

(2) The functions, procedures and performance standards required of the information secretariat shall be as prescribed.

(3) The Authority shall have the power to instruct and request for information as follows :-

- (a) from all State and private banks, in respect of the total financial facilities granted annually to any project or persons for any construction as may be determined by the Authority. Provided that, the projects and persons involved in such construction works may not be disclosed;

- (b) from the National Housing Development Authority established under the National Housing Development Authority Act, No. 17 of 1979 in respect of the number of loans and grants issued for construction purposes. Provided that, the projects and the names of the beneficiaries of such loans or grants may not be disclosed;
- (c) from the Sri Lanka Customs, in respect of information relating to the amounts and values of all the imports and exports of construction material;
- (d) from the Geological Survey and Mines Bureau established under the Mines and Mineral Act, No. 32 of 1992 in respect of the statistics relating to river sand and sea sand supplied to the market by license holders for sand mining;
- (e) from all government and semi-government agencies engaged in contracting or direct construction of construction works, any particulars in respect of any construction work as required by the Authority in a specified format;
- (f) from all qualified persons, registered contractors and property developers, details in respect of any construction work completed;
- (g) from the Director-General of Vocational Training, details in respect of training programmes and outcome of such training programmes related to construction industry;
- (h) from all government and voluntary organizations which provide small and medium scale housing loans and grants in respect of the number and amount of such loans and grants. Provided that, the beneficiaries of such loans or grants may not be disclosed; and

- (i) from all local government authorities and all the statutory bodies that grant permits and licenses for construction works, in respect of any details of construction works as may be determined by the Authority by the rules made by the Authority.

(4) Any person who fails to comply with any request for information in terms of subsection (1) shall notwithstanding anything contained in any other law be guilty of an offence under this Act.

(5) The Authority shall be responsible for the publication of annual reports on the construction industry in the country and dissemination of information to government and private institutions and individuals on written requests made to the Authority. The Authority shall charge such fees as may be determined for the performance of this service.

(6) The Authority shall at all times maintain confidentiality as regard the information made available to it under this section, other than if disclosure is required in terms of any written law for the time being in force, and shall not make public, or provide to any other government or private institution, any information that would lead to identification of individual contractors, manufacturers or suppliers and information relating to their individual financial standings.

PART XII

GENERAL

- 56.** (1) Any person who— Offences.
- (a) contravenes, or fails to comply with, any provision of this Act or any regulation made thereunder; or
 - (b) being a member, officer or servant of the Authority discloses any information obtained by him in the exercise of his powers or the performance of his

duties under this Act to any person for any purpose other than the purposes for which he is authorized to disclose information by this Act,

shall be guilty of an offence under this Act.

(2) Any person who commits an offence under this Act, shall upon conviction after summary trial before a Magistrate, be liable to a fine not exceeding rupees one hundred thousand or to imprisonment for a period not exceeding two years or to both such fine and imprisonment.

(3) Where an offence under this Act is committed by a body of persons, then—

- (a) if that body of persons is a body corporate, every director and officer of that body corporate; or
- (b) if that body of persons is a firm, every partner of that firm,

shall be guilty of an offence under this Act:

Provided however, that a director or officer of such body corporate or a partner of such firm shall not be deemed to be guilty of such offence if it is proved to the satisfaction of the court that he exercised all due diligence to prevent the commission of such offence.

Rules. **57.** (1) The Authority may make rules in respect of all matters for which rules are required or authorized to be made under this Act.

(2) Every rule made by the Authority shall be published in the *Gazette*.

Regulations. **58.** (1) The Minister may make regulations in respect of any matter required by this Act to be prescribed or in respect of any matter which regulations are required or authorized by this Act to be made.

(2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of its publication or on a later date as may be specified in such regulation.

(3) Every regulation made by the Minister shall, within six months after it is published in the *Gazette*, be brought before Parliament for approval. Any regulation which is not so approved by the Parliament shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

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

59. (1) The Authority may subject to such conditions as may be specified in writing, delegate to any officer of the Authority any of the powers conferred on it by this Act or by any regulation made thereunder.

Delegation of powers.

(2) Notwithstanding any such delegation, the Authority may continue to exercise any such power so delegated.

60. (1) The Authority or any officer authorized in writing in that behalf by the Authority shall, on receipt of any complaint by any person in respect of an identified construction work, have the power on reasonable grounds and production, if so required his credentials, to enter at all reasonable hours of the day any premises where identified construction work is being carried out or any completed identified construction work, for the purpose of conducting any survey, examination or investigation in respect of such identified construction work.

Power to enter any land or premises.

(2) Where the owner or occupier of that identified construction work unfairly refuses the conducting of such survey, examination or investigation by the Authority under subsection (1), the Authority may obtain from a Magistrate's Court a search warrant for the purpose of entering such land or premises and exercise all or any of the powers conferred upon the Authority by such search warrant.

Resisting or obstructing the Authority &c.

61. (1) No person in charge of any land or premises specified in section 60 shall knowingly or willfully resist or obstruct any officer or servant of the Authority in the lawful performance and discharge of his duties or functions under section 60.

(2) Any person who acts in contravention of the provisions of subsection (1) of this section shall be guilty of an offence under this Act.

Members, officers and servants of the Authority deemed to be public servants.

62. All members, officers and servants of the Authority shall be deemed to be public servants within the meaning and for the purpose of the Penal Code (Chapter 19).

Scheduled Institution within the meaning of the Bribery Act.

63. The Authority shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

Expenses incurred in any suit or prosecution.

64. (1) Any expense incurred by the Authority in any suit or prosecution brought by or against the Authority before any court shall be paid out of the Fund of the Authority, and any costs paid to, or recovered by the Authority in any such suit or prosecution shall be credited to the Fund of the Authority.

(2) Any expenses incurred by any member, officer or any servant of the Authority in any suit or prosecution brought by or against such person before any court in respect of any act or omission which is done or purported to be done by such person in good faith for the purpose of carrying out the provisions of this Act shall, if the court holds that such act or omission was done in good faith, be paid out of the fund of the Authority unless such expenses are recovered by him in such suit or prosecution.

Repeals and Savings.

65. (1) The *Gazette* Extraordinary No. 718/15 of June 10, 1992 issued under the State Industrial Corporations Act, No. 49 of 1957 shall be deemed to be rescinded from such date as the Minister shall specify by Order published in the *Gazette*.

(2) All employees of the Institute for Construction Training and Development established by *Gazette* Extraordinary No. 718/15 of June 10, 1992 issued under the State Industrial Corporations Act, No. 49 of 1957, on the day immediately preceding the day specified in the Order under subsection (1), who have not reached their respective ages of retirement, shall on the appointed date, be offered employment in the Authority, on terms and conditions no less favorable to the terms and conditions of employment applicable to them on the day immediately preceding the day specified in the aforesaid Order.

(3) Any employee referred to in subsection (2), who wishes to opt out of service in the Authority may do so within three months from the date on which he was notified of the available offer of serving in the Authority. If any such employee as referred to in subsection (2) exercises his option not to accept the offer, he shall be paid compensation under a voluntary retirement scheme to be implemented in that behalf, with the approval of the Cabinet of Ministers.

(4) Notwithstanding the rescission of the aforementioned Order—

- (a) all movable and immovable property of the Institute for Construction Training and Development shall, from the date specified in the Order made under subsection (1), vest in the Authority;
- (b) all contracts and agreements entered into by or with the Institute for Construction Training and Development and subsisting on the day immediately preceding the date specified in the Order made under subsection (1), shall be deemed to be contracts and agreements entered into, by or with the Authority;
- (c) all suits, actions and other legal proceedings instituted by or against the Institute for Construction Training and Development and pending on the day immediately preceding the date

specified in the Order made under subsection (1), shall with effect from the date specified in the aforesaid Order be deemed to be suits, actions and other proceedings instituted by, or against the Authority;

- (d) all rights, liabilities and obligations of the Institute for Construction Training and Development subsisting on the day immediately preceding the date specified in the aforesaid Order, shall with effect from the date specified in the aforesaid Order be deemed to be the rights, liabilities and obligations of the Authority;
- (e) every decree, Order or judgment entered in favour of or against the Institute for Construction Training and Development by any competent court and remaining unsatisfied on the day specified in the aforesaid Order, shall with effect from such date be deemed to be a decree, Order or judgement enacted in favour of or against the Authority and may enforce accordingly.

(5) All books, accounts and documents relating to any property of the Institute for Construction Training and Development and publications and registers of the Institute for Construction Training and Development shall remain in force and effectual and be deemed to be publications and registers of the Authority.

Sinhala text to prevail in case of inconsistency.

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

Interpretation.

67. In this Act unless the context otherwise requires—

“construction work” means, operations of any of the following descriptions—

- (a) construction, alteration, repair, maintenance, extension, demolition or dismantling of buildings, or structures forming, or to form part of the land (whether permanent or not);

- (b) construction, alteration, repair, maintenance, extension, demolition or dismantling of any works forming, or to form, part of the land, including (without prejudice to the foregoing) walls;
- (c) installation in any building or structure of fittings forming part of the land, including (without prejudice to the foregoing) systems of heating, lighting, air-conditioning, ventilation, power supply, drainage, sanitation, water supply or fire protection or security or communication systems;
- (d) external or internal cleaning of buildings and structures, so far as carried out in the course of the construction, alteration, repair, extension or restoration;
- (e) operations which form an integral part of, or are preparatory to, or are for rendering complete, such operations as are previously described in this section, including site clearance, earthmoving, excavation, tunneling and boring, laying of foundations, erection, maintenance or dismantling of scaffolding, site restoration, landscaping and the provision of roadways and other access works;
- (f) painting or decorating the internal or external surfaces of any building or structure;

“construction contract” means an agreement with a person or entity for any of the following:—

- (a) the carrying out of construction work;
- (b) arranging for the carrying out of construction work by others, whether under sub-contract or otherwise to such person or entity, as the case may be;

- (c) providing his own labour or labour owned by the entity or the labour of others, for carrying out of construction work;

“contractor” means any person or entity executing construction works under a construction contract;

“constructor” means any person who undertakes, whether exclusively or in conjunction with any other business to carry out any construction work on his own account or for or on behalf of another person;

“consultant” means any qualified person or entity providing consultancy services under an agreement for construction work;

“documentation” means preparation of tender and bidding documents including bills of quantities, contract documents, drawings and specifications and any document pertaining to tenders or contracts;

“externally funded projects” shall include any project funded by any donor agency or lending agency or any foreign government through the External Resources Department of the General Treasury;

“identified construction works” means—

- (a) all buildings, structures, or any building or structure or landscape which consists of facilities and amenities for public use exceeding in value rupees ten million or such higher value as may be prescribed by the Minister, from time to time; and
- (b) all buildings, structures or landscapes which need approval of environmental, geological and cultural heritage regulatory bodies.

Any private residential building constructed for the personal use of any private owner shall be excluded from the definition of the expression “identified construction works”;

“completed identified construction works” means any identified construction work for which a certificate of completion or taking over certificate has been issued;

“Minister” means the Minister in charge of the subject of Construction;

“property developer” means an entrepreneur who promotes any project in the construction industry, specially in the housing sector which are either physically or conceptually developed by the gain of inputs of lands, land ownership, financing, marketing or any other required expertise;

“qualified person” is a person who is competent in carrying out designing, preparation of required contract documents and supervision of any identified construction works, whose name is included in the Register of Qualified Persons;

“supervision” means to ensure that the engineering and architectural concepts and judgments incorporated in the design are properly adhered to in any construction work.

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

**MUNICIPAL COUNCILS (AMENDMENT)
ACT, No. 34 OF 2014**

[Certified on 23rd October, 2014]

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*Municipal Councils (Amendment)
Act, No. 34 of 2014*

[Certified on 23rd October, 2014]

L.D.—O. 03/2014.

AN ACT TO AMEND THE MUNICIPAL COUNCILS ORDINANCE
(CHAPTER 252)

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

1. This Act may be cited as the Municipal Councils
(Amendment) Act, No. 34 of 2014 and shall come into
operation on such date as the Minister may appoint by Order
Published in the *Gazette*.

Short title and
date of
operation.

2. The following new section is hereby inserted
immediately after section 215A of the Municipal Councils
Ordinance (Chapter 252) and shall have effect as section
215B of that Ordinance :—

Insertion of
new section
215B in the
Municipal
Councils
Ordinance
(Chapter 252).

“Transitional
provision.

215B. The provisions of the proviso to
section 215A of the Municipal Councils
Ordinance as amended by the Local
Authorities (Special Provisions) Act, No. 21 of
2012 shall not be applicable to any budget or
supplementary budget to be submitted to a
Municipal Council constituted in terms of the
results of elections held prior to the date of
coming into operation of Local Authorities
(Special Provisions) Act, No. 21 of 2012 and
Local Authorities Elections (Amendment) Act,
No. 22 of 2012 respectively.”.

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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**URBAN COUNCILS (AMENDMENT)
ACT, No. 35 OF 2014**

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Urban Councils (Amendment)
Act, No. 35 of 2014

[Certified on 23rd October, 2014]

L.D.—O. 03/2014.

AN ACT TO AMEND THE URBAN COUNCILS ORDINANCE
(CHAPTER 255)

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

1. This Act may be cited as the Urban Councils (Amendment) Act, No. 35 of 2014 and shall come into operation on such date as the Minister may appoint by Order Published in the *Gazette*.

Short title and date of operation.

2. The following new section is hereby inserted immediately after section 178A of the Urban Councils Ordinance (Chapter 255) and shall have effect as section 178B of that Ordinance :—

Insertion of new section 178B in the Urban Councils Ordinance (Chapter 255).

“Transitional provision. 178B. The provisions of the proviso to section 178A of the Urban Councils Ordinance as amended by the Local Authorities (Special Provisions) Act, No. 21 of 2012 shall not be applicable to any budget or supplementary budget to be submitted to an Urban Council constituted in terms of elections held prior to the date of coming into operation of Local Authorities (Special Provisions) Act, No. 21 of 2012 and Local Authorities Elections (Amendment) Act, No. 22 of 2012 respectively.”.

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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**PRADESHIYA SABHA (AMENDMENT)
ACT, No. 36 OF 2014**

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Pradeshiya Sabha (Amendment)
Act, No. 36 of 2014

[Certified on 23rd October, 2014]

L.D.—O. 03/2014.

AN ACT TO AMEND THE PRADESHIYA SABHA ACT, NO. 15 OF 1987

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

1. This Act may be cited as the Pradeshiya Sabha (Amendment) Act, No. 36 of 2014 and shall come into operation on such date as the Minister may appoint by Order Published in the *Gazette*.

Short title and date of operation.

2. The following new section is hereby inserted immediately after section 169 of the Pradeshiya Sabha Act, No.15 of 1987 and shall have effect as section 169A of that Act:—

Insertion of new section 169A in the Pradeshiya Sabha Act, No. 15 of 1987.

“Transitional Provision 169A. The provisions of the proviso to section 169 of the Pradeshiya Sabha Act as amended by the Local Authorities (Special Provisions) Act, No. 21 of 2012 shall not be applicable to any budget or supplementary budget to be submitted to a Pradeshiya Sabha constituted in terms of the results of the elections held prior to the date of coming into operation of Local Authorities (Special Provisions) Act, No. 21 of 2012 and Local Authorities Elections (Amendment) Act, No. 22 of 2012 respectively.”.

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 FILLING OF
VACANCIES (SPECIAL PROVISIONS)
(AMENDMENT) ACT, No. 37 OF 2014**

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*Local Authorities Filling of Vacancies
(Special Provisions) (Amendment)
Act, No. 37 of 2014*

[Certified on 23rd October, 2014]

L.D.—O. 3/2014

AN ACT TO AMEND THE LOCAL AUTHORITIES FILLING OF VACANCIES
(SPECIAL PROVISIONS) ACT, NO. 30 OF 2013

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

- | | |
|--|---|
| <p>1. This Act may be cited as the Local Authorities Filling of Vacancies (Special Provisions) (Amendment) Act, No. 37 of 2014 and shall come into operation on such date as the Minister may appoint by Order published in the <i>Gazette</i>.</p> | <p>Short title and date of operation.</p> |
| <p>2. Section 2 of the Local Authorities Filling of Vacancies (Special Provisions) Act, No. 30 of 2013 is hereby amended by the repeal of the proviso to that section.</p> | <p>Amendment of section 2 of the Local Authorities Filling of Vacancies (Special Provisions) Act, No. 30 of 2013.</p> |
| <p>3. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, Sinhala text shall prevail.</p> | <p>Sinhala text to prevail in case of inconsistency.</p> |

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**PARLIAMENT OF THE DEMOCRATIC
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**LAND (RESTRICTIONS ON ALIENATION)
ACT, No. 38 OF 2014**

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*Land (Restrictions on Alienation)
Act, No. 38 of 2014*

[Certified on 29th October, 2014]

L.D.—O. 23/2013.

AN ACT TO MAKE PROVISIONS TO STIPULATE RESTRICTIONS ON THE ALIENATION OF LANDS IN SRI LANKA TO FOREIGNERS, FOREIGN COMPANIES AND CERTAIN INSTITUTIONS WITH FOREIGN SHAREHOLDING; TO SPECIFY THE CIRCUMSTANCES WHERE THE EXEMPTIONS ARE GRANTED; TO IMPOSE A LAND LEASE TAX FOR LEASING OF LANDS TO FOREIGNERS, FOREIGN COMPANIES AND CERTAIN INSTITUTIONS WITH FOREIGN SHAREHOLDING; FOR THE GRANTING OF CONCESSIONS TO CERTAIN DEVELOPMENT PROJECTS; FOR THE REPEAL OF PART VI OF THE FINANCE ACT, NO. 11 OF 1963; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS in furtherance of the development policies being promoted by the Government in the backdrop of a globally integrated environment, it is deemed expedient and necessary to ensure the prudent use of land which is a limited resource, in a manner that preserves the national interest:

Preamble.

AND WHEREAS it is the National Policy to regulate the use of lands, in a sustainable manner, having imposed restrictions on the alienation of lands to foreigners, foreign companies and certain institutions with foreign shareholding and having granted concessions to citizens of Sri Lanka for certain development projects, as specified in this Act:

NOW THEREFORE be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. (1) This Act may be cited as the Land (Restrictions on Alienation) Act, No. 38 of 2014.

Short title and date of operation.

(2) The provisions of this Act shall be deemed to have come into operation with effect from January 1, 2013.

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Act, No. 38 of 2014

Restriction on
transfer of land.

2. (1) Notwithstanding any provision to the contrary in any other written law, the transfer of title of any land situated in Sri Lanka, shall be prohibited if such transfer is—

- (a) to a foreigner; or
- (b) to a company incorporated in Sri Lanka under the Companies Act where any foreign shareholding in such company, either direct or indirect, is fifty *per cent* or above; or
- (c) to a foreign company,

unless exempted as provided in section 3.

(2) (a) For the purpose of maintaining the legal validity of a transfer of land to a company incorporated in Sri Lanka under the Companies Act, with less than fifty *per cent* of foreign shareholding, the foreign shareholding of such company shall remain less than fifty *per cent*, for a minimum period of consecutive twenty (20) years from the date of such transfer.

(b) Where the foreign shareholding of a company referred to in paragraph (a) reaches or exceeds fifty *per cent*, contrary to the provisions of paragraph (a), in consequent to—

- (i) the change of ownership of shares directly or indirectly; or
- (ii) the death of a shareholder of such company and the shares of the deceased shareholder devolving, in accordance with the applicable laws of succession of Sri Lanka, on his next of kin who is a foreigner,

the transfer of land referred to therein shall be void and shall have no effect in law, with effect from the date of increase of the foreign shareholding:

Provided however, where a company referred to in paragraph (a),—

- (i) listed in the Colombo Stock Exchange (with a minimum number of two hundred shareholders in the case of a *Diri Savi* Board and one thousand shareholders in the case of a Main Board), takes steps to reduce its foreign shareholding to less than fifty *per cent*, within a period of twelve months from the date of increase of its foreign shareholding; or
- (ii) other than a company referred to in sub-paragraph (i), takes steps to reduce its foreign shareholding to less than fifty *per cent*, within a period of six months from the date of increase of its foreign shareholding,

in compliance with the provisions of that paragraph, the transfer of land referred to in paragraph (a), shall be deemed to be legally valid, with effect from the date of restoring the foreign shareholding of such company to less than fifty *per cent*.

(c) For the purposes of this section the expressions “*Diri Savi* Board” and “Main Board” shall be read and construed in accordance with the provisions of the Listing Rules of the Colombo Stock Exchange issued under its listing requirements, in terms of the Securities and Exchange Commission of Sri Lanka Rules, 2001, made under section 53 of the Securities and Exchange Commission of Sri Lanka Act, No. 36 of 1987 and published in *Gazette* Extraordinary No. 1215/2 of December 18, 2001.

- 3.** (1) The provisions of section 2 shall not apply to—
- (a) any land the title of which is transferred to a Diplomatic Mission of another State within the

Exemption from the application of the provisions of section 2.

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meaning of the Diplomatic Privileges Act or to an International, Multilateral or Bilateral Organization recognized in terms of that Act;

- (b) a condominium parcel situated on or above the fourth floor of a building specified under the Apartment Ownership Law, (excluding the ground level floor and floors which accommodates only common element or elements within the meaning of Apartment Ownership Law):

Provided that, the entire value shall be paid up front through an inward foreign remittance prior to the execution of the relevant deed of transfer;

- (c) any land the title of which is transferred to a foreign investor in consequent to a decision of the Cabinet of Ministers taken prior to January 1, 2013, involving direct investment of foreign currency, as per the related agreements on such investment structured on the basis of any written law governing the tax regime prior to January 1, 2013, and has ensured compliance by making inward remittances to Sri Lanka;
- (d) any land the title of which is transferred by intestacy, gift or testamentary disposition to a next of kin (who is a foreigner) of the owner of such land, in accordance with the applicable law of succession of Sri Lanka;
- (e) any land the title of which is transferred to a dual citizen of Sri Lanka within the meaning of the Citizenship Act;
- (f) any land the title of which is transferred to any bank licensed under the Banking Act, in which any foreign shareholding is fifty *per cent* or above—
- (i) at an auction conducted by such Bank in terms of the Recovery of Loans by Banks

- (Special Provisions) Act, No. 4 of 1990 or Mortgage Act (Chapter 89), in the discharge of a mortgage of such land to such Bank;
- (ii) in execution of a decree of court to enforce the recovery of a loan given by such bank;
- (g) any land the title of which is transferred to any Finance Leasing Institution in which any foreign shareholding is fifty *per cent* or above—
- (i) where such land has been mortgaged to such Finance Leasing Institution as a security for a lease;
- (ii) in order to execute a lease and an agreement to sell or a loan and an agreement to sell;
- (iii) in execution of a decree of court to enforce the recovery of a loan given by such Institution;
- (h) any land, the title of which was transferred to a company referred to in section 2(1)(b), during the period commencing from January 1, 2013 and ending on the date on which the certificate of the speaker is endorsed in respect of this Act, provided such company has been in active operation in Sri Lanka for a period of not less than ten (10) consecutive years prior to the date of transfer of such land.

(2) The Minister may in consultation with the Minister to whom the subject of lands has been assigned and with the prior written approval of the Cabinet of Ministers, by Order published in the *Gazette*, exempt any foreign entity engaged in the banking, financial, insurance, maritime, aviation, advanced technology or infrastructure development project identified as a Strategic Development Project, in terms of the provisions of the Strategic Development Projects Act, No. 14 of 2008, from the application of the provisions of section 2.

(3) The Minister may in consultation with the Minister to whom the subject of Lands has been assigned and with the prior written approval of the Cabinet of Ministers, by Order published in the *Gazette*, exempt any foreign company engaged in international commercial operations, from the application of the provisions of section 2, where the land is purchased to locate or relocate its global or regional operations or to set up a branch office.

(4) Where the transfer of title of a land is effected in terms of this section, the provisions of this Act shall also apply to every subsequent transfer of title of such land or part thereof.

Conditions for the registration of instruments relating to the transfer of title of lands.

4. (1) The Registrar of Lands shall not register an instrument effecting any transfer of title referred to in section 2, under the provisions of the Registration of Documents Ordinance, unless such registrar of lands is satisfied that such transfer is in compliance with the provisions of this Act.

(2) (a) Notwithstanding the provisions of subsection (1), an instrument effecting the transfer of title of a land to a next of kin (who is a foreigner) of an owner of such land, shall be registered by the Registrar of Lands, where the notary public attesting such instrument of transfer certifies in his attestation that the transferee is the next of kin of the owner of the land transferred, as recongized by the applicable laws of succession of Sri Lanka.

(b) Where any question arises whether a person is the next of kin of the owner of the land or which law is applicable to the succession, the Registrar of Lands shall refer the matter to the District Court having jurisdiction over the area in which the relevant land is situated, for a determination through summary proceeding.

(3) Where the title of a land is transferred to a company incorporated in Sri Lanka under the Companies Act, with less than fifty *per cent* of foreign shareholding, it shall be the duty of the Registrar of Lands to confirm himself whether

the foreign shareholding of such company is less than fifty *per cent*, by requiring the secretary of such company to submit documentary proof to the effect that the foreign shareholding of such company is less than fifty *per cent* of the total number of shares issued for the time being.

(4) (a) The secretary to the relevant company shall inform the Registrar of Lands in writing in every six months period commencing from the date of the registration of the relevant deed of transfer, that the foreign shareholding of such company has not exceeded fifty *per cent* of the total number of shares issued by such company, during the said period of six months.

(b) Where the foreign shareholding of a company referred to in paragraph (a) reaches or exceeds fifty *per cent* the relevant Registrar of Land shall make a note to that effect in the relevant folio.

(5) For the purposes of this section “Registrar of Lands” means the respective Registrar of Lands of the land registry, to whom the instrument of transfer is presented for registration.

5. (1) Notwithstanding any provision to the contrary in any other written law, the leasing of a land—

- (a) to a foreigner; or
- (b) to a company incorporated in Sri Lanka under the Companies Act, where any foreign shareholding in such company, either direct or indirect, is fifty *per cent* or above; or
- (c) to a foreign company,

Restrictions on the leasing of lands to foreigners.

shall be effected subject to the payment of the Land Lease Tax imposed under section 6:

Provided however, the maximum tenure of any such lease shall not exceed ninety nine years.

(2) Any State land so leased shall be re-vested on the State free of encumbrances upon the lapse of the period of lease.

(3) Any state land so leased shall not be sub-let or sub-leased violating the provisions of relevant indenture of lease or without obtaining the prior written approval from the Minister to whom the subject of lands has been assigned.

Tax on the lands
leased out to
foreigners.

6. (1) There shall be a Land Lease Tax payable up-front by the Lessee, for every lease of land, in terms of section 5(1), at the execution of the indenture of lease or prior to such execution unless exempted under section 7.

(2) The rate of such Land Lease Tax shall be fifteen *per cent* of the total rental payable for the entire duration of the lease.

(3) Notwithstanding the provisions of subsection (2), the Land Lease Tax shall be 7.5 *per cent* of the total rental payable for the entire duration of the lease in respect of —

- (a) any land leased to a company referred to in section 5(1)(b), provided that such company has been in active operation in Sri Lanka for a consecutive period of not less than ten years, immediately prior to the date of the indenture of lease;
- (b) any land leased to a subsidiary of a holding company incorporated in Sri Lanka under the Companies Act, in which the shareholding of the holding company in such subsidiary is fifty *per cent* or above and any foreign shareholding in the holding company is fifty *per cent* or above, provided that such holding company has been in active operation in Sri Lanka for a period of not less than ten (10) consecutive years, immediately prior to the date of indenture of lease:

Provided however, where the shareholding of the holding company in the subsidiary, becomes less than fifty *per cent* the Land Lease Tax applicable in respect of such lease shall be fifteen *per cent* for the balance period of lease, with effect from the date of reduction of the shareholding;

- (c) a condominium parcel situated on or above the fourth floor of a building specified under the provisions of the Apartment Ownership Law, where the period of lease is less than thirty five years;
- (d) a condominium parcel situated below the fourth floor of a building specified under the provisions of the Apartment Ownership Law, where the period of lease is not more than ninety nine years;
- (e) the lease of any land in terms of section 5, situated within—
 - (i) a Licensed Zone declared under the Board of Investment of Sri Lanka Law, No. 4 of 1978; or
 - (ii) a Tourist Development Area declared under the Tourism Act, No. 38 of 2005 or Tourist Development Act, No. 14 of 1968; or
 - (iii) an Industrial Estate established under the Industrial Development Act, No. 36 of 1969; or
 - (iv) an area declared by the Minister by regulations as an area, for which the reduced tax rate is applicable;
- (f) any land leased to a company referred to in section 5(1)(b), where the Cabinet of Ministers decides having taken into consideration that a substantial foreign investment has already been realized by

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such company into the related sector that such reduced tax rate is justifiable in order to ensure level playing field among its competitors in the related sector.

(4) The Lessee referred to in subsection (1) shall be liable in addition to the Land Lease Tax, to pay the applicable stamp duty under the Stamp Duty Act, No. 43 of 1982 and any other tax or charge payable in respect of any such transaction under any applicable written law in force for the time being.

(5) The Land Lease Tax shall be paid in a manner as may be prescribed.

Exemption from
the Land Lease
Tax.

7. (1) The Land Lease Tax payable under section 6, shall not be applicable on the lease of—

- (a) any land a Diplomatic Mission of another State within the meaning of the Diplomatic Privileges Act or to an International, Multilateral or Bilateral Organization recognized in terms of that Act;
- (b) a condominium parcel situated on or above the fourth floor of a building specified under the provisions of the Apartment Ownership Law (excluding the ground level floor and floors which accommodate any common element or elements within the meaning of Apartment Ownership Law) where the period of lease is thirty five years or above and the lease rental for the full period of lease is paid through inward remittance of foreign currency on or prior to the date of the execution of the relevant indenture of lease;
- (c) any land to a dual citizen of Sri Lanka within the meaning of the Citizenship Act;
- (d) any land to a foreign investor in consequent to a decision of the Cabinet of Ministers taken prior to January 1, 2013, involving direct investment of

foreign currency as per the related agreements on such investment, and structured on the basis of any written law governing the tax regime prior to January 1, 2013, and has ensured compliance by making inward foreign remittances to Sri Lanka;

- (e) any land situated within a Bonded Area or a Free Port declared under the Finance Act, No. 12 of 2012.

(2) The Minister may in consultation with the Minister to whom the subject of lands has been assigned and with the prior written approval of the Cabinet of Ministers, by Order published in the *Gazette*, exempt any foreign entity engaged in the banking, financial, insurance, maritime, aviation, advanced technology or infrastructure development project identified as a Strategic Development Project, in terms of the provisions of the Strategic Development Projects Act, No.14 of 2008, from the application of the provisions of section 6.

(3) The Minister may in consultation with the Minister to whom the subject of Lands has been assigned and with the prior written approval of the Cabinet of Ministers, by Order published in the *Gazette*, exempt any foreign company engaged in international commercial operations, from the application of the provisions of section 6, where the land is leased to locate or relocate its global or regional operations or to set up a branch office.

8. (1) An indenture of lease effecting a lease of any land to a person or a company referred to in section 5(1), shall not be registered under the provisions of the Registration of Documents Ordinance, unless the Registrar of Lands is satisfied that the Land Lease Tax in respect of the lease has been paid in accordance with the provisions of this Act.

Conditions on the registration of instruments of lease.

(2) For the purposes of this section “Registrar of Lands” means the respective Registrar of Lands of the land registry, to which the indenture of lease is presented for registration.

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- Enforcement. **9.** (1) The Commissioner General of Inland Revenue shall charge, levy and collect the Land Lease Tax imposed under section 6.
- (2) The provisions of Inland Revenue Act, shall *mutatis mutandis* apply to and in relation to the enforcement of the Land Lease Tax payable under this Act.
- Land Lease Tax to be credited to the Consolidated Fund. **10.** The Land Lease Tax charged, levied or collected under section 9, by the Commissioner General of Inland Revenue shall be credited to the Consolidated Fund.
- Restrictions on mortgaging lands of which title has passed or has been leased to a foreign national. **11.** (1) Any land transferred or leased to a person or a company referred to in section 2(1) or 5(1), after the date on which the certificate of the speaker is endorsed in respect of this Act, shall not for any purpose be mortgaged or pledged to any bank licensed under the Banking Act, for a period of five years with effect from the execution of the relevant instrument of transfer or lease.
- (2) Any mortgage or pledge executed in contravention of subsection (1), shall be void.
- Land Reform Act to apply in respect of exempted transfers and leases. **12.** The provisions of the Land Reform Law, No. 1 of 1972, on the maximum extent of land that can be owned by any person, shall continue to apply in respect of any transfer of title or lease of a land exempted from the application of the provisions of this Act.
- Valuation. **13.** (1) For the purposes of this Act, the land value—
- (a) of any State land, shall be as determined by the Government chief valuer; and
- (b) of any private land, shall be as determined by a licensed valuer.
- (2) The total lease rental, pertaining to a lease referred to in section 5, shall be calculated based on the valuation of the land made under subsection (1).

14. (1) Where any person liable to pay the Land Lease Tax under this Act, fails to pay such tax, as provided for in this Act, shall be deemed to be a defaulter of tax under this Act. Offences and punishment.

(2) Any such defaulter commits an offence under this Act, and the provisions of the Inland Revenue Act shall *mutatis mutandis*, be applicable to and in relation to the prosecution against any such defaulter and for the recovery of such tax and to the punishment thereof.

15. Where an offence under this Act is committed by a body of persons, if that body of persons is- Offences by bodies of persons.

- (a) a body corporate, every director and officer of that body corporate; or
- (b) a firm, every partner of that firm; or
- (c) a body unincorporated other than a firm, every officer of that body responsible for its management and control,

shall be deemed to be guilty of such offence :

Provided that, no such person shall be deemed to be guilty of such offence, if he proves that such offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

16. Where a State land is transferred or leased to a project approved by the Cabinet of Ministers as a Development Project to which freehold right or leasehold right of the State land to be transferred, such project shall be granted a deduction amounting to twenty-five *per cent* of the land value or total lease rental, determined under section 13: Concessions for Development Projects.

Provided that, any such Development Project shall be implemented by—

- (a) a citizen of Sri Lanka; or

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- (b) a company incorporated in Sri Lanka under the Companies Act, where fifty *per cent* or above of its shareholding is held by citizens of Sri Lanka.

Regulations.

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

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

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

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

Alienation of land in contravention of this Act to be void.

18. Any alienation of land effected in contravention of the provisions of this Act, shall be void and shall have no effect in law.

Repeal of Part VI of Act No. 11 of 1963.

19. Part VI (Imposition of tax on transfers of property under certain conditions) of the Finance Act, No. 11 of 1963, is hereby repealed.

Avoidance of doubts.

20. For the avoidance of doubts, it is hereby declared that—

- (a) any instrument effecting a transfer of ownership of a land in Sri Lanka to a person or a company referred to in section 2(1), which was executed prior to January 1, 2013 and pending registration in

accordance with the provisions of Registration of Documents Ordinance shall, notwithstanding the repeal of Part VI of the Finance Act, No. 11 of 1963, be registered subject to the provisions of repealed Part VI of that Act;

- (b) any instrument effecting alienation of land in Sri Lanka, to a person or a company referred to in section 2(1) or 5(1), executed within the period commencing from January 1, 2013 and ending on the date on which the certificate of the Speaker is endorsed in respect of this Act, shall be registered by the relevant Registrar of Lands in accordance with the provisions of the Registration of Documents Ordinance, subject to the provisions of this Act.

21. The Commissioner General of Inland Revenue who charges or collects the Land Lease Tax as provided for in this Act, for the period commencing from January 1, 2013 and ending on the date on which the certificate of the Speaker is endorsed in respect of this Act, shall be deemed, to have acted and to be acting with due authority and such charge or collection shall be deemed, to have been and to be validly made. The Commissioner General of Inland Revenue is hereby indemnified from any action civil or criminal, in respect of the charge or collection of the Land Lease Tax for the aforesaid period. Validation.

22. Where the amount of the Land Lease Tax charged or collected by the Commissioner General of Inland Revenue under section 21, is less than the actual amount of the Land Lease Tax payable by a Lessee under section 6, the Commissioner General shall by notice in writing require such Lessee, to pay not later than six months from the date of the notice, the difference between the actual amount payable as the Land Lease Tax and the sum already collected or charged, to the Commissioner-General. Recovery of any difference between the actual amount and the amount paid as the Land Lease Tax.

Refund of
excess amount
paid as Land
Lease Tax.

23. (1) Where the amount of the Land Lease Tax charged or collected by the Commissioner General of Inland Revenue under section 21, is in excess of the actual amount of the Land Lease Tax payable by a Lessee under section 6, the Commissioner General shall on a written application made by the person who has paid the excess amount, refund the excess amount so paid to that person.

(2) The excess amount referred to in subsection (1) shall be paid to the applicant within six months of the receipt of the application.

Sinhala text to
prevail in case
of inconsistency.

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

Interpretation.

25. In this Act unless the context otherwise requires—

“alienation” means transfer, lease or mortgage of lands situated within Sri Lanka;

“Apartment Ownership Law” means the Apartment Ownership Law, No. 11 of 1973;

“Banking Act” means the Banking Act, No. 30 of 1988;

“Citizenship Act” means Citizenship Act (Chapter 349);

“citizen of Sri Lanka” means a citizen of Sri Lanka in terms of Citizenship Act;

“Companies Act” means the Companies Act, No. 7 of 2007;

“Commissioner General of Inland Revenue” means the Commissioner General of Inland Revenue appointed or deemed to be appointed under the Inland Revenue Act;

“Diplomatic Privileges Act” means the Diplomatic Privileges Act, No. 9 of 1996;

“foreigner” means a person who is not a citizen of Sri Lanka;

“foreign company” means a company or a body of persons incorporated under the laws of any country other than Sri Lanka;

“Finance Leasing Act” means the Finance Leasing Act, No. 56 of 2000;

“Finance Leasing Institution” means a Finance Leasing Establishment registered under the Finance Leasing Act;

“holding company” has the same meaning assigned to such expression under the Companies Act;

“Inland Revenue Act” means the Inland Revenue Act, No. 10 of 2006;

“land” means any State or private land and includes—

- (a) any interest in the land;
- (b) any land covered with water; and
- (c) any house or building stands on that land;

“Minister” means the Minister to whom the subject of Finance has been assigned;

“transfer” means any sale, donation, gift or any conveyance by or under which the title of such land passes to another person;

“person” includes a body of persons incorporate or unincorporated;

“Registration of Documents Ordinance” means the Registration of Documents Ordinance (Chapter 117);

“subsidiary” has the same meaning assigned to such expression under the Companies Act.

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

**DFCC BANK (REPEAL AND
CONSEQUENTIAL PROVISIONS)
ACT, No. 39 OF 2014**

[Certified on 01st November, 2014]

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DFCC Bank (Repeal and Consequential Provisions) DFCC Act, No. 39 of 2014

[Certified on 01st November, 2014]

L.D.—O.25 / 2014.

AN ACT TO MAKE PROVISIONS FOR REGISTRATION OF THE DFCC BANK AS A PUBLIC LIMITED COMPANY WITH THE NAME “DFCC BANK PLC” AND TO PROVIDE FOR THE PROVISIONS CONSEQUENTIAL TO SUCH REGISTRATION ; TO REPEAL THE DFCC BANK ACT (CHAPTER 165) AND 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 DFCC Bank (Repeal and Consequential Provisions) Act, No. 39 of 2014.

Short title.

2. The DFCC Bank Act (Chapter 165) shall as from such date as may be specified by the Minister by Order published in the *Gazette* (hereinafter referred to as the “specified date”) be repealed. Such date shall be a date which is not later than six months from the date of commencement of this Act.

Repeal of the DFCC Bank Act (Chapter 165).

3. (1) The Minister may, at any time after the date of commencement of this Act, forward to the Registrar of Companies Articles of Association duly approved by the Monetary Board together with a direction to such Registrar requiring him to register the DFCC Bank as a public limited company under the Companies Act, No. 07 of 2007, with the name “DFCC Bank PLC” with effect from the specified date.

Registration of the DFCC Bank as a public limited company under the Companies Act, No. 07 of 2007.

(2) Notwithstanding anything contained in the Companies Act, No. 07 of 2007, the Registrar of Companies shall, on receipt of a direction under subsection (1)—

(a) issue a Certificate of Incorporation under subsection (1) of section 5 of the aforesaid Act, in the name “DFCC Bank PLC”; and

(b) publish an Order in the *Gazette* declaring that from the specified date a public limited company is incorporated in the name “DFCC Bank PLC”

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(hereinafter referred to as “the Company”) to take over and carry on the business of the DFCC Bank as a going concern.

Business of DFCC Bank to vest in the Company.
Transitional provisions.

4. With effect from the specified date, the business of the DFCC Bank shall vest absolutely in the Company.

5. With effect from the specified date notwithstanding any provision in any other law—

- (a) the share capital and any amount lying to the credit of the share premium account, of the DFCC Bank on the day immediately preceding the specified date shall be deemed to be the stated capital of the Company as at the specified date;
- (b) all shareholders of the DFCC Bank on the day immediately preceding the specified date shall be deemed to be the shareholders of the Company as at the specified date and the shares held by such shareholders in the Company shall be identical in number to that held by them in the DFCC Bank on the day immediately preceding the specified date and all share certificates issued by the DFCC Bank shall be read and construed as if such share certificates were share certificates issued by the Company;
- (c) all securities of any kind issued by the DFCC Bank and outstanding on the day immediately preceding the specified date shall from the specified date be deemed to be securities issued by the Company;
- (d) the Chairman, directors, officers, employees and servants of the DFCC Bank holding office on the day immediately preceding the specified date shall be deemed to be the Chairman, directors, officers, employees and servants of the Company with effect from the specified date and such Chairman, directors, officers, employees and servants shall continue to hold office in the Company on terms and conditions enjoyed by them under the DFCC Bank, immediately preceding the specified date;

- (e) all contracts, deeds, bonds, agreements, guarantees, powers of attorney, grants of legal representation and other instruments of whatever nature of the DFCC Bank subsisting and having effect on the day immediately preceding the specified date and to which the DFCC Bank is a party or which are in favour of the DFCC Bank shall be deemed with effect from the specified date to be contracts, deeds, bonds, agreements, guarantees, powers of attorney, grants of legal representation and other instruments entered into by or granted in favour of the Company ;
- (f) unless specifically revoked or substituted in the manner provided for in any other law, all approvals or licences granted to the DFCC Bank by the Monetary Board, the Director of Bank Supervision, Controller of Exchange, Securities and Exchange Commission, Urban Development Authority, any other regulatory body or authority, Provincial Council, local authority subsisting or having effect on the day immediately preceding the specified date shall be deemed with effect from the specified date to be approvals or licences granted to the Company ;
- (g) any account maintained between the DFCC Bank and any other person in or outside Sri Lanka including the Government of Sri Lanka, its departments and statutory bodies on the day immediately preceding the specified date, whether it be an asset or liability of such Bank shall be deemed with effect from the specified date to be an account between the Company and that other person with the same rights and subject to the same obligations and incidents (including rights of set off) as would have been applicable thereto if the account between the DFCC Bank and that other person had continued and so that any instruction,

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order, direction, mandate or authority given by such other person in relation to such account and subsisting on the day immediately preceding the specified date shall, unless and until revoked or cancelled, apply to and have effect in relation to, the account between the Company and that other person ;

- (h) any mortgage, security or indemnity held by the DFCC Bank on the day immediately preceding the specified date as security for the payment of debts or liabilities (whether present or future actual or contingent) of any person shall be deemed with effect from the specified date to be a mortgage, security or indemnity held by and be available to the Company as security for the payment of such debt and liabilities to the Company; and where the moneys secured by such mortgage, security or indemnity include future advances to or liabilities of that person, the security for future advances to or liabilities of that person to the Company shall be deemed to the same extent to which future advances by or liabilities to the DFCC Bank were secured thereby immediately preceding the specified date;
- (i) the custody of any document, goods or other property held by the DFCC Bank on the day immediately preceding the specified date as bailee for any other person shall be deemed with effect from the specified date to be a document, goods or property in the custody of the Company as a bailee for such other person and the rights and obligations of the DFCC Bank under any contract of bailment relating to such document, goods or property shall be deemed to be the rights and obligations of the Company;
- (j) any listing of shares or securities of any kind whatsoever issued by the DFCC Bank on a stock

exchange or securities exchange whether in Sri Lanka or elsewhere on the day immediately preceding the specified date shall be deemed with effect from the specified date to be listing of such shares or securities of the Company ;

- (k) all reserves maintained by the DFCC Bank for the purpose of the provision of any law, regulatory requirement or otherwise, on the day immediately preceding the specified date shall be deemed with effect from the specified date to be reserves of the Company held for such purpose;
- (l)
 - (i) all property immovable and movable of the DFCC Bank (including cash balances, reserve funds, investments, trade marks, patents, licences and deposits);
 - (ii) all liabilities, including deposits and contingent liabilities, of the DFCC Bank;
 - (iii) all rights, powers, privileges, authorities, obligations, duties and interest arising in or out of the business, such property and such liabilities including the licence issued to the DFCC Bank by the Monetary Board under subsection (3) of section 76A of the Banking Act;
 - (iv) all books, accounts and documents relating or appertaining to the DFCC Bank or to any property of the Bank,

subsisting on the day immediately preceding the specified date, shall be deemed as from the specified date to be property, liabilities, rights, powers, privileges, authorities, obligations, duties, interest, books, accounts and documents of the Company;

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- (m) all applications, actions, proceedings or appeals of whatever nature instituted under the provision of any law by or against the DFCC Bank and pending on the day immediately preceding the specified date shall be deemed as from the specified date, to be applications, actions, proceedings or appeals instituted by or against the Company and may be continued accordingly;
- (n) any pension fund, gratuity fund or unfunded liability in respect of a pension, gratuity or other liability relating to post employment benefit to any employee or former employee of the DFCC Bank and existing on the day immediately preceding the specified date shall be deemed as from the specified date, to be a pension fund, gratuity fund or such liability as the case may be, of the Company in respect of such employee or former employee;
- (o) where the DFCC Bank on the day immediately preceding the specified date was a contributor to any provident fund approved by the Commissioner of Labour for the benefit of its employees, the Company shall be deemed as from the specified date, to be the contributor to such provident fund in respect of such employees;
- (p) all tax credits, refunds, losses, concessions, reliefs, benefits and liabilities of the DFCC Bank subsisting on the day immediately preceding the specified date shall be deemed as from the specified date, to be tax credits, refunds, losses, concessions, reliefs, benefits and liabilities of the Company;
- (q) all judgments, decrees or orders entered in favour of, or against the DFCC Bank by any Court in any action or proceeding shall be deemed with effect from the specified date, to be judgments, decrees or orders entered in favour of, or against the Company;

- (r) all rights to intellectual property including trademarks, patents, softwares subsisting in favour of the DFCC Bank on the day immediately preceding the specified date shall be deemed as from the specified date, to be such rights in favour of the Company.

6. Notwithstanding the repeal of the DFCC Bank Act (Chapter 165) by section 2 of this Act, the provisions of subsection (2) of section 10 and section 14 of the aforesaid repealed Act shall from and after the specified date, continue to be operative and of full force and avail in law as if such Act had never been repealed, until the loans so guaranteed by the Government of Sri Lanka in terms of such sections are repaid in full and no further. Every loan guaranteed as aforesaid prior to the specified date and subsisting on the day immediately preceding the specified date, shall as from the specified date continue to subsist as if the loans so guaranteed were loans raised by the Company.

Limited applicability of section 10 and 14 of the DFCC Bank Act (Chapter 165).

7. (1) With effect from the specified date, every reference to the DFCC Bank in any Act, regulation, notification, contract, instrument, record, share certificate, document, deed, bond, agreement, guarantee, power of attorney, grant of legal representation and other instruments of whatever nature shall be deemed to be a reference to the Company to give effect to the provisions of this Act.

Consequential amendments to written laws &c.

(2) For the provisions of section 5 and subsection (1) to take effect, it shall not be necessary to replace the name the DFCC Bank with the name of the Company in any register or record maintained by any department, court of law, tribunal or agency of the government, provincial council or local authority under any law or regulation provided however that where the Company makes an application to the person responsible for maintaining such register or record with a copy of the certificate of incorporation certified as true copy by a notary public, such person shall substitute the name of the Company in such record or register.

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Regulations. **8.** (1) The Minister may make regulations for the purposes of facilitating the vesting of the business of the DFCC Bank in the Company in pursuance of the provisions of section 4.

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

(3) Every regulation made under subsection (1) shall as soon as convenient be placed before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(4) Notice of the date on which the regulation is disapproved shall be published in the *Gazette*.

Merger and amalgamation. **9.** In the event the Company formed under the provisions of this Act merges or amalgamates with any other company under the provisions of Part VIII of the Companies Act, No. 07 of 2007 to carry on business as a licensed commercial bank under the licence issued by the Monetary Board, section 6 of this Act shall *mutatis mutandis* continue to apply.

Sinhala text to prevail in case of inconsistency. **10.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Interpretation. **11.** For purposes of this Act, unless the context otherwise requires—

“Banking Act” means the Banking Act, No. 30 of 1988 as amended from time to time;

“Business” includes the business carried on by the DFCC Bank as a licensed specialized bank, as at the specified date;

“Company” means the company referred to in the paragraph (b) of subsection (2) of section 3;

“Controller of Exchange” means the head of the Department of Exchange Control of the Central Bank, established by the Monetary Board under the Exchange Control Act (Chapter 423);

“DFCC Bank” means the DFCC Bank established by the DFCC Bank Act as amended from time to time (Chapter 165);

“Director of Bank Supervision” means the head of the Department of the Bank Supervision of the Central Bank of Sri Lanka established by the Monetary Law Act (Chapter 422);

“Monetary Board” means the Monetary Board of the Central Bank of Sri Lanka established under the Monetary Law Act (Chapter 422);

“Provincial Council” means a Provincial Council established by Chapter XVIIIA of the Constitution;

“Securities and Exchange Commission” means the Securities and Exchange Commission of Sri Lanka established by the Securities and Exchange Commission of Sri Lanka Act, No. 36 of 1987;

“Urban Development Authority” means the Urban Development Authority established by the Urban Development Authority Law, No. 41 of 1978.

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

**SRI LANKA ATOMIC ENERGY
ACT, No. 40 OF 2014**

[Certified on 04th November, 2014]

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*Sri Lanka Atomic Energy
Act, No. 40 of 2014*

[Certified on 04th November, 2014]

L.D.—O 39/2011

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE SRI LANKA ATOMIC ENERGY BOARD; FOR THE PROMOTION AND ENCOURAGEMENT OF THE USE OF NUCLEAR SCIENCE AND TECHNOLOGY FOR NATIONAL DEVELOPMENT PURPOSES; FOR THE ESTABLISHMENT OF THE SRI LANKA ATOMIC ENERGY REGULATORY COUNCIL ; FOR THE REGULATION OF PRACTICES INVOLVING IONIZING RADIATION AND THE SAFETY AND SECURITY OF SOURCES; FOR THE PROHIBITION OF NUCLEAR WEAPONS AND ENSURING SAFEGUARDS; AND TO REPEAL THE ATOMIC ENERGY AUTHORITY ACT, NO.19 OF 1969 AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS it has become necessary to permit the beneficial and peaceful applications of nuclear science and technology in health, industry, environment and agriculture, for national development within Sri Lanka:

Preamble.

AND WHEREAS it has become necessary to provide for adequate protection of individuals, society and the environment now and in the future, against the potentially harmful effects of ionizing radiation and for the safety and security of radiation sources, by the establishment and maintenance of a regulatory control system, including the adoption of standards, licensing system, inspection and enforcement to govern all practices involving ionizing radiation:

AND WHEREAS it has become necessary for the Government of Sri Lanka to fulfill its obligations under relevant international instruments in the field of nuclear energy entered into by Sri Lanka and in particular the Treaty on the Non-Proliferation of Nuclear Weapons and the Safeguards Agreements:

Now Therefore be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

Short Title and date of operation.

1. This Act may be cited as the Sri Lanka Atomic Energy Act, No. 40 of 2014 and shall come in to operation on such date as the Minister may appoint by Order published in the Gazette (hereinafter referred to as the “appointed date”).

PART I

CHAPTER I

ESTABLISHMENT OF THE SRI LANKA ATOMIC ENERGY BOARD

Establishment of the Sri Lanka Atomic Energy Board .

2. (1) There shall be established an authority to be called and known as the Sri Lanka Atomic Energy Board (hereinafter referred to as the “Board”) which shall consist of the members referred to in section 6.

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

Objectives of the Board.

3. The objectives of the Board shall be to –

- (a) promote and encourage the peaceful application of nuclear technology and provide services using such technology;
- (b) conduct research on nuclear science and on developing peaceful application of nuclear technology, for the purpose of achieving national objectives;
- (c) promote and support innovations to ensure safety and security systems and quality in the peaceful uses of nuclear technology;
- (d) provide radiation protection services to meet regulatory requirements relating to nuclear applications; and

- (e) engage in activities involving ionizing radiation and complementary techniques, for commercial or other purposes.

4. The duties and functions of the Board shall be to :-

Duties and
functions of the
Board.

- (a) utilize radioactive materials and ionizing radiation whether along with complementary techniques or otherwise, for medical, environmental, agricultural, industrial and other peaceful purposes and for scientific and technological advancement as may be required for national development;
- (b) carry out research relating to the application of ionizing radiation, whether along with complementary techniques or otherwise;
- (c) ensure that adequate facilities and arrangements are made available for the appropriate training of the staff of the Board and of the officers of any other relevant institutions;
- (d) provide on request and where it considers it appropriate, to any relevant government institution or any non-governmental institution whether national or international, and to the general public, information relating to the utilization of nuclear technology or other radioactive materials, where available;
- (e) promote the establishment of professional organizations and societies to assist in the application of ionizing radiation, whether along with complementary methods or otherwise and provide where available any connected services;
- (f) construct and operate research centers, laboratories and pilot plants in the field of nuclear technology, radiological applications and other related areas;

- (g) build and operate installations or facilities for the production and distribution of radioisotopes and for the management and disposal of radioactive wastes;
- (h) assist in the sustainable development of the peaceful application of nuclear technology;
- (i) explore the availability of radioactive mineral resources within Sri Lanka;
- (j) establish, maintain and develop scientific and technical cooperation with such local or international institutions or organizations as the Board deems conducive, for the attainment of its objectives;
- (k) enter into commercial and other ventures involving ionizing radiation or other complementary techniques;
- (l) furnish the Minister with information relating to the performance and discharge of its duties and functions; and
- (m) perform and discharge such other duties and functions as in the opinion of the Board, are necessary in achieving the objectives of the Board.

Powers of the Board.

5. In addition to any powers that are expressly conferred on the Board by this Act, the Board shall for the effective discharge of its functions, have the power to –

- (a) erect, equip and maintain laboratories, libraries, workshops and any other buildings as are necessary for the effective discharge of its functions;

- (b) collect, print and publish reports, periodicals and papers on any subject relevant to or connected with the functions of the Board;
- (c) enter into agreements with the approval of the Minister, for cooperation with institutions within or outside Sri Lanka, having objectives wholly or partly similar to those of the Board;
- (d) provide testing services to ascertain levels of radioactive contamination and ionizing radiation in any material, commodity or object;
- (e) provide calibration services and services for radiation measuring equipment and dosimetry services;
- (f) manufacture, buy, import or acquire, store, sell, transport or export any article which in the opinion of the Board is or is likely to be required in connection with the production or use of ionizing radiation or any research and to dispose of any such article;
- (g) make available for use in connection with any research or production conducted or carried out by any institution or person other than the Board, any equipment or facilities belonging to the Board in such manner as it may determine;
- (h) take adequate measures to ensure the safety and security of any radioactive sources or radioactive waste for which no licence has been issued under this Act or for which no owner can be found, on receipt of information regarding the same;
- (i) disseminate information and train persons in matters relating to nuclear science and technology, radioactive materials and related matters;

- (j) make arrangements with Universities, Government Departments and any other institutions or persons both within and outside Sri Lanka, for the conduct of research and development activities into matters connected with nuclear science and technology, ionizing radiation or radioactive material and other related matters;
- (k) award in accordance with such schemes formulated with the concurrence of the Minister assigned the subject of Finance, incentives based on performance, to the scientists, engineers, technical personnel and other employees of the Board;
- (l) delegate any of the duties and functions of the Board to the Chairman or any member of the Board or to the Director-General of the Board;
- (m) acquire and hold property both movable and immovable and sell, lease, mortgage, exchange or otherwise dispose of the same;
- (n) open, operate and maintain bank accounts and deposit its monies in any bank and invest such of its funds as are not immediately required for the purposes of the Board, in such securities as the Board may determine;
- (o) borrow such money as may become necessary for the purposes of the exercise and performance of its powers and functions;
- (p) enter into any contracts or agreements as may become necessary for the effective exercise and performance of its powers and functions;
- (q) charge and receive fees for any services rendered by the Board;

- (r) engage in commercial activities to achieve the objectives of the Board; and
- (s) accept and receive in compliance with relevant government procedures, grants and donations of property both movable and immovable from sources within and outside Sri Lanka and utilize the same for the purposes of the exercise and performance of the powers and functions of the Board.

6. (1) The Board shall consist of seven members who shall be appointed by the Minister, of whom not less than three shall be from among persons who have had experience and proven capacity in the field of nuclear energy and its applications and not less than one each shall be from the fields of finance, law, health and industry.

Constitution of the Board.

(2) The Minister shall appoint one of the members appointed under subsection (1) as the Chairman of the Board.

(3) The members of the Board shall hold office for a period of three years and unless removed from office, be eligible for re-appointment.

(4) The provisions of the Schedule to this Act shall apply to and in respect of the members of the Board and the conduct of its meetings.

7. (1) The Board may appoint such committees and experts as it considers necessary or expedient to assist it in the performance and discharge of its duties and functions.

Appointment of committees and experts.

(2) A committee appointed under subsection (1), shall regulate the procedures for the transaction of its business and of their meetings.

(3) The members of any committee and an expert, appointed under subsection (1), shall be paid such allowances and be reimbursed for any expenses incurred in connection with the carrying out of any duties assigned, as the Board may determine.

Powers of the Minister to issue guidelines and directions.

8. (a) The Minister may issue to the Board such guidelines or directions as are not inconsistent with the provisions of this Act, relating to the policy to be followed in the performance and exercise of the functions and powers of the Board.

(b) The Board shall comply with any guidelines or directions issued by the Minister.

PART II

CHAPTER II

ESTABLISHMENT OF THE SRI LANKA ATOMIC ENERGY REGULATORY COUNCIL

Establishment of the Sri Lanka Atomic Energy Regulatory Council.

9. (1) There shall be established a regulatory authority to be called and known as the Sri Lanka Atomic Energy Regulatory Council (in this Act referred to as “Council”), for the regulation and control of practices involving ionizing radiation.

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

Objectives of the Councils.

10. The objectives of the Council shall be to-

(a) establish requirements for the protection of persons and the environment against risks associated with exposure to ionizing radiation and for the safety and security of sources and facilities, as appropriate;

- (b) take all appropriate steps to ensure the protection of persons and the environment from harmful effects due to any source, nuclear material and other radioactive material and ensure the security of such material and facilities; and
- (c) ensure compliance with International Standards and obligations in the field of nuclear energy, which are required to be complied with by Sri Lanka.

11. The functions of the Council shall be to –

Functions of the Council.

- (a) issue licences required to be issued under this Act and renew, modify, suspend or revoke the same;
- (b) formulate an inspection programme to ensure compliance with the requirements imposed under this Act and conditions specified in licences issued under this Act;
- (c) take appropriate measures to ensure due compliance with the provisions of this Act, proper enforcement of regulations or rules made thereunder and conditions specified in licences issued;
- (d) maintain a national register containing information on all sources available within Sri Lanka;
- (e) provide information regarding the regulatory activities of the Council to the general public, the media and any other relevant stakeholders;
- (f) make recommendations to the Minister on the formulation of a national policy and strategy on protection against ionizing radiation, the safety and security of sources and nuclear and other radioactive material and on radioactive waste management;

- (g) formulate and review rules, codes and standards relating to radiation protection and the application of ionizing radiation, which reflects best practices enunciated by the International Atomic Energy Agency and any other similar International Organizations;
- (h) advise the Minister on any matter referred to the Council and on matters which the Council considers appropriate to give its advice on; and
- (i) perform and discharge such other duties and functions as in the opinion of the Council, are necessary in achieving the objectives of the Council.

Powers of the Council.

12. In addition to any powers that are expressly conferred on the Council by this Act, the Council shall for the effective discharge and performance of its functions have the power to -

- (a) take measures for the prevention of radiological emergencies;
- (b) establish mechanisms and procedures for informing and consulting the public and other stakeholders about the regulatory process and the safety, health and environmental aspects of regulated practices, including incidents, accidents and abnormal occurrences;
- (c) co-operate with local and international organizations to promote safety and security against risk of injury or damage, arising from ionizing radiation;
- (d) provide training for the staff of the Council and any other relevant person or body of persons, for the purpose of achieving its objectives;

- (e) take necessary steps to fulfill the obligations of Sri Lanka under international treaties, conventions, relevant protocols and agreements to which Sri Lanka is a party, relating to safety and security of sources;
- (f) make where available to any person both national and international and to the public, as determined by the Council, information relating to the utilization of sources and incidents and abnormal occurrences, which may cause an impact on human life or the environment;
- (g) liaise with government agencies and non-governmental organizations or individuals having competence in areas such as health, safety, environmental protection, security, emergency, transport or import and export of nuclear and radioactive materials, including radioactive waste;
- (h) inspect, review and assess practices and facilities for the purpose of verifying compliance with the provisions of this Act and any regulations or rules made thereunder and the conditions of any licences;
- (i) issue directives relating to corrective measures required to be taken if unsafe or potentially unsafe conditions are detected at any location where a licenced practice is being conducted;
- (j) take all steps as are necessary to give effect to obligations under the Safeguards Agreement, including the establishment and maintenance of a state system of accounting for and control of nuclear material;
- (k) implement regulatory measures for the security of nuclear or radioactive materials, related equipment and associated facilities, including measures for

physical protection, to detect, prevent and respond to unauthorized acts involving such materials, equipment or facilities;

- (l) establish procedures and mechanisms to grant approval to institutes or individuals involved in issuing certification on radiation measurement and calibration of radiation measuring equipment;
- (m) conduct public awareness programmes in relation to nuclear science and technology and to take any precautionary steps required to be taken upon the occurrence of any accident involving radioactive or nuclear materials;
- (n) inspect any articles or commodities imported into Sri Lanka and which are available locally, and to take samples for the purpose of testing of radioactivity and where the Council deems it necessary and appropriate, to publish results of such test for the information of the general public, and all relevant authorities:

For the purpose of this paragraph “articles” and “commodities” include the container in which the articles or commodities are imported and any vessels or aircrafts carrying such containers;

- (o) acquire and hold any property, both movable or immovable and to sell, lease, mortgage, exchange or otherwise dispose of the same;
- (p) collect and publish reports and papers on any subject connected with the functions of the Council;
- (q) open and maintain bank accounts whether current, savings or deposit, in any bank approved by the Council; and

- (r) erect, equip and maintain buildings including laboratories, libraries, workshops and offices as are necessary for the performance of its functions.

13. In the exercise and performance of its powers and functions, the Council shall be guided by the following general principles:-

General principles to be adhered to by the Council.

- (a) the safety and protection of human life, property and the environment from harmful effects of ionizing radiation;
- (b) that there is sufficient justification for permitting the conduct of a practice for which a licence is applied for;
- (c) that the normal exposure of individuals are restricted, so that neither the effective dose nor the equivalent dose caused by a possible combination of exposures from licenced practices, exceeds the dose limits as determined by the Council; and
- (d) that protection is optimized, so that the magnitude of individual doses, the number of individual exposures and the likelihood of incurring exposure are all kept as low as reasonably achievable, taking into account economic and social factors.

14. (1) The Council shall consist of the following members appointed by the Minister :-

Constitution of the Council.

- (a) three persons who are experts in the field of nuclear science and technology or radiation protection;
- (b) one person who has experience in legal aspects connected with or relating to the objectives of the Council; and

- (c) a senior officer not below the rank of an Additional Secretary or a Director of the Ministry of the Minister assigned the subject of Environment, nominated by such Minister.

(2) The Minister shall appoint one of the members of the Council as the Chairman of the Council.

(3) The Chairman and the other appointed members of the Council shall hold office for a period of three years and unless removed from office, be eligible for re-appointment.

(4) The provisions of Schedule to this Act shall apply to and in respect of the members of the Council and the conduct of its meetings.

Appointment of
Inspectors.

15. The Council shall for the purposes of assisting the Council in the performance of its functions under this Act, appoint from among its officers such number of persons as inspectors (hereinafter referred to as “Authorized Inspectors”) and shall furnish them with appropriate credentials.

Appointment of
police officers to
assist Authorized
Inspectors.

16. (1)(a) The Council may request the Inspector-General of Police to provide the services of any police officer above the rank of an Assistant Superintendent of Police, for the purpose of assisting an Authorized Inspector in the performance of his functions.

(b) It shall be the duty of the Inspector-General of Police to ensure the availability of such police officer, where a request is made by the Council.

(2) (a) A police officer whose services are provided by the Inspector-General of Police on a request made under subsection (1), shall, notwithstanding anything to the contrary in any law upon a complaint made by the Council, arrest without a warrant any person who is suspected to have committed an offence under this Act.

(b) The police officer shall produce such person before the Magistrate's Court, within whose jurisdiction such offence is alleged to have been committed.

17. (1) The Council may –

(a) appoint such number of Advisory Committees as it may consider necessary or appropriate; and

(b) obtain the services of any expert outside its permanent staff, as advisors or consultants,

to assist the Council in the performance and discharge of its duties and functions under this Act:

Provided that the appointment of any Advisory Committees or obtaining the services of any expert outside the permanent staff, shall in no way relieve the Council of the responsibilities and duties cast on the Council under this Act or any regulations or rules made thereunder.

(2) It shall be the duty of the Council to ensure that no person who has a conflict of interest or is in a position to exercise improper influence on any decision that the Council is called upon to make under this Act or any regulations or rules made thereunder, is appointed under subsection (1) as a member of an Advisory Committee or as an expert.

CHAPTER III

ISSUE OF LICENCES

18. (1) No person including the Board, shall conduct a practice involving ionizing radiation (in this Act referred to as a "practice") :-

(a) except under the authority of a licence issued by the Council for the purpose; or

Appointment of
Advisory
Committees.

Requirement to
obtain a licence
to conduct a
practice.

- (b) unless it is a practice which has been exempted from the regulatory control of the Council, in terms of the provisions of this Act.

(2) A person who conducts a practice or uses any source for the conduct of a practice without obtaining a licence for that purpose shall commit an offence and be liable on conviction after summary trial before a Magistrate, to a fine not exceeding three million rupees or to an imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

Council to exempt certain practices or any source within a practice from obtaining a licence.

19. (1) The Council shall have the authority by Order published in the *Gazette*, to exempt any practice or any source within a practice from its regulatory control taking into consideration the following factors:-

- (a) the radiation risk that may be caused to any member of the public by the conduct of the practice or the source concerned, is sufficiently low as to be of no regulatory concern of the Council;
- (b) the collective radiological impact of the practice or the source within the practice concerned is sufficiently low, as not to warrant the regulatory control of the Council under the prevailing circumstances;
- (c) the practice and the source within the practice concerned are inherently safe, with no applicable likelihood of a situation that could lead to a failure to meet the factors specified in paragraphs (a) or (b) above; and
- (d) the practice is one that can be justified on the basis set out in section 22(1)(b).

(2) An Order under subsection (1) shall-

- (a) specify the level of the effective dose expected to be incurred by a member of the public in one year from the conduct of the practice;

- (b) where the exemption relates to a source within a practice, specify the minimum levels of total activity of a given nuclide present on the premises at any one time and of the activity concentration in the nuclide used in the practice; or
- (c) where it relates to an apparatus used in the practice, specify the levels of the ambient dose equivalent rate and the directional dose equivalent rate caused by such apparatus in normal operating conditions and the level of energy of the radiation produced by such apparatus.

(3) An Order made under subsection (1) may be amended from time to time in like manner and should specify the criteria stated in subsection (2).

20. (1) A person who intends to conduct a practice shall forward to the Council a notification in such form as specified by the Council by rules made in that behalf, of such intention to conduct such practice and shall submit the following information along with the notification:-

Notification to be forwarded of an intention to conduct a practice.

- (a) the purpose for which the practice is sought to be conducted;
- (b) where radioactive material is involved, the purpose for which such material is to be used and the maximum radioactivity to be used by such radioactive material;
- (c) where irradiating apparatus is used in the conduct of the practice, the maximum energy of ionizing radiation expected to be produced by such apparatus; and
- (d) in the case of nuclear or fissionable material, radioactivity level and the percentage of each component in the material.

(2) Upon a consideration of the information contained in a notification received under subsection (1), the Council shall determine:-

- (a) whether the practice concerned is one which is exempted by the Council by an Order made under section 19; or
- (b) where the practice is not one which is exempted by the Council then, considering the nature of the practice, whether prior to obtaining a licence for the conduct of the practice-
 - (i) the approval of the Council is required for the plan of the building or the construction in which the practice is to be conducted, in order to ensure that adequate radiation safety measures are included in the design of the plan of the building or of the construction; and
 - (ii) where the import or export of any radioactive material, irradiating apparatus or equipment containing radioactive source is involved, whether the approval of the Council is required for such import or export.

(3) (a) Upon making a determination under paragraph (b) of subsection (2) regarding the necessity to obtain an approval referred to therein, the Council shall forthwith communicate such determination to the person who forwarded the notification; and

(b) Where it determines that an approval is necessary to be obtained under that paragraph, request the person concerned to forward such information along with an approval fee as specified in the communication, for the purpose of obtaining the Council's approval.

21. (1) Where the Council:-

Application for
a licence.

- (a) determines under section 20(2) that an approval is not required prior to obtaining a licence for the conduct of the intended practice in respect of which the notification was forwarded; or
- (b) having considered the information received under section 20(3), grants its approval,

the Council shall inform the person concerned to make an application for an appropriate licence prior to the commencement of the practice.

(2) An application for a licence shall be made in the appropriate form provided for the same by the Council, along with an application processing fee as determined by the Council.

22. (1) The Council shall issue a licence for the conduct of the practice in respect of which such application is made under section 21(2), on being satisfied that such applicant:-

Processing of
applications and
the issue of
licence.

- (a) has complied with the requirements of the building plan which was approved by the Council, if any, in which the practice is to be conducted;
- (b) is in a position to justify the conduct of the practice concerned on the basis that it produces sufficient benefit to the exposed individuals or to the society, to off-set the radiation harm which such practice may cause;
- (c) has sufficient resources and adequate number of technically qualified staff available to enable the conduct of the practice in a manner that ensures safety and security;

- (d) has taken appropriate measures to ensure that exposures will be below the dose limits prescribed under this Act;
- (e) has taken adequate steps to ensure that protection has been optimized so as to provide highest level of safety that can reasonably be achieved;
- (f) has clear understanding of the fundamental principles relating to radiation protection;
- (g) has adequate financial resources and technically qualified staff available, to meet responsibilities involved in the event of a decommissioning of the practice concerned;
- (h) has assessed the nature, magnitude and likelihood of the risk that may be caused due to the conduct of the practice;
- (i) has taken all necessary steps required to be taken for the protection and safety of workers, the public, the environment and for the security of the radioactive sources;
- (j) has furnished to the Council all information including relevant technical information from its suppliers or manufacturers which are required in order to enable compliance with the provisions of this Act and any regulations or rules made thereunder; and
- (k) has prepared and made available an Emergency Preparedness and Response Plan.

(2) Where in terms of the criteria set out in subsection (1), the Council:-

- (a) is satisfied that the applicant is eligible to be granted a licence to conduct the practice, a licence shall be issued in the prescribed form, for that purpose; or
- (b) is of the view that the applicant is not eligible to be granted a licence, refuse to grant the licence requested for and inform the applicant of such refusal and the reasons for the refusal.

23. (1) A licence issued under section 22 shall be :-

Conditions of
the licence.

- (a) subject to such conditions and requirements as specified in the licence;
- (b) subject to the payment of a licence fee as determined by the Council;
- (c) valid for such period as determined by the Council in accordance with such rules made in that behalf, and specified in the licence; and
- (d) non transferable.

(2) The Council shall maintain a register containing a record of the licences issued and the basis on which such licences have been issued, details of conditions and requirements imposed on each licence and where a licence is refused, the reasons for such refusal.

24. It shall be the primary duty of the licensee to establish and implement the technical and organizational measures required for the protection of human life and the environment against harmful effects of ionizing radiation and to ensure the safety and security of radioactive sources authorized to be used under the licence.

Primary duty of
the licensee.

Reporting of
over exposure
and theft, etc.

25. Every licensee shall report to the Council-

- (a) of any case of over exposure to radiation, not less than twenty four hours after such exposure has taken place; and
- (b) of any loss, theft, radiological emergency or diversion for unauthorized purposes of any sources or material within twenty four hours after coming to know of such event,

and thereafter comply with any directions relating to emergency measures that may be issued by the Council in respect of the same.

Compliance with
requirements
established for
transport of
radioactive
material.

26. Every licensee who is issued with a licence for the conduct of a practice involving the transport of radioactive material shall comply with such requirements, including requirements pertaining to specifications for the containers or packages used for the purpose of transport of such radioactive material and radioactive sources, as may be specified by the Council by rules made in that behalf.

Modification of
a licence.

27. (1) A licensee is prohibited from continuing with the conduct of the practice for which the licence was issued without applying to the Council in writing for the modification of such licence, on the happening of any one or more of the following circumstances:-

- (a) where any source different to that which was authorized by the licence, is sought to be used;
- (b) where a higher activity of radioactive material than which is authorized by the licence, is sought to be used;
- (c) where a modification is sought to be carried out in the physical infrastructure used for the conduct of the practice concerned; or

(d) where new employees are sought to be employed in the conduct of the practice for which the licence was issued.

(2) The Council shall, having considered the circumstances, due to which a modification of the licence is being applied for, decide upon the modifications that could be permitted and modify the licence issued accordingly.

28. (1) A licensee who wishes to have its licence renewed shall be required to make an application for the same, not less than three months prior to the date of the expiry of the licence issued.

Renewal of a
licence.

(2) Where a licensee fails to make an application within the time period specified under subsection (1), the Council shall direct such licensee to make an application forthwith unless such licensee does not intend to renew its licence, and may issue an interim licence pending the renewal of the licence.

(3) An application for the renewal of a licence shall be made in such form as provided for the same by the Council along with a renewal fee, and the provisions of section 22 of this Act shall, *mutatis mutandis* apply to and in respect of the processing of such application.

(4) Where a licence is renewed, the Council may where it considers it appropriate, impose further conditions or requirements in addition to those that the licence was subject to, when it was issued initially.

29. (1) Where a licensee does not intend to renew its licence, it shall be the duty of such licensee to inform the Council of such fact not less than three months prior to the date of the expiry of the licence, and a failure to so inform shall be an offence under this Act, and the person on conviction shall be liable to a fine not exceeding ten thousand rupees.

Council to be
informed
where a
licence is not
renewed.

(2) The provisions of subsections (3), (4) and (5) of section 33 of this Act, shall *mutatis mutandis* apply to and in respect of a practice the licence for the conduct of which is not renewed under subsection (1).

Effect of a failure to renew a licence.

30. (1) Where a licensee fails to apply for the renewal of its licence three months prior to the date of its expiry, the licensee shall be subject to the payment of a surcharge for each day at such rate as shall be determined by the Council by rules made in that behalf, until the date of the expiry of the licence, in addition to the renewal fee required to be paid when renewing the licence.

(2) Where a licensee fails to apply for a renewal of the licence prior to the date of its expiry, the Council shall have the power immediately upon the expiry of such licence-

- (a) to cause the premises in which the practice is being conducted to be sealed and within seven days of such sealing, to make an application to the Magistrate's Court to obtain an order confirming the sealing of the premises; and
- (b) to issue such directions as it may consider appropriate pertaining to the manner in which the safety and security of the radioactive source shall be ensured and for the protection of human life and the environment, which the licensee shall be required to strictly adhere to.

(3) The provisions of subsections (3) and (4) of section 33 of this Act, shall *mutatis mutandis* apply to and in respect of a licensee to whom any directions are issued under paragraph (b) of subsection (2).

Grounds for the cancellation of a licence.

31. A licence issued by the Council may at any time by a notification sent to the licensee in that behalf, be cancelled where-

- (a) the licensee has acted in violation of any condition of the licence or in contravention of any provision

of this Act or any regulation or rule made thereunder, which pose an unacceptable threat or risk to public health or a danger to the environment;

- (b) the licensee has failed without reason, to comply with any directives issued by the Council under section 39;
- (c) the licensee has ceased to conduct or operate the practice for which the licence was issued;
- (d) due to any prevailing circumstances the Council determines that the continued conduct of the practice for which the licence was issued, would pose an unacceptable threat or risk to public health or a danger to the environment; or
- (e) the receiving environment has altered or changed due to certain natural and other causes which renders the continued conduct of the practice a risk to public health or a danger to the environment.

32. Any person who continues to conduct a practice after the cancellation under section 31 of the licence shall commit an offence and be liable on conviction after summary trial before a Magistrate, to a fine not exceeding three million rupees or to an imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

Conducting a practice after the cancellation of a licence to be an offence.

33. (1) Where a licence is cancelled by the Council, it may cause seals to be affixed at such required places or to any source, to prevent the continuance of the conduct of the practice.

Causing seals to be affixed to any source, in the event of a cancellation.

(2) The Council shall within seven days of a sealing carried out under subsection (1), make an application to the Magistrate's Court, and obtain an order confirming the sealing that was carried out.

(3) The Council may at the time of the cancellation of a licence or at any time thereafter, issue such directions to the licensee as to the manner in which the safety and security of the radioactive sources may be ensured and for the protection of human life and the environment, and the licensee shall comply with any directions so issued.

(4) The Council shall release a licensee to whom any directions are issued under subsection (3) of all regulatory obligations imposed under this Act, when the Council is satisfied that the direction issued have been satisfactorily complied with and the radioactive material or sources used in the conduct of the practice concerned has ceased to pose a threat to human life and to the environment.

(5) The failure to comply with any directions issued under subsection (3) shall be an offence under this Act, and be liable on conviction after summary trial before the Magistrate, to a fine not exceeding five hundred thousand rupees or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

Suspension of a
licence.

34. (1) A licence may be suspended-

- (a) where the licensee has acted in violation of any condition of the licence or in contravention of any provision of this Act or any regulation or rule made thereunder and such violation or contravention does not however pose an unacceptable threat or risk to public health or a danger to the environment;
- (b) where any danger or risk caused or likely to be caused to public health or the environment can be mitigated or remedied through the adoption of corrective measures; or

- (c) where the licensee has failed without reason, to comply with any directives issued by the Council under section 39.

(2) Where a decision is taken to suspend a licence, the Council shall in a notification sent to the licensee, specify the period for which the licence is being suspended and the corrective measures that are required to be taken for the suspension to be removed.

(3) (a) The licensee shall carry out the corrective measures or steps specified in the notification prior to the expiry of the period of suspension.

(b) Where the licensee is unable to complete the measures or steps specified before the expiry of the period of suspension, the licensee may request in writing for further time to carry out the same, and the Council may grant further time where it considers it appropriate in the circumstances.

(4) Where the Council is satisfied that the measures or steps required have been carried out by the licensee satisfactorily, the Council shall remove the suspension imposed.

(5) A person who continues to conduct a practice after the receipt of a notification issued by the Council under subsection (1) and prior to the removal of suspension under subsection (4), shall commit an offence and be liable on conviction after summary trial before a Magistrate, to a fine not exceeding three million rupees or to an imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

35. (1) A person aggrieved by the refusal to issue a licence or by the suspension or cancellation of a licence issued or the refusal to renew a licence, may appeal to the

Appeal against a suspension or a cancellation of a licence.

Secretary to the Ministry of the Minister (hereinafter referred to as the “Secretary”) against the decision of the Council, within one month of the date on which the decision was communicated to such person.

(2) An appeal made against a suspension or a cancellation of a licence, shall not in any way have the effect of setting aside such suspension or the cancellation, and the person concerned shall not conduct the practice which has been suspended or cancelled, until a determination on such appeal is made by the Secretary under section 37.

Appointment of
an Appeals
Committee to
hear an appeal.

36. (1) The Secretary shall within one month of the receipt of any appeal, appoint an Appeals Committee to hear and inquire into such appeal, consisting of the following members :-

- (a) one person who possess postgraduate qualification in nuclear technology, who shall be the Chairman of the Appeals Committee;
- (b) one person having experience in the field of radiation protection; and
- (c) one person with legal qualifications.

(2) A person shall not be qualified to be appointed a member of an Appeals Committee, if such person is-

- (a) the holder of a licence issued by the Council; or
- (b) has any direct or indirect pecuniary or other interest in the subject matter of the appeal to be inquired into by the Appeals Committee.

(3) In the event a member finds that he has any direct or indirect interest in the subject matter of the appeal after being appointed as a member of the Appeals Committee, it shall be the duty of such member to immediately inform the Secretary of such fact and the Secretary shall forthwith appoint another person to replace the member concerned.

(4) (a) The Appeals Committee shall grant the parties to the appeal an opportunity of being heard and shall be required within two months of the date of the commencement of the hearing of the appeal, to conclude its hearing and to submit a report to the Secretary containing its findings and recommendations on the appeal.

(b) In the event that the Committee is unable to complete its hearing within the time specified, it may request the Secretary in writing for an extension of time and the Secretary may grant an extension not exceeding one month.

(5) The members of the Appeals Committee shall be paid such allowance as may be determined by the Minister in charge of the subject of Finance.

37. (1) The Secretary shall within two weeks of the receipt of the report of the Appeals Committee and having considered the recommendations made in the report, make a determination either allowing or disallowing, the appeal concerned and direct the Council to give effect to the decision so made.

Secretary's
determination
on an appeal.

(2) The Secretary shall communicate forthwith to all the parties to the appeal, the determination made on the appeal.

38. (1) Where a person to whom a licence is issued under this Chapter-

Termination of a
licence.

- (a) dies or where the person concerned is a company or a partnership, the company or the partnership, becomes bankrupt;
- (b) is adjudged insolvent; or
- (c) wishes to discontinue the conduct of the practice in respect of which the licence was issued, prior to its expiry,

the licence so issued shall be deemed to have terminated.

(2) Where a licence is deemed to have terminated on the occurrence of any event specified in subsection (1), it shall be the duty of the licensee or the next of kin of a licensee who dies or the partners or the directors of the partnership or the company, to inform the Council forthwith of such event and thereafter to take all such action as may become necessary to comply with any directions that may be issued by the Council, relating to the management of the radioactive material or sources connected with the practice conducted under the licence.

(3) The Council shall release a licensee referred to in this section of all regulatory obligations imposed under this Act, when the Council is satisfied that radioactive material or sources used in the conduct of the practice concerned, cease to pose a threat to human life or to the environment.

Council to issue directives.

39. The Council may issue directives to any licensee regarding measures that should be taken to prevent or abate any damage or detriment being caused to human life and the environment or to prevent loss of control of safety and security of sources. The licensee shall comply with any directives so issued.

Powers and duties of Authorized Inspectors.

40. (1) An Authorized Inspector who is generally or specially authorized in that behalf, may require a licensee or any employee of the licensee, to-

- (a) make available information or any records on the types and quantities of sources or radioactive material utilized in the conduct of the practice;
- (b) give details of the manner in which and the locations at which, radioactive or nuclear materials are stored; or
- (c) provide any other information as he or she may consider necessary, for the due performance of his or her duties under this Act.

(2) An Authorized Inspector may at any reasonable hour of the day, either announced or unannounced, enter upon any premises, building, vessel, vehicle or aircraft :-

- (a) where he or she has reasonable grounds to believe that a practice is being conducted or any radioactive or nuclear material is being stored or transported or carried, without obtaining a licence as required by this Act; or
- (b) for the purpose of carrying out an inspection, investigation or examination or for obtaining any samples,

and the persons present in such premises, building, vessel, vehicle or aircraft, shall render all necessary assistance to the Authorized Inspector in discharging his duties.

(3) A licensee and every employee or agent of such licensee shall provide all assistance that may be requested for by an Authorized Inspector, to enter and inspect, examine and to take samples or carry out any activity in the course of the performance of his functions under this Act.

(4) Any person who willfully obstruct an Authorized Inspector or refuses to comply with any request made by such Inspector in the performance of a duty lawfully entrusted to such person, shall commit an offence and be liable on conviction after summary trial before a Magistrate to a fine not exceeding three hundred thousand rupees or to a term of imprisonment for a period not exceeding two years or to both such fine and imprisonment.

(5) The Council shall maintain a record of all inspections carried out by an Authorized Inspector under this section.

41. (1) Where an Authorized Inspector has reasonable grounds to believe that a practice for which a licence has been issued, is being carried out in a manner which poses an immediate risk of injury to persons or substantial damage to property or the environment, such Inspector may cause the premises where such practice is being conducted to be sealed.

Power to direct
the removal of
sources.

(2) In the event of the sealing of any premises under this section, the Authorized Inspector shall forthwith inform the Council of such fact.

(3) The Council shall within seven days of a sealing carried out under subsection (1), make an application to the Magistrate's Court, and obtain an order confirming the sealing that was carried out.

(4) Where an Authorized Inspector has reasonable grounds to believe that any source is insecure and the security of such source may be affected by external influence, he may direct the licensee to remove such sources to a more secure location, as shall be proposed by the Council.

CHAPTER IV

SAFETY AND SECURITY OF SOURCES

Categorization of radioactive sources.

42. (1) The Council shall based on internationally recognized guidelines, adopt a system of categorization of radioactive sources depending on the potential injury that could be caused to people and to the environment, if such sources are not safely managed or securely protected.

(2) A Notification of any categorizations carried out under subsection (1), shall be published in the *Gazette*.

Protection of information contained in the national register on sources.

43. The Council shall take all necessary measures to protect the information contained in the national register on sources maintained under section 11(d), in order to ensure the safety and security of such sources.

Physical protection of categories of radioactive sources.

44. The Council shall prescribe the requirements to be complied with by licensees for the physical protection of the different categories of radioactive sources and the measures necessary for the safety and security of such categories of radioactive sources.

Duty of licensee to inform the Council of any loss of a radioactive source.

45. (1) Every licensee shall inform the Council immediately of the loss of control over its radioactive sources or the occurrence of any other incident in connection with its radioactive source, that may pose a significant risk of injury to persons or substantial damage to property or to the environment.

(2) A licensee who fails to comply with the duty imposed by subsection (1) shall commit an offence and be liable on conviction after summary trial before a Magistrate to a fine not exceeding three hundred thousand rupees or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

46. The Council shall coordinate with national security authorities and any other relevant organizations, to develop a national strategy for promptly gaining or regaining control over orphan radioactive sources.

National strategy
on orphan
sources.

47. (1) Irradiating apparatus shall not be imported into or exported from Sri Lanka by any person, except with the written approval of the Council.

Import and
export of
irradiating
apparatus.

(2) The grant of an approval under subsection (1) for the export or import of any irradiating apparatus, shall not be considered as exempting the person concerned from having to obtain an appropriate licence, where such irradiating apparatus is to be used, supplied or sold for the purpose of conducting a practice, for which a licence is required to be obtained under this Act.

48. (1) Notwithstanding anything contained in any other law, no person or authority vested with the power to issue a licence or any other form of approval for the export or import of any radioactive source, or any devices containing any such source, to or from Sri Lanka or for the transit of any such source through Sri Lanka, shall issue such licence or approval, without obtaining the prior written approval of the Council for the same.

Import or export
of radioactive
sources.

(2) (a) The Council shall, based on internationally recognized guidelines specify by rules made in that behalf, the requirements and procedures to be adopted by the Council for the grant of an approval under subsection (1).

(b) The rules shall provide for the evaluation of information in order to assess the capacity and ability of the person requesting for the approval to ensure the safety and security of the radioactive source or other device containing the source, concerned.

(3) Before granting its approval for the issue of a licence or any other form of approval for the export of radioactive sources categorized in terms of section 42(1), the Council shall satisfy itself insofar as practicable, that the importing country has the appropriate technical and administrative capability, resources and regulatory structure, to ensure the safe and secure management of the source concerned.

CHAPTER V

EXPORT AND IMPORT CONTROL OF NUCLEAR AND OTHER RADIOACTIVE MATERIAL

Controlled
items.

49. (1) The Council shall in compliance with international obligations and commitments of Sri Lanka including those under the Safeguards Agreement, prepare a list of nuclear material, equipment and technologies (hereinafter referred to as the “controlled items”) the import into and export from Sri Lanka, which shall be subject to control under this Act.

(2) The Council shall give adequate publicity to the list so prepared, in such manner as shall be determined by the Council.

(3) The list shall be published in the *Gazette*.

Prohibition on
export or import
of controlled
items without
approval of the
Council.

50. (1) Notwithstanding anything contained in any other law, no approval, authority or permission shall be granted for the export from or import into Sri Lanka of any controlled item, without the prior written approval of the Council.

(2) (a) An approval for the purpose of subsection (1) shall be obtained on application made to the Council for the same, in such form and on the payment of such fee, as determined by the Council.

(b) An approval granted shall be subject to such conditions based on requirements and obligations of Sri Lanka under the Safeguards Agreement, as may be specified.

(3) The grant of an approval under subsection (1) for the export or import of any controlled items, shall not be considered as exempting the person concerned from having to obtain an appropriate licence, where such controlled item is to be used, possessed, transported, supplied or sold for the purpose of conducting a practice, for which a licence is required to be obtained under this Act.

(4) Any person who imports into or exports from Sri Lanka any controlled item in contravention of the provisions of subsection (1) shall commit an offence and on conviction after summary trial before a Magistrate, be liable, in addition to any other penalty that may be imposed for committing an offence under any other law, to a fine not exceeding five hundred thousand rupees or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(5) Where any controlled item is seized by a customs officer under any provision of the Customs Ordinance, notwithstanding anything to the contrary contained in that Ordinance, such customs officer shall be required to inform the Council of such facts forthwith and the Council shall have the power to take control of the controlled item so seized and keep the same in any premises which is under the control of the Council, to ensure its safety and security.

51. The Council may make such rules as it may deem appropriate, that shall guide the Council in granting approval for the export and import of any controlled item.

Council to make rules for granting approval for the export and import of controlled items.

52. (1) Where any material containing Uranium or Thorium which has not reached the stage of the nuclear fuel cycle set out in the Safeguards Agreement, is directly or indirectly exported from Sri Lanka to a Non-Nuclear Weapon State, the Council shall inform the International Atomic Energy Agency of its quantity, composition and destination, unless such radioactive material is exported for any non-nuclear purpose.

Council's duty in regard to import and export of nuclear materials.

(2) Where any material containing Uranium or Thorium which has not reached the stage of the nuclear fuel cycle set out in the Safeguards Agreement, is imported into Sri Lanka,

the Council shall inform the International Atomic Energy Agency of its quantity and composition, unless such material is imported for non-nuclear purposes.

Transfer of responsibility in international transfers of nuclear materials under Safeguards Agreement.

53. (1) Where any nuclear material to which the Safeguards Agreement applies, is transferred internationally, the responsibility for such material shall be regarded as being the responsibility of the Council :-

- (a) in the case of any import, from the time such responsibility ceases to lie with the exporting State, and no later than the time at which the nuclear material reaches Sri Lanka; and
- (b) in the case of any export, up to the time at which the recipient State assumes such responsibility and no later than the time at which the nuclear material reaches its destination.

(2) The Council shall not be deemed to have any responsibility for nuclear material merely by reason of the fact that such material is in transit on or over its territory or its territorial waters or that such material is being transported under its flag or in any of its aircrafts.

(3) For the purpose of subsection (1), the point at which the responsibility of the Council shall cease in regard to the import into or the export from Sri Lanka of any nuclear material, shall be as determined by the Council, in compliance with the Safeguards Agreement.

CHAPTER VI

RADIOACTIVE WASTE

National policy and strategy.

54. The Minister shall formulate a National Policy on Radioactive Waste Management based on international norms.

Safety and security of radioactive waste.

55. (1) The primary responsibility for ensuring the safety and security of radioactive waste throughout its life, shall rest with the holder of the relevant licence.

(2) A licensee who fails to fulfill the responsibility imposed by subsection (1), shall commit an offence and be liable on conviction after summary trial before a Magistrate, to a fine not exceeding five hundred thousand rupees or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

56. (1) Radioactive waste generated outside the Republic of Sri Lanka shall not be imported into the country, unless a determination has been made by the Minister in consultation with the Council, that the import would be in the national interest and prior written approval for the same has been granted by the Council.

Import of
radioactive
waste.

(2) Any person who acts in contravention of the provisions of subsection (1) shall commit an offence and be liable on conviction after summary trial before a Magistrate, to a fine not exceeding one million rupees or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

57. (1) No person shall export radioactive waste generated within the Republic of Sri Lanka, without the prior written approval of the Council and the consent of the importing country.

Export of
radioactive
waste.

(2) The Council shall not grant approval for the export of radioactive waste to a destination South of latitude 60 degree, for storage or disposal purposes.

(3) Any person who acts in contravention of the provisions of subsection (1) shall commit an offence under this Act and be liable on conviction after summary trial before a Magistrate, to a fine not exceeding one million rupees or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

CHAPTER VII

NATIONAL NUCLEAR EMERGENCY PLAN

National Plan
for nuclear or
radiological
emergencies.

58. (1) The Council shall, in accordance with the provisions of the Sri Lanka Disaster Management Act, No. 13 of 2005, develop a National Nuclear or Radiological Emergency Management Plan (hereinafter referred to as the “Emergency Management Plan”) for responding to potential nuclear or radiological emergencies at national level.

(2) The provisions of the Sri Lanka Disaster Management Act, No. 13 of 2005 shall apply in regard to the adoption of the Emergency Management Plan.

(3) The Council shall assist and advise the Disaster Management Centre established under section 8 of the Sri Lanka Disaster Management Act, No. 13 of 2005, in the implementation of the Emergency Management Plan, during any intervention carried out by such Centre, in the event of any nuclear or radiological emergency.

Trans boundary
emergencies.

59. (1) In the event a nuclear or radiological emergency occurs within Sri Lanka which poses a risk that radioactive contamination could spread beyond the boundaries of the Republic of Sri Lanka, the Council shall immediately notify such emergency to the International Atomic Energy Agency and to any relevant authorities of any State which may be physically affected by such contamination.

(2) The Council shall serve as the point of contact for providing any information or assistance regarding nuclear or radiological emergencies in terms of any relevant international instruments, including the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

CHAPTER VIII

SAFEGUARDS

60. The Council shall ensure that Sri Lanka's obligations assumed under the Safeguards Agreement, are complied with and that all necessary assistance is provided to ensure due compliance of such agreement.

Council to ensure due compliance of Safeguards Agreement.

61. All nuclear activities in Sri Lanka shall be carried out exclusively for peaceful purposes and in compliance with the relevant international obligations of Sri Lanka relating to the same.

Nuclear activities to be exclusively for peaceful purposes.

62. (1) Nuclear weapons and other nuclear explosive devices, the direct or indirect control over such weapons or devices, the manufacture or acquisition of such weapons or devices and participating in, seeking, giving or receiving any assistance in their manufacture, is prohibited in Sri Lanka.

Prohibition on nuclear weapons and other explosive devices.

(2) No person shall :-

- (a) carry out research in, develop, acquire, manufacture, possess, store, transport, transfer or use, nuclear weapons;
- (b) carry out research in, develop, acquire, manufacture, possess, store, transport, transfer or use, nuclear material for the purpose of making nuclear weapons;
- (c) participate in, assist in or finance any of the activities specified in paragraph (a) or (b) above.

(3) Any person who acts in contravention of subsection (1) or subsection (2) shall commit an offence and on conviction by the High Court, be liable to imprisonment for a term not exceeding twenty years.

CHAPTER IX

PHYSICAL PROTECTION OF NUCLEAR MATERIAL AND OTHER
RADIOACTIVE MATERIAL

Requirements for physical protection of nuclear material and other radioactive material.

63. (1) The Council shall establish requirements for the physical protection of nuclear material and other radioactive material, including :-

- (a) a categorization of nuclear material and radioactive material based on an assessment of the damage that could result from theft or diversion of a certain type and quantity of material from licensed uses or from sabotage of a facility in which nuclear material and other radioactive material are produced, processed, used, handled, stored or disposed of;
- (b) protection and security measures necessary for different categories of nuclear material and other radioactive material; and
- (c) accounting and control measures for nuclear material and other radioactive material.

(2) The requirements established under subsection (1) shall be published in the *Gazette*.

Physical protection, responsibilities of the licensee.

64. (1) Where there has been a theft, a robbery or an attempt of a theft or robbery or a loss of nuclear material or other radioactive material belonging to a licensee, such licensee shall –

- (a) notify the Council forthwith of the incident and the circumstance thereof;
- (b) provide a written report to the Council, including particulars of nuclear material or other radioactive material stolen or lost, as soon as practicable after giving the notice;

- (c) provide any additional information as may be required by the Council; and
- (d) take all necessary measures to ensure safety and confidentiality of sensitive information.

(2) A licensee who fails to comply with the requirements imposed by subsection (1), shall commit an offence and on conviction after summary trial before a Magistrate be liable to a fine not exceeding five hundred thousand rupees or to be liable to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

65. (1) Where a theft, a robbery or an attempt of a theft or robbery or loss of any nuclear material or other radioactive material has taken place within the Republic of Sri Lanka, the Council shall as soon as possible inform other States or international organizations, that may be affected as a result of such incident.

International cooperation and assistance.

(2) In the event of a theft or a robbery or loss of any nuclear material or other radioactive material, the Council shall in coordination with other relevant departments and agencies, take all appropriate steps necessary for the recovery of the same.

(3) The Council shall provide information on incidents involving the theft, robbery or the attempt of a theft or robbery or loss of any nuclear material or other radioactive material, to the International Atomic Energy Agency under such arrangements that are established by that Agency.

66. (1) Whoever who:-

- (a) commits, aids and abets or attempts to commit a theft or robbery of any nuclear material or other radioactive material or a device containing nuclear material or other radioactive material; or

Unlawful handling of radioactive material or nuclear material or a device containing radioactive material or nuclear material to be an offence.

- (b) misappropriates, aids and abets or attempts to misappropriate any nuclear material or other radioactive material or a device containing nuclear material or other radioactive material; or
- (c) does, aids and abets or attempts to do any act which constitutes the carrying, sending or moving of nuclear material or other radioactive material into or out of Sri Lanka without lawful authority,

shall commit an offence and be liable on conviction after summary trial before a Magistrate to a fine not exceeding three million rupees or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

(2) Whoever receives, possesses, transfers, transports, alters, uses or disposes of nuclear material or other radioactive material or possesses a device containing any such material, as the case may be with the intent of causing death or serious bodily injury to any person or causing substantial damage to property or to the environment, shall commit an offence and be liable on conviction by the High Court, to a fine not exceeding ten million rupees or to imprisonment for a term not exceeding twenty years or to both such fine and imprisonment.

(3) Whoever without lawful authority receives, possesses, transfers, transports, alters, uses or disposes of nuclear material or other radioactive material or possesses a device containing any such material, as the case may be which causes or is likely to cause death or serious injury to any person or causes or likely to cause substantial damage to property or the environment, shall commit an offence and on conviction by the High Court be liable to a fine not exceeding ten million rupees or to imprisonment for a term not exceeding twenty years or to both such fine and imprisonment.

(4) Whoever commits or attempts to commit an offence referred to in subsections (1), (2) or (3) or does so in order to compel any person, an international organization or a State, either to do or to refrain from doing any act which could result in posing a threat to the defence or national security of the country or cause any detriment to public health or environment, shall commit an offence and shall on conviction by the High Court, be liable to a fine not exceeding ten million rupees or to imprisonment for a term not exceeding twenty years, depending on the gravity of the nature of the offence committed.

(5) Whoever demands any radioactive material or nuclear material or a device containing radioactive material or nuclear material, by threat or by use of force or by any other form of intimidation, shall commit an offence and on conviction by the High Court be liable to a fine not exceeding one million rupees or to imprisonment of a term not exceeding two years or to both such fine and imprisonment.

67. Whoever without lawful authority uses or disperses in any manner any radioactive material or nuclear material or uses a device containing radioactive material or nuclear material :-

- (a) which causes or is likely to cause death or serious bodily injury to any person or substantial damage to property or to the environment;
- (b) in order to compel any person, an international organization or a State to do or refrain from doing any act which could pose a threat to the defence or national security of the country or cause any detriment to public health or environment; or

Unlawful use of radioactive material or nuclear material or devices containing such material to be an offence.

- (c) threatens to commit an act referred to in paragraph (a) or (b),

shall commit an offence and on conviction by the High Court be liable to imprisonment for a term not exceeding twenty years.

Using or
damaging an
irradiation
Installation
which cause a
risk of release of
radioactive
material.

68. (1) Whoever uses or damages an irradiation installation, interferes with its operation or commits any other act directed against an irradiation installation, in a manner which causes the release or risk of a release of radioactive material, with the intent or knowing that such act will cause death or serious bodily harm to any person or substantial damage to property or to the environment, shall commit an offence and shall on conviction by the High Court be liable to imprisonment for a term not exceeding twenty years.

(2) Whoever threatens to commit any act referred to in subsection (1) shall commit an offence and be liable on conviction to the same punishment as specified in subsection (1).

CHAPTER X

MINING AND PROCESSING

Protection to be
provided in
activities relating
to mining and
processing
operations.

69. (1) The Council shall by rules made in that behalf, establish requirements for the protection of workers, the public and the environment, that are required to be complied with by all persons who are conducting activities related to mining or processing operations which generate radioactive material.

(2) A person who is required to comply with any requirements established under subsection (1) and who fails to comply with the same, shall commit an offence and shall be liable on conviction after summary trial before a Magistrate, to a fine not exceeding five hundred thousand rupees or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

PART III

CHAPTER XI

STAFF OF THE BOARD AND OF THE COUNCIL

70. For the purposes of this Part (Chapters XI, XII, XIII) of this Act, the expression “relevant authority” means the Board or the Council, as the case may be.

Meaning of the expression “relevant authority” used in this Part.

71. (1) The Minister shall, in consultation with the relevant authority, appoint a person who possesses academic qualifications and has wide experience:-

Appointment of Director-General.

- (a) in the field of Nuclear Science and Technology, to be the Director-General of the Board; and
- (b) in the field of atomic energy regulatory matters, radiation safety and security, administration or law, to be the Director-General of the Council,

(in this Chapter referred to as the “Director-General”) subject to such terms and conditions as may be determined in the like manner.

(2) The Director-General who shall be the Chief Executive Officer of the relevant authority concerned shall subject to the general directions of such authority be responsible for :-

- (a) the administration of the affairs of the relevant authority, its organization and the exercise and performance of its powers and functions; and
- (b) exercise general control over the officers and employees of the relevant authority concerned.

(3) The Director-General shall be appointed for such period as shall be determined by the Minister which shall not exceed five years from the date of his appointment, and unless

removed from office may be re-appointed by the Minister in consultation with the relevant authority concerned, taking into consideration his performance as the Director-General during the tenure of such office.

(4) In the event an officer of the relevant authority is appointed as its Director-General, such officer shall be released from the post such officer was holding at the time of being appointed as the Director-General, for the period during which he will hold office as the Director-General.

(5) (a) The Director-General may with the written approval of the relevant authority, delegate in writing to any officer of the relevant authority, such of his powers and functions as he may, consider necessary.

(b) The officer to whom any such power or function is delegated shall exercise or perform the same subject to the directions of the Director-General.

(6) The Director-General shall attend meetings of the relevant authority concerned but shall not have a right to cast a vote at any such meeting.

Removal of the
Director-
General.

72. (1) The Minister may, on the recommendation of the relevant authority may after holding an appropriate inquiry, remove the Director-General from his office :

- (a) if he becomes permanently incapable of performing the duties and functions of his office;
- (b) if he has done any act which is manifestly opposed to the objectives of the relevant authority concerned or has acted in a manner which is detrimental to the interests of such authority;
- (c) has failed to comply with any directions issued by the relevant authority.

(2) Where a Director-General is removed from office under subsection (1), such officer shall not as of right be entitled to

revert to the post such officer was holding at the time of being appointed as Director-General.

73. (1) The relevant authority may appoint such officers and servants to the staff of the relevant authority, as it considers expedient, subject to such terms and conditions of service as may be determined by the relevant authority, including disciplinary control over such officers and servants.

Appointment of the staff of the relevant authority.

(2) The officers and servants appointed under subsection (1) shall be paid such remunerations and other benefits as shall be determined by the relevant authority, in consultation with the Minister and with the concurrence of the Minister assigned the subject of Finance.

(3) The relevant authority shall establish and regulate provident funds or schemes, for the benefit of its officers and employees and make contributions to such funds or schemes.

74. (1) At the request of the relevant authority, any officer in the public service may, with the consent of such officer and the Public Service Commission, be temporarily appointed to the staff of the relevant authority for such period as may be determined by the relevant authority, or with like consent be appointed permanently to such staff.

Appointment of public officers to the staff of the relevant authority.

(2) Where any officer in the public service is temporarily appointed to the staff of the relevant authority, the provision of section 14(2) 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 the public service is permanently appointed to the staff of the relevant authority, the provision of section 14(3) of the National Transport Commission Act, No.37 of 1991, shall *mutatis mutandis*, apply to and in relation to such officer.

(4) Where the relevant authority, employs a person who has entered into a contract with the Government for a

specified period, any period of service to the relevant authority shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

CHAPTER XII

FINANCES OF THE RELEVANT AUTHORITY

Fund of the relevant authority.

75. (1) The relevant authority shall have its own Fund, to which shall be credited –

- (a) all such sums of money as may be voted upon by Parliament from time to time for the use of the relevant authority concerned;
- (b) all such sums of money as may be received by the relevant authority in the exercise, discharge and performance of their powers, functions and duties under this Act;
- (c) subject to the provisions of subsection (2), all such sums of money as may be received by the relevant authority by way of loans, donations, gifts, bequests or grants from any source whatsoever, whether within or outside Sri Lanka:

Provided that, the relevant authority 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 loans, grants, gifts and donations made and all loans, donations, gifts, bequests and grants received from any source within Sri Lanka shall be credited to the Consolidated Fund and shall thereafter, with the approval of the Parliament, be credited to the fund of the relevant authority; and

- (d) all such sums of money as may be received by the relevant authority by way of fees or charges made under this Act.

(2) A relevant authority shall not receive by way of a loan, donation, gift, bequest or grant, any sum of money from a licensee or any other person or a body of persons, which can compromise the independence of such relevant authority or interfere with the discharge of any regulatory function or the performance of any duty under this Act.

(3) There shall be paid out of the Fund of the relevant authority, all such sums of money as are required to defray the expenditure incurred by the relevant authority in the exercise, discharge and performance of the powers and functions of the relevant authority under this Act.

76. (1) A relevant authority shall cause proper books of accounts to be kept of its assets and liabilities, income and expenditure and all other transactions of such relevant authority.

Audit of accounts of a relevant authority.

(2) The financial year of a relevant authority shall be the calendar year.

(3) The provisions of Article 154 of the Constitution shall apply to and in regard to the audit of accounts of a relevant authority.

(4) The provisions of Part II of the Finance Act, No. 38 of 1971, shall *mutatis mutandis* apply to and respect of the financial control and accounts of a relevant authority.

CHAPTER XIII

MISCELLANEOUS

77. (1) A member of the relevant authority who is directly or indirectly interested in any contract made or proposed to be made by such relevant authority, is required as soon as possible after such fact comes to his knowledge, to disclose the nature of the interest at a meeting of the relevant authority.

Disclosure of interest in any contract made or proposed to be made by the relevant authority.

(2) Any disclosure made by a member of the relevant authority under subsection (1), shall be recorded in the

minutes of the meeting of such relevant authority, and the member concerned shall-

- (a) not take part in any deliberation or decision of the relevant authority with respect to the contract to which such disclosure relates; and
- (b) be disregarded for the purpose of constituting a quorum for a meeting of the relevant authority, where such deliberation or decision is to be taken.

Acquisition of land for a relevant authority.

78. Where any land is required for any purpose of the relevant authority, such purpose shall for the purpose of the Land Acquisition Act (Chapter 460), be deemed to be a public purpose and the land may accordingly be acquired under that Act by the Government for the relevant authority, and the provisions of that Act shall apply to and in respect of such acquisition.

Protection of members and officers of the relevant authority from suit or prosecution.

79. (1) No liability, whether civil or criminal, shall attach to any member or officer of the relevant authority or to any officer authorized by such member or officer, for anything which in good faith is done in the performance or exercise of any function or power imposed or assigned to such relevant authority under this Act.

(2) Any expenses incurred by the relevant authority in any suit or prosecution brought by or against the relevant authority before any court, shall be paid out of the Fund of the relevant authority and any cost paid to or recovered by the relevant authority in any such suit or prosecution, shall be credited to the Fund of the relevant authority.

(3) Any expenses incurred by a member or officer of the relevant authority or by any officer authorized by any such member or officer, as the case may be, in any suit or prosecution brought against him before any court in respect of any act which is done by him under this Act shall, if the court holds that such act was done in good faith, be paid out of the Fund of the relevant authority, unless such expenses are recovered by him in such suit or prosecution.

80. (1) A person shall not, do anything to interfere or obstruct any member or officer of the Council or exercise any undue influence or coercion on any such member or officer, in the exercise or performance of any power or function by such member or officer under this Act.

Offences and penalties.

(2) Any person who-

- (a) willfully obstructs or hinders any member or officer of the relevant authority in the performance, discharge or exercise of any duty, function or power under this Act or any rule or regulation made thereunder;
- (b) provides any information required under this Act or any rule or regulation made thereunder, knowing such information to be false or misleading in any material particular; or
- (c) acts in contravention or violation of any decision of the relevant authority or of any provision of this Act or any rule or regulation made thereunder,

shall commit an offence and shall on conviction after summary trial before a Magistrate be liable, where no penalty is expressly provided for such offence by this Act or the rule or regulation concerned, to a fine not exceeding one hundred thousand rupees or to a term of imprisonment not exceeding two years or to both such fine and imprisonment.

81. Where an offence under this Act or any rule or regulation made thereunder is committed by a body of persons, then if that body of persons is-

Offences committed by a body corporate or a partnership.

- (a) a body corporate, every director and officer of such body corporate; or
- (b) is a partnership, every partner of such partnership,

shall be guilty of that offence:

Provided that a director or an officer of a body corporate or a partner of a partnership, as the case may be, shall not be deemed to be guilty of such offence, if he or she proves to the satisfaction of the court that such offence was committed without his knowledge or that he or she exercised all due diligence as was necessary, to prevent the commission of such offence.

Declaration of
secrecy.

82. (1) Every member, of the relevant authority, every committee, an Advisory Committee and Appeals Committee established under this Act, and every expert, Authorized Inspector and all officers of the relevant authority, shall, before entering upon his duties, sign a declaration pledging himself, to observe strict secrecy respecting all matters connected with the working of the relevant authority, and shall by such declaration pledge himself not to reveal any information which may come to his knowledge in the performance or discharge of his duties or functions under this Act, except-

- (a) in order to comply with any provision of this Act or any rule or regulation made thereunder or any other written law; or
- (b) when ordered by a court of law.

(2) Nothing in the preceding provisions of this section shall be read and construed as authorizing a member, of the relevant authority, a committee, an Advisory Committee or an Appeals Committee established under this Act, or an expert, Authorized Inspector or any officer of the relevant authority, to reveal any information or to do any act in contravention of the rights conferred on any person, by or under the Intellectual Property Act, No. 36 of 2003.

Contravention
of section 82 to
be an offence.

83. Every member, of the relevant authority, any committee, an Advisory Committee and Appeals Committee established under this Act, and an expert, authorized officer or any officer of the relevant authority, who acts in

contravention of section 82(1), shall commit an offence and be liable on conviction after summary trial before a Magistrate to a fine not exceeding one hundred thousand rupees or to a term of imprisonment not exceeding one year or to both such fine and imprisonment.

84. All officers and servants of the relevant authority shall be deemed to be public servants within the meaning and for the purpose of the Penal Code.

Officers and servants of the relevant authority deemed to be public servants.

85. The relevant authority shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of the Act shall be construed accordingly.

Relevant authority deemed to be a schedule institution for purposes of Bribery Act.

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

Regulations.

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations in respect of all or any of the following matters :-

- (a) the regulation of the exportation, importation, re-exportation, storage, mining, processing, designing, manufacturing, construction, assembling, acquiring, distribution, selling, leasing, hiring, receiving, siting, locating, commissioning, possessing, decommissioning, disassembling, using or disposing radioactive material or radioactive sources and of designing, manufacturing, selling, locating, possessing, using, exporting or importing of irradiating apparatus;
- (b) the decommissioning of irradiation installations;
- (c) the protection of radiation workers against harmful effects of ionizing radiation, including medical surveillance and occupational exposure of ionizing radiation;

- (d) the protection of general public and the environment against harmful effects of ionizing radiation;
- (e) the regulation of medical practices involving ionizing radiation, including protection of patients;
- (f) the regulation of radioactive waste management, including release of waste into the environment and any practice which may affect public health and safety;
- (g) the security of radioactive sources and controlled items; and
- (h) the formulation of a compensation scheme for the payment of compensation to radiation workers for any injury, illness or damage caused due to exposure to ionizing radiation.

(3) Every regulation made by the Minister, shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in such regulation.

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

(5) A notification of the date on which any regulation shall be deemed to be rescinded, shall be published in the *Gazette*.

Rules.

87. (1) The Council may make rules in respect of all or any matter for which rules are authorized or required to be made under this Act, and in particular in regard to the following matters:-

- (a) requirements to be complied with for the transport of radioactive material and radioactive waste to,

from and within the Republic of Sri Lanka, which shall:-

- (i) include a categorization of radioactive material that takes into account the potential hazard posed by types, quantities and activity levels of such radioactive material;
 - (ii) conform to the International Atomic Energy Agency regulations on safe transport of radioactive material;
 - (iii) include measures for the physical protection of radioactive material consistent with the standards laid down by the International Atomic Energy Agency;
- (b) the specification of exclusions recommended by the International Atomic Energy Agency;
- (c) preparedness and response to nuclear or radiological emergency situations;
- (d) criteria for qualifications of radiation workers;
- (e) the establishment of concentration levels of radioactivity in food and any other material used by the general public;
- (f) the establishment of concentration levels of radioactivity above which food and other items used by the general public shall be prohibited to be imported to or produced or marketed in Sri Lanka;
- (g) the development of policies, standards and codes of conduct in regard to radiation protection, safety and security of sources, including peaceful use of nuclear technology; and

(h) requirements deemed necessary to give effect to the Safeguards Agreement, in respect of which no specific provisions are made by or under this Act.

(2) Every rule made by the Council, shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in such rule.

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

(4) A notification of the date on which any rule shall be deemed to be rescinded, shall be published in the *Gazette*.

Interpretation.

88. In this Act, unless the context otherwise requires :-

“ambient dose equivalent rate $H^*(d)$ ” means the dose equivalent that would be produced by the corresponding aligned and expanded field in the *ICUR sphere* at a depth d on a radius opposing the direction of the aligned field with in a given period of time;

“accident” means any unintended event including operating errors, equipment failures and other mishaps, the consequences or potential consequences of which are not negligible from the point of view of protection and safety;

“decommissioning” means actions that are taken at the end of the operating lifetime of an irradiation installation to retire it from service, with due regard to the health and safety of

workers and members of the public and the protection of the environment, including safe removal and disposition of the sources;

“directional dose equivalent rate” means the dose equivalent that would be produced by the corresponding expanded field in the ICRU sphere at a depth d on a radius in a specified direction Ω within a given period of time;

“effective dose” means the quantity E , defined as a summation of all the tissue equivalent doses, each multiplied by the appropriate tissue weighting factor:

$$E = \sum w_T \cdot H_T$$

where H_T is the equivalent dose in tissue T and w_T is the tissue weighting factor for tissue T;

“exposure” means the act or condition of being subject to irradiation by ionizing radiation, and can be either external exposure (irradiation by ionizing radiation by sources outside the body) or internal exposure (irradiation by ionizing radiation by sources inside the body);

“facility” means any irradiation installation, mining and raw material processing sites such as uranium mines, radioactive waste management sites and any other places where radioactive material is produced, processed, used, handled, stored or disposed of on such a scale that consideration of protection and safety is required;

“fissionable material” means Uranium-233, Uranium-235, Plutonium-239, Plutonium-241

or any combination of these radionuclide,
other than –

- (a) natural uranium or depleted Uranium
which is unirradiated; and
- (b) natural uranium or depleted Uranium
which has been irradiated in thermal
reactors only;

“High Court” means the High Court of Sri Lanka,
holden in the Judicial Zone of Colombo
designated by the Minister with the
concurrence of the Chief Justice, by Order
published in the *Gazette*;

“incident” means any unintended event including
operating errors, equipment failures, initiating
events, accident precursors, near misses or
other mishaps or unauthorized act malicious
or non-malicious, the consequences or
potential consequences of which are not,
negligible from the point of view of protection
or safety from ionizing radiation;

“ionizing radiation” means radiation capable of
producing ion pairs in biological material;

“irradiating apparatus” means any system in which
charged particles are accelerated in a vacuum
through a potential difference of more than
five kilovolts (whether in one or more steps),
except an apparatus in which the only such
generator is a cathode ray tube or visual
display device, which under normal operating
conditions, does not cause an instantaneous
absorbed dose rate of more than 5 micro gray
per hour at a distance of 50 millimeters from
any accessible surface. All type of X-ray

machines and charged particle accelerators are considered to be irradiating apparatus;

“irradiation installation” means a structure or an installation that houses a particle accelerator, X-ray apparatus or large radioactive sources and that can produce high radiation fields properly designed structures providing shielding and other protection and are equipped with safety devices such as inter-locks which prevent inadvertent entry into the high radiation field and includes installations for external beam radiation therapy, installation for sterilization or preservation of commercial products and some installations for industrial radiography;

“licence” means a licence issued by the Council granting authorization to conduct of a practice, which is not a practice exempted under section 19 of this Act;

“licencee” means the holder of a licence;

“Minister” means the minister to whom the implementation of the provisions of this Act is assigned;

“nuclear material” means any source, material or any special fissionable material;

“nuclear or radiological emergency” means an emergency in which there is or is perceived to be a hazard, due to :-

- (a) the energy resulting from a nuclear chain reaction or from the decay of the products of a chain reaction; or
- (b) radiation exposure;

“nuclear weapons” means an explosive device that derives its destructive force from nuclear reaction, either fission or combination of fission or fusion;

“over exposure” means any exposure of a person to ionizing radiation so as that the dose received by that person is in excess of the relevant dose limits as are prescribed;

“practice involving ionizing radiation” means any human activity that introduces additional sources of exposure or exposure pathways or extends exposure to additional people or modifies the network of exposure pathways from existing sources, in a way that increases the exposure or the likelihood of exposure of people or the number of people exposed;

“radiation protection” means the protection of people from the effects of exposure to ionizing radiation and the means for achieving this;

“radiation worker” means any person who is employed full time or part time or in a temporary capacity, for an employer who is responsible for ensuring the protection of such person from radiation, while being so employed;

“radioactive material” means any material emitting ionizing radiation which is subject to the regulatory control of the Council;

“radioactive source” means radioactive material that is permanently sealed in a capsule or closely bounded in a solid form and which is not exempted from regulatory control and also means any radioactive material released if the radioactive source is leaking or broken;

“radioactive waste” means material in whatever physical form, remaining from practices or interventions that contains or is contaminated with radioactive material and has a radioactivity or radioactivity concentration higher than the level set for clearance from regulatory requirements and for which no further use is foreseen;

“Safeguards Agreement” means the Agreement between the Democratic Socialist Republic of Sri Lanka and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, which entered into force on 06th August 1984 and any protocol thereto;

“safety” means the protection of people and the environment against ionizing radiation risks and the safety of facilities and activities that give rise to radiation risks;

“security” means the prevention and detection of and response to, theft, sabotage, unauthorized access, illegal transfer or other malicious acts involving nuclear or other radioactive material or their facilities;

“source” means anything that may cause radiation exposure by emitting ionizing radiation or releasing radioactive material;

“source material” means uranium containing the mixture of isotopes occurring in the nature, uranium depleted in isotope 235, thorium and any of the foregoing in the form of metal, alloy, chemical compound or concentrate, any other material containing one or more of the foregoing in such concentration as determined by the Council from time to time;

“special fissionable material” means plutonium-239, uranium-233; uranium enriched in the isotopes 235 or 233, any material containing one or more of the foregoing and such other fissionable material as the Council shall determine from time to time, but shall not include source material; and

“uranium enriched in the isotopes 235 or 233” means uranium containing the isotopes 235 or 233 or both in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in the nature.

Sinhala text to prevail in case of inconsistency.

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

PART IV

CHAPTER XIV

REPEALS AND SAVING

Repeal of Act No. 19 of 1969 and saving provisions.

90. (1) The Atomic Energy Authority Act, No.19 of 1969 (hereinafter in this Act referred to as the repealed Act) is hereby repealed.

(2) Notwithstanding the repeal of the Atomic Energy Authority Act, No.19 of 1969 :-

- (a) all members of the Atomic Energy Authority holding office on the date preceding the appointed date, shall with effect from the appointed date be deemed to become members of the Board and shall hold office as such members during the balance period left of the term of office for which they were appointed as members of the Authority;

- (b) all movable and immovable property which on the date preceding the appointed date belonged to the Atomic Energy Authority shall, with effect from the appointed date, vest in the Board or the Council, as the case may be, as shall be determined by the Minister;
- (c) all contracts and agreements entered into, by or with the Atomic Energy Authority and subsisting on the date preceding the appointed date, shall be deemed with effect from the appointed date, to become contracts and agreements entered into, by or with the Board or the Council, as the case may be, as shall be determined by the Minister;
- (d) all such sums of money lying to the credit of the funds of the Atomic Energy Authority on the date preceding the appointed date, shall be transferred to the Fund of the Board or the Fund of the Council, as the case may be, as shall be determined by the Minister;
- (e) all permits, memoranda of understanding or memoranda of cooperation issued by the Atomic Energy Authority and which is in force on the date preceding the appointed date, shall be deemed with effect from the appointed date, to be permits, memoranda of understanding or memoranda of cooperation respectively, issued or entered into by the Board or the Council, as the case may be, as shall be determined by the Minister;
- (f) all actions and proceedings instituted by or against the Atomic Energy Authority and pending on the date preceding the appointed date, shall be deemed with effect from the appointed date, to be actions and proceedings instituted by or against the Board or the Council, as the case may be, and may be continued and completed accordingly;

- (g) the officers and servants of the Atomic Energy Authority holding office on the date preceding the appointed date, shall, with the consent of the officer or servant concerned and the Board or the Council, as the case may be, deemed with effect from the appointed date, to become officers or servants of the Board or Council, as the case may be, on terms not less favourable than their terms of employment in the Atomic Energy Authority;
- (h) all judgments and orders made in favour or against the Atomic Energy Authority and remaining unsatisfied on the date preceding the appointed date, shall be deemed with effect from appointed date to be judgments and orders made in favour or against the Board or the Council, as the case may be, depending on to whom the function or duty connected with or relating to the subject matter of such judgment or order has been assigned under this Act and may be enforced accordingly;
- (i) all interests, rights, assets, obligations, debts and liabilities of the Atomic Energy Authority existing on the date preceding the appointed date, shall be deemed with effect from the appointed date, to be interests, rights, assets, obligations, debts and liabilities of the Board or the Council, as the case may be, depending upon to whom the function or duty connected with or relating to the subject matter of such interests, rights, assets, obligations, debts and liabilities, as the case may be, has been assigned under this Act; and
- (j) all regulations made under the repealed Act and in force on the date proceeding the appointed date and which are not inconsistent with the provisions of this Act, shall be deemed with effect from the appointed date to be regulations made under this Act and may accordingly be amended or rescinded by the regulation made under this Act.

91. (1) Every licence issued by the Atomic Energy Authority under the Atomic Energy Authority Act, No. 19 of 1969 shall be deemed for a period of six months from the appointed date, to be a valid licence for the purpose of this Act and where such licensee desires thereafter to continue to conduct a practice under this Act, he shall be required to make an appropriate application to the Council under this Act for that purpose, not less than one month prior to the date of expiry of such six months.

Validation of licence issued under Act, No. 19 of 1969 and consequences.

(2) Any person who prior to the appointed date is engaged in an activity or practice on a licence issued by the Atomic Energy Authority Act, No.19 of 1969 and who wishes to cease or discontinue such activity or practice after the appointed date, shall be required to inform the Council of such fact in such form as may be prescribed prior to the expiry of the six months referred to in subsection (1), and the provisions of subsections (3) and (4) of section 33 of this Act, shall *mutatis mutandis* apply to and in respect of the same.

Schedule [Sections 6(4) and 14(4)]

Provisions relating to members of the Board and of the Council

(1) A person shall be disqualified from being appointed a member or continuing as a member of the Board or the Council, if such person :-

- (a) becomes a member of Parliament, a member of a Provincial Council or a member of any local authority;
- (b) ceases to be a citizen of Sri Lanka;
- (c) has been declared an insolvent or an undischarged bankrupt under any law;
- (d) is found or declared to be of unsound mind under any law in force in Sri Lanka or any other country;
- (e) has been convicted by a court of law in Sri Lanka or any other country;
- (f) (i) is already a member of the Board, at the time of being appointed as a member of the Council; or

- (ii) is already a member of the Council, at the time of being appointed as a member of the Board; or
- (g) in the case of appointment as a member of the Council, if there is or likely to be a conflict of interest of the functions, duties of the Council.

(2) The Minister may remove from office a member of the Board or the Council, where:-

- (a) he becomes subject to any of the disqualifications set out in paragraph (1) of this Schedule;
- (b) in the opinion of the Minister, such member has become permanently incapable of performing his or her duties owing to any physical disability or unsoundness of mind; or
- (c) does any act which in the opinion of the Minister, is likely to bring the Board or the Council, as the case may be, to disrepute.

(3) The Chairman or any other member of the Board or the Council, may resign from such office by letter in that behalf addressed to the Minister, and the resignation shall become effective from the date of its acceptance by the Minister in writing.

(4) The office of a member of the Board or the Council, shall become vacant :-

- (a) on his or her death;
- (b) on the expiry of seven days from the date on which such member informs the Minister in writing of his intention of resigning from such office and upon the acceptance of the resignation by the Minister in writing;
- (c) on removal of such member from office;
- (d) if such member absents himself or herself from any two consecutive meetings of the Board or the Council, as the case may be, without the prior notification to the Chairman of the Board or the Council; or
- (e) on the termination of his or her term of office as a member.

(5) In the event of the vacation of the office of any appointed member of the Board or the Council, the Minister shall, in accordance with the provisions of section 6(1) or section 13(1), appoint another person to hold such office for the unexpired term of office of the member whom he succeeds.

(6) (a) Where a member of the Board or the Council, is temporarily unable to discharge his or her duties due to ill health, absence from Sri Lanka or for any other cause, the Minister may, on the recommendation of the Board or of the Council, appoint another person to act in place of such member during his absence.

(b) Where the Chairman of the Board or the Council, is temporarily unable to discharge his duties due to ill health, absence from Sri Lanka or for any other cause, the Minister shall appoint another member of the Board or of the Council, to act in place of such Chairman during his absence.

(7) The Members of the Board or the Council, shall be paid such remuneration as shall be determined by the Minister in charge of the subject of Finance.

(8) (a) The Board or the Council, as the case may be, shall meet at least once in every month or as often as may be necessary.

(b) The quorum for any meeting of the Board shall be five members, while the quorum for any meeting of the Council shall be three members.

(c) The Chairman of the Board or the Council shall preside at all meetings of the Board or the Council, and in the absence of the Chairman at any such meeting, the members present shall elect from amongst the members present, a member to preside at such meeting.

(d) The Chairman or the person presiding at any meeting of the Board or the Council, shall in addition to his vote, have a casting vote.

(e) The Board or the Council, may regulate the procedure in regard to its meetings and the transaction of business at such meetings.

(9) The seal of the Board or of the Council :-

(a) shall be as determined from time to time by the Board or the Council;

(b) shall be in the custody of such person as the Board or the Council shall determine;

(c) may be altered in such manner as may be determined by the Board or the Council; and

(d) shall not be affixed to any document or instrument, except with the sanction of the Board or of the Council, and in the presence of the Chairman and one other member of such Board or the Council, both of whom shall sign such document or the instrument in token of their presence.

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

APPROPRIATION ACT, No. 41 OF 2014

[Certified on 24th November, 2014]

Printed on the Order of Government

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Appropriation Act, No. 41 of 2014

[Certified on 24th November, 2014]

L.D.—O. 33 /2014.

AN ACT TO PROVIDE FOR THE SERVICE OF THE FINANCIAL YEAR 2015 ; TO AUTHORIZE 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. 41 of 2014.

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 two thousand one hundred sixty eight billion two hundred ninety two million seven hundred eighteen thousand for the service of the period beginning on January 1, 2015 and ending on December 31, 2015 (in this Act referred to as the “financial year 2015”), shall be met –

Appropriation for financial year, 2015.

- (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 seven hundred eighty 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 two thousand one hundred sixty eight billion two hundred ninety two million seven hundred eighteen thousand referred to in subsection (1), may be expended as specified in the First Schedule to this Act.

(3) The provisions of subsection (1) shall have effect without prejudice to the provisions of any other written law, 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 two hundred thirty six billion seven hundred seven million two hundred eighty two thousand for the service of the period beginning on January 1, 2015 and ending on December 31, 2015. 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 2015.

3. (1) The receipts of the Government during the financial year 2015, 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 2015.

(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 2015 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 2015 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 2015, 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 2015.

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, 2016, 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 — 2015
Sums Payable for General Services

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 1 - 22	Special Spending Units		
	Recurrent	13,103,320,000	
	Capital	6,600,000,000	
Made up as follows :—			
Head 1	His Excellency the President		
	Programme 01 Operational Activities	4,914,800,000	3,852,250,000
	Programme 02 Development Activities	—	825,000,000
Head 2	Office of the Prime Minister		
	Programme 01 Operational Activities	253,000,000	32,200,000
Head 3	Secretariat for Special Functions (Senior Ministers)		
	Programme 01 Operational Activities	376,000,000	153,100,000
Head 4	Judges of the Superior Courts		
	Programme 01 Operational Activities	102,500,000	591,300,000
Head 5	Office of the Cabinet of Ministers		
	Programme 01 Operational Activities	67,550,000	9,850,000
Head 6	Public Service Commission		
	Programme 01 Operational Activities	126,090,000	281,100,000

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Head 7	Judicial Service Commission Programme 01 Operational Activities	38,900,000	1,000,000
Head 8	National Police Commission Programme 01 Operational Activities	42,280,000	1,350,000
Head 9	Administrative Appeals Tribunal Programme 01 Operational Activities	17,600,000	1,200,000
Head 10	Commission to Investigate Allegations of Bribery or Corruption Programme 01 Operational Activities	184,400,000	23,600,000
Head 11	Office of the Finance Commission Programme 01 Operational Activities	38,500,000	4,500,000
Head 12	National Education Commission Programme 01 Operational Activities	34,150,000	6,200,000
Head 13	Human Rights Commission of Sri Lanka Programme 01 Operational Activities	155,200,000	14,300,000
Head 14	Department of Attorney General Programme 01 Operational Activities	507,500,000	605,000,000
Head 15	Department of Legal Draftsman Programme 01 Operational Activities	74,050,000	70,000,000
Head 16	Parliament Programme 01 Operational Activities	1,676,300,000	62,850,000
Head 17	Office of the Leader of the House of Parliament Programme 01 Operational Activities	27,650,000	2,200,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 18	Office of the Chief Govt. Whip of Parliament Programme 01 Operational Activities	38,450,000	1,850,000
Head 19	Office of the Leader of the Opposition of Parliament Programme 01 Operational Activities	71,750,000	5,850,000
Head 20	Department of Elections Programme 01 Operational Activities	3,607,800,000	36,500,000
Head 21	Auditor General Programme 01 Operational Activities	738,800,000	18,300,000
Head 22	Office of the Parliamentary Commissioner for Administration Programme 01 Operational Activities	10,050,000	500,000
	Ministry of Buddha Sasana and Religious Affairs		
	Recurrent	1,205,000,000	
	Capital	750,000,000	
Made up as follows :—			
Head 101	Minister of Buddha Sasana and Religious Affairs Programme 01 Operational Activities Programme 02 Development Activities	147,650,000 —	9,230,000 457,000,000
Head 201	Department of Buddhist Affairs Programme 01 Operational Activities Programme 02 Development Activities	44,280,000 670,400,000	9,750,000 84,000,000
Head 202	Department of Muslim Religious and Cultural Affairs Programme 02 Development Activities	77,965,000	72,150,000

Head 203	Department of Christian Religious Affairs Programme 02 Development Activities	100,025,000	24,215,000
Head 204	Department of Hindu Religious and Cultural Affairs Programme 02 Development Activities	123,455,000	91,525,000
Head 205	Department of Public Trustee Programme 01 Operational Activities	41,225,000	2,130,000
	Ministry of Finance and Planning		
	Recurrent	146,856,000,000	
	Capital	390,069,400,000	

Made up as follows :—

Head 102	Minister of Finance and Planning Programme 01 Operational Activities Programme 02 Development Activities	2,823,600,000 —	1,539,000,000 1,534,320,000
Head 237	Department of National Planning Programme 01 Operational Activities	77,910,000	21,500,000
Head 238	Department of Fiscal Policy Programme 01 Operational Activities	75,880,000	2,500,000
Head 239	Department of External Resources Programme 01 Operational Activities	249,530,000	2,116,230,000
Head 240	Department of National Budget Programme 01 Operational Activities Programme 02 Development Activities	2,348,700,000 113,910,000,000	3,006,900,000 332,090,000,000
Head 241	Department of Public Enterprises Programme 01 Operational Activities	55,400,000	5,400,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 242	Department of Management Services Programme 01 Operational Activities	39,000,000	2,800,000
Head 243	Department of Development Finance Programme 01 Operational Activities Programme 02 Development Activities	591,440,000 —	700,000 3,130,000,000
Head 244	Department of Trade and Investment Policy Programme 01 Operational Activities	1,115,825,000	2,300,000
Head 245	Department of Public Finance Programme 01 Operational Activities	189,600,000	2,300,000
Head 246	Department of Inland Revenue Programme 01 Operational Activities	1,971,500,000	1,940,050,000
Head 247	Sri Lanka Customs Programme 01 Operational Activities	1,664,700,000	150,500,000
Head 248	Department of Excise Programme 01 Operational Activities	546,400,000	386,100,000
Head 249	Department of Treasury Operations Programme 01 Operational Activities Programme 02 Development Activities	20,002,775,000 —	38,171,900,000 5,429,300,000
Head 250	Department of State Accounts Programme 01 Operational Activities	32,150,000	3,200,000
Head 251	Department of Valuation Programme 01 Operational Activities	306,800,000	38,200,000

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Head 252	Department of Census and Statistics Programme 01 Operational Activities	648,800,000	474,300,000
Head 280	Department of Project Management and Monitoring Programme 02 Development Activities	66,050,000	13,000,000
Head 296	Department of Import and Export Control Programme 01 Operational Activities	48,120,000	4,900,000
Head 323	Department of Legal Affairs Programme 01 Operational Activities	19,400,000	700,000
Head 324	Department of Management Audit Programme 01 Operational Activities	27,090,000	1,500,000
Head 329	Department of Information Technology Management Programme 01 Operational Activities	45,330,000	1,800,000

Ministry of Defence and Urban Development
Recurrent 225,022,000,000
Capital 60,000,000,000

Made up as follows :—

Head 103	Minister of Defence and Urban Development Programme 01 Operational Activities Programme 02 Development Activities	3,975,880,000 1,002,000,000	10,088,970,000 25,000,000,000
Head 222	Sri Lanka Army Programme 01 Operational Activities	132,179,500,000	7,384,630,000
Head 223	Sri Lanka Navy Programme 01 Operational Activities	42,751,500,000	7,699,380,000
Head 224	Sri Lanka Air Force Programme 01 Operational Activities	31,536,500,000	6,880,000,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 226	Department of Immigration and Emigration Programme 01 Operational Activities	907,650,000	817,000,000
Head 227	Department of Registration of Persons Programme 01 Operational Activities	491,980,000	88,300,000
Head 291	Department of Coast Conservation Programme 01 Operational Activities	155,800,000	1,910,800,000
Head 320	Department of Civil Security Programme 01 Operational Activities	11,988,920,000	73,000,000
Head 325	Department of Sri Lanka Coast Guard Programme 01 Operational Activities	32,270,000	57,920,000
	Ministry of Economic Development		
	Recurrent	38,000,000,000	
	Capital	75,000,000,000	
Made up as follows :—			
Head 105	Minister of Economic Development Programme 01 Operational Activities Programme 02 Development Activities	7,677,550,000 —	299,400,000 71,294,650,000
Head 281	Department of Agrarian Development Programme 01 Operational Activities Programme 02 Development Activities	284,850,000 4,255,700,000	50,000,000 2,036,000,000
Head 331	Department of Divineguma Development Programme 01 Operational Activities Programme 02 Development Activities	391,860,000 25,390,040,000	86,950,000 1,233,000,000

Ministry of Disaster Management			
	Recurrent	940,000,000	
	Capital	2,200,000,000	
Made up as follows :—			
Head 106	Minister of Disaster Management		
	Programme 01 Operational Activities	125,700,000	269,500,000
	Programme 02 Development Activities	591,400,000	1,582,500,000
Head 304	Department of Meteorology		
	Programme 02 Development Activities	222,900,000	348,000,000
Ministry of Postal Services			
	Recurrent	9,837,400,000	
	Capital	220,000,000	
Made up as follows :—			
Head 108	Minister of Postal Services		
	Programme 01 Operational Activities	107,900,000	19,000,000
Head 308	Department of Posts		
	Programme 02 Development Activities	9,729,500,000	201,000,000
Ministry of Justice			
	Recurrent	5,163,000,000	
	Capital	1,600,000,000	
Made up as follows :—			
Head 110	Minister of Justice		
	Programme 01 Operational Activities	639,000,000	92,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 228	Courts Administration Programme 01 Operational Activities	4,170,000,000	1,205,000,000
Head 231	Department of Debt Conciliation Board Programme 01 Operational Activities	11,000,000	1,000,000
Head 233	Department of Government Analyst Programme 01 Operational Activities	208,000,000	289,000,000
Head 234	Registrar of Supreme Court Programme 01 Operational Activities	120,000,000	11,000,000
Head 235	Department of Law Commission Programme 01 Operational Activities	15,000,000	2,000,000
	Ministry of Health		
	Recurrent	100,995,751,000	
	Capital	38,499,180,000	
	Made up as follows :—		
Head 111	Minister of Health		
	Programme 01 Operational Activities	89,038,898,000	1,313,000,000
	Programme 02 Development Activities	11,956,853,000	37,186,180,000
	Ministry of External Affairs		
	Recurrent	8,678,000,000	
	Capital	1,000,000,000	
	Made up as follows :—		
Head 112	Minister of External Affairs		
	Programme 01 Operational Activities	147,000,000	6,000,000
	Programme 02 Development Activities	8,531,000,000	994,000,000

	Ministry of Transport			
	Recurrent	21,658,000,000		
	Capital	54,000,000,000		
	Made up as follows :—			
Head 114	Minister of Transport			
	Programme 01 Operational Activities	166,200,000	12,900,000	
	Programme 02 Development Activities	7,597,000,000	14,530,000,000	
Head 306	Department of Sri Lanka Railways			
	Programme 02 Development Activities	12,217,700,000	38,335,600,000	
Head 307	Department of Motor Traffic			
	Programme 02 Development Activities	1,677,100,000	1,121,500,000	
	Ministry of Petroleum Industries			
	Recurrent	139,450,000		
	Capital	11,000,000		
	Made up as follows :—			
Head 115	Minister of Petroleum Industries			
	Programme 01 Operational Activities	139,450,000	11,000,000	
	Ministry of Co-operatives and Internal Trade			
	Recurrent	950,000,000		
	Capital	938,000,000		
	Made up as follows :—			
Head 116	Minister of Co-operatives and Internal Trade			
	Programme 01 Operational Activities	606,250,000	268,830,000	
	Programme 02 Development Activities	—	402,800,000	
Head 298	Department of Measurement Units, Standards and Services			
	Programme 01 Operational Activities	74,000,000	220,500,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 300	Department of Food Commissioner Programme 01 Operational Activities	204,240,000	21,530,000
Head 301	Department of Co-operative Development (Registrar of Co-operative Societies) Programme 01 Operational Activities	53,000,000	23,205,000
Head 302	Co-operative Employees Commission Programme 01 Operational Activities	12,510,000	1,135,000
	Ministry of Highways, Ports and Shipping		
	Recurrent	335,000,000	
	Capital	200,000,000,000	
	Made up as follows :—		
Head 117	Minister of Highways, Ports and Shipping Programme 01 Operational Activities Programme 02 Development Activities	335,000,000 —	10,800,000 199,989,200,000
	Ministry of Agriculture		
	Recurrent	38,850,000,000	
	Capital	3,269,000,000	
	Made up as follows :—		
Head 118	Minister of Agriculture Programme 01 Operational Activities Programme 02 Development Activities	164,850,000 35,911,350,000	27,500,000 1,171,150,000
Head 285	Department of Agriculture Programme 01 Operational Activities Programme 02 Development Activities	332,150,000 2,441,650,000	33,750,000 2,036,600,000

	Ministry of Power and Energy		
	Recurrent	204,050,000	
	Capital	39,170,000	
	Made up as follows :—		
Head 119	Minister of Power and Energy		
	Programme 01 Operational Activities	204,050,000	17,800,000
	Programme 02 Development Activities	—	21,370,000
	Ministry of Child Development and Women's Affairs		
	Recurrent	1,470,000,000	
	Capital	610,000,000	
	Made up as follows :—		
Head 120	Minister of Child Development and Women's Affairs		
	Programme 01 Operational Activities	519,970,000	72,200,000
	Programme 02 Development Activities	703,350,000	504,980,000
Head 217	Department of Probation and Child Care Services		
	Programme 01 Operational Activities	11,020,000	860,000
	Programme 02 Development Activities	235,660,000	31,960,000
	Ministry of Public Administration and Home Affairs		
	Recurrent	149,300,000,000	
	Capital	4,416,000,000	
	Made up as follows :—		
Head 121	Minister of Public Administration and Home Affairs		
	Programme 01 Operational Activities	750,800,000	976,000,000
Head 253	Department of Pensions		
	Programme 01 Operational Activities	134,767,850,000	37,500,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 254	Department of Registrar General Programme 01 Operational Activities	1,067,700,000	58,500,000
Head 255	District Secretariat, Colombo Programme 01 Operational Activities	582,100,000	824,800,000
Head 256	District Secretariat, Gampaha Programme 01 Operational Activities	724,950,000	294,800,000
Head 257	District Secretariat, Kalutara Programme 01 Operational Activities	611,750,000	90,200,000
Head 258	District Secretariat, Kandy Programme 01 Operational Activities	836,800,000	81,000,000
Head 259	District Secretariat, Matale Programme 01 Operational Activities	441,650,000	212,000,000
Head 260	District Secretariat, Nuwara-Eliya. Programme 01 Operational Activities	400,300,000	50,000,000
Head 261	District Secretariat, Galle Programme 01 Operational Activities	829,600,000	78,000,000
Head 262	District Secretariat ,Matara Programme 01 Operational Activities	690,650,000	80,000,000
Head 263	District Secretariat , Hambantota Programme 01 Operational Activities	486,950,000	89,000,000
Head 264	District Secretariat/ Kachcheri - Jaffna Programme 01 Operational Activities	510,350,000	72,000,000

Head 265	District Secretariat/ Kachcheri - Mannar Programme 01 Operational Activities	179,600,000	194,100,000
Head 266	District Secretariat/ Kachcheri - Vavuniya Programme 01 Operational Activities	170,000,000	74,000,000
Head 267	District Secretariat/ Kachcheri - Mullaitivu Programme 01 Operational Activities	172,100,000	69,000,000
Head 268	District Secretariat/ Kachcheri - Killinochchi Programme 01 Operational Activities	151,200,000	37,000,000
Head 269	District Secretariat/ Kachcheri - Batticaloa Programme 01 Operational Activities	424,400,000	214,300,000
Head 270	District Secretariat, Ampara Programme 01 Operational Activities	671,500,000	64,000,000
Head 271	District Secretariat/ Kachcheri - Trincomalee Programme 01 Operational Activities	273,500,000	53,300,000
Head 272	District Secretariat, Kurunegala Programme 01 Operational Activities	1,142,750,000	54,000,000
Head 273	District Secretariat, Puttalam Programme 01 Operational Activities	505,300,000	55,800,000
Head 274	District Secretariat, Anuradhapura Programme 01 Operational Activities	641,550,000	80,000,000
Head 275	District Secretariat - Polonnaruwa Programme 01 Operational Activities	298,500,000	204,200,000
Head 276	District Secretariat - Badulla Programme 01 Operational Activities	507,300,000	58,000,000
Head 277	District Secretariat, Moneragala Programme 01 Operational Activities	342,250,000	47,500,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 278	District Secretariat, Ratnapura Programme 01 Operational Activities	594,600,000	167,000,000
Head 279	District Secretariat, Kegalle Programme 01 Operational Activities	524,000,000	100,000,000
	Ministry of Mass Media and Information		
	Recurrent	2,522,000,000	
	Capital	2,550,000,000	
	Made up as follows :—		
Head 122	Minister of Mass Media and Information Programme 01 Operational Activities Programme 02 Development Activities	151,350,000 455,000,000	1,935,400,000 436,000,000
Head 210	Department of Information Programme 01 Operational Activities	207,300,000	14,600,000
Head 211	Department of Government Printer Programme 01 Operational Activities	1,708,350,000	164,000,000
	Ministry of Construction, Engineering Services, Housing and Common Amenities		
	Recurrent	808,725,000	
	Capital	4,000,000,000	
	Made up as follows :—		
Head 123	Minister of Construction, Engineering Services, Housing and Common Amenities Programme 01 Operational Activities Programme 02 Development Activities	230,900,000 100,500,000	8,900,000 3,778,000,000

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Head 309	Department of Buildings		
	Programme 01 Operational Activities	78,050,000	18,800,000
	Programme 02 Development Activities	176,550,000	33,600,000
Head 310	Government Factory		
	Programme 01 Operational Activities	37,675,000	43,700,000
	Programme 02 Development Activities	27,300,000	108,500,000
Head 311	Department of National Physical Planning		
	Programme 01 Operational Activities	157,750,000	8,500,000
	Programme 02 Development Activities	—	—
	Ministry of Social Services		
	Recurrent	4,670,000,000	
	Capital	400,000,000	

Made up as follows :—

Head 124	Minister of Social Services		
	Programme 01 Operational Activities	451,500,000	49,850,000
	Programme 02 Development Activities	3,848,140,000	193,180,000
Head 216	Department of Social Services		
	Programme 01 Operational Activities	26,050,000	7,870,000
	Programme 02 Development Activities	344,310,000	149,100,000
	Ministry of Education		
	Recurrent	30,500,000,000	
	Capital	17,100,000,000	

Made up as follows :—

Head 126	Minister of Education		
	Programme 01 Operational Activities	613,400,000	78,450,000
	Programme 02 Development Activities	26,809,670,000	16,809,900,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 212	Department of Examinations Programme 02 Development Activities	3,030,400,000	165,750,000
Head 213	Department of Educational Publications Programme 02 Development Activities	46,530,000	45,900,000
	Ministry of Labour and Labour Relations		
	Recurrent	1,372,160,000	
	Capital	500,350,000	
Made up as follows :—			
Head 127	Minister of Labour and Labour Relations		
	Programme 01 Operational Activities	109,760,000	38,700,000
	Programme 02 Development Activities	90,200,000	8,650,000
Head 221	Department of Labour		
	Programme 01 Operational Activities	606,500,000	352,000,000
	Programme 02 Development Activities	565,700,000	101,000,000
	Ministry of Traditional Industries and Small Enterprise Development		
	Recurrent	706,250,000	
	Capital	514,000,000	
Made up as follows :—			
Head 128	Minister of Traditional Industries and Small Enterprise Development		
	Programme 01 Operational Activities	216,250,000	12,700,000
	Programme 02 Development Activities	490,000,000	501,300,000

Ministry of Local Government and Provincial Councils
Recurrent 191,250,000,000
Capital 43,436,640,000

Made up as follows :—

Head 130	Minister of Local Government and Provincial Councils		
	Programme 01 Operational Activities	250,000,000	100,170,000
	Programme 02 Development Activities	1,400,000,000	9,269,150,000
Head 312	Western Provincial Council		
	Programme 01 Operational Activities	42,450,000,000	—
	Programme 02 Development Activities	—	3,122,910,000
Head 313	Central Provincial Council		
	Programme 01 Operational Activities	23,834,000,000	—
	Programme 02 Development Activities	—	4,379,350,000
Head 314	Southern Provincial Council		
	Programme 01 Operational Activities	21,781,000,000	—
	Programme 02 Development Activities	—	4,381,800,000
Head 315	Northern Provincial Council		
	Programme 01 Operational Activities	15,123,000,000	—
	Programme 02 Development Activities	—	5,287,800,000
Head 316	North Western Provincial Council		
	Programme 01 Operational Activities	23,105,000,000	—
	Programme 02 Development Activities	—	2,924,770,000
Head 317	North Central Provincial Council		
	Programme 01 Operational Activities	13,544,000,000	—
	Programme 02 Development Activities	—	2,605,100,000
Head 318	Uva Provincial Council		
	Programme 01 Operational Activities	15,241,000,000	—
	Programme 02 Development Activities	—	3,736,170,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 319	Sabaragamuwa Provincial Council		
	Programme 01 Operational Activities	18,038,000,000	—
	Programme 02 Development Activities	—	4,760,100,000
Head 321	Eastern Provincial Council		
	Programme 01 Operational Activities	16,484,000,000	—
	Programme 02 Development Activities	—	2,869,320,000
	Ministry of Technology and Research		
	Recurrent	1,578,000,000	
	Capital	2,625,000,000	
	Made up as follows :—		
Head 133	Minister of Technology and Research		
	Programme 01 Operational Activities	155,460,000	23,500,000
	Programme 02 Development Activities	1,422,540,000	2,601,500,000
	Ministry of National Languages and Social Integration		
	Recurrent	357,800,000	
	Capital	350,000,000	
	Made up as follows :—		
Head 134	Minister of National Languages and Social Integration		
	Programme 01 Operational Activities	207,550,000	47,970,000
	Programme 02 Development Activities	71,800,000	260,930,000
Head 236	Department of Official Languages		
	Programme 01 Operational Activities	78,450,000	41,100,000

	Ministry of Plantation Industries			
	Recurrent	1,416,000,000		
	Capital	3,200,000,000		
	Made up as follows :—			
Head 135	Minister of Plantation Industries			
	Programme 01 Operational Activities	117,000,000	15,800,000	
	Programme 02 Development Activities	1,063,000,000	2,082,200,000	
Head 293	Department of Rubber Development			
	Programme 02 Development Activities	236,000,000	1,102,000,000	
	Ministry of Sports			
	Recurrent	998,000,000		
	Capital	3,000,000,000		
	Made up as follows :—			
Head 136	Minister of Sports			
	Programme 01 Operational Activities	217,900,000	438,600,000	
	Programme 02 Development Activities	212,925,000	341,100,000	
Head 219	Department of Sports Development			
	Programme 01 Operational Activities	146,460,000	13,700,000	
	Programme 02 Development Activities	420,715,000	2,206,600,000	
	Ministry of Indigenous Medicine			
	Recurrent	1,150,000,000		
	Capital	800,000,000		
	Made up as follows :—			
Head 138	Minister of Indigenous Medicine			
	Programme 01 Operational Activities	282,700,000	96,000,000	
	Programme 02 Development Activities	—	129,000,000	

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 220	Department of Ayurveda		
	Programme 01 Operational Activities	94,550,000	15,400,000
	Programme 02 Development Activities	772,750,000	559,600,000
	Ministry of Fisheries and Aquatic Resources Development		
	Recurrent	1,274,860,000	
	Capital	4,500,400,000	
	Made up as follows :—		
Head 139	Minister of Fisheries and Aquatic Resources Development		
	Programme 01 Operational Activities	201,900,000	47,200,000
	Programme 02 Development Activities	738,000,000	2,636,000,000
Head 290	Department of Fisheries and Aquatic Resources		
	Programme 01 Operational Activities	334,960,000	1,817,200,000
	Ministry of Livestock and Rural Community Development		
	Recurrent	700,270,000	
	Capital	6,395,310,000	
	Made up as follows :—		
Head 140	Minister of Livestock and Rural Community Development		
	Programme 01 Operational Activities	318,500,000	25,560,000
	Programme 02 Development Activities	—	5,815,000,000
Head 292	Department of Animal Production and Health		
	Programme 01 Operational Activities	381,770,000	66,550,000
	Programme 02 Development Activities	—	488,200,000

Ministry of National Heritage			
	Recurrent	1,090,000,000	
	Capital	550,000,000	
Made up as follows :—			
Head 142	Minister of National Heritage		
	Programme 01 Operational Activities	124,750,000	7,610,000
	Programme 02 Development Activities	37,800,000	136,340,000
Head 207	Department of Archaeology		
	Programme 01 Operational Activities	133,500,000	12,000,000
	Programme 02 Development Activities	556,000,000	74,000,000
Head 208	Department of National Museums		
	Programme 01 Operational Activities	25,665,000	5,250,000
	Programme 02 Development Activities	112,981,000	138,400,000
Head 209	Department of National Archives		
	Programme 01 Operational Activities	47,110,000	11,600,000
	Programme 02 Development Activities	52,194,000	164,800,000
Ministry of Parliamentary Affairs			
	Recurrent	420,000,000	
	Capital	38,000,000	
Made up as follows :—			
Head 143	Minister of Parliamentary Affairs		
	Programme 01 Operational Activities	420,000,000	38,000,000
Ministry of Re-settlement			
	Recurrent	192,000,000	
	Capital	186,050,000	
Made up as follows :—			
Head 145	Minister of Re-settlement		
	Programme 01 Operational Activities	162,000,000	13,050,000
	Programme 02 Development Activities	30,000,000	173,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Industry and Commerce		
	Recurrent	1,025,000,000	
	Capital	3,200,000,000	
	Made up as follows :—		
Head 149	Minister of Industry and Commerce		
	Programme 01 Operational Activities	193,295,000	13,650,000
	Programme 02 Development Activities	599,545,000	3,139,250,000
Head 295	Department of Commerce		
	Programme 01 Operational Activities	106,305,000	15,600,000
Head 297	Department of the Registrar of Companies		
	Programme 01 Operational Activities	39,700,000	—
Head 299	National Intellectual Property Office of Sri Lanka		
	Programme 01 Operational Activities	17,555,000	—
Head 303	Department of Textile Industries		
	Programme 02 Development Activities	68,600,000	31,500,000
	Ministry of Irrigation and Water Resources Management		
	Recurrent	4,200,000,000	
	Capital	52,952,000,000	
	Made up as follows :—		
Head 152	Minister of Irrigation and Water Resources Management		
	Programme 01 Operational Activities	158,070,000	107,400,000
	Programme 02 Development Activities	2,257,000,000	39,396,250,000

Head 282	Department of Irrigation		
	Programme 01	Operational Activities	472,950,000
	Programme 02	Development Activities	1,311,980,000
			43,850,000
			13,404,500,000
	Ministry of Land and Land Development		
	Recurrent		3,500,000,000
	Capital		3,500,000,000

Made up as follows :—

Head 153	Minister of Land and Land Development		
	Programme 01	Operational Activities	246,610,000
	Programme 02	Development Activities	—
			18,300,000
			3,073,000,000
Head 286	Department of Land Commissioner General		
	Programme 02	Development Activities	246,510,000
			79,900,000
Head 287	Department of Land Title Settlement		
	Programme 02	Development Activities	298,600,000
			22,500,000
Head 288	Department of Survey		
	Programme 01	Operational Activities	189,625,000
	Programme 02	Development Activities	2,247,635,000
			106,500,000
			134,800,000
Head 327	Department of Land Use Policy Planning		
	Programme 02	Development Activities	271,020,000
			65,000,000
	Ministry of Youth Affairs and Skills Development		
	Recurrent		5,500,000,000
	Capital		7,000,000,000

Made up as follows :—

Head 156	Minister of Youth Affairs and Skills Development		
	Programme 01	Operational Activities	230,725,000
	Programme 02	Development Activities	3,933,005,000
			22,900,000
			6,841,200,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 215	Department of Technical Education and Training		
	Programme 01 Operational Activities	166,250,000	14,200,000
	Programme 02 Development Activities	1,170,020,000	121,700,000
	Ministry of Environment and Renewable Energy		
	Recurrent	1,790,000,000	
	Capital	3,500,000,000	
	Made up as follows :—		
Head 160	Minister of Environment and Renewable Energy		
	Programme 01 Operational Activities	237,200,000	319,000,000
	Programme 02 Development Activities	655,000,000	2,356,250,000
Head 283	Department of Forests		
	Programme 01 Operational Activities	897,800,000	824,750,000
	Ministry of Water Supply and Drainage		
	Recurrent	211,110,000	
	Capital	6,000,000,000	
	Made up as follows :—		
Head 166	Minister of Water Supply and Drainage		
	Programme 01 Operational Activities	146,110,000	6,950,000
	Programme 02 Development Activities	65,000,000	5,993,050,000
	Ministry of Higher Education		
	Recurrent	23,000,000,000	
	Capital	18,100,000,000	
	Made up as follows :—		
Head 171	Minister of Higher Education		
	Programme 01 Operational Activities	309,000,000	5,307,000,000
	Programme 02 Development Activities	819,000,000	3,933,000,000

Head 214	University Grants Commission Programme 02 Development Activities		21,872,000,000	8,860,000,000	
	Ministry of Public Management Reforms				
	Recurrent	136,500,000			
	Capital	102,000,000			
	Made up as follows :—				
Head 173	Minister of Public Management Reforms Programme 01 Operational Activities		136,500,000	102,000,000	
	Ministry of Rehabilitation and Prison Reforms				
	Recurrent	5,393,000,000			
	Capital	2,600,000,000			
	Made up as follows :—				
Head 174	Minister of Rehabilitation and Prison Reforms Programme 01 Operational Activities		575,000,000	635,000,000	
Head 232	Department of Prisons Programme 01 Operational Activities		4,598,000,000	1,956,000,000	
Head 326	Department of Community Based Corrections Programme 01 Operational Activities		220,000,000	9,000,000	
	Ministry of State Resources and Enterprise Development				
	Recurrent	93,400,000			
	Capital	164,000,000			
	Made up as follows :—				
Head 175	Minister of State Resources and Enterprise Development Programme 01 Operational Activities		93,400,000	19,300,000	
	Programme 02 Development Activities		—	144,700,000	

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Civil Aviation		
	Recurrent	173,000,000	
	Capital	14,000,000,000	
	Made up as follows :—		
Head 176	Minister of Civil Aviation		
	Programme 01 Operational Activities	173,000,000	10,000,000
	Programme 02 Development Activities	—	13,990,000,000
	Ministry of Culture and the Arts		
	Recurrent	1,150,000,000	
	Capital	1,500,000,000	
	Made up as follows :—		
Head 177	Minister of Culture and the Arts		
	Programme 01 Operational Activities	155,285,000	12,800,000
	Programme 02 Development Activities	556,700,000	1,191,200,000
Head 206	Department of Cultural Affairs		
	Programme 01 Operational Activities	81,940,000	6,750,000
	Programme 02 Development Activities	356,075,000	289,250,000
	Ministry of Coconut Development and Janatha Estate Development		
	Recurrent	977,000,000	
	Capital	918,000,000	
	Made up as follows :—		
Head 178	Minister of Coconut Development and Janatha Estate Development		
	Programme 01 Operational Activities	322,000,000	18,000,000
	Programme 02 Development Activities	655,000,000	900,000,000

	Ministry of Wildlife Resources Conservation			
	Recurrent	730,000,000		
	Capital	670,000,000		
	Made up as follows :—			
Head 179	Minister of Wildlife Resources Conservation Programme 01 Operational Activities		86,700,000	10,000,000
Head 284	Department of Wildlife Conservation Programme 01 Operational Activities		643,300,000	660,000,000
	Ministry of Minor Export Crop Promotion			
	Recurrent	550,342,000		
	Capital	480,050,000		
	Made up as follows :—			
Head 180	Minister of Minor Export Crop Promotion Programme 01 Operational Activities Programme 02 Development Activities		95,032,000 50,000,000	16,950,000 40,000,000
Head 289	Department of Export Agriculture Programme 02 Development Activities		405,310,000	423,100,000
	Ministry of Productivity Promotion			
	Recurrent	667,150,000		
	Capital	95,900,000		
	Made up as follows :—			
Head 181	Minister of Productivity Promotion Programme 01 Operational Activities Programme 02 Development Activities		111,350,000 299,200,000	13,700,000 41,700,000
Head 328	Department of Man Power and Employment Programme 01 Operational Activities		256,600,000	40,500,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Foreign Employment Promotion and Welfare		
	Recurrent	492,950,000	
	Capital	533,050,000	
	Made up as follows :—		
Head 182	Minister of Foreign Employment Promotion and Welfare		
	Programme 01 Operational Activities	48,900,000	4,200,000
	Programme 02 Development Activities	444,050,000	528,850,000
	Ministry of Public Relations and Public Affairs		
	Recurrent	76,830,000	
	Capital	350,000,000	
	Made up as follows :—		
Head 183	Minister of Public Relations and Public Affairs		
	Programme 01 Operational Activities	76,830,000	350,000,000
	Ministry of Private Transport Services		
	Recurrent	681,000,000	
	Capital	200,000,000	
	Made up as follows :—		
Head 184	Minister of Private Transport Services		
	Programme 01 Operational Activities	81,000,000	44,000,000
	Programme 02 Development Activities	600,000,000	156,000,000
	Ministry of Telecommunication and Information Technology		
	Recurrent	229,000,000	
	Capital	1,300,000,000	
	Made up as follows :—		
Head 185	Minister of Telecommunication and Information Technology		
	Programme 01 Operational Activities	119,000,000	218,000,000
	Programme 02 Development Activities	110,000,000	1,082,000,000

	Ministry of Sugar Industry Development		
	Recurrent	318,000,000	
	Capital	81,000,000	
	Made up as follows :—		
Head 186	Minister of Sugar Industry Development		
	Programme 01 Operational Activities	68,000,000	13,000,000
	Programme 02 Development Activities	250,000,000	68,000,000
	Ministry of Investment Promotion		
	Recurrent	120,000,000	
	Capital	10,000,000	
	Made up as follows :—		
Head 187	Minister of Investment Promotion		
	Programme 01 Operational Activities	120,000,000	10,000,000
	Ministry of Botanical Gardens and Public Recreation		
	Recurrent	515,000,000	
	Capital	995,900,000	
	Made up as follows :—		
Head 188	Minister of Botanical Gardens and Public Recreation		
	Programme 01 Operational Activities	64,950,000	29,950,000
Head 294	Department of National Zoological Gardens		
	Programme 02 Development Activities	211,850,000	596,650,000
Head 322	Department of National Botanical Gardens		
	Programme 02 Development Activities	238,200,000	369,300,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Education Services		
	Recurrent	7,300,000,000	
	Capital	540,000,000	
	Made up as follows :—		
Head 189	Minister of Education Services		
	Programme 01 Operational Activities	7,300,000,000	540,000,000
	Programme 02 Development Activities	—	—
	Ministry of Law and Order		
	Recurrent	51,000,000,000	
	Capital	6,500,000,000	
	Made up as follows :—		
Head 190	Minister of Law and Order		
	Programme 01 Operational Activities	5,890,850,000	960,210,000
Head 225	Department of Police		
	Programme 01 Operational Activities	45,109,150,000	5,539,790,000
	Ministry of Special Projects		
	Recurrent	41,000,000	
	Capital	50,000,000	
	Made up as follows :—		
Head 191	Minister of Special Projects		
	Programme 01 Operational Activities	41,000,000	50,000,000
		1,113,583,318,000	1,054,709,400,000.

SECOND SCHEDULE — ESTIMATE 2015

Expenditure of the Government, Authorised by Law 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 expenditure Rs.</i>	<i>Capital expenditure Rs.</i>	<i>Total expenditure 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	28,500,000	—	28,500,000
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	1,500,000	—	1,500,000
8	National Police Commission	Chapter XV III A of the Constitution	Programme 01-Operational Activities	3,400,000	—	3,400,000

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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 expenditure Rs.</i>	<i>Capital expenditure Rs.</i>	<i>Total expenditure 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	1,200,000	—	1,200,000
20	Department of Elections	Article 103 of the Constitution	Programme 01-Operational Activities	3,100,000	—	3,100,000
21	Auditor General	Article 153 of the Constitution	Programme 01-Operational Activities	650,000	—	650,000
22	Office of the Parliamentary Commissioner for Administration	Article 156 of the Constitution	Programme 01-Operational Activities	800,000	—	800,000
111	Ministry of Health	Medical Ordinance (Chapter 105)	Programme 01-Operational Activities	2,000	—	2,000

239	Department of External Resources	Bretton Woods Agreement (Special Provisions) Law, No. 10 of 1978, International Bank for Reconstructions and Development and International Finance Corporation	Programme 01- Operational Activities	80,000,000	547,000,000	627,000,000
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	410,500,000,000	801,833,600,000	1,212,333,600,000
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	23,700,000,000	—	23,700,000,000.

THIRD SCHEDULE — ESTIMATE —2015

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Limits of Advance Account Activities —2015

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	25,000,000	16,000,000	100,000,000	—
2	Office of the Prime Minister	00201	Advances to Public Officers	5,500,000	3,500,000	23,000,000	—
3	Secretariat for Special Functions (Senior Ministers)	00301	Advances to Public Officers	3,500,000	1,500,000	13,000,000	—
4	Judges of the Superior Courts	00401	Advances to Public Officers	3,000,000	1,000,000	12,000,000	—
5	Office of the Cabinet of Ministers	00501	Advances to Public Officers	2,300,000	2,100,000	13,000,000	—
6	Public Service Commission	00601	Advances to Public Officers	6,500,000	3,000,000	33,000,000	—
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	7,000,000	—
9	Administrative Appeals Tribunal	00901	Advances to Public Officers	1,000,000	300,000	2,800,000	—

Appropriation Act, No. 41 of 2014

10	Commission to Investigate Allegations of Bribery or Corruption	01001	Advances to Public Officers	4,000,000	3,000,000	20,000,000	—
11	Commission to Investigate Allegations of Bribery or Corruption	01002	Advancing monies to be used in bribery detection as bribes	12,000,000	2,500,000	20,000,000	—
12	Office of the Finance Commission	01101	Advances to Public Officers	3,000,000	800,000	12,000,000	—
13	National Education Commission	01201	Advances to Public Officers	1,500,000	750,000	6,000,000	—
14	Department of Attorney General	01401	Advances to Public Officers	23,000,000	11,500,000	80,000,000	—
15	Department of Legal Draftsman	01501	Advances to Public Officers	4,000,000	2,000,000	19,000,000	—
16	Parliament	01601	Advances to Public Officers	35,000,000	24,000,000	175,000,000	—
17	Office of the Leader of the House of Parliament	01701	Advances to Public Officers	2,000,000	800,000	3,500,000	—
18	Office of the Chief Government Whip of Parliament	01801	Advances to Public Officers	1,500,000	1,100,000	6,500,000	—
19	Office of the Leader of the Opposition of Parliament	01901	Advances to Public Officers	2,000,000	1,000,000	8,000,000	—
20	Department of Elections	02001	Advances to Public Officers	25,000,000	14,000,000	80,000,000	—
21	Auditor-General	02101	Advances to Public Officers	50,000,000	45,000,000	280,000,000	—
22	Office of the Parliamentary Commissioner for Administration	02201	Advances to Public Officers	800,000	230,000	3,000,000	—
23	Minister of Buddha Sasana and Religious Affairs	10101	Advances to Public Officers	6,000,000	2,400,000	23,000,000	—
24	Minister of Finance and Planning	10201	Advances to Public Officers	13,750,000	8,000,000	70,000,000	—
25	Minister of Defence and Urban Development	10301	Advances to Public Officers	40,000,000	33,000,000	275,000,000	—

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	170,000,000	80,000,000	450,000,000	—
27	Minister of Disaster Management	10601	Advances to Public Officers	7,000,000	2,500,000	18,000,000	—
28	Minister of Postal Services	10801	Advances to Public Officers	4,000,000	1,800,000	25,000,000	—
29	Minister of Justice	11001	Advances to Public Officers	12,000,000	6,000,000	55,000,000	—
30	Minister of Health	11101	Advances to Public Officers	900,000,000	700,000,000	2,000,000,000	—
31	Minister of External Affairs	11201	Advances to Public Officers	33,000,000	20,000,000	125,000,000	—
32	Minister of Transport	11401	Advances to Public Officers	7,000,000	3,000,000	33,000,000	—
33	Minister of Petroleum Industries	11501	Advances to Public Officers	4,000,000	2,500,000	13,000,000	—
34	Minister of Co-operatives and Internal Trade	11601	Advances to Public Officers	6,000,000	3,400,000	29,000,000	—
35	Minister of Highways, Ports and Shipping	11701	Advances to Public Officers	12,000,000	4,000,000	45,000,000	—
36	Minister of Agriculture	11801	Advances to Public Officers	20,000,000	7,000,000	61,000,000	—
37	Minister of Power and Energy	11901	Advances to Public Officers	4,500,000	2,200,000	15,000,000	—
38	Minister of Child Development and Women's Affairs	12001	Advances to Public Officers	25,000,000	10,000,000	80,000,000	—

39	Minister of Public Administration and Home Affairs	12101	Advances to Public Officers	29,000,000	15,000,000	110,000,000	—
40	Minister of Mass Media and Information	12201	Advances to Public Officers	5,000,000	3,000,000	21,000,000	—
41	Minister of Construction, Engineering Services, Housing and Common Amenities	12301	Advances to Public Officers	7,000,000	4,000,000	38,000,000	—
42	Minister of Social Services	12401	Advances to Public Officers	7,000,000	3,800,000	30,000,000	—
43	Minister of Education	12601	Advances to Public Officers	790,000,000	635,000,000	2,300,000,000	—
44	Minister of Labour and Labour Relations	12701	Advances to Public Officers	5,000,000	2,200,000	20,000,000	—
45	Minister of Traditional Industries and Small Enterprises Development	12801	Advances to Public Officers	6,500,000	2,500,000	25,000,000	—
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	24,000,000	11,000,000	75,000,000	—
48	Minister of National Languages and Social Integration	13401	Advances to Public Officers	8,500,000	4,000,000	35,000,000	—
49	Minister of Plantation Industries	13501	Advances to Public Officers	4,000,000	3,000,000	25,000,000	—
50	Minister of Sports	13601	Advances to Public Officers	5,500,000	3,500,000	23,000,000	—
51	Minister of Indigenous Medicine	13801	Advances to Public Officers	13,000,000	4,300,000	35,000,000	—

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	5,500,000	4,000,000	29,000,000	—
53	Minister of Livestock and Rural Community Development	14001	Advances to Public Officers	10,000,000	4,000,000	30,000,000	—
54	Minister of National Heritage	14201	Advances to Public Officers	4,500,000	1,800,000	17,000,000	—
55	Minister of Parliamentary Affairs	14301	Advances to Public Officers	4,000,000	2,000,000	14,000,000	—
56	Minister of Resettlement	14501	Advances to Public Officers	4,000,000	2,000,000	12,500,000	—
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	6,000,000	40,000,000	—
59	Minister of Land and Land Development	15301	Advances to Public Officers	12,000,000	4,500,000	50,000,000	—
60	Minister of Youth Affairs and Skills Development	15601	Advances to Public Officers	23,000,000	14,000,000	100,000,000	—
61	Minister of Environment and Renewable Energy	16001	Advances to Public Officers	8,000,000	4,500,000	40,000,000	—

62	Minister of Water Supply and Drainage	16601	Advances to Public Officers	4,500,000	2,300,000	17,000,000	—
63	Minister of Higher Education	17101	Advances to Public Officers	4,500,000	2,200,000	18,000,000	—
64	Minister of Public Management Reforms	17301	Advances to Public Officers	3,000,000	1,000,000	12,000,000	—
65	Minister of Rehabilitation and Prison Reforms	17401	Advances to Public Officers	4,000,000	1,200,000	15,000,000	—
66	Minister of State Resources and Enterprise Development	17501	Advances to Public Officers	4,000,000	1,500,000	17,000,000	—
67	Minister of Civil Aviation	17601	Advances to Public Officers	2,500,000	1,300,000	9,000,000	—
68	Minister of Culture and the Arts	17701	Advances to Public Officers	28,000,000	14,000,000	100,000,000	—
69	Minister of Coconut Development and Janatha Estate Development	17801	Advances to Public Officers	9,000,000	2,000,000	25,000,000	—
70	Minister of Wildlife Resources Conservation	17901	Advances to Public Officers	4,500,000	1,700,000	30,000,000	—
71	Minister of Minor Export Crop Promotion	18001	Advances to Public Officers	3,500,000	1,000,000	16,000,000	—
72	Minister of Productivity Promotion	18101	Advances to Public Officers	7,500,000	2,200,000	25,000,000	—
73	Minister of Foreign Employment Promotion and Welfare	18201	Advances to Public Officers	20,000,000	3,000,000	24,000,000	—
74	Minister of Public Relations and Public Affairs	18301	Advances to Public Officers	3,000,000	700,000	9,000,000	—
75	Minister of Private Transport Services	18401	Advances to Public Officers	2,000,000	600,000	6,000,000	—

<i>SRL No.</i>	<i>Ministries / Departments</i>	<i>Item No.</i>	<i>I Activities of the Government</i>	<i>II Maximum Limits of Expenditure of Activities of the Government Rs.</i>	<i>III Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government Rs.</i>	<i>IV Maximum Limits of Debit Balance of Activities of the Government Rs.</i>	<i>V Maximum Limits of Liabilities of Activities of the Government Rs.</i>
76	Minister of Telecommunication and Information Technology	18501	Advances to Public Officers	2,500,000	500,000	8,500,000	—
77	Minister of Sugar Industry Development	18601	Advances to Public Officers	1,000,000	300,000	15,000,000	—
78	Minister of Investment Promotion	18701	Advances to Public Officers	1,500,000	600,000	10,000,000	—
79	Minister of Botanical Gardens and Public Recreation	18801	Advances to Public Officers	2,000,000	300,000	5,000,000	—
80	Minister of Education Services	18901	Advances to Public Officers	4,000,000	500,000	10,000,000	—
81	Minister of Law and Order	19001	Advances to Public Officers	130,000,000	55,000,000	600,000,000	—
82	Minister of Special Projects	19101	Advances to Public Officers	1,000,000	200,000	4,500,000	—
83	Department of Buddhist Affairs	20101	Advances to Public Officers	15,000,000	10,000,000	58,000,000	—
84	Department of Muslim Religious and Cultural Affairs	20201	Advances to Public Officers	2,500,000	900,000	12,000,000	—
85	Department of Christian Religious Affairs	20301	Advances to Public Officers	2,000,000	500,000	6,500,000	—

86	Department of Hindu Religious and Cultural Affairs	20401	Advances to Public Officers	4,000,000	1,900,000	20,000,000	—
87	Department of Public Trustee	20501	Advances to Public Officers	2,500,000	1,300,000	10,500,000	—
88	Department of Cultural Affairs	20601	Advances to Public Officers	18,000,000	8,400,000	60,000,000	—
89	Department of Archaeology	20701	Advances to Public Officers	42,000,000	22,000,000	130,000,000	—
90	Department of National Museums	20801	Advances to Public Officers	12,000,000	4,500,000	45,000,000	—
91	Department of National Archives	20901	Advances to Public Officers	5,000,000	2,600,000	26,000,000	—
92	Department of Information	21001	Advances to Public Officers	8,500,000	6,000,000	40,000,000	—
93	Department of the Government Printer	21101	Advances to Public Officers	50,000,000	38,000,000	275,000,000	—
94	Department of Examinations	21201	Advances to Public Officers	18,000,000	13,000,000	100,000,000	—
95	Department of Educational Publications	21301	Advances to Public Officers	5,500,000	4,000,000	33,000,000	—
96	Department of Educational Publications	21302	Printing, Publicity and Sales of Publications	2,500,000,000	2,400,000,000	4,000,000,000	1,900,000,000
97	Department of Technical Education and Training	21501	Advances to Public Officers	49,000,000	45,000,000	200,000,000	—
98	Department of Social Services	21601	Advances to Public Officers	13,000,000	11,000,000	75,000,000	—
99	Department of Probation and Child Care Services	21701	Advances to Public Officers	12,500,000	7,200,000	52,500,000	—
100	Department of Sports Development	21901	Advances to Public Officers	8,200,000	4,500,000	33,000,000	—
101	Department of Ayurveda	22001	Advances to Public Officers	31,000,000	22,000,000	190,000,000	—
102	Department of Labour	22101	Advances to Public Officers	65,000,000	46,000,000	345,000,000	—
103	Sri Lanka Army	22201	Advances to Public Officers	2,000,000,000	1,650,000,000	4,000,000,000	—

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.
104	Sri Lanka Navy	22301	Advances to Public Officers	420,000,000	320,000,000	850,000,000	—
105	Sri Lanka Navy	22302	Stores Advances Account	338,000,000	360,000,000	350,000,000	—
		(Explosive items)					
106	Sri Lanka Air Force	22401	Advances to Public Officers	400,000,000	325,000,000	1,000,000,000	—
107	Department of Police	22501	Advances to Public Officers	1,300,000,000	1,000,000,000	4,000,000,000	—
108	Department of Immigration and Emigration	22601	Advances to Public Officers	29,000,000	23,000,000	154,000,000	—
109	Department of Registration of Persons	22701	Advances to Public Officers	18,000,000	12,000,000	65,000,000	—
110	Courts Administration	22801	Advances to Public Officers	340,000,000	180,000,000	1,200,000,000	—
111	Department of Debt Conciliation Board	23101	Advances to Public Officers	1,200,000	300,000	2,500,000	—
112	Department of Prisons	23201	Advances to Public Officers	120,000,000	100,000,000	400,000,000	—
113	Department of Prisons	23202	Prisons Industrial and Agricultural undertakings	80,000,000	90,000,000	12,000,000	50,000,000
114	Department of Government Analyst	23301	Advances to Public Officers	6,500,000	3,500,000	30,000,000	—
115	Registrar of Supreme Court	23401	Advances to Public Officers	13,500,000	6,500,000	40,000,000	—
116	Department of Law Commission	23501	Advances to Public Officers	1,200,000	200,000	2,500,000	—
117	Department of Official Languages	23601	Advances to Public Officers	7,000,000	3,000,000	25,000,000	—

118	Department of National Planning	23701	Advances to Public Officers	4,500,000	2,500,000	30,000,000	—
119	Department of Fiscal Policy	23801	Advances to Public Officers	2,500,000	1,000,000	10,000,000	—
120	Department of External Resources	23901	Advances to Public Officers	4,500,000	2,500,000	27,000,000	—
121	Department of National Budget	24001	Advances to Public Officers	5,500,000	3,800,000	27,000,000	—
122	Department of Public Enterprises	24101	Advances to Public Officers	4,000,000	1,800,000	19,000,000	—
123	Department of Management Services	24201	Advances to Public Officers	4,000,000	2,000,000	18,000,000	—
124	Department of Development Finance	24301	Advances to Public Officers	2,500,000	500,000	9,000,000	—
125	Department of Trade and Investment Policy	24401	Advances to Public Officers	2,500,000	1,200,000	12,000,000	—
126	Department of Public Finance	24501	Advances to Public Officers	2,500,000	1,250,000	13,000,000	—
127	Department of Inland Revenue	24601	Advances to Public Officers	95,000,000	52,000,000	340,000,000	—
128	Sri Lanka Customs	24701	Advances to Public Officers	40,000,000	36,000,000	300,000,000	—
129	Sri Lanka Customs	24702	Expenses in connection with Seized and Forfeited Goods	11,000,000	2,000,000	29,000,000	—
130	Department of Excise	24801	Advances to Public Officers	33,000,000	23,000,000	170,000,000	—
131	Department of Treasury Operations	24901	Advances to Public Officers	4,000,000	2,500,000	21,000,000	—
132	Department of State Accounts	25001	Advances to Public Officers	3,500,000	1,000,000	14,000,000	—
133	Department of State Accounts	25002	Advances for Payments on behalf of other Governments	4,000,000	3,000,000	3,500,000	—

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.
134	Department of State Accounts	25003	Miscellaneous Advances	10,000,000	2,500,000	466,000,000	—
135	Department of Valuation	25101	Advances to Public Officers	19,000,000	12,000,000	75,000,000	—
136	Department of Census and Statistics	25201	Advances to Public Officers	45,000,000	25,000,000	220,000,000	—
137	Department of Pensions	25301	Advances to Public Officers	34,000,000	17,000,000	130,000,000	—
138	Department of Registrar General	25401	Advances to Public Officers	64,000,000	35,000,000	230,000,000	—
139	District Secretariat, Colombo	25501	Advances to Public Officers	42,000,000	34,000,000	200,000,000	—
140	District Secretariat, Gampaha	25601	Advances to Public Officers	68,000,000	52,000,000	250,000,000	—
141	District Secretariat, Kalutara	25701	Advances to Public Officers	54,000,000	40,000,000	265,000,000	—
142	District Secretariat, Kandy	25801	Advances to Public Officers	65,000,000	45,000,000	240,000,000	—
143	District Secretariat, Matale	25901	Advances to Public Officers	36,000,000	27,000,000	150,000,000	—
144	District Secretariat, Nuwara-Eliya	26001	Advances to Public Officers	29,000,000	19,000,000	92,000,000	—
145	District Secretariat, Galle	26101	Advances to Public Officers	56,000,000	46,000,000	225,000,000	—
146	District Secretariat, Matara	26201	Advances to Public Officers	50,000,000	35,000,000	200,000,000	—
147	District Secretariat, Hambantota	26301	Advances to Public Officers	40,000,000	25,000,000	163,000,000	—
148	District Secretariat/Kachcheri, Jaffna	26401	Advances to Public Officers	43,000,000	26,000,000	120,000,000	—
149	District Secretariat/Kachcheri, Mannar	26501	Advances to Public Officers	11,000,000	6,000,000	45,000,000	—

150	District Secretariat/Kachcheri, Vavuniya	26601	Advances to Public Officers	11,000,000	7,000,000	40,000,000	—
151	District Secretariat/Kachcheri, Mullaitivu	26701	Advances to Public Officers	16,000,000	6,500,000	50,000,000	—
152	District Secretariat/Kachcheri, Killinochchi	26801	Advances to Public Officers	12,000,000	7,000,000	47,000,000	—
153	District Secretariat/ Kachcheri, Batticaloa	26901	Advances to Public Officers	32,000,000	18,000,000	100,000,000	—
154	District Secretariat, Ampara	27001	Advances to Public Officers	52,000,000	32,000,000	160,000,000	—
155	District Secretariat/Kachcheri, Trincomalee	27101	Advances to Public Officers	23,000,000	15,000,000	100,000,000	—
156	District Secretariat, Kurunegala	27201	Advances to Public Officers	70,000,000	70,000,000	290,000,000	—
157	District Secretariat, Puttalam	27301	Advances to Public Officers	45,000,000	30,000,000	160,000,000	—
158	District Secretariat, Anuradhapura	27401	Advances to Public Officers	50,000,000	40,000,000	190,000,000	—
159	District Secretariat, Polonnaruwa	27501	Advances to Public Officers	24,000,000	16,000,000	96,000,000	—
160	District Secretariat, Badulla	27601	Advances to Public Officers	40,000,000	28,000,000	156,000,000	—
161	District Secretariat, Moneragala	27701	Advances to Public Officers	33,000,000	25,000,000	125,000,000	—
162	District Secretariat, Ratnapura	27801	Advances to Public Officers	54,000,000	33,000,000	200,000,000	—
163	District Secretariat, Kegalle	27901	Advances to Public Officers	39,000,000	27,000,000	144,000,000	—
164	Department of Project Management and Monitoring	28001	Advances to Public Officers	3,500,000	2,400,000	18,000,000	—
165	Department of Agrarian Development	28101	Advances to Public Officers	200,000,000	130,000,000	500,000,000	—
166	Department of Irrigation	28201	Advances to Public Officers	120,000,000	100,000,000	500,000,000	—
167	Department of Forests	28301	Advances to Public Officers	60,000,000	46,000,000	274,000,000	—
168	Department of Wildlife Conservation	28401	Advances to Public Officers	39,000,000	27,000,000	140,000,000	—

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 Agriculture	28501	Advances to Public Officers	194,430,000	110,000,000	500,000,000	—
170	Department of Agriculture	28502	Maintenance of Agricultural Farms and Seed Sales	416,000,000	416,000,000	70,000,000	—
171	Department of Land Commissioner General	28601	Advances to Public Officers	14,000,000	12,000,000	60,000,000	—
172	Department of Land Settlement	28701	Advances to Public Officers	18,000,000	7,000,000	65,000,000	—
173	Department of Surveyor General	28801	Advances to Public Officers	130,000,000	80,000,000	380,000,000	—
174	Department of Export Agriculture	28901	Advances to Public Officers	25,000,000	19,000,000	110,000,000	—
175	Department of Fisheries and Aquatic Resources	29001	Advances to Public Officers	22,000,000	13,500,000	105,000,000	—
176	Department of Coast Conservation	29101	Advances to Public Officers	9,000,000	6,500,000	50,000,000	—
177	Department of Animal Production and Health	29201	Advances to Public Officers	26,000,000	15,000,000	110,000,000	—
178	Department of Rubber Development	29301	Advances to Public Officers	15,000,000	8,000,000	50,000,000	—
179	Department of National Zoological Gardens	29401	Advances to Public Officers	14,000,000	8,000,000	65,000,000	—
180	Department of Commerce	29501	Advances to Public Officers	5,500,000	2,000,000	20,000,000	—

181	Department of Import and Export Control	29601	Advances to Public Officers	4,000,000	2,000,000	18,000,000	—
182	Department of the Registrar of Companies	29701	Advances to Public Officers	4,500,000	2,300,000	20,000,000	—
183	Department of Measurement Units, Standards and Services	29801	Advances to Public Officers	7,000,000	3,200,000	30,000,000	—
184	National Intellectual Property Office of Sri Lanka	29901	Advances to Public Officers	2,500,000	1,000,000	10,000,000	—
185	Department of Food Commissioner	30001	Advances to Public Officers	7,000,000	3,000,000	40,000,000	—
186	Department of Co-operative Development (Registrar of Co-operative Societies)	30101	Advances to Public Officers	5,000,000	2,000,000	20,000,000	—
187	Co-operative Employees Commission	30201	Advances to Public Officers	1,500,000	300,000	5,000,000	—
188	Department of Textile Industries	30301	Advances to Public Officers	5,000,000	3,000,000	25,000,000	—
189	Department of Meteorology	30401	Advances to Public Officers	11,000,000	6,000,000	55,000,000	—
190	Department of Sri Lanka Railways	30601	Advances to Public Officers	495,000,000	285,000,000	1,500,000,000	—
191	Department of Sri Lanka Railways	30602	Railway Stores Advance Account	2,000,000,000	1,800,000,000	6,935,000,000	1,000,000,000
192	Department of Motor Traffic	30701	Advances to Public Officers	31,000,000	17,000,000	135,000,000	—
193	Department of Posts	30801	Advances to Public Officers	660,000,000	540,000,000	2,200,000,000	—
194	Department of Buildings	30901	Advances to Public Officers	19,000,000	10,000,000	75,000,000	—
195	Government Factory	31001	Advances to Public Officers	26,000,000	18,000,000	128,000,000	—

Appropriation Act, No. 41 of 2014

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.
196	Government Factory	31002	Government Factory Stores Advance Account	120,000,000	120,000,000	40,000,000	40,000,000
197	Government Factory	31003	Government Factory Work Done Advance Account	260,000,000	280,000,000	180,000,000	5,000,000
198	Department of National Physical Planning	31101	Advances to Public Officers	11,000,000	6,200,000	60,000,000	—
199	Department of Civil Security	32001	Advances to Public Officers	170,000,000	140,000,000	25,000,000	—
200	Department of National Botanical Gardens	32201	Advances to Public Officers	20,000,000	10,000,000	80,000,000	—
201	Department of Legal Affairs	32301	Advances to Public Officers	1,000,000	200,000	4,000,000	—
202	Department of Management Audit	32401	Advances to Public Officers	2,200,000	1,250,000	10,000,000	—
203	Department of Community Based Correction	32601	Advances to Public Officers	8,000,000	3,600,000	40,000,000	—
204	Department of Land Use Policy Planning	32701	Advances to Public Officers	18,000,000	8,000,000	65,000,000	—
205	Department of Man Power & Employment	32801	Advances to Public Officers	18,000,000	9,000,000	50,000,000	—
206	Department of Information Technology Management	32901	Advances to Public Officers	1,000,000	200,000	5,000,000	—
207	Department of Divineguma Development	33101	Advances to Public Officers	638,000,000	120,000,000	650,000,000	—
Total				17,913,380,000	3,913,380,000	46,975,300,000	2,995,000,000.

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



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

**KALPAWRUKSHA DEVELOPMENT
FOUNDATION (INCORPORATION)
ACT, No. 42 OF 2014**

[Certified on 24th November, 2014]

Printed on the Order of Government

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*Kalpawruksha Development
Foundation (Incorporation) Act, No. 42 of 2014*

[Certified on 24th November, 2014]

L.D.—O. Inc. 29/2012.

AN ACT TO INCORPORATE THE KALPAWUKSHA DEVELOPMENT
FOUNDATION

WHEREAS a Foundation called and known as the “Kalpawruksha Development 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 established 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 Kalpawruksha Development Foundation (Incorporation) Act, No. 42 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Kalpawruksha Development Foundation (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate with perpetual succession under the name and style of the “Kalpawruksha Development 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 Kalpawruksha Development Foundation.

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to promote peace through the development of harmony among races and individuals;
- (b) to encourage the followers of Buddhist faith to secure the environment and develop the society;
- (c) to steer an individual centered society development process and specially direct the Buddhist community to minimize the problems faced by children of the Buddhist faith;
- (d) to provide for the protection, maintenance and development of the temple;
- (e) to provide the resident Bhikkus with security, meals and their daily needs;
- (f) to organize religious activities in the temple premises;
- (g) to lead the Buddhists both young and old to a religious way of life based on Buddhist ethics and the observance of the five precepts;
- (h) to establish and maintain a Daham School, conduct examinations, organize competitions and to provide equipments required by the Daham school;
- (i) to establish and maintain a hospital in order to treat devotees who face emergencies in the Sri Pada area with the approval of the relevant authorities;

- (j) to assist in fulfilling the educational activities and training requirements of the Bhikkus ordained in the temple;
- (k) to organize religious activities, sermons, and religious conferences for the sustenance of Buddhism; and
- (l) to organize processions, meritorious activities, alms giving ceremonies, and other voluntary activities for the development of the temple and the area around it based on Buddhist principles.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act, the Management and administration of the affairs of the Corporation shall be carried out by a Board of Management (hereinafter referred to as the "Board") consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

(2) (a) The Board of the Foundation holding office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or adviser shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Powers of the Corporation.

6. 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:—

(a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects 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 Board 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 made to the Corporation.

(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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for 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 Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation;
- (d) The procedure to be followed for the summoning and holding of meetings of the Board or any sub-committee thereof, notices and agenda of such meetings, the quorum the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its objects and dissolution of the Corporation.

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

(4) The rules made under this section shall be published in the *Gazette*.

Register of
members.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Kalpawruksha Development 7
Foundation (Incorporation) Act, No. 42 of 2014

9. (1) The Corporation shall have its own fund. Fund of the Corporation.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in one or more banks approved by the Board 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.

10. (1) The financial year of the Corporation shall be the calendar year. Accounts and auditing.

(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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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
- (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.

Annual Report.

11. (1) The Board shall prepare a report of the activities of the corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Buddhasasana and Religious Affairs and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

Debts due by and payable to the Foundation.

12. 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.

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 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.

Application of moneys and property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Kalpawruksha Development 9
Foundation (Incorporation) Act, No. 42 of 2014

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

17. 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.

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.

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



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

**SIVMUNI SE VEHERA BUDDHIST
FOUNDATION (INCORPORATION)
ACT, No. 43 OF 2014**

[Certified on 24th November, 2014]

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*Sivmuni Se Vehera Buddhist Foundation
(Incorporation) Act, No. 43 of 2014*

[Certified on 24th November 2014]

L.D.—O. (Inc.) 33/2013.

AN ACT TO INCORPORATE THE SIVMUNI SE VEHERA BUDDHIST
FOUNDATION

WHEREAS a Foundation called and known as the “Sivmuni Se Vehera Buddhist 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 established, 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 Sivmuni Se Vehera Buddhist Foundation (Incorporation) Act, No. 43 of 2014. Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Sivmuni Se Vehera Buddhist 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 “Sivmuni Se Vehera Buddhist 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 Sivmuni Se Vehera Buddhist Foundation.

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(Incorporation) Act, No. 43 of 2014

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

(a) to maintain the religious activities of the Sivmuni Se Vehera Buddhist Centre situated at Navagampura, Ampara ;

(b) to shape up the adherents of the Buddhism to ensure righteous and religious society ;

(c) to assist the relevant authorities with the consent of such authorities to—

(i) protect sacred places and historical monuments related to Buddhism; and

(ii) educate the adherents of the Buddhism to conserve natural resources.

Corporation to
ensure no
conflict with
work of Ministry
or Department of
the Government
or Province.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Management of
the affairs of the
Corporation.

5. (1) Subject to the provisions of this Act, the management and administration of the affairs of the Corporation shall be carried out by an Executive Committee (hereinafter referred to as the “Committee”) consisting of such number of office bearers as may be specified by the rules made under section 7.

(2) (a) The Executive Committee of the Foundation that holds office on the day immediately preceding the date of commencement of this Act, shall function as the Committee of the Corporation until the first Committee is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Committee of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Committee including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Committee shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

6. 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 and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects of the Corporation ;

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(Incorporation) Act, No. 43 of 2014

- (b) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind:

Provided that, the Committee 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 made to the Corporation;

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Committee may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation ; and

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

7. (1) It shall be lawful for the Corporation, from time to time at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act, or any other written law, for 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 committee or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers ;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the Corporation ;
- (d) the procedure to be followed for the summoning and holding of meetings of the Committee or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat ;
- (e) the qualifications and disqualifications to be a member of the Committee and the Corporation ;
- (f) the administration and management of the property of the Corporation ; and
- (g) generally the management of the affairs of the Corporation and the accomplishment of its objects and dissolution of the Corporation.

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(Incorporation) Act, No. 43 of 2014

(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 rules made under sub section (1) shall be published in the *Gazette*.

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

Register of members.

8. The Committee shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Fund of the Corporation.

9. (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 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.

10. (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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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 practise as an accountant issued by the Council of 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 practise as an accountant issued by the Council of such Institute.

11. (1) The Committee shall prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates. Annual Report.

(2) A separate Account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

12. 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.

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 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.

Application of moneys and property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Seal of the Corporation.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members of the Committee 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Committee as may be decided by the Committee.

Property remaining on dissolution.

16. (1) 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 any other institution having objects similar to those of the Corporation and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

Sivmuni Se Vehera Buddhist Foundation 9
(Incorporation) Act, No. 43 of 2014

- 17.** 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.
- 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.

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



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

**P. HARRISON COMMUNITY DEVELOPMENT
FOUNDATION (INCORPORATION)
ACT, No. 44 OF 2014**

[Certified on 24th November, 2014]

Printed on the Order of Government

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*P. Harrison Community Development
Foundation (Incorporation) Act, No. 44 of 2014*

[Certified on 24th November, 2014]

L.D.—O. Inc. 11/2013

AN ACT TO INCORPORATE THE P. HARRISON COMMUNITY
DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as the “P. Harrison Community Development 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 established 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 P. Harrison Community Development Foundation (Incorporation) Act, No. 44 of 2014.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the P. Harrison Community Development Foundation (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the “P. Harrison Community Development 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
P. Harrison
Community
Development
Foundation.

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Foundation (Incorporation) Act, No. 44 of 2014*

(2) The Corporation shall be deemed to be a voluntary social service organization within the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

General objects
of the
Corporation.

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

- (a) to take necessary steps to make awareness of social values among people;
- (b) to promote mutual understanding and co-operation among ethnic groups; and
- (c) to provide grants, scholarships, gifts, donations and financial assistance for the benefit of needy youth.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

Corporation to
ensure no
conflict with
work of
Ministry or
Department of
the Central
Government or
Province.

4. The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any provincial Council.

Management of
the affairs of the
Corporation.

5. (1) Subject to the provisions of this Act the Management and administration of the affairs of the Corporation shall be carried out by a Board of Directors (hereinafter referred to as the “Board”) consisting of such number of office bearers as may be specified by the rules made under section 7.

(2) (a) The Board of Directors of the Foundation that holds office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or adviser shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

6. 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 and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects of the Corporation;

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Foundation (Incorporation) Act, No. 44 of 2014*

- (b) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind:

Provided that, the Board shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned with the subject of Finance, in respect of all foreign grants, gifts or donations made to the Corporation.

- (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 invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- (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 organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;

- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the Corporation and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for 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 Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties 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 Board or any sub-Committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Board and the Corporation;
- (f) the administration and management of the property of the Corporation; and
- (g) the management of the affairs of the Corporation and the accomplishment of its' objects and dissolution of the Corporation.

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Foundation (Incorporation) Act, No. 44 of 2014*

(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.

(4) The rules made under this section shall be published in the *Government Gazette*.

Register of members.

8. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed.

Fund of the Corporation.

9. (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 Board 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 the Auditing.

10. (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 a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of 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
- (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.

11. (1) The Board shall prepare a report of the activities of the corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

Annual Report.

(2) A separate Account relating to the foreign and local moneys received by the Corporation during the financial year shall be attached to the report referred to in subsection (1).

12. 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.

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Foundation (Incorporation) Act, No. 44 of 2014*

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 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.

Application of moneys and property.

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Seal of the Corporation.

15. (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of two members 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

Property remaining on dissolution.

16. (1) 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 any other institution having objects similar to those of the Corporation, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

P. Harrison Community Development 9
Foundation (Incorporation) Act, No. 44 of 2014

17. 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.

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**

**APPROPRIATION (AMENDMENT)
ACT, No. 47 OF 2014**

[Certified on 25th November, 2014]

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Appropriation (Amendment) Act, No. 47 of 2014

[Certified on 25th November, 2014]

L.D.—O. 34/2014

AN ACT TO AMEND THE APPROPRIATION ACT, NO. 36 OF 2013

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 (Amendment) Act, No. 47 of 2014. Short title.
2. Section 2 of the Appropriation Act, No. 36 of 2013 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:—Amendment of section 2 of Act, No. 36 of 2013.
 - (1) in subsection (1) of that section,
 - (a) by the substitution for the words, “rupees one thousand five hundred ninety eight billion two hundred fifty two million five hundred eighteen thousand”, of the words “rupees one thousand six hundred ninety two billion five hundred fifty two million seven hundred ninety eight thousand”; and
 - (b) by the substitution in paragraph (b) of that subsection, for the words “does not exceed rupees one thousand two hundred seventy eight billion”, of the words “does not exceed rupees one thousand four hundred seventy eight billion”;
 - (2) in subsection (2) of that section, by the substitution for the words, “rupees one thousand five hundred ninety eight billion two hundred fifty two million five hundred eighteen thousand”, of the words “rupees one thousand six hundred ninety two billion five hundred fifty two million seven hundred ninety eight thousand”; and
 - (3) in subsection (4) of that section, by the substitution for the words, “rupees one thousand billion and seven hundred and forty seven million and four hundred eighty two thousand”, of the words “rupees one thousand fifty eight billion four hundred forty seven million two hundred two thousand”.
3. The First Schedule to the principal enactment is hereby repealed and the following Schedule is substituted therefor:—Replacement of the First Schedule to the principal enactment.

**“FIRST SCHEDULE — ESTIMATE — 2014
Sums Payable for General Services**

2

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 1 - 22	Special Spending Units		
	Recurrent	11,362,778,000	
	Capital	6,887,866,000	
Made up as follows :—			
Head 1	His Excellency the President		
	Programme 01 Operational Activities	4,804,100,000	4,557,533,000
	Programme 02 Development Activities	—	1,134,000,000
Head 2	Office of the Prime Minister		
	Programme 01 Operational Activities	241,400,000	65,905,000
Head 3	Secretariat for Special Functions (Senior Ministers)		
	Programme 01 Operational Activities	367,350,000	165,650,000
Head 4	Judges of the Superior Courts		
	Programme 01 Operational Activities	96,210,000	240,550,000
Head 5	Office of the Cabinet of Ministers		
	Programme 01 Operational Activities	64,400,000	8,675,000
Head 6	Public Service Commission		
	Programme 01 Operational Activities	121,779,000	119,280,000

Appropriation (Amendment) Act, No. 47 of 2014

Head	7	Judicial Service Commission Programme 01 Operational Activities	36,010,000	1,460,000
Head	8	National Police Commission Programme 01 Operational Activities	40,940,000	470,000
Head	9	Administrative Appeals Tribunal Programme 01 Operational Activities	16,625,000	1,050,000
Head	10	Commission to Investigate Allegations of Bribery or Corruption Programme 01 Operational Activities	180,990,000	17,250,000
Head	11	Office of the Finance Commission Programme 01 Operational Activities	36,625,000	4,100,000
Head	12	National Education Commission Programme 01 Operational Activities	31,584,000	5,450,000
Head	13	Human Rights Commission of Sri Lanka Programme 01 Operational Activities	150,500,000	40,750,000
Head	14	Department of Attorney General Programme 01 Operational Activities	492,120,000	38,300,000
Head	15	Department of Legal Draftsman Programme 01 Operational Activities	69,845,000	42,475,000
Head	16	Parliament Programme 01 Operational Activities	1,604,840,000	123,300,000
Head	17	Office of the Leader of the House of Parliament Programme 01 Operational Activities	26,675,000	2,150,000

Appropriation (Amendment) Act, No. 47 of 2014

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 18	Office of the Chief Govt. Whip of Parliament Programme 01 Operational Activities	36,750,000	12,650,000
Head 19	Office of the Leader of the Opposition of Parliament Programme 01 Operational Activities	68,755,000	49,308,000
Head 20	Department of Elections Programme 01 Operational Activities	2,040,350,000	41,000,000
Head 21	Auditor General Programme 01 Operational Activities	825,250,000	216,200,000
Head 22	Office of the Parliamentary Commissioner for Administration Programme 01 Operational Activities	9,680,000	360,000
	Ministry of Buddha Sasana and Religious Affairs		
	Recurrent	1,277,125,000	
	Capital	722,991,000	
Made up as follows :—			
Head 101	Minister of Buddha Sasana and Religious Affairs Programme 01 Operational Activities Programme 02 Development Activities	171,010,000 —	5,956,000 488,170,000
Head 201	Department of Buddhist Affairs Programme 01 Operational Activities Programme 02 Development Activities	39,590,000 726,830,000	7,550,000 72,500,000
Head 202	Department of Muslim Religious and Cultural Affairs Programme 02 Development Activities	60,640,000	31,050,000

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Appropriation (Amendment) Act, No. 47 of 2014

Head 203	Department of Christian Religious Affairs Programme 02 Development Activities	121,765,000	21,840,000
Head 204	Department of Hindu Religious and Cultural Affairs Programme 02 Development Activities	120,660,000	94,150,000
Head 205	Department of Public Trustee Programme 01 Operational Activities	36,630,000	1,775,000
	Ministry of Finance and Planning		
	Recurrent	49,284,095,000	
	Capital	74,068,762,000	

Made up as follows :—

Head 102	Minister of Finance and Planning Programme 01 Operational Activities Programme 02 Development Activities	2,511,948,000 —	1,926,073,000 1,078,296,000
Head 237	Department of National Planning Programme 01 Operational Activities	77,430,000	46,930,000
Head 238	Department of Fiscal Policy Programme 01 Operational Activities	74,680,000	1,120,000
Head 239	Department of External Resources Programme 01 Operational Activities	175,900,000	751,249,000
Head 240	Department of National Budget Programme 01 Operational Activities Programme 02 Development Activities	1,136,664,000 14,000,000,000	1,850,440,000 14,375,000,000
Head 241	Department of Public Enterprises Programme 01 Operational Activities	57,547,000	5,532,500,000

Appropriation (Amendment) Act, No. 47 of 2014

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 242	Department of Management Services Programme 01 Operational Activities	36,720,000	2,100,000
Head 243	Department of Development Finance Programme 01 Operational Activities Programme 02 Development Activities	576,235,000 —	2,250,100,000 2,147,390,000
Head 244	Department of Trade, Tariff and Investment Policy Programme 01 Operational Activities	755,760,000	6,175,000
Head 245	Department of Public Finance Programme 01 Operational Activities	188,250,000	2,300,000
Head 246	Department of Inland Revenue Programme 01 Operational Activities	2,016,000,000	1,132,000,000
Head 247	Sri Lanka Customs Programme 01 Operational Activities	1,620,800,000	398,000,000
Head 248	Department of Excise Programme 01 Operational Activities	530,150,000	182,500,000
Head 249	Department of Treasury Operations Programme 01 Operational Activities Programme 02 Development Activities	24,322,181,000 —	37,268,650,000 3,149,000,000
Head 250	Department of State Accounts Programme 01 Operational Activities	29,700,000	3,100,000
Head 251	Department of Valuation Programme 01 Operational Activities	300,850,000	740,500,000

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Appropriation (Amendment) Act, No. 47 of 2014

Head 252	Department of Census and Statistics Programme 01 Operational Activities	663,000,000	1,203,289,000
Head 280	Department of Project Management and Monitoring Programme 02 Development Activities	64,850,000	9,200,000
Head 296	Department of Import and Export Control Programme 01 Operational Activities	46,470,000	4,800,000
Head 323	Department of Legal Affairs Programme 01 Operational Activities	17,380,000	650,000
Head 324	Department of Management Audit Programme 01 Operational Activities	26,300,000	1,600,000
Head 329	Department of Information Technology Management Programme 01 Operational Activities	55,280,000	5,800,000

Ministry of Defence and Urban Development
Recurrent 233,068,000,000
Capital 50,695,335,000

Made up as follows :—

Head 103	Minister of Defence and Urban Development Programme 01 Operational Activities Programme 02 Development Activities	4,236,843,000 974,000,000	3,457,904,000 16,791,750,000
Head 222	Sri Lanka Army Programme 01 Operational Activities	134,949,884,000	8,851,394,000
Head 223	Sri Lanka Navy Programme 01 Operational Activities	48,239,958,000	5,660,665,000
Head 224	Sri Lanka Air Force Programme 01 Operational Activities	31,290,593,000	12,524,670,000

Appropriation (Amendment) Act, No. 47 of 2014

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 226	Department of Immigration and Emigration Programme 01 Operational Activities	937,447,000	1,495,100,000
Head 227	Department of Registration of Persons Programme 01 Operational Activities	465,315,000	88,152,000
Head 291	Department of Coast Conservation Programme 01 Operational Activities	153,500,000	1,672,900,000
Head 320	Department of Civil Security Programme 01 Operational Activities	11,787,800,000	120,800,000
Head 325	Department of Sri Lanka Coast Guard Programme 01 Operational Activities	32,660,000	32,000,000
	Ministry of Economic Development		
	Recurrent	36,988,000,000	
	Capital	62,000,000,000	
Made up as follows :—			
Head 105	Minister of Economic Development Programme 01 Operational Activities Programme 02 Development Activities	7,642,160,000 9,398,500,000	238,475,000 59,718,375,000
Head 218	Department of Commissioner General of Samurdhi Programme 01 Operational Activities	15,500,125,000	5,800,000
Head 281	Department of Agrarian Development Programme 01 Operational Activities Programme 02 Development Activities	278,690,000 4,148,250,000	55,000,000 1,981,000,000
Head 305	Department of Up-Country Peasantry Rehabilitation Programme 02 Development Activities	20,275,000	1,350,000

Ministry of Disaster Management				
	Recurrent		903,436,000	
	Capital		3,345,742,000	
Made up as follows :—				
Head 106	Minister of Disaster Management			
	Programme 01	Operational Activities	120,885,000	65,148,000
	Programme 02	Development Activities	581,091,000	3,196,929,000
Head 304	Department of Meteorology			
	Programme 02	Development Activities	201,460,000	83,665,000
Ministry of Postal Services				
	Recurrent		9,593,000,000	
	Capital		393,000,000	
Made up as follows :—				
Head 108	Minister of Postal Services			
	Programme 01	Operational Activities	112,900,000	246,100,000
Head 308	Department of Posts			
	Programme 02	Development Activities	9,480,100,000	146,900,000
Ministry of Justice				
	Recurrent		5,013,105,000	
	Capital		1,294,193,000	
Made up as follows :—				
Head 110	Minister of Justice			
	Programme 01	Operational Activities	601,700,000	151,643,000

Appropriation (Amendment) Act, No. 47 of 2014

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 228	Courts Administration Programme 01 Operational Activities	4,078,200,000	1,024,250,000
Head 231	Department of Debt Conciliation Board Programme 01 Operational Activities	9,720,000	1,250,000
Head 233	Department of Government Analyst Programme 01 Operational Activities	195,475,000	106,000,000
Head 234	Registrar of Supreme Court Programme 01 Operational Activities	114,060,000	9,300,000
Head 235	Department of Law Commission Programme 01 Operational Activities	13,950,000	1,750,000
	Ministry of Health		
	Recurrent	90,999,998,000	
	Capital	26,162,000,000	
	Made up as follows :—		
Head 111	Minister of Health		
	Programme 01 Operational Activities	81,705,080,000	949,500,000
	Programme 02 Development Activities	9,294,918,000	25,212,500,000
	Ministry of External Affairs		
	Recurrent	8,617,300,000	
	Capital	1,206,053,000	
	Made up as follows :—		
Head 112	Minister of External Affairs		
	Programme 01 Operational Activities	168,300,000	7,250,000
	Programme 02 Development Activities	8,449,000,000	1,198,803,000

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Appropriation (Amendment) Act, No. 47 of 2014

	Ministry of Transport				
	Recurrent	25,823,000,000			
	Capital	54,558,000,000			
	Made up as follows :—				
Head 114	Minister of Transport				
	Programme 01 Operational Activities	162,086,000	12,026,000		
	Programme 02 Development Activities	7,266,000,000	17,441,612,000		
Head 306	Department of Sri Lanka Railways				
	Programme 02 Development Activities	16,950,864,000	36,154,612,000		
Head 307	Department of Motor Traffic				
	Programme 02 Development Activities	1,444,050,000	949,750,000		
	Ministry of Petroleum Industries				
	Recurrent	130,350,000			
	Capital	33,000,000			
	Made up as follows :—				
Head 115	Minister of Petroleum Industries				
	Programme 01 Operational Activities	130,350,000	33,000,000		
	Ministry of Co-operatives and Internal Trade				
	Recurrent	1,063,324,000			
	Capital	853,000,000			
	Made up as follows :—				
Head 116	Minister of Co-operatives and Internal Trade				
	Programme 01 Operational Activities	849,760,000	264,292,000		
	Programme 02 Development Activities	—	319,000,000		
Head 298	Department of Measurement Units, Standards and Services				
	Programme 01 Operational Activities	69,000,000	230,500,000		

Appropriation (Amendment) Act, No. 47 of 2014

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 300	Department of Food Commissioner Programme 01 Operational Activities	76,757,000	21,958,000
Head 301	Department of Co-operative Development (Registrar of Co-operative Societies) Programme 01 Operational Activities	55,575,000	16,400,000
Head 302	Co-operative Employees Commission Programme 01 Operational Activities	12,232,000	850,000
	Ministry of Highways, Ports and Shipping		
	Recurrent	358,000,000	
	Capital	143,900,000,000	
	Made up as follows :—		
Head 117	Minister of Highways, Ports and Shipping Programme 01 Operational Activities Programme 02 Development Activities	358,000,000 —	18,328,000 143,881,672,000
	Ministry of Agriculture		
	Recurrent	38,755,571,000	
	Capital	2,200,000,000	
	Made up as follows :—		
Head 118	Minister of Agriculture Programme 01 Operational Activities Programme 02 Development Activities	155,960,000 35,891,311,000	83,350,000 599,900,000
Head 285	Department of Agriculture Programme 01 Operational Activities Programme 02 Development Activities	319,150,000 2,389,150,000	48,300,000 1,468,450,000

Ministry of Power and Energy				
	Recurrent	187,650,000		
	Capital	32,112,762,000		
Made up as follows :—				
Head 119	Minister of Power and Energy			
	Programme 01 Operational Activities	187,650,000	8,575,762,000	
	Programme 02 Development Activities	—	23,537,000,000	
Ministry of Child Development and Women's Affairs				
	Recurrent	1,527,520,000		
	Capital	749,050,000		
Made up as follows :—				
Head 120	Minister of Child Development and Women's Affairs			
	Programme 01 Operational Activities	716,365,000	156,700,000	
	Programme 02 Development Activities	577,530,000	583,750,000	
Head 217	Department of Probation and Child Care Services			
	Programme 01 Operational Activities	12,950,000	650,000	
	Programme 02 Development Activities	220,675,000	7,950,000	
Ministry of Public Administration and Home Affairs				
	Recurrent	139,959,047,000		
	Capital	4,400,000,000		
Made up as follows :—				
Head 121	Minister of Public Administration and Home Affairs			
	Programme 01 Operational Activities	712,275,000	432,601,000	
Head 253	Department of Pensions			
	Programme 01 Operational Activities	125,714,075,000	26,275,000	13

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 254	Department of Registrar General Programme 01 Operational Activities	1,041,100,000	53,100,000
Head 255	District Secretariat, Colombo Programme 01 Operational Activities	559,100,000	419,550,000
Head 256	District Secretariat, Gampaha Programme 01 Operational Activities	709,350,000	41,650,000
Head 257	District Secretariat, Kalutara Programme 01 Operational Activities	605,840,000	248,750,000
Head 258	District Secretariat, Kandy Programme 01 Operational Activities	793,090,000	77,600,000
Head 259	District Secretariat, Matale Programme 01 Operational Activities	421,975,000	51,250,000
Head 260	District Secretariat, Nuwara-Eliya. Programme 01 Operational Activities	378,650,000	39,650,000
Head 261	District Secretariat, Galle Programme 01 Operational Activities	818,775,000	38,800,000
Head 262	District Secretariat ,Matara Programme 01 Operational Activities	657,125,000	90,350,000
Head 263	District Secretariat , Hambantota Programme 01 Operational Activities	610,696,000	378,250,000
Head 264	District Secretariat/ Kachcheri - Jaffna Programme 01 Operational Activities	484,550,000	33,000,000

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Head 265	District Secretariat/ Kachcheri - Mannar Programme 01 Operational Activities	170,600,000	96,950,000
Head 266	District Secretariat/ Kachcheri - Vavuniya Programme 01 Operational Activities	155,350,000	148,100,000
Head 267	District Secretariat/ Kachcheri - Mullaitivu Programme 01 Operational Activities	147,825,000	55,750,000
Head 268	District Secretariat/ Kachcheri - Killinochchi Programme 01 Operational Activities	146,250,000	40,750,000
Head 269	District Secretariat/ Kachcheri - Batticaloa Programme 01 Operational Activities	413,800,000	230,900,000
Head 270	District Secretariat, Ampara Programme 01 Operational Activities	641,675,000	343,200,000
Head 271	District Secretariat/ Kachcheri - Trincomalee Programme 01 Operational Activities	266,600,000	33,400,000
Head 272	District Secretariat, Kurunegala Programme 01 Operational Activities	1,180,925,000	362,250,000
Head 273	District Secretariat, Puttalam Programme 01 Operational Activities	467,170,000	38,400,000
Head 274	District Secretariat, Anuradhapura Programme 01 Operational Activities	585,050,000	383,175,000
Head 275	District Secretariat - Polonnaruwa Programme 01 Operational Activities	367,357,000	78,600,000
Head 276	District Secretariat - Badulla Programme 01 Operational Activities	486,065,000	29,150,000
Head 277	District Secretariat, Moneragala Programme 01 Operational Activities	330,650,000	389,599,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 278	District Secretariat, Ratnapura Programme 01 Operational Activities	575,109,000	169,000,000
Head 279	District Secretariat, Kegalle Programme 01 Operational Activities	518,020,000	69,950,000
	Ministry of Mass Media and Information		
	Recurrent	2,422,000,000	
	Capital	977,000,000	
	Made up as follows :—		
Head 122	Minister of Mass Media and Information Programme 01 Operational Activities Programme 02 Development Activities	144,300,000 320,000,000	334,750,000 484,000,000
Head 210	Department of Information Programme 01 Operational Activities	191,650,000	15,750,000
Head 211	Department of Government Printer Programme 01 Operational Activities	1,766,050,000	142,500,000
	Ministry of Construction, Engineering Services, Housing and Common Amenities		
	Recurrent	808,490,000	
	Capital	4,500,000,000	
	Made up as follows :—		
Head 123	Minister of Construction, Engineering Services, Housing and Common Amenities Programme 01 Operational Activities Programme 02 Development Activities	227,415,000 116,000,000	13,775,000 4,282,612,000

Head 309	Department of Buildings		
	Programme 01	Operational Activities	74,950,000
	Programme 02	Development Activities	175,100,000
Head 310	Government Factory		
	Programme 01	Operational Activities	35,275,000
	Programme 02	Development Activities	26,400,000
Head 311	Department of National Physical Planning		
	Programme 01	Operational Activities	153,350,000
	Programme 02	Development Activities	—
	Ministry of Social Services		
	Recurrent		3,999,600,000
	Capital		503,550,000

Made up as follows :—

Head 124	Minister of Social Services		
	Programme 01	Operational Activities	381,315,000
	Programme 02	Development Activities	3,289,755,000
Head 216	Department of Social Services		
	Programme 01	Operational Activities	26,135,000
	Programme 02	Development Activities	302,395,000
	Ministry of Education		
	Recurrent		28,011,666,000
	Capital		15,122,094,000

Made up as follows :—

Head 126	Minister of Education		
	Programme 01	Operational Activities	583,000,000
	Programme 02	Development Activities	25,048,791,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 212	Department of Examinations Programme 02 Development Activities	2,350,600,000	211,250,000
Head 213	Department of Educational Publications Programme 02 Development Activities	29,275,000	80,800,000
	Ministry of Labour and Labour Relations		
	Recurrent	1,325,660,000	
	Capital	415,500,000	
Made up as follows :—			
Head 127	Minister of Labour and Labour Relations		
	Programme 01 Operational Activities	100,210,000	31,600,000
	Programme 02 Development Activities	86,900,000	10,700,000
Head 221	Department of Labour		
	Programme 01 Operational Activities	584,100,000	278,000,000
	Programme 02 Development Activities	554,450,000	95,200,000
	Ministry of Traditional Industries and Small Enterprise Development		
	Recurrent	694,310,000	
	Capital	431,400,000	
Made up as follows :—			
Head 128	Minister of Traditional Industries and Small Enterprise Development		
	Programme 01 Operational Activities	224,310,000	13,400,000
	Programme 02 Development Activities	470,000,000	418,000,000

Ministry of Local Government and Provincial Councils
Recurrent 181,193,539,000
Capital 47,597,252,000

Made up as follows :—

Head 130	Minister of Local Government and Provincial Councils		
	Programme 01 Operational Activities	226,539,000	89,900,000
	Programme 02 Development Activities	1,400,000,000	9,395,800,000
Head 312	Western Provincial Council		
	Programme 01 Operational Activities	39,291,000,000	—
	Programme 02 Development Activities	—	3,205,000,000
Head 313	Central Provincial Council		
	Programme 01 Operational Activities	22,673,000,000	—
	Programme 02 Development Activities	—	5,042,000,000
Head 314	Southern Provincial Council		
	Programme 01 Operational Activities	20,507,000,000	—
	Programme 02 Development Activities	—	2,095,000,000
Head 315	Northern Provincial Council		
	Programme 01 Operational Activities	14,591,000,000	—
	Programme 02 Development Activities	—	5,959,777,000
Head 316	North Western Provincial Council		
	Programme 01 Operational Activities	21,943,000,000	—
	Programme 02 Development Activities	—	4,007,900,000
Head 317	North Central Provincial Council		
	Programme 01 Operational Activities	12,870,000,000	—
	Programme 02 Development Activities	—	3,613,200,000
Head 318	Uva Provincial Council		
	Programme 01 Operational Activities	14,556,000,000	—
	Programme 02 Development Activities	—	4,631,975,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 319	Sabaragamuwa Provincial Council		
	Programme 01 Operational Activities	17,220,000,000	—
	Programme 02 Development Activities	—	4,580,000,000
Head 321	Eastern Provincial Council		
	Programme 01 Operational Activities	15,916,000,000	—
	Programme 02 Development Activities	—	4,976,700,000
	Ministry of Technology and Research		
	Recurrent	1,392,330,000	
	Capital	2,520,968,000	
	Made up as follows :—		
Head 133	Minister of Technology and Research		
	Programme 01 Operational Activities	143,620,000	23,350,000
	Programme 02 Development Activities	1,248,710,000	2,497,618,000
	Ministry of National Languages and Social Integration		
	Recurrent	314,550,000	
	Capital	261,700,000	
	Made up as follows :—		
Head 134	Minister of National Languages and Social Integration		
	Programme 01 Operational Activities	175,860,000	54,750,000
	Programme 02 Development Activities	66,980,000	175,500,000
Head 236	Department of Official Languages		
	Programme 01 Operational Activities	71,710,000	31,450,000

Ministry of Plantation Industries				
	Recurrent	1,405,360,000		
	Capital	2,850,000,000		
Made up as follows :—				
Head 135	Minister of Plantation Industries			
	Programme 01 Operational Activities	114,980,000	22,588,000	
	Programme 02 Development Activities	1,061,080,000	1,957,912,000	
Head 293	Department of Rubber Development			
	Programme 02 Development Activities	229,300,000	869,500,000	
Ministry of Sports				
	Recurrent	914,475,000		
	Capital	2,550,000,000		
Made up as follows :—				
Head 136	Minister of Sports			
	Programme 01 Operational Activities	204,250,000	564,515,000	
	Programme 02 Development Activities	199,075,000	242,480,000	
Head 219	Department of Sports Development			
	Programme 01 Operational Activities	127,150,000	16,650,000	
	Programme 02 Development Activities	384,000,000	1,726,355,000	
Ministry of Indigenous Medicine				
	Recurrent	1,045,700,000		
	Capital	769,686,000		
Made up as follows :—				
Head 138	Minister of Indigenous Medicine			
	Programme 01 Operational Activities	250,000,000	122,000,000	
	Programme 02 Development Activities	—	149,000,000	

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 220	Department of Ayurveda		
	Programme 01 Operational Activities	94,200,000	10,400,000
	Programme 02 Development Activities	701,500,000	488,286,000
	Ministry of Fisheries and Aquatic Resources Development		
	Recurrent	5,719,000,000	
	Capital	3,619,000,000	
	Made up as follows :—		
Head 139	Minister of Fisheries and Aquatic Resources Development		
	Programme 01 Operational Activities	332,825,000	46,691,000
	Programme 02 Development Activities	719,660,000	2,009,259,000
Head 290	Department of Fisheries and Aquatic Resources		
	Programme 01 Operational Activities	4,666,515,000	1,563,050,000
	Ministry of Livestock and Rural Community Development		
	Recurrent	665,448,000	
	Capital	5,023,596,000	
	Made up as follows :—		
Head 140	Minister of Livestock and Rural Community Development		
	Programme 01 Operational Activities	294,102,000	77,920,000
	Programme 02 Development Activities	—	4,359,876,000
Head 292	Department of Animal Production and Health		
	Programme 01 Operational Activities	371,346,000	85,600,000
	Programme 02 Development Activities	—	500,200,000

Ministry of National Heritage				
	Recurrent	1,029,687,000		
	Capital	541,075,000		
Made up as follows :—				
Head 142	Minister of National Heritage			
	Programme 01 Operational Activities	124,855,000	21,850,000	
	Programme 02 Development Activities	36,205,000	146,710,000	
Head 207	Department of Archaeology			
	Programme 01 Operational Activities	118,300,000	9,150,000	
	Programme 02 Development Activities	531,360,000	159,140,000	
Head 208	Department of National Museums			
	Programme 01 Operational Activities	21,087,000	4,000,000	
	Programme 02 Development Activities	104,108,000	123,050,000	
Head 209	Department of National Archives			
	Programme 01 Operational Activities	43,000,000	13,175,000	
	Programme 02 Development Activities	50,772,000	64,000,000	
Ministry of Parliamentary Affairs				
	Recurrent	398,000,000		
	Capital	44,600,000		
Made up as follows :—				
Head 143	Minister of Parliamentary Affairs			
	Programme 01 Operational Activities	398,000,000	44,600,000	
Ministry of Re-settlement				
	Recurrent	174,605,000		
	Capital	228,853,000		
Made up as follows :—				
Head 145	Minister of Re-settlement			
	Programme 01 Operational Activities	146,605,000	11,250,000	
	Programme 02 Development Activities	28,000,000	217,603,000	

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Industry and Commerce		
	Recurrent	1,317,000,000	
	Capital	1,900,000,000	
	Made up as follows :—		
Head 149	Minister of Industry and Commerce		
	Programme 01 Operational Activities	177,809,000	61,650,000
	Programme 02 Development Activities	568,665,000	1,792,950,000
Head 295	Department of Commerce		
	Programme 01 Operational Activities	95,300,000	11,700,000
Head 297	Department of the Registrar of Companies		
	Programme 01 Operational Activities	30,300,000	—
Head 299	National Intellectual Property Office of Sri Lanka		
	Programme 01 Operational Activities	17,245,000	—
Head 303	Department of Textile Industries		
	Programme 02 Development Activities	427,681,000	33,700,000
	Ministry of Irrigation and Water Resources Management		
	Recurrent	3,987,065,000	
	Capital	45,896,446,000	
	Made up as follows :—		
Head 152	Minister of Irrigation and Water Resources Management		
	Programme 01 Operational Activities	128,245,000	123,300,000
	Programme 02 Development Activities	2,149,870,000	34,814,275,000

Head 282	Department of Irrigation		
	Programme 01	Operational Activities	453,450,000
	Programme 02	Development Activities	1,255,500,000
			45,650,000
			10,913,221,000
	Ministry of Land and Land Development		
	Recurrent		3,336,550,000
	Capital		2,600,000,000

Made up as follows :—

Head 153	Minister of Land and Land Development		
	Programme 01	Operational Activities	230,358,000
	Programme 02	Development Activities	—
			31,500,000
			2,270,000,000
Head 286	Department of Land Commissioner General		
	Programme 02	Development Activities	243,600,000
			89,100,000
Head 287	Department of Land Tittle Settlement		
	Programme 02	Development Activities	288,550,000
			12,500,000
Head 288	Department of Surveyor		
	Programme 01	Operational Activities	181,912,000
	Programme 02	Development Activities	2,128,160,000
			37,500,000
			110,400,000
Head 327	Department of Land Use Policy Planning		
	Programme 02	Development Activities	263,970,000
			49,000,000
	Ministry of Youth Affairs and Skills Development		
	Recurrent		5,122,918,000
	Capital		4,959,000,000

Made up as follows :—

Head 156	Minister of Youth Affairs and Skills Development		
	Programme 01	Operational Activities	227,135,000
	Programme 02	Development Activities	3,576,390,000
			24,360,000
			4,710,540,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 215	Department of Technical Education and Training		
	Programme 01 Operational Activities	162,960,000	24,100,000
	Programme 02 Development Activities	1,156,433,000	200,000,000
	Ministry of Environment and Renewable Energy		
	Recurrent	1,672,400,000	
	Capital	2,600,000,000	
	Made up as follows :—		
Head 160	Minister of Environment and Renewable Energy		
	Programme 01 Operational Activities	215,100,000	28,700,000
	Programme 02 Development Activities	570,000,000	1,833,900,000
Head 283	Department of Forests		
	Programme 01 Operational Activities	887,300,000	737,400,000
	Ministry of Water Supply and Drainage		
	Recurrent	214,350,000	
	Capital	30,600,000,000	
	Made up as follows :—		
Head 166	Minister of Water Supply and Drainage		
	Programme 01 Operational Activities	150,810,000	8,600,000
	Programme 02 Development Activities	63,540,000	30,591,400,000
	Ministry of Higher Education		
	Recurrent	21,593,348,000	
	Capital	17,919,870,000	
	Made up as follows :—		
Head 171	Minister of Higher Education		
	Programme 01 Operational Activities	289,135,000	4,909,640,000
	Programme 02 Development Activities	812,819,000	2,065,230,000

Head 214	University Grants Commission Programme 02 Development Activities		20,491,394,000	10,945,000,000
	Ministry of Public Management Reforms			
	Recurrent	132,800,000		
	Capital	107,000,000		
	Made up as follows :—			
Head 173	Minister of Public Management Reforms Programme 01 Operational Activities		132,800,000	107,000,000
	Ministry of Rehabilitation and Prison Reforms			
	Recurrent	4,963,300,000		
	Capital	1,889,796,000		
	Made up as follows :—			
Head 174	Minister of Rehabilitation and Prison Reforms Programme 01 Operational Activities		484,080,000	281,400,000
Head 232	Department of Prisons Programme 01 Operational Activities		4,278,600,000	1,595,296,000
Head 326	Department of Community Based Corrections Programme 01 Operational Activities		200,620,000	13,100,000
	Ministry of State Resources and Enterprise Development			
	Recurrent	93,480,000		
	Capital	381,162,000		
	Made up as follows :—			
Head 175	Minister of State Resources and Enterprise Development Programme 01 Operational Activities		93,480,000	34,250,000
	Programme 02 Development Activities		—	346,912,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Civil Aviation		
	Recurrent	171,000,000	
	Capital	26,620,408,000	
	Made up as follows :—		
Head 176	Minister of Civil Aviation		
	Programme 01 Operational Activities	171,000,000	7,500,000
	Programme 02 Development Activities	—	26,612,908,000
	Ministry of Culture and the Arts		
	Recurrent	1,064,440,000	
	Capital	849,250,000	
	Made up as follows :—		
Head 177	Minister of Culture and the Arts		
	Programme 01 Operational Activities	147,000,000	30,700,000
	Programme 02 Development Activities	511,600,000	633,000,000
Head 206	Department of Cultural Affairs		
	Programme 01 Operational Activities	76,270,000	5,023,000
	Programme 02 Development Activities	329,530,000	180,527,000
	Ministry of Coconut Development and Janatha Estate Development		
	Recurrent	952,105,000	
	Capital	989,549,000	
	Made up as follows :—		
Head 178	Minister of Coconut Development and Janatha Estate Development		
	Programme 01 Operational Activities	308,651,000	54,849,000
	Programme 02 Development Activities	643,454,000	934,700,000

Ministry of Wildlife Resources Conservation					
	Recurrent		707,300,000		
	Capital		834,100,000		
Made up as follows :—					
Head 179	Minister of Wildlife Resources Conservation				
	Programme 01	Operational Activities	80,025,000	23,450,000	
Head 284	Department of Wildlife Conservation				
	Programme 01	Operational Activities	627,275,000	810,650,000	
Ministry of Minor Export Crop Promotion					
	Recurrent		544,187,000		
	Capital		487,252,000		
Made up as follows :—					
Head 180	Minister of Minor Export Crop Promotion				
	Programme 01	Operational Activities	90,445,000	51,602,000	
	Programme 02	Development Activities	50,000,000	55,000,000	
Head 289	Department of Export Agriculture				
	Programme 02	Development Activities	403,742,000	380,650,000	
Ministry of Productivity Promotion					
	Recurrent		672,800,000		
	Capital		130,740,000		
Made up as follows :—					
Head 181	Minister of Productivity Promotion				
	Programme 01	Operational Activities	136,400,000	69,940,000	
	Programme 02	Development Activities	287,800,000	36,200,000	
Head 328	Department of Man Power and Employment				
	Programme 01	Operational Activities	248,600,000	24,600,000	

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Foreign Employment Promotion and Welfare		
	Recurrent	468,306,000	
	Capital	204,350,000	
	Made up as follows :—		
Head 182	Minister of Foreign Employment Promotion and Welfare		
	Programme 01 Operational Activities	44,250,000	3,700,000
	Programme 02 Development Activities	424,056,000	200,650,000
	Ministry of Public Relations and Public Affairs		
	Recurrent	78,700,000	
	Capital	298,000,000	
	Made up as follows :—		
Head 183	Minister of Public Relations and Public Affairs		
	Programme 01 Operational Activities	78,700,000	298,000,000
	Ministry of Private Transport Services		
	Recurrent	575,000,000	
	Capital	194,000,000	
	Made up as follows :—		
Head 184	Minister of Private Transport Services		
	Programme 01 Operational Activities	75,000,000	56,000,000
	Programme 02 Development Activities	500,000,000	138,000,000
	Ministry of Telecommunication and Information Technology		
	Recurrent	209,000,000	
	Capital	1,509,000,000	
	Made up as follows :—		
Head 185	Minister of Telecommunication and Information Technology		
	Programme 01 Operational Activities	100,000,000	155,400,000
	Programme 02 Development Activities	109,000,000	1,353,600,000

Ministry of Sugar Industry Development				
	Recurrent	172,384,000		
	Capital	94,950,000		
Made up as follows :—				
Head 186	Minister of Sugar Industry Development			
	Programme 01 Operational Activities	76,184,000	16,900,000	
	Programme 02 Development Activities	96,200,000	78,050,000	
Ministry of Investment Promotion				
	Recurrent	126,000,000		
	Capital	48,000,000		
Made up as follows :—				
Head 187	Minister of Investment Promotion			
	Programme 01 Operational Activities	126,000,000	48,000,000	
Ministry of Botanical Gardens and Public Recreation				
	Recurrent	505,600,000		
	Capital	1,027,908,000		
Made up as follows :—				
Head 188	Minister of Botanical Gardens and Public Recreation			
	Programme 01 Operational Activities	64,750,000	85,633,000	
Head 294	Department of National Zoological Gardens			
	Programme 02 Development Activities	208,750,000	516,975,000	
Head 322	Department of National Botanical Gardens			
	Programme 02 Development Activities	232,100,000	425,300,000	

Appropriation (Amendment) Act, No. 47 of 2014

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Ministry of Education Services			
	Recurrent	8,050,665,000	
	Capital	473,137,000	
Made up as follows :—			
Head 189	Minister of Education Services		
	Programme 01 Operational Activities	8,050,665,000	473,137,000
	Programme 02 Development Activities	-	-
	Ministry of Law and Order		
	Recurrent	49,334,000,000	
	Capital	3,900,435,000	
Made up as follows :—			
Head 190	Minister of Law and Order		
	Programme 01 Operational Activities	5,888,200,000	438,010,000
Head 225	Department of Police		
	Programme 01 Operational Activities	43,455,800,000	3,462,425,000
	Total	992,500,417,000	700,052,381,000.”

Replacement of the Second Schedule to the principal enactment.

4. The Second Schedule to the principal enactment is hereby repealed and the following Schedule is substituted therefor:—

“SECOND SCHEDULE — ESTIMATE 2014

Expenditure of the Government, Authorised by Law 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 expenditure Rs.</i>	<i>Capital expenditure Rs.</i>	<i>Total expenditure 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	28,500,000	—	28,500,000
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	1,500,000	—	1,500,000

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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 expenditure Rs.</i>	<i>Capital expenditure Rs.</i>	<i>Total expenditure Rs.</i>
8	National Police Commission	Chapter XVIII A of the Constitution	Programme 01-Operational Activities	3,400,000	—	3,400,000
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	1,200,000	—	1,200,000
20	Department of Elections	Article 103 of the Constitution	Programme 01-Operational Activities	3,100,000	—	3,100,000
21	Auditor General	Article 153 of the Constitution	Programme 01-Operational Activities	650,000	—	650,000
22	Office of the Parliamentary Commissioner for Administration	Article 156 of the Constitution	Programme 01-Operational Activities	800,000	—	800,000

111	Ministry of Health	Medical Ordinance (Chp. 105)	Programme 01- Operational Activities	2,000	—	2,000
239	Department of External Resources	Bretton Woods Agreement (Special Provisions) Law No. 10 of 1978, Asian Development Bank Agreement (Ratification) Act, No. 21 of 1966	Programme 01- Operational Activities	80,000,000	521,000,000	601,000,000
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	427,000,000,000	609,600,000,000	1,036,600,000,000
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	21,199,520,000	—	21,199,520,000
Total				448,326,202,000	610,121,000,000	1,058,447,202,000.

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Sinhala text to
prevail in case
of inconsistency.

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

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