

# ACTS OF PARLIAMENT 2016

# List of Acts

- [01/2016 : Local Authorities Elections \(Amendments\)](#)
- [02/2016 : Fisheries and Aquatic Resources \(Amendment\)](#)
- [03/2016 : National Minimum Wage of Workers](#)
- [04/2016 : Budgetary Relief Allowance of Workers](#)
- [05/2016 : Prescription \(Special Provisions\)](#)
- [06/2016 : Microfinance](#)
- [07/2016 : Asian Infrastructure Investment Bank Agreement \(Ratification\)](#)
- [08/2016 : Registration of Persons \(Amendment\)](#)
- [09/2016 : Mediation Board \(Amendment\)](#)
- [10/2016: Homoeopathy](#)
- [11/2016 : National Research Council of Sri Lanka](#)
- [12/2016 : Right to Information](#)
- [13/2016 : Fiscal Management \(Responsibility\) \(Amendment\)](#)
- [14/2016 : Office on Missing Persons \(Establishment, Administration, and Discharge of Functions\)](#)
- [15/2016 : Animal Feed \(Amendment\)](#)
- [16/2016 : Registration of Deaths \(Temporary Provisions\) \(Amendment\)](#)
- [17/2016 : Universities \(Amendment\)](#)
- [18/2016 : Code of Criminal Procedure \(Amendment\)](#)
- [19/2016 : Law Commission \(Amendment\)](#)
- [20/2016 : Value Added Tax \(Amendment\)](#)
- [21/2016 : Ports and Airport Development Levy \(Amendment\)](#)

[22/2016 : Nation Building Tax \(Amendment\)](#)

[23/2016 : Appropriation \(Amendment\)](#)

[24/2016 : Appropriation](#)



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

---

**LOCAL AUTHORITIES ELECTIONS  
(AMENDMENT) ACT, No. 1 OF 2016**

---

[Certified on 17th February, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of February 19, 2016.

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 6.00**

**Postage : Rs. 10.00**

*Local Authorities Elections  
(Amendment) Act, No. 1 of 2016*

[Certified on 17th February, 2016]

L.D.—O. 50/2015

AN ACT TO AMEND THE LOCAL AUTHORITIES ELECTIONS ORDINANCE  
(CHAPTER 262)

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

1. This Act may be cited as the Local Authorities Elections (Amendment) Act, No. 1 of 2016. Short title.

2. The following new section is hereby inserted immediately after section 27<sup>E</sup> of the Local Authorities Elections Ordinance (Chapter 262) (hereinafter referred to as the “principal enactment”) and shall have effect as section 27<sup>F</sup> of that enactment:— Insertion of new section 27<sup>F</sup> in (Chapter 262).

“Increasing the total number of members. 27<sup>F</sup>. (1) The total number of members of each local authority as determined by the Minister by Order made under subsection (1) of section 5 of the Municipal Councils Ordinance (Chapter 252), under subsection (1) of section 5 of the Urban Councils Ordinance (Chapter 255) or under subsection (1) of section 4 of the Pradeshiya Sabhas Act, No. 15 of 1987 shall be further increased by one third of such total number of members :

Provided that, where the number constituting a fourth of the total of the number of members is an integer and fraction, the integer shall be deemed to be the number which shall constitute a fourth of the total number of such members.

*Local Authorities Elections  
(Amendment) Act, No. 1 of 2016*

(2) The number so increased under subsection (1), as determined by the Minister by Order made under section 3c of this Ordinance shall form the list of women candidates to be submitted by each recognized political party or any group of persons (hereinafter referred to as the “independent group”) contesting at the elections.

(3) The number so increased under subsection (1) shall be published in the *Gazette* by Order made by the Minister.”.

Amendment of section 28 of the principal enactment.

**3.** Section 28 of the principal enactment is hereby amended as follows:—

- (1) in subsection (2) of that section, by the substitution for the words commencing from “Any recognized political party” and ending with the words “setting out the names:-”, of the following:-

“Any recognized political party or any independent group shall, for the purpose of election as members of any local authority and for the returning of women members of such local authority, submit two nomination papers containing the lists of candidates in respect of all wards of such local authority. One of the two nomination papers submitted by each recognized political party or independent group in respect of all wards of any local authority shall consist of a list of names of candidates for the purpose of election as members of such local authority, substantially in the Form set out in the First Schedule, setting out the names:-”;

- (2) by the renumbering of subsections (2A), (2B) and (2C) of that section, respectively as (2C), (2D) and (2E) of that section;

- (3) by the insertion of the following new subsection (2A) immediately after the proviso to subsection (2) of that section:-

“(2A) The other nomination paper in respect of all wards of any local authority referred to in subsection (2) of this section shall consist of a list of names of such number of women candidates ranked in order of priority.”;

- (4) by numbering the paragraph following the proviso to subsection (2) as (2B) of that section.

**4.** The following new section is hereby inserted immediately after section 65A of the principal enactment and shall have effect as section 65AA of that enactment:—

Insertion of new section 65AA in the principal enactment.

“Declaration of women members to be returned.

65AA. In the apportionment, in accordance with the order of priority of ranking, of the number of women members to be returned from all the wards of such local authority area among the recognized political parties and independent groups, as referred to in section 28(2A), the Commissioner of Elections shall take into consideration the number of valid votes polled by each recognized political party and independent group in all the wards of such local authority area, and the method of apportionment set out in Article 99A of the Constitution of the Democratic Socialist Republic of Sri Lanka shall, *mutatis mutandis*, apply thereto:

Provided that, the Commissioner of Elections shall not require the Secretary of any recognized political party or group leader of any independent group to make any nomination of persons in addition to the persons already nominated under section 28 nor shall the Secretary or group leader, as the case may be, submit any list making any nomination.”.

Amendment  
section 66 of the  
principal  
enactment.

**5.** Section 66 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the words and figure “returned under section 65A of this Ordinance” of the words and figures “returned under section 65A and section 65AA of this Ordinance.”.

Amendment of  
section 66A of  
the principal  
enactment.

**6.** Section 66A of the principal enactment is hereby amended in subsection (1) thereof as follows:—

(a) in paragraph (b), of that subsection—

(1) by the substitution for the words and figure “returned under section 65A of this” of the words and figures “returned under section 65A and 65AA of this”;

(2) by the substitution for the words “Ordinance to fill such vacancy.” of the words “Ordinance to fill such vacancy; or;

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

“(c) who is returned as a woman member under the provisions of section 65AA of this Ordinance, declare returned within thirty days of the occurrence of the vacancy, the woman candidate whose name appears next on the priority ranking of the other nomination paper submitted by the respective recognized political party or independent group, as the case may be, in terms of subsection (2A) of section 28.”.

Sinhala text to  
prevail in case  
of inconsistency.

**7.** In the event of any inconsistency between the Sinhala and the 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**

---

**FISHERIES AND AQUATIC RESOURCES  
(AMENDMENT) ACT, No. 2 OF 2016**

---

[Certified on 17th February, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of February 19, 2016.

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 9.00**

**Postage : Rs. 10.00**

*Fisheries and Aquatic Resources  
(Amendment) Act, No. 2 of 2016*

[Certified on 17th February, 2016]

L.D.—O. 46/2015

AN ACT TO AMEND THE FISHERIES AND AQUATIC RESOURCES  
ACT, NO. 2 OF 1996

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

**1.** This Act may be cited as the Fisheries and Aquatic  
Resources (Amendment) Act, No. 2 of 2016.

Short title.

**2.** Section 49 of the Fisheries and Aquatic Resources  
Act, No. 2 of 1996 (hereinafter referred to as the “principal  
enactment”) is hereby amended as follows:—

Amendment of  
section 49 of  
Act, No. 2 of  
1996.

(1) in subsection (1) of that section, by the substitution  
for the words and figures “sections 14E, 15, 16, 17  
or 22” of the words and figures “sections 15, 16, 17  
or 22”; and

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

“(1A) Any person who contravenes or fails to  
comply with the provisions of section 14E of this  
Act shall be guilty of an offence and shall on  
conviction after summary trial before a Magistrate,  
be liable to a fine not exceeding one hundred  
thousand rupees.”.

(3) by the insertion immediately after subsection (6) of  
the following new subsections:—

“(7) Any person who contravenes any regulation  
made under section 61(1)(t) of this Act beyond the  
limits of Sri Lanka Waters shall be guilty of an  
offence and shall, on conviction after summary trial  
before a Magistrate, be liable to an imprisonment  
for a term not exceeding two years or to a fine not  
less than the amounts specified in Column II of the  
Schedule hereto based on the length of the fishing

*Fisheries and Aquatic Resources  
(Amendment) Act, No. 2 of 2016*

boat specified in corresponding entry in the Column I of the Schedule or to a fine not less than five times the value of relevant fish catch or whichever is higher.

SCHEDULE

<i>Column I</i>	<i>Column II</i>
Length of a fishing boat	fines
More than 10.3 and less than 15 meters	Rupees 1.0 Million
More than 15 and less than 24.0 meters	Rupees 1.5 Million
More than 24.0 and less than 45.0 meters	Rupees 25 Million
More than 45.0 and less than 75.0 meters	Rupees 50 Million
More than 75.0 meters	Rupees 100 Million

- (8) Any person who contravenes any regulation made under section 61(1)(u) of this Act shall be liable to a fine of not less than five times of the value of relevant fish catch.

For the purposes of this section “relevant fish catch” means quantity of fish catch at the time of the offence, valued by a panel of members appointed under section 52E of this Act.”.

Insertion of new sections 52B, 52C, 52D and 52E in the principal enactment.

**3.** The following new sections are hereby inserted immediately after section 52A and shall have effect as sections 52B, 52C, 52D and 52E of the principal enactment :—

“Imposition of a penalty.

52B. (1) Where the Director- General has sufficient evidence to believe that any person being a licensee has acted in contravention of the provisions of sections 14A, 14E, 14F or 14G

of this Act or any regulation made under sections 61(1)(t) or 61(1)(u) of this Act, he may on the recommendation of the panel appointed under section 52E of this Act, and in the case of a first offender, having regard to the circumstances in which the offence was committed and if it is appropriate to impose a penalty cause a notice to be served in the prescribed form on such person, requiring him to appear within one month of the date of the receipt of such notice and show cause why a penalty should not be imposed on him.

(2) Where the person on whom the notice is served admits that he acted in contravention of the provisions of sections 14A, 14E, 14F or 14G of this Act or any regulation made under sections 61(1)(t) or 61(1)(u) of this Act within one month of the date of receipt of such notice, the Director-General shall impose on that person a monetary penalty not exceeding one third of the maximum fine that could be imposed under this Act to which such person would be liable if convicted by a court.

(3) (a) Where the person on whom the notice is served, appears within one month of the date of receipt of such notice and states that he has a cause to show against the imposition of the penalty, the Director-General may proceed forthwith to hear and decide the matter in the manner prescribed.

(b) Where the Director-General is not satisfied with reasons given he may after assigning reasons therefor, impose the penalty specified in subsection (2) of this section.

*Fisheries and Aquatic Resources  
(Amendment) Act, No. 2 of 2016*

(4) Where the Director-General imposes a monetary penalty on any person under this section for any contravention of the provisions of sections 14A, 14E, 14F or 14G of this Act or any regulation made under sections 61(1)(t) or 61(1)(u) of this Act he shall cause a notice in the prescribed form to be served on such person.

(5) Any person aggrieved by the decision of the Director-General, may appeal to the Secretary of the Ministry of the Minister to whom the subject of Fisheries and Aquatic Resources Development (hereinafter referred to as “the Secretary”) is assigned, within thirty days from the date of receipt of such decision made under subsection (3).

(6) The secretary shall make a decision on any such appeal taking into consideration the decision of the Director-General and the circumstances in which the offence was committed, and may either—

(a) allow, alter or vary the appeal and direct the Director-General to act accordingly;  
or

(b) disallow the appeal for reasons stated.

(7) The Director-General shall comply with any direction issued to him by the Secretary within fourteen days from such direction and shall communicate the direction of the Secretary to the person aggrieved by his decision.

(8) Every notice under this section shall be sent under registered post, and if sent under registered post or exhibited in the last known place of abode, it shall be deemed to have been served on that person.

(9) Notwithstanding anything contained in this Act, no suit or prosecution shall lie in any court regarding the same offence, where the alleged offender has admitted the commission of such offence and paid such penalty.

Right of Appeal. 52C. Any person aggrieved by the decision of the Secretary may prefer an appeal to the Court of Appeal within thirty days from the date of communication of such decision, on question of law.

Presumption. 52D. Any person engaged in fishing operations fails to link with the Fisheries Monitoring Centre or fails to operate vessel monitoring system during such fishing operation for a period of one hour then it is presumed until the contrary is proved that he has violated the provisions of sections 14A, 14E, 14F or 14G of this Act or any regulation made under sections 61(1)(t) or 61(1)(u) of this Act.

Appointment of panel of experts. 52E. (1) There shall be appointed by the Director-General in consultation with the Secretary a panel of experts consisting of three persons who have the knowledge and experience in the fields of marine engineering, law and accountancy.

(2) It shall be the function of such panel of experts to make recommendations to the Director-General on circumstances under which he shall impose a monetary penalty on any person.

(3) The Minister shall pay such monetary remuneration as he shall determine in consultation with the Minister to whom the subject of Finance is assigned to members of the panel.”

Amendment of  
section 61 of the  
principal  
enactment.

**4.** Section 61 of the principal enactment is hereby amended in subsection (1) of that section as follows:—

- (1) in paragraph (si) of that subsection by the substitution for the words “District and village levels; and” of the words “District and village levels;”
- (2) in item (iv) of paragraph (t) of that subsection by the substitution for the words “Unregulated Fishing 2009.”. of the words “Unregulated Fishing 2009; and”
- (3) by the addition of the following paragraph immediately after paragraph (t) of that subsection:—

“(u) the regulation of export and import of fish and fishery products.”.

Sinhala text to  
prevail in case  
of inconsistency.

**5.** In the event of any inconsistency between the Sinhala and the 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 MINIMUM WAGE OF  
WORKERS ACT, No. 3 OF 2016**

---

[Certified on 23rd March, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of March 24, 2016.

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 12.00**

**Postage : Rs. 10.00**

*National Minimum Wage of Workers  
Act, No. 3 of 2016*

[Certified on 23rd March, 2016]

L.D.—O. 51/2015.

AN ACT TO PROVIDE FOR THE PAYMENT OF NATIONAL MINIMUM WAGE  
BY EMPLOYERS TO WORKERS 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 National Minimum Wage of Workers Act, No. 3 of 2016. Short title and the date of operation.

(2) The provisions of this Act shall be deemed, for all purposes to have come into operation on January 1, 2016.

**2.** (1) The Commissioner-General shall be the competent authority for the purposes of this Act. Competent Authority.

(2) The competent authority may delegate to any officer of the Department of Labour any power, function or duty conferred or imposed on, or assigned to, such authority by this Act.

**3.** (1) The national minimum monthly wage for all workers in any industry or service shall be ten thousand rupees and the national minimum daily wage of a worker shall be four hundred rupees. National minimum wage.

(2) Notwithstanding the provisions of any other written law, no employer in any industry or service shall pay to any worker employed by him a wage which is less than the national minimum monthly or daily wage specified in subsection (1), as the case may be.

Special provisions regarding continuation of employment.

**4.** Every worker who has been employed by any employer shall, subject to the provisions of section 3, for so long as he continues to be a worker of such employer, continue to be so employed on such terms and conditions relating to wages or salary, allowances or other payments in money by whatsoever name or designation as are not less favourable than those which such worker had enjoyed on the day immediately prior to the date of the coming into operation of this Act.

Duty of the employer to maintain a register.

**5.** (1) The employer of a worker in any industry or service shall from and after the date of coming into operation of this Act, maintain and keep in the premises in which that industry or service is carried on, a register setting out-

- (a) the name of each worker employed by him;
- (b) the class of work performed by each worker employed by him; and
- (c) the amount paid to each such worker as wages.

(2) Every register maintained under subsection (1), shall be preserved for a period of six years by the employer.

Powers of competent authority.

**6.** The competent authority shall have power-

- (a) to enter into and inspect at all reasonable hours of the day or night, any place in which workers in any industry or service are employed, for the purpose of inspection of any register or for ascertaining whether the provisions of this Act are being complied with;
- (b) where no such register is available for examination when he inspects such place, to require the production of such register on a specified later date for examination at such place or at the office of such authority;

- (c) to take copies of the whole or any part of any such register;
- (d) to question any person whom he finds in such place and has reasonable cause to believe is the employer of workers employed in any industry or service carried on in such place; or
- (e) to direct, in writing, any employer of workers employed in any industry or service to furnish him on or before a specified date, with-
  - (i) a return, relating to all workers employed by any such employer in any specified class or description of such workers and containing such other particulars as he may require for the purposes of this Act;
  - (ii) such information or explanation as he may require in respect of particulars stated in any return furnished by any such employer; or
  - (iii) a true copy of the whole or any part of any register maintained by any such employer.

**7.** (1) Every employer shall, when required by the Commissioner-General, produce the register for inspection or furnish a true copy thereof or permit a copy of such register to be taken.

Duty to produce the register.

(2) Where an employer of any worker in any industry or service -

- (a) has failed to maintain and keep the register required to be kept under subsection (1) of section 5; or
- (b) fails to produce for inspection when required to do so under section 6,

the Commissioner-General shall assess the wage or the short payment thereof, as the case may be, payable to such worker under this Act on the basis of all the evidence both oral and documentary, available to him and the provisions of section 8 shall apply where default is made in the payment of any such wage or part thereof.

Action against default of payment of the national minimum wage.

**8.** (1) Where any employer fails to pay the national minimum monthly or daily wage payable to any worker or workers under this Act, the Commissioner-General shall, after such investigation as he may deem necessary, if he is satisfied that the employer has defaulted payment of the national minimum monthly or daily wage to such worker or workers, by notice issued to such employer, require the employer to deposit with him the amount of such part of the national minimum monthly or daily wage that is defaulted in respect of such worker or workers for the period the amount is due, within the date specified in such notice.

(2) The employer shall, upon receipt of such notice under subsection (1) deposit with the Commissioner-General the amount indicated in the notice on or before the date specified in the notice and any payment of any part of the wage in default to the worker or workers concerned made by the employer after receipt of such notice shall not be deemed to be a valid payment of such amount in default.

(3) Where an employer fails to make the payment of any sum he is liable to pay as the national minimum monthly or daily wage under this Act and contravenes subsection (2), the Commissioner-General shall issue a certificate containing particulars of the sum so due and the name and place of residence of the defaulting employer to the Magistrate having jurisdiction in the division in which the place of employment of the worker or workers in respect of whom default is made is situate. The Magistrate shall, thereupon summon such employer to appear before him to show cause why further proceedings for the recovery of the sum due under this Act should not be taken against him and if such

employer fails to appear before court on the day specified in such summons or sufficient cause is not shown, as the case may be, such sum shall be deemed to be a fine imposed by a sentence of the Magistrate on such employer for an offence punishable with imprisonment and the provisions of subsection (1) of section 291 [except paragraphs (a), (d) and (i)] of the Code of Criminal Procedure Act, No. 15 of 1979 relating to the 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.

(4) The correctness of any statement in a certificate issued by the Commissioner-General for the purpose of this section shall not be called in question or examined by the Court in any proceedings under this section, and accordingly any statement in such certificate shall be sufficient evidence to the facts that the amount due under this Act from the defaulting employer has been duly calculated and that such amount is in default.

(5) In any proceedings against any employer under this section for failure to pay any sum which he is liable to pay under this Act, the burden of proving that the sum was paid shall lie on the employer.

(6) The provisions of the Prescription Ordinance (Chapter 68) shall not apply to any action brought under subsection (3).

**9.** (1) Any employer in any industry or service who contravenes the provisions of section 3 or section 4 or section 8 of this Act shall be guilty of an offence and shall be liable on conviction by a Magistrate to a fine not exceeding twenty five thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Offences and penalties.

6                    *National Minimum Wage of Workers  
Act, No. 3 of 2016*

(2) Any person who-

- (a) fails to furnish the competent authority with such assistance as is necessary for any entry or inspection or for the exercise of his powers under section 6;
- (b) hinders or obstructs such authority in the exercise of the powers conferred by that section;
- (c) refuses to produce any register or furnish any information which such authority requires him to produce or furnish;
- (d) makes or causes to be made in any register, any false statement or makes or causes or knowingly permits to be produced, any register containing a false statement to such authority, knowing the same to be false;
- (e) furnishes any information to such authority acting under the powers conferred by that section, knowing the same to be false; or
- (f) fails to comply with any directions given by such authority under section 6, or who, when called upon to furnish a return under that section, knowingly makes or furnishes, or causes to be made or furnished, a return containing any false statement,

shall be guilty of an offence and shall be liable on conviction by a Magistrate to a fine not exceeding twenty five thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.



**10.** Where an offence under this Act is committed by a body of persons then –

Liability of the directors and certain officers for offences committed by a body of persons.

- (a) if that body of persons is a body corporate, every person who at the time of the commission of the offence was a director, general manager, agent, secretary or officer holding similar office of that body;
- (b) if that body of persons is a firm, every partner of that firm; or
- (c) if that body of persons is not a body corporate, every person who at the time of the commission of the offence was a member of that body,

shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence so as to prevent the commission of that offence as he ought to have exercised having regard to the nature of his functions and the related circumstances.

**11.** No prosecution for any offence committed under this Act shall be instituted except by, or with the previous written sanction of, the Commissioner-General.

Conditions necessary for the prosecution for offences under this Act.

**12.** The provisions of this Act shall be in addition to and not in derogation of the provisions of any other written law:

Construction of the Act.

Provided however, that in the event of any conflict or inconsistency between the provisions of this Act and any other written law, the provisions of this Act shall prevail.

Retrospective  
effect.

**13.** Where there remains, as on the date of coming into operation of this Act, any unpaid amount of the national minimum monthly or daily wage payable by any employer to any worker under section 3 of this Act for the period commencing on January 1, 2016 and ending on the date on which this Act comes into operation, and where such employer pays to such worker such arrears in equal monthly instalments or higher monthly installments within a period of six months commencing from the date on which this Act comes into operation, such employer shall for all purposes be deemed to have complied with the provisions of section 3 of this Act.

Interpretation.

**14.** In this Act, unless the context otherwise requires-

“Commissioner-General” means the person for the time being holding the office of Commissioner-General of Labour and includes any person for the time being holding office as an Additional Commissioner-General, a Commissioner of Labour, a Deputy Commissioner of Labour, an Assistant Commissioner of Labour or a Labour officer;

“employer” means any person who employs or on whose behalf any other person employs, any worker and includes a body of employers (whether such body is a firm, company, local authority or trade union), and any person who on behalf of any other person employs any worker including a competent authority of a business undertaking vested in the Government under any written law, the legal heir, successor in law, executor or administrator and liquidator of a company and in the case of an unincorporated body the president or secretary of such body, and in the case of a partnership the managing partner or manager;

“industry or service” includes –

- (a) any trade, business, manufacture and agriculture, any undertaking or occupation by way of trade, business, manufacture or agriculture and any branch or section of trade, business, manufacture or agriculture;
- (b) work or labour of any description whatsoever performed by persons in the employment of a local authority, or of a corporation established by or under any written law for carrying on an undertaking whether for purposes of trade or otherwise;
- (c) every occupation, calling or service of workers, and
- (d) every undertaking of employers,

but does not include any industry, business or undertaking which is carried on by any corporation, board or other body which was or is established by or under any written law where the Government holds a majority of the share capital with funds or capital wholly or partly provided by the Government by way of grant, loan or otherwise; or any registered society within the meaning of the Co-operative Societies Law, No. 5 of 1972 or any religious institution or any charitable institution within the meaning of the Inland Revenue Act, No. 10 of 2006;

“national minimum wage” means -

- (a) the contractual wage or salary of the worker or the wage prescribed under the Wages Boards Ordinance (Chapter 136) for the industry or service to which the worker belongs; and

10 *National Minimum Wage of Workers  
Act, No. 3 of 2016*

- (b) wages or basic salary together with the cost of living allowance, special living allowance or any other similar allowance;

“worker” means, any person who has entered into or works under a contract with an employer in any capacity, whether the contract is expressed or implied, oral or in writing and whether it is a contract of service or of apprenticeship excluding a contract of apprenticeship covered under the Tertiary and Vocational Education Act, No. 20 of 1990 and the Employment of Trainees (Private Sector) Act, No. 8 of 1978, or a contract personally to execute any work or labour and includes any person ordinarily employed under any such contract whether such person is or is not in employment at any particular time and includes any person whose services have been terminated but does not include a domestic servant.

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.

---

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**

---

**BUDGETARY RELIEF ALLOWANCE OF  
WORKERS ACT, No. 4 OF 2016**

---

**[Certified on 23rd March, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of March 24, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 18.00**

**Postage : Rs. 10.00**

*Budgetary Relief Allowance of Workers  
Act, No. 4 of 2016*

[Certified on 23rd March, 2016]

L.D.—O. 27/2015.

AN ACT TO PROVIDE FOR THE PAYMENT OF A BUDGETARY RELIEF  
ALLOWANCE BY EMPLOYERS TO WORKERS 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 Budgetary Relief Allowance of Workers Act, No. 4 of 2016. Short title.
- 2.** (1) The Commissioner-General shall be the competent authority for the purposes of this Act. Competent Authority.

(2) The competent authority may delegate to any officer of the Department of Labour any power, function or duty conferred or imposed on, or assigned to, such authority by this Act.
- 3.** (1) With effect from May 1, 2015, every employer in any industry or service shall, in respect of each month pay to every worker employed by him, a Budgetary Relief Allowance (hereinafter referred to as “the allowance”), calculated on the following basis:- Payment of Budgetary Relief Allowance.

  - (a) in the case of a worker whose monthly wages or salary for the month of May, 2015 (hereinafter referred to as the “relevant month”) is rupees forty thousand or below, the allowance payable shall be one thousand five hundred rupees:

Provided however, that in the case of a worker who for any reason other than the failure of the employer to provide work for such worker, does





(2) Notwithstanding the provisions of subsection (1), every employer in any industry or service shall, in respect of each month commencing from January 1, 2016 pay to every worker referred to in subsection (1) employed by him, an allowance calculated on the following basis:—

- (a) in the case of a worker whose monthly wages or salary for the relevant month is rupees forty thousand or below, the allowance payable shall be one thousand rupees:

Provided however, that in the case of a worker who for any reason other than the failure of the employer to provide work for such worker, does not work for the required number of days in a month as prescribed by any written law or contract of employment, the allowance payable to such worker for such month shall be in proportion to the number of days he has worked during such month;

- (b) in the case of a worker who is paid a daily rate not exceeding rupees one thousand six hundred for the relevant month, the allowance payable shall be a sum of forty rupees per day for each day he has worked during the month;

- (c) in the case of a worker who is employed in the relevant month on a piece-rate basis, the allowance payable in respect of a month shall be not less than ten *per centum* of the total wages or salary payable to such worker for that month:

Provided however, the total allowance payable for a month under paragraph (a), (b) or (c) shall not exceed one thousand rupees.

(3) (a) The allowance payable under subsection (1) or (2) or both subsections (1) and (2), as the case may be, shall be subjected to a maximum limit of the total wages or salary of rupees forty one thousand five hundred to a worker for a month.

4 *Budgetary Relief Allowance of Workers*  
*Act, No. 4 of 2016*

(b) For the avoidance of doubt, it is declared that any worker who has received the allowance under paragraph (d) or (e) of subsection (1) shall not be entitled to any allowance under subsection (2).

(4) An employer in any industry or service who had made wages or salary increase of the workers employed by him, during the period between October 1, 2014 and April 30, 2015 if such increases added together exceed the amount to be increased under subsection (1) or under subsections (1) and (2), such employer shall be exempt from the application of subsection (1) or both subsections (1) and (2), as the case may be.

(5) A worker who has received wages or salary increase of a sum less than one thousand five hundred rupees during the period between October 1, 2014 and April 30, 2015 shall be entitled to an allowance under subsection (1) which is equivalent to the difference between one thousand five hundred rupees and the amount of such wages or salary increase.

(6) A worker who has received wages or salary increase of a sum more than one thousand five hundred rupees and less than two thousand five hundred rupees during the period between October 1, 2014 and April 30, 2015 shall be entitled to an allowance under subsection (2) which is equivalent to the difference between two thousand five hundred rupees and the amount of such wages or salary increase.

(7) A worker who is covered by—

- (a) a Collective Agreement entered into under the Industrial Disputes Act (Chapter 131), which is in force on the date of coming into operation of this Act and which contains provisions relating to increase of wages; or
- (b) an order under subsection (2) of section 10 of the Industrial Disputes Act, extending the application of a Collective Agreement referred to in paragraph (a) in respect of such worker,

shall not be entitled to the allowance under subsection (1) or subsection (2).

(8) A worker who is employed –

- (a) by any charitable institution within the meaning of the Inland Revenue Act, No. 10 of 2006; or
- (b) by any religious institution maintained for, or connected with worship,

shall not be entitled to the allowance under this Act.

For the purpose of this subsection, “religious institution” means any temple, kovil, church, mosque or other similar institution and includes any institution owned and maintained by such temple, kovil, church or mosque for the purpose of, or connected with worship.

(9) The Minister may, taking into consideration the relevant declining economic conditions prevailing in relation to any industry or service, in consultation with the Minister assigned the subject of Industry and the Minister assigned the subject of Economic Affairs, defer by Order published in the *Gazette*, the operation of the provisions of this section in relation to any industry or service specified in such Order, to such date as may be specified therein :

Provided that, any deferment in terms of this subsection shall not extend beyond a period of twelve months from the date of the making of such Order.

(10) For the purposes of subsections (4), (5) and (6), the expression “wages or salary increase” means any increase of wages or salary connected to Budgetary Relief Allowance under this Act but does not include any annual or periodical increments given to a worker or to which a worker is entitled:

Provided however, any increase paid to a worker by any employer, which is in the nature of increment connected to the allowance under this Act within the period commencing

6 *Budgetary Relief Allowance of Workers  
Act, No. 4 of 2016*

from October 1, 2014 and ending on April 30, 2015 shall be deemed as a part of the wages or salary for the purpose of this section.

Special provisions regarding continuation of employment.

**4.** Every worker who had been employed by any employer in the relevant month subject to the provisions of section 3, for so long as he continues to be a worker of such employer, shall continue to be so employed on such terms and conditions relating to wages or salary, allowances or other payments in money by whatsoever name or designation as are not less favourable than those which such worker had enjoyed on the day immediately prior to the date of the coming into operation of this Act.

Duty of the employer to maintain a register.

**5.** (1) The employer of a worker in any industry or service shall from and after the date of the coming into operation of this Act, maintain and keep in the premises in which that industry or service is carried on, a register setting out—

- (a) the name of each worker employed by him;
- (b) the class of work performed by each worker employed by him; and
- (c) the amount paid to each such worker as allowance in accordance with the provisions of this Act.

(2) Every register maintained under subsection (1) shall be preserved for a period of six years by the employer. Every employer shall when required by the Commissioner-General, produce such register for inspection or furnish a true copy thereof or permit a copy of such register to be made.

(3) Where an employer of any worker in any industry or service has failed to maintain and keep in the premises where that industry or service is carried on the register required to be kept under subsection (1) or fails, when required to do so under subsection (2) to produce such register for inspection, the

Commissioner-General is hereby empowered to assess the allowance or the short payment of allowances, as the case may be, payable to such worker under this Act on the basis of all the evidence, both oral and documentary, available to him and the provisions of section 11 shall apply where default is made in the payment of any such allowance.

6. The competent authority shall have power— Powers of competent authority.
- (a) to enter into and inspect at all reasonable hours of the day or night, any place in which workers in any industry or service are employed, for the purpose of examining any register or for ascertaining whether the provisions of this Act are being complied with;
  - (b) where no such register is available for examination when he inspects such place, to require the production of such register on a specified later date for examination at such place or at the office of such authority;
  - (c) to take copies of the whole or any part of any such register;
  - (d) to question any person whom he finds in such place and whom he has reasonable cause to believe is an employer of workers employed in any industry or service carried on in such place; or
  - (e) to direct, in writing, any employer of workers employed in any industry or service to furnish him on or before a specified date, with—
    - (i) a return, relating to all workers employed by any such employer in any specified class or description of such workers and containing such other particulars as he may require for the purposes of this Act;

8 *Budgetary Relief Allowance of Workers  
Act, No. 4 of 2016*

- (ii) such information or explanation as he may require in respect of particulars stated in any return furnished by any such employer; or
- (iii) a true copy of the whole or any part of any register maintained by any such employer.

Offences and penalties.

**7.** (1) Any employer in any industry or service who contravenes the provisions of section 3 or section 4 or section 5 of this Act shall be guilty of an offence and shall be liable on conviction by a Magistrate to a fine not exceeding twenty five thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

(2) Any person who—

- (a) fails to furnish the competent authority with such assistance as is necessary for any entry or inspection or for the exercise of his powers under section 6;
- (b) hinders or obstructs such authority in the exercise of the powers conferred by that section;
- (c) refuses to produce any register or furnish any information which such authority requires him to produce or furnish;
- (d) makes or causes to be made in any register, any false statement or makes or causes or knowingly permits to be produced, any register containing a false statement to such authority, knowing the same to be false;
- (e) furnishes any information to such authority acting under the powers conferred by that section, knowing the same to be false; or
- (f) fails to comply with any directions given by such authority under section 6, or who, when called upon

to furnish a return under that section, knowingly, makes or furnishes, or causes to be made or furnished, a return containing any false statement,

shall be guilty of an offence and shall be liable on conviction by a Magistrate to a fine not exceeding twenty five thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

**8.** Where an offence under this Act is committed by a body of persons then—

Liability of the directors and certain officers for offences committed by a body of persons.

- (a) if that body of persons is a body corporate, every person who at the time of the commission of the offence was a director, general manager, agent, secretary or officer holding similar office of that body;
- (b) if that body of persons is a firm, every partner of that firm; or
- (c) if that body of persons is not a body corporate, every person who at the time of the commission of the offence was a member of that body,

shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence so as to prevent the commission of that offence as he ought to have exercised having regard to the nature of his functions and the related circumstances.

**9.** The allowance payable to a worker under this Act shall be deemed for all purposes to include—

Payment due under this Act to constitute part of a worker's wages or salary.

- (a) contributions to Employees' Provident Fund, Employees Trust Fund and pension;

10 *Budgetary Relief Allowance of Workers  
Act, No. 4 of 2016*

- (b) wages or salary of annual holiday or leave;
- (c) overtime remuneration;
- (d) maternity benefit payment; and
- (e) gratuity,

and shall constitute part of the wages or salary of such worker. Every employer of any such worker shall pay such allowance within the period within which such employer is required by any relevant written law to pay the wages or salary of such worker.

Failure to  
pay sums due  
to workers.

**10.** (1) Any employer who fails to pay the allowance required to be paid to a worker under this Act shall be guilty of an offence and shall be liable on conviction by a Magistrate to a fine not exceeding twenty five thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

(2) Upon conviction by the Magistrate of an employer for failure to pay any sum required to be paid to a worker under this Act, the court shall, in addition to the penalty imposed for such offence, order such employer to pay such sum to such worker within a period specified in the Order, and if the sum is not so paid, such sum shall be recovered by Order of court, as if it were a fine imposed by the court and paid to such worker.

Action  
against  
default of  
payment of  
the  
allowance.

**11.** (1) Where any employer defaults in payment of the allowance payable to any worker or workers the Commissioner-General shall, after such investigation as he may deem necessary, if he is satisfied that the employer has defaulted payment of the allowance to such worker or workers, by notice issued to such employer, require the employer to deposit with him the amount of the allowance defaulted in respect of such worker or workers for the period the amount is due, within the date specified in such notice.



(2) The employer shall, upon receipt of such notice under subsection (1), deposit with the Commissioner-General the amount indicated in the notice on or before the date specified in the notice and any payment of allowance to the worker or workers made by the employer after receipt of such notice shall not be deemed to be a valid payment of the allowance in default.

(3) Where an employer fails to make the payment of any sum he is liable to pay as the allowance under this Act and contravenes subsection (2), the Commissioner-General shall issue a certificate containing particulars of the sum so due and the name and place of residence of the defaulting employer to the Magistrate having jurisdiction in the division in which the place of employment of the worker or workers in respect of whom default is made is situate. The Magistrate shall, thereupon summon such employer to appear before him to show cause why further proceedings for the recovery of the sum due under this Act should not be taken against him and if such employer fails to appear before court on the day specified in such summons or sufficient cause is not shown, as the case may be, such sum shall be deemed to be a fine imposed by a sentence of the Magistrate on such employer for an offence punishable with imprisonment and the provisions of subsection (1) of section 291 [except paragraphs (a), (d) and (i)] of the Code of Criminal Procedure Act, No. 15 of 1979 relating to the 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.

(4) The correctness of any statement in a certificate issued by the Commissioner-General for the purpose of this section shall not be called in question or examined by the court in any proceedings under this section, and accordingly any statement in such certificate shall be sufficient evidence to the facts that the amount due under this Act from the defaulting employer has been duly calculated and that such amount is in default.

12 *Budgetary Relief Allowance of Workers  
Act, No. 4 of 2016*

(5) In any proceedings against any employer under this section for failure to pay any sum which he is liable to pay under this Act, the burden of proving that the sum was paid shall lie on the employer.

Conditions necessary for the prosecution for offences under this Act.

**12.** No prosecution for any offence committed under this Act shall be instituted except by, or with the previous written sanction of, the Commissioner-General.

Retrospective effect.

**13.** (1) Section 3 of this Act shall be deemed for all purposes to have come into operation on May 1, 2015.

(2) Where there remains, as on the date of coming into operation of this Act, any unpaid amount of the allowance payable by any employer to any worker under subsection (1) or subsection (2) of section 3 of this Act for the period commencing on May 1, 2015 and ending on the date on which this Act comes into operation, and where such employer pays to such worker such arrears of the allowance in equal monthly instalments or higher monthly installments within a period of twelve months commencing from the date on which this Act comes into operation, such employer shall for all purposes be deemed to have complied with the provisions of subsection (1) or (2) of section 3 of this Act.

Interpretation.

**14.** In this Act, unless the context otherwise requires—

“Collective Agreement” shall have the same meaning as in the Industrial Disputes Act (Chapter 131);

“Commissioner-General” means the person for the time being holding the office of Commissioner-General of Labour and includes any person for the time being holding office as an Additional Commissioner-General, a Commissioner of Labour, a Deputy Commissioner of Labour, an Assistant Commissioner of Labour or a Labour officer;

“employer” means any person who employs or on whose behalf any other person employs, any worker and includes a body of employers (whether such body is a firm, company, local authority or trade union), and any person who on behalf of any other person employs any worker including a competent authority of a business undertaking vested in the Government under any written law, the legal heir, successor in law, executor or administrator and liquidator of a company and in the case of an unincorporated body the president or secretary of such body, and in the case of a partnership the managing partner or manager;

“industry or service” includes–

- (a) any trade, business, manufacture and agriculture, any undertaking or occupation by way of trade, business, manufacture or agriculture and any branch or section of trade, business, manufacture or agriculture;
- (b) work or labour of any description whatsoever performed by persons in the employment of a local authority, or of a corporation established by or under any written law for carrying on an undertaking whether for purposes of trade or otherwise;
- (c) every occupation, calling or service of workers, and
- (d) every undertaking of employers,

but does not include any industry, business or undertaking which is carried on by any corporation, board or other body which was

14 *Budgetary Relief Allowance of Workers  
Act, No. 4 of 2016*

or is established by or under any written law where the Government holds a majority of the share capital with funds or capital wholly or partly provided by the Government by way of grant, loan or otherwise; or any registered society within the meaning of the Co-operative Societies Law, No. 5 of 1972;

“wages or salary” means–

- (a) the contractual wage or salary of the worker or the wage prescribed under the Wages Boards Ordinance (Chapter 136) for the industry or service to which the worker belongs; and
- (b) wages or basic salary together with the cost of living allowance, special living allowance or any other similar allowance;

“worker” means, any person who has entered into or works under a contract with an employer in any capacity, whether the contract is expressed or implied, oral or in writing and whether it is a contract of service or of apprenticeship excluding a contract of apprenticeship covered under the Tertiary and Vocational Education Act, No. 20 of 1990 and the Employment of Trainees (Private Sector) Act, No. 8 of 1978, or a contract personally to execute any work or labour and includes any person ordinarily employed under any such contract whether such person is or is not in employment at any particular time and includes any person whose services have been terminated but does not include a domestic servant.

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.

---

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**

---

**PRESCRIPTION (SPECIAL PROVISIONS)  
ACT, No. 5 OF 2016**

---

[Certified on 26th April, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of April 29, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 6.00**

**Postage : Rs. 10.00**

*Prescription (Special Provisions)*  
*Act, No. 5 of 2016*

[Certified on 26th April, 2016]

L.D.—O. 21/2010.

AN ACT TO ENABLE SPECIAL LEGAL PROVISIONS TO BE MADE IN RESPECT OF PERSONS WHO WERE UNABLE TO PURSUE THEIR RIGHTS IN COURT FOR THE RECOVERY OF ANY IMMOVABLE PROPERTY INCLUDING LAND DUE TO THE ACTIVITIES OF ANY MILITANT TERRORIST GROUP WHICH PREVAILED IN SRI LANKA AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO

WHEREAS certain persons have been disadvantaged and therefore unable to pursue their rights in court for the recovery of any immovable property including land due to the activities of any militant terrorist group during the period commencing on May 1st, 1983 and ending on May 18th, 2009:

Preamble.

AND WHEREAS it has now become necessary to enact special legal provisions to enable such persons to pursue their rights in court.

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 (Special Provisions) Act, No. 5 of 2016.

Short title.

**2.** (1) If at the time, when the right of any person to sue for the recovery of any immovable property including land shall have accrued, such person was a disadvantaged person, possession of the aforesaid immovable property including land by any other person shall not be taken as giving such other person any entitlement specified in section 3 of the Prescription Ordinance (Chapter 68) to such immovable property including land by virtue of such possession, so long as the first mentioned person remained a disadvantaged person.

Right to sue for immovable property including land of a disadvantaged person.

2 *Prescription (Special Provisions)*  
*Act, No. 5 of 2016*

*Illustration*

‘A’ is a disadvantaged person at the time ‘B’ commences to possess ‘A’s land – Prescription will not begin to run against ‘A’ as long as ‘A’ continued to be a disadvantaged person.

(2) Notwithstanding anything to the contrary in section 13 of the Prescription Ordinance (Chapter 68), the adverse and undisturbed possession for thirty years of any immovable property including land by any person claiming the same, or by those under whom he claims, shall not be taken as conclusive proof of title in the manner provided for by section 3 of the Prescription Ordinance (Chapter 68), where the person against whom the adverse and undisturbed possession is being claimed was a disadvantaged person.

Avoidance of doubt.

**3.** For the avoidance of doubt, it is hereby declared that if a disadvantaged person dies, the period during which he was so disadvantaged shall inure to the benefit of his heir or heirs and accordingly such heir or heirs shall be entitled to the benefit granted to a disadvantaged person under section 2 of this Act.

A disadvantaged person to be entitled to benefit from this Act within two years after the date of operation of this Act.

**4.** A disadvantaged person who was unable to pursue his rights for the recovery of any immovable property including land, shall be entitled to institute an action to avail himself of the benefits conferred by this Act within two years after the coming into operation of this Act.

Provisions of the Act not to apply to State land.

**5.** The provisions of this Act shall not apply to or in respect of any land which has been granted under the provisions of the Land Development Ordinance (Chapter 464), the Land Grants (Special Provisions) Act, No. 43 of 1979, or the State Lands Ordinance (Chapter 454).



*Prescription (Special Provisions)* 3  
*Act, No. 5 of 2016*

6. In this Act— Interpretation.

“activities of any militant terrorist group” means any act which is defined as a “terrorist act” in the Convention on the Suppression of Terrorist Financing Act, No. 25 of 2005, as amended by Act, No. 3 of 2013;

“disadvantaged person” means a person who was unable to pursue his rights in a court in which he was by law enabled to pursue such rights, as a result of the circumstances which prevailed due to the activities of any militant terrorist group during the period commencing on May 1st, 1983 and ending on May 18th, 2009.

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.

---

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**

---

**MICROFINANCE ACT, No. 6 OF 2016**

---

[Certified on 20th May, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of May 20, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 17.00**

**Postage : Rs. 10.00**

*Microfinance Act, No. 6 of 2016*

[Certified on 20th May, 2016]

L. D.—O 32/2012.

AN ACT TO PROVIDE FOR THE LICENSING, REGULATION AND SUPERVISION OF COMPANIES CARRYING ON MICROFINANCE BUSINESS; THE REGISTRATION OF NON-GOVERNMENTAL ORGANIZATIONS ACCEPTING LIMITED SAVINGS DEPOSITS AS MICROFINANCE NON-GOVERNMENTAL ORGANIZATIONS; FOR THE SETTING UP OF STANDARDS FOR THE REGULATION AND SUPERVISION OF MICROFINANCE NON-GOVERNMENTAL ORGANIZATIONS AND MICRO CREDIT NON-GOVERNMENTAL ORGANIZATIONS AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Microfinance Act, No. 6 of 2016 and different Parts of this Act shall come into operation on different dates as the Minister may appoint by Order published in the *Gazette*. Short title and date of operation.
  
2. (1)The provisions of this Act shall not apply to- Applicability of Act.
  - (a) a licensed commercial bank or a licensed specialized bank within the meaning of the Banking Act, No.30 of 1988;
  - (b) a finance company within the meaning of the Finance Business Act, No.42 of 2011;
  - (c) a co-operative society registered under the Co-operative Societies Law, No.5 of 1972 and a co-operative society registered under a Statute of a Provincial Council;
  - (d) a divineguma community based bank and a divineguma community based banking society established under the Divineguma Act, No.1 of 2013; and

- (e) an entity formed in terms of the Agrarian Development Act, No.46 of 2000.

(2) The provisions of this Act, other than Part VIII, Part IX and Part XI, shall not apply to a microfinance non-governmental organization and a micro credit non-governmental organization.

## PART I

### LICENSING OF COMPANIES CARRYING ON MICROFINANCE BUSINESS

Licensing requirement to carry on microfinance business.

**3.** Save and except as provided for in section 2, a person shall be eligible to apply for a licence under this Act, if such person is a company registered under the Companies Act, No.7 of 2007 not being a company limited by guarantee, a private company, an offshore company or an overseas company.

Licensing procedure.

**4.** (1) Every application for a licence shall be made to the Board in compliance with such requirements, in such form, accompanying such information and the evaluation fee as may be specified by the Board from time to time by rules made in that behalf.

(2) The Board may, on receipt of an application under subsection (1), make such enquiries and call for such further information and documents as it considers necessary and on being satisfied that –

- (a) the applicant has complied with all the requirements laid down by the Board by rules made in that behalf; and
- (b) the issue of a licence to the applicant would not be detrimental to the interests of its creditors and other stakeholders,

it may issue a licence subject to such terms and conditions as the Board may think fit or, where it is not so satisfied, reject the application and issue such direction as it deems necessary.

- 5.** A licence issued by the Board shall be in such form as may be specified by the Board by rules made in that behalf and shall remain in force until the thirty-first day of December next following the date on which the licence is granted and shall be renewable annually upon a fresh application being made. Form and duration of licence.
- 6.** Every licensed microfinance company shall pay an annual licence fee in such amount as may be specified by the Board from time to time by rules made in that behalf. Licence fee.
- 7.** Every licensed microfinance company shall exhibit its licence at its principal place of business and a copy of such licence at every one of its branches. Exhibiting the licence.
- 8.** The Board shall maintain a register of licensed microfinance companies. Board to maintain a register.

## PART II

### BUSINESS RESTRICTIONS ON LICENSED MICROFINANCE COMPANIES

- 9.** (1) A licensed microfinance company may carry on such forms of businesses as set out in the Schedule to this Act and any other form of business as may be specified by the Board under subsection (2) subject to such restrictions and conditions as may be imposed by or under any written law or specified in the licence issued to such licensed microfinance company. Forms of business to be specified.
- (2) The Board may specify by notification published in the *Gazette* any form of business that a licensed microfinance company may carry on which is not set out in the Schedule to this Act.
- (3) A licensed microfinance company shall not carry on any form of business that is not set out in the Schedule hereto or specified by the Board under subsection (2).
- (4) Every notification published in the *Gazette* under subsection (2) shall, as soon as convenient, be brought before

Parliament for approval. Any notification which is not so approved shall be deemed to be rescinded from the date of such disapproval but without prejudice to anything previously done thereunder.

(5) Notification of the date on which a notification is deemed to be rescinded shall be published in the *Gazette*.

### PART III

#### MANAGEMENT OF LICENSED MICROFINANCE COMPANIES

General  
superintendence.

**10.** (1) The general superintendence and management of the affairs of a licensed microfinance company shall vest in the board of directors of the company, which shall manage the business and affairs of such company in good faith and in the best interest of its depositors, creditors and other stakeholders.

(2) A licensed microfinance company shall maintain a register containing the names of members of the company, members of the board of directors and of the chief executive officer.

### PART IV

#### DIRECTIONS TO AND RULES GOVERNING LICENSED MICROFINANCE COMPANIES

Directions of the  
Board.

**11.** Notwithstanding the provisions of any other written law, the Board may issue directions to licensed microfinance companies or to any single licensed microfinance company or to any group or category of microfinance companies (referred to as “company” in this section) as to the manner in which any aspect of the business and corporate affairs of such company are to be conducted, and in particular –

- (a) the terms and conditions under which deposits may be accepted by such company, the maximum rates of interest payable on such deposits, the maximum

period for which deposits may be accepted and the maximum amount that may be deposited with a company in the name of one person in one or more accounts;

- (b) the terms and conditions under which any loan, credit facility or any type of financial accommodation may be granted by such company, the maximum rates of interest that may be charged on such loans, credit facilities or other types of financial accommodation, and the maximum periods for which any such loan, credit facility or other type of financial accommodation may be granted;
- (c) the maximum rates which may be paid to, or charged by, such company by way of commissions, discounts, fees or other receipts or payments whatsoever;
- (d) the terms and conditions under which investments may be made by such company and the maximum permissible maturities of such investments;
- (e) the minimum amount of core capital and total capital to be maintained;
- (f) the establishment of a reserve fund, minimum percentage of annual after-tax profits that a company shall transfer to such fund and other operational aspects of such fund;
- (g) the minimum ratio which capital of a company should bear to the assets and the total deposit liabilities of such company;
- (h) the minimum ratio which the liquid assets of a company should bear to the total deposit liabilities of such company;



- (i) the maximum ratio which total outstanding deposit liabilities should bear to the total outstanding accommodation of such company;
- (j) the minimum ratio which the outstanding accommodation granted to low-income persons and to micro enterprises by the company shall bear to the total outstanding accommodation granted by such company;
- (k) the establishment of a deposit insurance fund and the premium such company shall transfer to such fund and the other operational aspects of such fund;
- (l) internal controls, risk management and a code of corporate governance to be adopted by such company;
- (m) a code of conduct to be adopted by such company;
- (n) criteria to assess the fitness and propriety of directors, the chief executive officer and key management personnel of, and persons with specified shareholding in, such company;
- (o) restrictions on the structural changes to corporate or business affairs of such company;
- (p) the grounds upon which a person shall be disqualified from being appointed or elected or from holding the post of a director, chief executive officer, secretary or key management personnel of such company;
- (q) the requirement for obtaining prior approval of the Director for appointing, electing or nominating directors of such companies; and
- (r) the requirement for obtaining prior approval of the Director for appointing the chief executive officer and key management personnel of such company.

For the purpose of this section –

“key management personnel” means a person having authority and responsibility for planning, directing and controlling the activities of any finance company directly or indirectly including any Director (whether executive or otherwise) of such company;

“specified” means specified by the Board by rules made in that behalf.

**12.** (1) The Board may issue guidelines to the Director on the manner of monitoring compliance with the directions issued under Section 11.

Monitoring compliance with directions.

(2) Where a licensed microfinance company fails to comply with any direction issued under section 11, the Director shall, unless otherwise provided for in any guidelines issued under subsection (1), report such fact to the Board and thereupon the provisions of Section 17 of this Act shall apply accordingly.

**13.** (1) The Board may, from time to time, make rules on any matter in respect of which rules are authorized or required to be made under this Act.

Board may make rules.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Board may, in particular, make rules in respect of all or any of the following matters:-

- (a) criteria for licensing under this Act;
- (b) evaluation fee for an application for a licence as a microfinance company;
- (c) annual licence fee payable to the Board by microfinance companies;
- (d) forms to be used for the purposes of this Act.

(3) Every rule made by the Board under this Act shall be published in the *Gazette*.

## PART V

### FINANCIAL STATEMENTS AND AUDIT OF LICENSED MICROFINANCE COMPANIES

Financial year and audit of accounts of a licensed microfinance company.

**14.** (1) Every licensed microfinance company shall at the expiration of each financial year prepare in accordance with the Sri Lanka Accounting Standards, financial statements including-

- (a) a statement of financial position as at the end of the financial year; and
- (b) a statement of comprehensive income in respect of such financial year.

(2) The financial statements prepared by a licensed microfinance company shall be audited by a qualified auditor.

(3) The financial year of a licensed microfinance company shall commence from first of January, every year.

(4) Every licensed microfinance company shall transmit to the Director within three months after the closure of each financial year-

- (a) audited financial statements including –
  - (i) the statement of financial position of the company as at the end of the financial year;
  - (ii) the statement of comprehensive income of the company for that financial year;
- (b) the auditor's report in respect of the financial statements;

- (c) the report by the directors relating to the state of affairs of the company; and
- (d) a certified copy of the auditor's confidential letter, if any, to the board of directors of the company.

(5) Every licensed microfinance company shall exhibit documents specified in paragraph (a) of subsection (4) in a conspicuous place of each of its places of business until those documents for the succeeding financial year are prepared and exhibited.

(6) The Board may specify the forms of the financial statements referred to in this Part and any disclosure requirements to be made and where such forms are specified, financial statements of every licensed microfinance company shall be prepared in such form.

(7) Unless otherwise determined by the Board, the financial statements of a licensed microfinance company shall be signed, on behalf of such company by the chief executive officer and two members of the board of directors.

## PART VI

### EXAMINATION AND SUPERVISION OF LICENSED MICROFINANCE COMPANIES

**15.** (1) The Director or any officer of the Central Bank authorized by him, or any other person authorized by the Director with the approval of the Board, may at any time examine the books of accounts and records of any licensed microfinance company and for that purpose may do one or more of the following:-

Examination and supervision of licensed microfinance companies.

- (a) require any licensed microfinance company, or a director, secretary, manager, employee, auditor, agent or contractor of any licensed microfinance company to furnish him all such information as he may consider necessary and to produce for

inspection books, records, files, registers, and such other documents, maintained in print or electronic form, of such licensed microfinance company and to provide authenticated copies in any form as required of such books, records, files, registers and such other documents;

- (b) enter the premises or storage area of any licensed microfinance company, and notwithstanding anything to the contrary in any other law, examine books, records, files, registers, and such other documents, maintained in print or electronic form, of such licensed microfinance company and may obtain copies, authenticated or otherwise, in any form of such books, records, files, registers and such other documents;
- (c) require any licensed microfinance company or a director, manager, employee, agent, contractor or secretary of any licensed microfinance company to submit the accounts of such licensed microfinance company, furnish such information and produce such books, records, files, registers, and such other documents, maintained in print or electronic form, for audit by an auditor authorized by the Director;
- (d) question and record statements of or, if necessary, direct any director, shareholder, secretary, manager, employee, agent, auditor or contractor of any licensed microfinance company and of any other person who may be acquainted with or is aware of or is in possession of, information regarding the business or corporate affairs of such licensed microfinance company to submit answers to the questions raised by way of an affidavit or if necessary administer oath or affirmation in accordance with the Oaths and Affirmation Ordinance (Chapter 17) and cause questions to be asked and record or cause the recording of statements;

- (e) call for information by notice in writing from any person who may be acquainted with or is aware of or is in possession of or appears to have information regarding the business or corporate affairs of any licensed microfinance company and if required summon such person for an interview;
- (f) require any related party of a licensed microfinance company to furnish information as the Director may consider necessary and to produce for inspection books, records, files, registers and such other documents maintained in print or electronic form, of such related party and to provide authenticated copies in any form as required of such books, records, files, registers and such other documents.

For the purposes of this paragraph “related party” means holding company, any subsidiary or associate company of any licensed microfinance company, or any subsidiary or associate company of the holding company of any licensed microfinance company, or any other entity or individual that in the view of the Director has a substantial financial interest or significant management interest in any licensed microfinance company.

(2) The cost of such examination may be recovered from the licensed microfinance company.

(3) It shall be the duty of every person to comply with any requirement imposed on him under this section and any person who –

- (a) fails to provide any information or produce for inspection any book, record, file, register or such other document, material or object required under this section;
- (b) fails to attend in person when summoned for an interview;

- (c) provides false or incomplete or incorrect information, book, record, file, register or such other document, material or object; or
- (d) obstructs the Director or any person authorized by the Director under subsection (1) in the performance of any function thereunder,

shall be guilty of an offence under this Act.

(4) The Director shall upon the conclusion of the examination conducted in terms of subsection (1), submit a report to the Board if such examination reveals that the licensed microfinance company-

- (a) is carrying on its business adopting unsound or improper financial practices which are detrimental to the interests of its depositors, creditors and other stakeholders; or
- (b) has contravened or failed to comply with any provisions of this Act, or any direction, rule, order or requirement made or imposed thereunder.

Supervisory  
measures of the  
Board on  
licensed  
microfinance  
company.

**16.** (1) Where the Board, on a report made by the Director, is of the opinion that a licensed microfinance company –

- (a) is carrying on or is in the process of carrying on its business following unsound or improper financial practices which are detrimental to the interest of its depositors, creditors and other stakeholders; or
- (b) has contravened or failed to comply with any provisions of this Act or any direction, rule, order or requirement made or imposed thereunder,

the Board may do any one or more of the following:–

- (i) direct such licensed microfinance company to cease any such practice;

- (ii) direct such licensed microfinance company to, forthwith or within such period as may be specified by the Board, comply with the provisions of this Act, direction, rule, order or requirement made or imposed thereunder which such microfinance company has failed to comply with;
- (iii) direct such licensed microfinance company to take necessary action to correct the negative conditions resulting from such practice or contravention;
- (iv) restrain any director, manager or controller of the licensed microfinance company from carrying out any function in or in relation to the microfinance company;
- (v) direct such licensed microfinance company to remove any director, manager or employee of the company within a specified period;
- (vi) reorganize the licensed microfinance company by arranging for the increase of its capital or reconstitution of the board of directors or both such measures;
- (vii) provide for such arrangements as are necessary for the amalgamation of the licensed microfinance company with another licensed microfinance company or any other institution that consents to such amalgamation;
- (viii) appoint a person to manage the affairs of such licensed microfinance company with a view to assuring proper conduct of the business of such licensed microfinance company;
- (ix) serve a notice in writing on such microfinance company requiring it to show cause within



fourteen days from the date of the notice why a penalty should not be imposed on such company, and upon its failure to show cause within the time specified therefor or where the cause shown does not satisfy the Board, impose a penalty not exceeding rupees two hundred and fifty thousand payable within such period as may be specified by the Board.

(2) Any person aggrieved with any order or direction issued or measure taken under subsection (1), may, before the expiry of thirty days from the date of the issue of such order or direction or the date of such measure taken, appeal in writing to the Board and the Board shall render its decision within sixty days of receipt of such appeal.

## PART VII

### CANCELLATION OF THE LICENCE AND WINDING UP OF LICENSED MICROFINANCE COMPANY

Grounds for  
cancellation of a  
licence.

**17.** The Board may cancel the licence of a licensed microfinance company on any one or more of the following grounds :-

- (a) failing to commence business within nine months of the issue of the licence;
- (b) failing to satisfy any debt incurred by it, on such debt becoming due for payment;
- (c) proposing to make or making any composition or arrangement with its creditors or going into liquidation or being wound up or otherwise dissolved;
- (d) ceasing to carry on microfinance business;
- (e) acting in contravention of any provisions of this Act or any direction, requirement, rule, order, determination issued, imposed or made under this Act;

- (f) failing to pay the annual licence fee;
- (g) carrying on its business in a manner likely to be detrimental to the interests of its depositors, other creditors and the economy; or
- (h) furnishing false, misleading or inaccurate information or concealing or failing to disclose material facts to the Board.

**18.** (1) The Board shall, before cancelling the licence of a licensed microfinance company, serve a notice in writing on such licensed microfinance company requiring it to show cause within thirty days from the date of such notice being served as to why its licence should not be cancelled.

Procedure for  
cancellation of  
licence.

(2) Where the licensed microfinance company fails to show cause within the specified period the Board may cancel the licence.

(3) Where in compliance with the notice issued to it under subsection (1), such licensed microfinance company, shows cause within the specified period, the Board may, after considering the reasons provided and hearing the licensed microfinance company in support of its objections –

- (a) not cancel the licence, if it is satisfied that such microfinance company has shown sufficient cause as to why its licence should not be cancelled; or
- (b) cancel the licence, if it is satisfied that such licensed microfinance company has not shown sufficient cause as to why its licence should not be cancelled.

(4) In the event of cancellation of a licence, the licensed microfinance company concerned shall be notified forthwith of such cancellation and the cancellation shall take effect from the date of such notification. The Board shall publish a notice of such cancellation at least in one each of Sinhala, Tamil and English daily newspapers circulating in Sri Lanka.

(5) Where the licence of a licensed microfinance company is cancelled, the Board shall remove the name of such licensed microfinance company from the register maintained under section 8 and may issue such directions to such microfinance company as it considers necessary, including directions for winding up.

(6) Where such microfinance company fails to comply with any directions issued under subsection (5) within the time specified by the Board, the Board may require the Director to file action for the winding up of such microfinance company under section 19.

Winding up.

**19.** A competent court may, on an application made by the Director, order the winding up of such microfinance company and accordingly the provisions of the Companies Act, No.7 of 2007 relating to winding up of companies subject to the supervision of court shall *mutatis mutandis* apply to and in relation to the winding up of such microfinance company.

## PART VIII

### MICROFINANCE NON-GOVERNMENTAL ORGANIZATIONS

Non-governmental organization to apply for a certificate of registration.

**20.** (1) A non-governmental organization registered under the Voluntary Social Service Organizations (Registration and Supervision) Act, No.31 of 1980 is eligible to apply for a certificate of registration as a microfinance non-governmental organization (hereinafter referred to as the “microfinance NGO”).

(2) Every application for a certificate of registration as a microfinance NGO shall be made to the Registrar of Voluntary Social Service Organizations (in this Part referred to as the “Registrar”) in such form and in compliance with the requirements for such registration, together with such information, as may be specified by the Registrar from time to time by rules made in that behalf.

(3) The Registrar may, on receipt of such application, make such enquiries and call for such further information and documents as he considers necessary and if he is satisfied that-

- (i) the applicant has complied with the criteria for registration as may be laid down by the Registrar from time to time by rules made in that behalf; and
- (ii) registration of the applicant would not be detrimental to the interests of its creditors and other stakeholders, shall issue a certificate of registration as a microfinance NGO,

subject to such terms and conditions as the Registrar may think fit or where he is not so satisfied, reject the application and issue such directions as he may deem necessary.

**21.** Every microfinance NGO shall exhibit its certificate of registration at its principal place of business and a copy of such certificate at every one of its branches.

Exhibiting the certificate.

**22.** The Registrar shall maintain a register of microfinance NGOs.

Register of microfinance NGOs.

**23.** (1) The Registrar may make rules for the purpose of carrying out the provisions of this Part and to give effect to standards, principles and guidelines issued by the Board in terms of Part IX of this Act.

Registrar to make rules.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Registrar may, in particular, from time to time make rules in respect of all or any of the following matters:-

- (a) criteria for registration under this Part of this Act ;
- (b) annual registration fee payable to the Registrar by a microfinance NGO;
- (c) reporting and disclosure requirements of a microfinance NGO;

- (d) terms and conditions for loans and credit facilities to be granted by a microfinance NGO including maximum rates of interest that may be charged on such loans and credit facilities;
- (e) terms and conditions on savings mobilization and the maximum rates of interest payable on such savings;
- (f) the maximum ratio of outstanding deposits to outstanding loans;
- (g) number of borrowers and depositors;
- (h) consumer protection;
- (i) net assets to be maintained by a microfinance NGO;
- (j) internal controls, risk management and a code of corporate governance to be adopted by a microfinance NGO;
- (k) the types of activities that may be carried on by a microfinance NGO;
- (l) forms to be used under this Part.

(3) Every rule made by the Registrar shall be published in the *Gazette*.

Duty to provide financial statement.

**24.** (1) Every microfinance NGO shall prepare and furnish financial statements in such manner, form and at intervals or times as may be specified by the Registrar.

(2) The financial statements prepared by a microfinance NGO shall be audited by a qualified auditor.

Registrar may examine books of accounts etc.

**25.** (1) The Registrar or any other officer authorized in writing by him in that behalf, may at any time examine the books of accounts and records of any microfinance NGO and for that purpose may do any one or more of the following:—

- (a) require any microfinance NGO, or a director, manager, employee or auditor of any microfinance

NGO to furnish him all such information as he may consider necessary and to produce for inspection books, records, files, registers, and such other documents of such microfinance NGO and to provide authenticated copies in any form as required of such books, records, files, registers and such other documents;

- (b) enter and examine books, records, files, registers, and such other documents of a microfinance NGO and may obtain copies, authenticated or otherwise, in any form of such books, records, files, registers and such other documents;
- (c) require any microfinance NGO or a director, manager, employee or auditor of any microfinance NGO to submit the accounts of such microfinance NGO, furnish such information and produce such books, records, files, registers and such other documents for audit by a qualified auditor authorized by the Registrar.

(2) The cost of such examination may be recovered from the microfinance NGO.

(3) It shall be the duty of every person to comply with any requirement imposed on him under subsection (1) and any person who-

- (a) fails to provide any information or produce for inspection any book, record, file, register or such other document required under this section;
- (b) provides false or incomplete or incorrect information, book, record, file, register or such other document; or
- (c) obstructs the Registrar or any person authorized by the Registrar under subsection (1) in the performance of any function under subsection (1),

shall be guilty of an offence under this Act.

Powers of the Registrar.

**26.** Where the Registrar is of the opinion that a microfinance NGO—

- (a) is carrying on or is in the process of carrying on, its business adopting unsound or improper financial practices detrimental to the interest of its depositors and other creditors; or
- (b) has contravened or failed to comply with any provisions of this Act, or any direction, rule, order or requirement made or imposed thereunder,

the Registrar may take any one or more of the following actions:—

- (i) direct such microfinance NGO to cease any such practice;
- (ii) direct such microfinance NGO to forthwith or within such period as may be specified by the Registrar, comply with the provisions of this Act or rule, or requirement made or imposed thereunder which such microfinance NGO has failed to comply with;
- (iii) direct such microfinance NGO to take necessary action to correct the negative conditions resulting from such practice or contravention;
- (iv) restrain any director, manager or controller of the microfinance NGO from carrying out any function in or in relation to the microfinance NGO;
- (v) remove any director, manager or employee of the microfinance NGO;
- (vi) re-organize the microfinance NGO by arranging for the reconstitution of its board of directors:

Provided however, the Registrar shall, before taking any of the actions referred to in subparagraph (iv), (v) or (vi) of this section,

serve a notice in writing on such director, manager, controller, employee or the board of directors requiring him or it, as the case may be, to show cause within fourteen days from the date of such notice, why action as referred to in the relevant subparagraph should not be taken against him or it, as the case may be, and satisfy himself that no satisfactory cause has been made out.

**27.** (1) The Registrar may cancel the registration of a microfinance NGO on any one or more of the following grounds:-

Registrar's power to cancel registration.

- (a) failing to satisfy any debt incurred by it, on such debt becoming due;
- (b) proposing to make or making any composition or arrangement with its creditors or going into liquidation or being wound up or otherwise dissolved;
- (c) ceasing to accept limited savings deposits;
- (d) acting in contravention of any provisions of this Act or any direction, requirement, rule, order or determination issued, imposed or made under this Act;
- (e) failing to pay the annual registration fee;
- (f) carrying on its business in a manner likely to be detrimental to the interests of its depositors and other creditors;
- (g) furnishing false, misleading or inaccurate information or concealing or failing to disclose material facts to the Registrar.

(2) The Registrar shall, before cancelling the registration of a microfinance NGO, serve a notice in writing on such microfinance NGO requiring it to show cause within thirty days from the date of such notice being served as to why its registration should not be cancelled.



(3) Where the microfinance NGO fails to show cause within the specified period the Registrar may cancel the registration.

(4) Where in compliance with the notice issued to it under subsection (2), such microfinance NGO, shows cause within the specified period, the Registrar may, after considering the reasons provided and hearing the microfinance NGO in support of its objections –

- (a) not cancel the registration, if he is satisfied that such microfinance NGO has shown sufficient cause as to why its registration should not be cancelled; or
- (b) cancel the registration, if he is satisfied that such microfinance NGO has not shown sufficient cause as to why its registration should not be cancelled.

(5) In the event of cancellation of a registration, the microfinance NGO concerned shall be notified forthwith of such cancellation and the cancellation shall take effect from the date of such notification. The Registrar shall publish a notice of such cancellation at least in one each of Sinhala, Tamil and English daily newspapers circulating in Sri Lanka.

(6) Where the certificate of registration of a microfinance NGO is cancelled, the Registrar shall remove the name of such microfinance NGO from the register maintained under section 22 and may issue such directions to such non-governmental organisation as he considers necessary.

## PART IX

### PRINCIPLES, STANDARDS AND GUIDELINES LAID DOWN BY THE BOARD

Principles,  
standards and  
Guidelines.

**28.** (1) Notwithstanding anything to the contrary in this Act or any other written law, the Board may in order to ensure that microfinance business and lending activities are carried on in a transparent, professional and prudent manner

and to strengthen, develop and make qualitative improvements in the regulation and supervision of such activities for consumer protection, set principles or standards or issue guidelines in respect of-

- (a) microfinance NGOs regulated by the Registrar of Voluntary Social Service Organizations in terms of Part VIII of this Act; and
- (b) micro credit non-governmental organizations.

(2) The Registrar of Voluntary Social Service Organizations shall give effect to the principles, standards or guidelines laid down by the Board under subsection (1), by making appropriate rules governing microfinance NGOs.

(3) Nothing in this section shall be deemed to enable a non-governmental organization other than one which is registered in terms of Part VIII of this Act to accept limited savings deposits.

(4) The Board may call for monthly, quarterly, semi-annual or annual financial data of a microfinance NGO referred to in subsection (1) from the Registrar of Voluntary Social Service Organizations.

## PART X

### IMMUNITY FROM PROSECUTION

**29.** (1) No prosecution shall be instituted in any court against the Board or a member thereof, the Director or any officer or servant of the Central Bank or any other person authorized by the Board or the Director under this Act to carry out any duty or function, by reason of any act done or purported to be done, or omitted to be done by such person under this Act or any direction, rule, order or requirement made or imposed thereunder unless the prior written sanction of the Attorney-General has been first obtained for such prosecution.

Immunity from prosecution.

(2) Any expenses incurred by a member of the Board, the Director or any officer or servant of the Central Bank or any other person authorized by the Board, in any suit or prosecution brought against such person before any court in respect of any act which is done or purported to be done or omitted to be done by such person under this Act or any direction, rule, order or requirement made or imposed thereunder, as the case may be, shall if the court holds that such act was done in good faith, be paid out by the Board unless such expenses are recovered by him in such suit or prosecution.

## PART XI

### GENERAL

The Finance Business Act and Part IXA of the Banking Act not to apply.

**30.** The provisions of the Finance Business Act, No.42 of 2011 and Part IXA of the Banking Act, No.30 of 1988 shall not apply to any licensed microfinance company, microfinance NGO or micro credit non governmental organization.

Effect of other laws.

**31.** The provisions of this Act or any regulation, order or rule made under this Act shall have effect notwithstanding anything to the contrary in any other written law.

Restriction to carry on microfinance business.

**32.** No person other than a licensed microfinance company, a microfinance NGO or an institution exempted from the application of the provisions of this Act under section 2, shall carry on microfinance business.

Transitional provision.

**33.** Notwithstanding anything to the contrary in section 32, any person carrying on microfinance business on the day preceding the date of coming into operation of any Part of this Act-

- (a) may from the date of coming into operation of any Part of this Act, continue to carry on such business for a period of eighteen months; and
- (b) shall comply with the provisions of this Act and apply for-

- (i) a licence to continue his business as a licensed microfinance company within such period as may be specified by the Board by notice published in the *Gazette*:

Provided however, notwithstanding Part VIII of this Act being not operative on the day when Part I comes into operation, such person shall comply with the provisions of this Act and apply for a licence to continue his business as a licensed microfinance company within such period as may be specified by the Board by notice published in the *Gazette*;

- (ii) a certificate of registration to continue his business as a microfinance NGO within such period as may be specified by the Registrar by notice published in the *Gazette*;

- (c) the period referred to under paragraph (b) above shall fall within the period referred to in paragraph (a).

**34.** No person other than a licensed microfinance company, microfinance NGO or an institution exempted under section 2 of this Act shall use in its name, the words “microfinance” or any of its derivatives or its transliteration or its equivalent in any other language whether alone or in combination with any other word, without the prior written approval of the Board.

Restriction on the use of the term “micro finance”.

**35.** (1) Any person who contravenes or fails to comply with any provisions of this Act or any rule, direction, order or requirement issued or imposed thereunder shall be guilty of an offence under this Act and shall be liable on conviction after summary trial before a Magistrate to a fine not exceeding one million rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.

Offences.

(2) 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, manager, or secretary of that body corporate;
- (b) if that body of persons is a firm, every partner of the firm; or
- (c) if that body of persons is an unincorporated body other than a firm, every member of such body,

shall be deemed to be guilty of that offence:

Provided however, that a director, manager or secretary of such body corporate or a partner of such firm or a member of such unincorporated body, shall not be deemed to be guilty of such offence if he proves that such offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Board to be responsible for acts of officers.

**36.** (1) Subject to such rules, if any, as may be made by the Board, the Board may, in writing, authorize an officer of the Central Bank or any other person to represent the Board for any of the purposes of this Act, so however, the Board shall remain and continue to remain responsible for any act or thing done or omitted to be done by such officer or person representing the Board under such authorization.

(2) The Board may in writing delegate to any officer of the Central Bank any of its powers and duties under this Act, so however, that the Board shall remain and continue to be responsible for any act or thing done or omitted to be done by such officer in the exercise of such powers delegated to him.

Interpretation.

**37.** In this Act, unless the context otherwise requires—

“Board” means the Monetary Board of the Central Bank of Sri Lanka established under the Monetary Law Act, (Chapter 422);

“Central Bank” means the Central Bank of Sri Lanka established under the Monetary Law Act, (Chapter 422);

“deposit” shall have the meaning assigned to it under the Finance Business Act, No. 42 of 2011 as may be amended from time to time;

“Director” means the head of the department of the Central Bank to which the subject of microfinance companies has been assigned and includes an acting director;

“licensed microfinance company” means a company, licensed under this Act;

“liquid assets” means –

- (a) cash in hand;
- (b) balances in a current or deposit account in a commercial bank, free from any bankers’ lien or charge;
- (c) Sri Lanka Government Treasury Bills and Treasury Bonds maturing within one year, and free from any lien or charge;
- (d) Sri Lanka Government Securities maturing within one year and free from any lien or charge;
- (e) Central Bank of Sri Lanka securities maturing within one year and free from any lien or charge; and
- (f) Such other asserts as may be determined by the Board;

“microfinance business” means accepting deposits and providing :-

- (a) financial accommodation in any form;
- (b) other financial services; or

- (c) financial accommodation in any form and other financial services,

mainly to low income persons and micro enterprises in conformity with the Schedule to this Act;

“microfinance NGO” means a non-governmental organization registered under the Voluntary Social Service Organizations (Registration and Supervision) Act, No.31 of 1980 and issued with a certificate of registration by the Registrar of Voluntary Social Service Organizations under this Act to accept limited savings deposits;

“micro credit non-governmental organization” means a non-governmental organization registered under the Voluntary Social Service Organizations (Registration and Supervision) Act, No.31 of 1980 and engaged in lending activities and not permitted to accept deposits;

“Minister” means the Minister to whom the subject of microfinance is assigned;

“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.

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

Sinhala text to prevail in the event of any inconsistency.

SCHEDULE

[ Section 9 ]

A licensed microfinance company may engage in the following businesses :-

- (a) to provide financial accommodation, with or without collateral security, in cash or in kind, subject to such terms and conditions that the Board may impose for all types of economic activities including housing;
- (b) to accept time and savings deposits and to open, maintain and manage deposits, savings and other similar accounts excluding however the carrying on of banking business as defined in the Banking Act, No. 30 of 1988;
- (c) to accept pledges, mortgages, hypothecations or assignments to it of any kind of movable or immovable property for the purpose of securing loans and advances made by it;
- (d) to provide credit to buy, sell and supply industrial and agricultural inputs, livestock, machinery and industrial raw materials, and to act as an agent for any organization for the sale of such goods or livestock;
- (e) to invest its monies prudently;
- (f) to provide storage and safe custody facilities;
- (g) to provide professional advice to its customers regarding investments in small businesses, self-employment projects and cottage industries;
- (h) to provide services and facilities to customers to hedge various risks relating to microfinance;
- (i) to render managerial, marketing, technical and administrative advice to customers and assisting them in obtaining services in such fields;
- (j) to provide technical assistance and training to customers;
- (k) to conduct finance leasing business, pawn brokering and insurance business after obtaining necessary licence or approval from the relevant authority and subject to such rules and regulations of such authority;
- (l) any other business which the Monetary Board of the Central Bank of Sri Lanka may authorize a licensed microfinance company to engage in.



---

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**

---

**ASIAN INFRASTRUCTURE INVESTMENT  
BANK AGREEMENT (RATIFICATION)  
ACT, No. 7 OF 2016**

---

**[Certified on 30th May, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of June 03, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 40.00**

**Postage : Rs. 20.00**

*Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

[Certified on 30<sup>th</sup> May, 2016]

L.D.—O. 4/2016

AN ACT TO ENABLE SRI LANKA TO BECOME A MEMBER OF THE ASIAN INFRASTRUCTURE INVESTMENT BANK AUTHORISING THE RATIFICATION OR ACCEPTANCE BY SRI LANKA OF THE AGREEMENT, ESTABLISHING THAT BANK, TO WHICH SRI LANKA IS A SIGNATORY, AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH.

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

1. This Act may be cited as the Asian Infrastructure Investment Bank Agreement (Ratification) Act, No. 7 of 2016 and shall come into operation on such date as the Minister may by order published in the *Gazette*.

Short title.

2. The Minister assigned the subject of Finance or a person authorized by him shall on behalf of the Government of Sri Lanka -

Authorization of ratification, acceptance or approval of the Agreement establishing Asian Infrastructure Investment Bank.

(a) ratify, accept or approve the Articles of Agreement establishing the Asian Infrastructure Investment Bank, ( in this Act referred to as “the agreement” and “the bank” respectively), to which Sri Lanka is a signatory and which is set out in the Schedule to this Act; and

(b) deposit with the Bank an instrument of such ratification, acceptance or approval of the agreement by the Government of Sri Lanka without reservation in accordance with the written laws of Sri Lanka.

3. The provisions of Chapter IX of the Agreement shall have the force of law in Sri Lanka and accordingly, the Bank shall have in Sri Lanka the status, immunities, privileges and exemptions as specified in chapter IX, of the Agreement or as granted in terms of the Diplomatic Privileges Act, No. 9 of 1996 or any other written law.

Status, immunities, privileges and exemptions accorded to the Bank in Sri Lanka.

2 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

Payments out of the Consolidated Fund.

**4.** There shall be paid out of the Consolidated Fund such sums as are payable, or may, from time to time, become payable, to the Bank by the Government of Sri Lanka as required to be paid in terms of the Agreement.

Issue of Government promissory notes or obligations.

**5.** (1) The Minister assigned the subject of Finance may, if he deems necessary on behalf of the Government of Sri Lanka, for the purpose of payment of subscription under paragraph 5(b) of Article 6 of the agreement create and issue to the Bank, in such form as he deems necessary, any such non-negotiable and non-interest bearing promissory notes or other obligations payable at par value on demand to the account of the Bank, in lieu of the currency of Sri Lanka in such circumstances stipulated in Article 6 of the agreement.

(2) For the purpose of providing any sums required to be paid out of the Consolidated Fund under section 4, the Minister assigned the subject of Finance may raise loans, on behalf of the Government of Sri Lanka, by the creation and issue to the Central Bank of Sri Lanka, in such form as he may deem necessary, of non-interest bearing and non-negotiable promissory notes or obligations.

(3) The Central Bank of Sri Lanka is hereby authorized to accept and hold any promissory notes or obligations created and issued in accordance with the provisions of subsection (2) of this section subject to the provisions of any other written law.

(4) There shall be paid out of the Consolidated Fund such sums as may be required for the redemption of any notes or obligations created and issued to the Central Bank of Sri Lanka under subsection (1) of this section.

Receipts.

**6.** All sums received by or on behalf of the Government of Sri Lanka from the Bank under the Agreement shall be paid into the Consolidated Fund, and the sums so received, in so far as they represent capital, shall, unless otherwise

*Asian Infrastructure Investment Bank Agreement* 3  
*(Ratification) Act, No. 7 of 2016*

provided in that behalf under any written law, be applied from time to time as the Minister assigned the subject of Finance may direct in the redemption of notes or other obligations issued to the Central Bank of Sri Lanka under this Act.

**7.** (1) The Minister assigned the subject of Finance may make Orders as he may consider reasonably necessary for giving effect to any of the provisions of the Articles. Orders.

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

(3) Every Order made under subsection (1) shall as soon as is convenient after its publication in the *Gazette* be placed before Parliament for its approval. Any order not so approved shall be deemed to be rescinded as from the date of such disapproval.

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

**8.** The Minister assigned the subject of Finance may take all such steps, and make all such arrangements, as he may consider reasonably necessary to enable the Government of Sri Lanka to meet or discharge its financial obligations or liabilities under the Agreement. General Provisions.

**9.** For the purposes of this Act – Interpretation.

“Central Bank” means the Central Bank of Sri Lanka established under the Monetary Law Act (Chapter 422).

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

4 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

SCHEDULE

[SECTION 2]

ARTICLES OF AGREEMENT OF THE ASIAN INFRASTRUCTURE  
INVESTMENT BANK

The Government on whose behalf this Agreement is signed –

CONSIDERING the importance of regional cooperation to sustain growth and promote economic and social development of the economies in Asia and thereby contribute to regional resilience against potential financial crises and other external shocks in the context of globalization;

ACKNOWLEDGING the significance of infrastructure development in expanding regional connectivity and improving regional integration, thereby promoting economic growth and sustaining social development for the people in Asia, and contributing to global economic dynamism;

REALIZING that the considerable long-term need for financing infrastructure development in Asia will be met more adequately by a partnership among existing multilateral development banks and the Asian Infrastructure Investment Bank (hereinafter referred to as the “Bank”);

CONVINCED that the establishment of the Bank as a multilateral financial institution focused on infrastructure development will help to mobilize much needed additional resources from inside and outside Asia and to remove the financing bottlenecks faced by the individual economies in Asia, and will complement the existing multilateral development banks, to promote sustained and stable growth in Asia,

HAVE AGREED to establish the Bank, which shall operate in accordance with the following:—

CHAPTER I

PURPOSE, FUNCTIONS AND MEMBERSHIP

*Article 1–Purpose*

1. The purpose of the Bank shall be to (i) foster sustainable economic development, create wealth and improve infrastructure connectivity in Asia by investing in infrastructure and other productive sectors; and (ii) promote regional cooperation and partnership in addressing development challenges by working in close collaboration with other multilateral and bilateral development institutions.

2. Wherever used in this Agreement, references to “Asia” and “region” shall include the geographical regions and composition classified as Asia and Oceania by the United Nations, except as otherwise decided by the Board of Governors.

*Article 2–Functions*

To implement its purpose, the Bank shall have the following functions:—

- (i) to promote investment in the region of public and private capital for development purposes, in particular for development of infrastructure and other productive sectors;
- (ii) to utilize the resources at its disposal for financing such development in the region, including those projects and programs which will contribute most effectively to the harmonious economic growth of the region as a whole and having special regard to the needs of less developed members in the region;
- (iii) to encourage private investment in projects, enterprises and activities contributing to economic development in the region, in particular in infrastructure and other productive sectors, and to supplement private investment when private capital is not available on reasonable terms and conditions; and
- (iv) to undertake such other activities and provide such other services as may further these functions.

6 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

*Article 3—Membership*

1. Membership in the Bank shall be open to members of the International Bank for Reconstruction and Development or the Asian Development Bank—

- (a) Regional members shall be those members listed in Part A of Schedule A and other members included in the Asia region in accordance with paragraph 2 of Article 1. All other members shall be non-regional members;
- (b) Founding Members shall be those members listed in Schedule A which, on or before the date specified in Article 57, shall have signed this Agreement and shall have fulfilled all other conditions of membership before the final date specified under paragraph 1 of Article 58.

2. Members of the International Bank for Reconstruction and Development or the Asian Development Bank which do not become members in accordance with Article 58 may be admitted, under such terms and conditions as the Bank shall determine, to membership in the Bank by a Special Majority vote of the Board of Governors as provided in Article 28.

3. In the case of an applicant which is not sovereign or not responsible for the conduct of its international relations, application for membership in the Bank shall be presented or agreed by the member of the Bank responsible for its international relations.

CHAPTER II

CAPITAL

*Article 4—Authorized Capital*

1. The authorized capital stock of the Bank shall be one hundred billion United States dollars (\$100,000,000,000), divided into one million (1,000,000) shares having a par value of 100,000 dollars (\$100,000) each, which shall be available for subscription only by members in accordance with the provisions of Article 5.

2. The original authorized capital stock shall be divided into paid-in shares and callable shares. Shares having an aggregate par value



*Asian Infrastructure Investment Bank Agreement* 7  
*(Ratification) Act, No. 7 of 2016*

of twenty billion dollars (\$20,000,000,000) shall be paid-in shares, and shares having an aggregate par value of eighty billion dollars (\$80,000,000,000) shall be callable.

3. The authorized capital stock of the Bank may be increased by the Board of Governors by a Super Majority vote as provided in Article 28, at such time and under such terms and conditions as it may deem advisable, including the proportion between paid-in and callable shares.

4. The term “dollar” and the symbol “\$” wherever used in this Agreement shall be understood as being the official currency of payment of the United States of America.

*Article 5–Subscription of Shares*

1. Each member shall subscribe to shares of the capital stock of the Bank. Each subscription to the original authorized capital stock shall be for paid-in shares and callable shares in the proportion two (2) to eight (8). The initial number of shares available to be subscribed by countries which become members in accordance with Article 58 shall be that set forth in Schedule A.

2. The initial number of shares to be subscribed by countries which are admitted to membership in accordance with paragraph 2 of Article 3 shall be determined by the Board of Governors; provided, however, that no such subscription shall be authorized which would have the effect of reducing the percentage of capital stock held by regional members below seventy-five (75) per cent of the total subscribed capital stock, unless otherwise agreed by the Board of Governors by a Super Majority vote as provided in Article 28.

3. The Board of Governors may, at the request of a member, increase the subscription of such member on such terms and conditions as the Board may determine by a Super Majority vote as provided in Article 28; provided, however, that no such increase in the subscription of any member shall be authorized which would have the effect of reducing the percentage of capital stock held by regional members below seventy-five (75) per cent of the total subscribed capital stock, unless otherwise agreed by the Board of Governors by a Super Majority vote as provided in Article 28.

8 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

4. The Board of Governors shall at intervals of not more than five (5) years review the capital stock of the Bank. In case of an increase in the authorized capital stock, each member shall have a reasonable opportunity to subscribe, under such terms and conditions as the Board of Governors shall determine, to a proportion of the increase of stock equivalent to the proportion which its stock theretofore subscribed bears to the total subscribed capital stock immediately prior to such increase. No member shall be obligated to subscribe to any part of an increase of capital stock.

*Article 6—Payment of Subscriptions*

1. Payment of the amount initially subscribed by each Signatory to this Agreement which becomes a member in accordance with Article 58 to the paid-in capital stock of the Bank shall be made in five (5) installments, of twenty (20) per cent each of such amount, except as provided in paragraph 5 of this Article. The first installment shall be paid by each member within thirty (30) days after entry into force of this Agreement, or on or before the date of deposit on its behalf of its instrument of ratification, acceptance or approval in accordance with paragraph 1 of Article 58, whichever is later. The second installment shall become due one (1) year from the entry into force of this Agreement. The remaining three (3) installments shall become due successively one (1) year from the date on which the preceding installment becomes due.

2. Each installment of the payment of initial subscriptions to the original paid-in capital stock shall be paid in dollars or other convertible currency, except as provided in paragraph 5 of this Article. The Bank may at any time convert such payments into dollars. All rights, including voting rights, acquired in respect of paid-in and associated callable shares for which such payments are due but have not been received shall be suspended until full payment is received by the Bank.

3. Payment of the amount subscribed to the callable capital stock of the Bank shall be subject to call only as and when required by the Bank to meet its liabilities. In the event of such a call, payment may be made at the option of the member in dollars or in the currency required to discharge the obligations of the Bank for the purpose of which the call is made. Calls on unpaid subscriptions shall be uniform in percentage on all callable shares.

*Asian Infrastructure Investment Bank Agreement* 9  
*(Ratification) Act, No. 7 of 2016*

4. The Bank shall determine the place for any payment under this Article, provided that, until the inaugural meeting of the Board of Governors, the payment of the first installment referred to in paragraph 1 of this Article shall be made to the Government of the People's Republic of China, as Trustee for the Bank.

5. A member considered as a less developed country for purposes of this paragraph may pay its subscription under paragraphs 1 and 2 of this Article, as an alternative, either:

- (a) entirely in dollars or other convertible currency in up to ten (10) installments, with each such installment equal to ten (10) percent of the total amount, the first and second installments due as provided in paragraph 1, and the third through tenth installments due on the second and subsequent anniversary dates of the entry into force of this Agreement;  
or
- (b) with a portion in dollars or other convertible currency and a portion of up to fifty (50) per cent of each installment in the currency of the member, following the schedule of installments provided in paragraph 1 of this Article. The following provisions shall apply to payments under this sub-paragraph (b):—
  - (i) The member shall advise the Bank at the time of subscription under paragraph 1 of this Article of the proportion of payments to be made in its own currency;
  - (ii) Each payment of a member in its own currency under this paragraph 5 shall be in such amount as the Bank determines to be equivalent to the full value in terms of dollars of the portion of the subscription being paid. The initial payment shall be in such amount as the member considers appropriate hereunder but shall be subject to such adjustment, to be effected within ninety (90) days of the date on which such payment was due, as the Bank shall determine to be necessary to constitute the full dollar equivalent of such payment;

10 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

- (iii) Whenever in the opinion of the Bank, the foreign exchange value of a member's currency has depreciated to a significant extent, that member shall pay to the Bank within a reasonable time an additional amount of its currency required to maintain the value of all such currency held by the Bank on account of its subscription;
- (iv) Whenever in the opinion of the Bank, the foreign exchange value of a member's currency has appreciated to a significant extent, the Bank shall pay to that member within a reasonable time an amount of that currency required to adjust the value of all such currency held by the Bank on account of its subscription;
- (v) The Bank may waive its rights to payment under sub-paragraph (iii) and the member may waive its rights to payment under sub-paragraph (iv).

6. The Bank shall accept from any member paying its subscription under sub-paragraph 5 (b) of this Article promissory notes or other obligations issued by the Government of the member, or by the depository designated by such member, in lieu of the amount to be paid in the currency of the member, provided such amount is not required by the Bank for the conduct of its operations. Such notes or obligations shall be non-negotiable, non-interest-bearing, and payable to the Bank at par value upon demand.

*Article 7—Terms of Shares*

1. Shares of stock initially subscribed by members shall be issued at par. Other shares shall be issued at par unless the Board of Governors by a Special Majority vote as provided in Article 28 decides in special circumstances to issue them on other terms.

2. Shares of stock shall not be pledged or encumbered in any manner whatsoever, and they shall be transferable only to the Bank.

3. The liability of the members on shares shall be limited to the unpaid portion of their issue price.

*Asian Infrastructure Investment Bank Agreement* 11  
*(Ratification) Act, No. 7 of 2016*

4. No member shall be liable, by reason of its membership, for obligations of the Bank.

*Article 8—Ordinary Resources*

As used in this Agreement, the term “ordinary resources” of the Bank shall include the following:—

- (i) authorized capital stock of the Bank, including both paid-in and callable shares, subscribed pursuant to Article 5;
- (ii) funds raised by the Bank by virtue of powers conferred by paragraph 1 of Article 16, to which the commitment to calls provided for in paragraph 3 of Article 6 is applicable;
- (iii) funds received in repayment of loans or guarantees made with the resources indicated in sub-paragraphs (i) and (ii) of this Article or as returns on equity investments and other types of financing approved under sub-paragraph 2 (vi) of Article 11 made with such resources;
- (iv) income derived from loans made from the aforementioned funds or from guarantees to which the commitment to calls set forth in paragraph 3 of Article 6 is applicable; and
- (v) any other funds or income received by the Bank which do not form part of its Special Funds resources referred to in Article 17 of this Agreement.

CHAPTER III

OPERATIONS OF THE BANK

*Article 9—Use of Resources*

The resources and facilities of the Bank shall be used exclusively to implement the purpose and functions set forth, respectively, in Articles 1 and 2, and in accordance with sound banking principles.

*Article 10—Ordinary and Special Operations*

1. The operations of the Bank shall consist of:—
  - (i) ordinary operations financed from the ordinary resources of the Bank, referred to in Article 8; and

12 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

- (ii) special operations financed from the Special Funds resources referred to in Article 17.

The two types of operations may separately finance elements of the same project or program.

2. The ordinary resources and the Special Funds resources of the Bank shall at all times and in all respects be held, used, committed, invested or otherwise disposed of entirely separately from each other. The financial statements of the Bank shall show the ordinary operations and special operations separately.

3. The ordinary resources of the Bank shall, under no circumstances, be charged with, or used to discharge, losses or liabilities arising out of special operations or other activities for which Special Funds resources were originally used or committed.

4. Expenses appertaining directly to ordinary operations shall be charged to the ordinary resources of the Bank. Expenses appertaining directly to special operations shall be charged to the Special Funds resources. Any other expenses shall be charged as the Bank shall determine.

*Article 11—Recipients and Methods of Operation*

1. (a) The Bank may provide or facilitate financing to any member, or any agency, instrumentality or political subdivision thereof, or any entity or enterprise operating in the territory of a member, as well as to international or regional agencies or entities concerned with economic development of the region.

(b) The Bank may, in special circumstances, provide assistance to a recipient not listed in sub-paragraph (a) above only if the Board of Governors, by a Super Majority vote as provided in Article 28 (i) shall have determined that such assistance is designed to serve the purpose and come within the functions of the Bank and is in the interest of the Bank's membership; and (ii) shall have specified the types of assistance under paragraph 2 of this Article that may be provided to such recipient.

2. The Bank may carry out its operations in any of the following ways:—

- (i) by making, co-financing or participating in direct loans;

*Asian Infrastructure Investment Bank Agreement* 13  
*(Ratification) Act, No. 7 of 2016*

- (ii) by investment of funds in the equity capital of an institution or enterprise;
- (iii) by guaranteeing, whether as primary or secondary obligor, in whole or in part, loans for economic development;
- (iv) by deploying Special Funds resources in accordance with the agreements determining their use;
- (v) by providing technical assistance in accordance with Article 15; or
- (vi) through other types of financing as may be determined by the Board of Governors, by a Special Majority vote as provided in Article 28.

*Article 12—Limitations on Ordinary Operations*

1. The total amount outstanding of loans, equity investments, guarantees and other types of financing provided by the Bank in its ordinary operations under sub-paragraphs 2 (i), (ii), (iii) and (vi) of Article 11 shall not at any time be increased, if by such increase the total amount of its unimpaired subscribed capital, reserves and retained earnings included in its ordinary resources would be exceeded. Notwithstanding the provisions of the preceding sentence, the Board of Governors may, by a Super Majority vote as provided in Article 28, determine at any time that, based on the Bank's financial position and financial standing, the limitation under this paragraph may be increased, up to 250% of the Bank's unimpaired subscribed capital, reserves and retained earnings included in its ordinary resources.

2. The amount of the Bank's disbursed equity investments shall not at any time exceed an amount corresponding to its total unimpaired paid-in subscribed capital and general reserves.

*Article 13—Operating Principles*

The operations of the Bank shall be conducted in accordance with the principles set out below.

1. The Bank shall be guided by sound banking principles in its operations.

14 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

2. The operations of the Bank shall provide principally for the financing of specific projects or specific investment programs, for equity investment, and for technical assistance in accordance with Article 15.

3. The Bank shall not finance any undertaking in the territory of a member if that member objects to such financing.

4. The Bank shall ensure that each of its operations complies with the Bank's operational and financial policies, including without limitation, policies addressing environmental and social impacts.

5. In considering an application for financing, the Bank shall pay due regard to the ability of the recipient to obtain financing or facilities elsewhere on terms and conditions that the Bank considers reasonable for the recipient, taking into account all pertinent factors.

6. In providing or guaranteeing financing, the Bank shall pay due regard to the prospects that the recipient and guarantor, if any, will be in a position to meet their obligations under the financing contract.

7. In providing or guaranteeing financing, the financial terms, such as rate of interest and other charges and the schedule for repayment of principal shall be such as are, in the opinion of the Bank, appropriate for the financing concerned and the risk to the Bank.

8. The Bank shall place no restriction upon the procurement of goods and services from any country from the proceeds of any financing undertaken in the ordinary or special operations of the Bank.

9. The Bank shall take the necessary measures to ensure that the proceeds of any financing provided, guaranteed or participated in by the Bank are used only for the purposes for which the financing was granted and with due attention to considerations of economy and efficiency.

10. The Bank shall pay due regard to the desirability of avoiding a disproportionate amount of its resources being used for the benefit of any member.



*Asian Infrastructure Investment Bank Agreement* 15  
*(Ratification) Act, No. 7 of 2016*

11. The Bank shall seek to maintain reasonable diversification in its investments in equity capital. In its equity investments, the Bank shall not assume responsibility for managing any entity or enterprise in which it has an investment and shall not seek a controlling interest in the entity or enterprise concerned, except where necessary to safeguard the investment of the Bank.

*Article 14—Terms and Conditions for Financing*

1. In the case of loans made or participated in or loans guaranteed by the Bank, the contract shall establish, in conformity with the operating principles set forth in Article 13 and subject to the other provisions of this Agreement, the terms and conditions for the loan or the guarantee concerned. In setting such terms and conditions, the Bank shall take fully into account the need to safeguard its income and financial position.

2. Where the recipient of loans or guarantees of loans is not itself a member, the Bank may, when it deems it advisable, require that the member in whose territory the project concerned is to be carried out, or a public agency or any instrumentality of that member acceptable to the Bank, guarantee the repayment of the principal and the payment of interest and other charges on the loan in accordance with the terms thereof.

3. The amount of any equity investment shall not exceed such percentage of the equity capital of the entity or enterprise concerned as permitted under policies approved by the Board of Directors.

4. The Bank may provide financing in its operations in the currency of the country concerned, in accordance with policies that minimize currency risk.

*Article 15—Technical Assistance*

1. The Bank may provide technical advice and assistance and other similar forms of assistance which serve its purpose and come within its functions.

2. Where expenditures incurred in furnishing such services are not reimbursable, the Bank shall charge such expenditures to the income of the Bank.

16 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

CHAPTER IV

FINANCES OF THE BANK

*Article 16—General Powers*

In addition to the powers specified elsewhere in this Agreement, the Bank shall have the powers set out below:—

1. The Bank may raise funds, through borrowing or other means, in member countries or elsewhere, in accordance with the relevant legal provisions.

2. The Bank may buy and sell securities the Bank has issued or guaranteed or in which it has invested.

3. The Bank may guarantee securities in which it has invested in order to facilitate their sale.

4. The Bank may underwrite, or participate in the underwriting of, securities issued by any entity or enterprise for purposes consistent with the purpose of the Bank.

5. The Bank may invest or deposit funds not needed in its operations.

6. The Bank shall ensure that every security issued or guaranteed by the Bank shall bear on its face a conspicuous statement to the effect that it is not an obligation of any Government, unless it is in fact the obligation of a particular Government, in which case it shall so state.

7. The Bank may establish and administer funds held in trust for other parties, provided such trust funds are designed to serve the purpose and come within the functions of the Bank, under a trust fund framework which shall have been approved by the Board of Governors.

8. The Bank may establish subsidiary entities which are designed to serve the purpose and come within the functions of the Bank, only with the approval of the Board of Governors by a Special Majority vote as provided in Article 28.

*Asian Infrastructure Investment Bank Agreement* 17  
*(Ratification) Act, No. 7 of 2016*

9. The Bank may exercise such other powers and establish such rules and regulations as may be necessary or appropriate in furtherance of its purpose and functions, consistent with the provisions of this Agreement.

*Article 17—Special Funds*

1. The Bank may accept Special Funds which are designed to serve the purpose and come within the functions of the Bank; such Special Funds shall be resources of the Bank. The full cost of administering any Special Fund shall be charged to that Special Fund.

2. Special Funds accepted by the Bank may be used on terms and conditions consistent with the purpose and functions of the Bank and with the agreement relating to such Funds.

3. The Bank shall adopt such special rules and regulations as may be required for the establishment, administration and use of each Special Fund. Such rules and regulations shall be consistent with the provisions of this Agreement, except for those provisions expressly applicable only to ordinary operations of the Bank.

4. The term “Special Funds resources” shall refer to the resources of any Special Fund and shall include:—

- (i) funds accepted by the Bank for inclusion in any Special Fund;
- (ii) funds received in respect of loans or guarantees, and the proceeds of any equity investments, financed from the resources of any Special Fund which, under the rules and regulations of the Bank governing that Special Fund, are received by such Special Fund;
- (iii) income derived from investment of Special Funds resources; and
- (iv) any other resources placed at the disposal of any Special Fund.

18 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

*Article 18—Allocation and Distribution of Net Income*

1. The Board of Governors shall determine at least annually what part of the net income of the Bank shall be allocated, after making provision for reserves, to retained earnings or other purposes and what part, if any, shall be distributed to the members. Any such decision on the allocation of the Bank's net income to other purposes shall be taken by a Super Majority vote as provided in Article 28.

2. The distribution referred to in the preceding paragraph shall be made in proportion to the number of shares held by each member, and payments shall be made in such manner and in such currency as the Board of Governors shall determine.

*Article 19—Currencies*

1. Members shall not impose any restrictions on currencies, including the receipt, holding, use or transfer by the Bank or by any recipient from the Bank, for payments in any country.

2. Whenever it shall become necessary under this Agreement to value any currency in terms of another or determine whether any currency is convertible, such valuation or determination shall be made by the Bank.

*Article 20—Methods of Meeting Liabilities of the Bank*

1. In the Bank's ordinary operations, in cases of arrears or default on loans made, participated in, or guaranteed by the Bank, and in cases of losses on equity investment or other types of financing under sub-paragraph 2 (vi) of Article 11, the Bank shall take such action as it deems appropriate. The Bank shall maintain appropriate provisions against possible losses.

2. Losses arising in the Bank's ordinary operations shall be charged:—

- (i) first, to the provisions referred to in paragraph 1 above;
- (ii) second, to net income;
- (iii) third, against reserves and retained earnings;

*Asian Infrastructure Investment Bank Agreement* 19  
*(Ratification) Act, No. 7 of 2016*

- (iv) fourth, against unimpaired paid-in capital; and
- (v) last, against an appropriate amount of the uncalled subscribed callable capital which shall be called in accordance with the provisions of paragraph 3 of Article 6.

CHAPTER V

GOVERNANCE

*Article 21–Structure*

The Bank shall have a Board of Governors, a Board of Directors, a President, one or more Vice-Presidents, and such other officers and staff as may be considered necessary.

*Article 22–Board of Governors: Composition*

1. Each member shall be represented on the Board of Governors and shall appoint one Governor and one Alternate Governor. Each Governor and Alternate Governor shall serve at the pleasure of the appointing member. No Alternate Governor may vote except in the absence of his principal.

2. At each of its annual meetings, the Board shall elect one of the Governors as Chairman who shall hold office until the election of the next Chairman.

3. Governors and Alternate Governors shall serve as such without remuneration from the Bank, but the Bank may pay them reasonable expenses incurred in attending meetings.

*Article 23–Board of Governors: Powers*

1. All the powers of the Bank shall be vested in the Board of Governors.

2. The Board of Governors may delegate to the Board of Directors any or all its powers, except the power to:

- (i) admit new members and determine the conditions of their admission;
- (ii) increase or decrease the authorized capital stock of the Bank;

20 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

- (iii) suspend a member;
- (iv) decide appeals from interpretations or applications of this Agreement given by the Board of Directors;
- (v) elect the Directors of the Bank and determine the expenses to be paid for Directors and Alternate Directors and remuneration, if any, pursuant to paragraph 6 of Article 25;
- (vi) elect the President, suspend or remove him from office, and determine his remuneration and other conditions of service;
- (vii) approve, after reviewing the auditors' report, the general balance sheet and the statement of profit and loss of the Bank;
- (viii) determine the reserves and the allocation and distribution of the net profits of the Bank;
- (ix) amend this Agreement;
- (x) decide to terminate the operations of the Bank and to distribute its assets; and
- (xi) exercise such other powers as are expressly assigned to the Board of Governors in this Agreement.

3. The Board of Governors shall retain full power to exercise authority over any matter delegated to the Board of Directors under paragraph 2 of this Article.

*Article 24—Board of Governors: Procedure*

1. The Board of Governors shall hold an annual meeting and such other meetings as may be provided for by the Board of Governors or called by the Board of Directors. Meetings of the Board of Governors shall be called by the Board of Directors whenever requested by five (5) members of the Bank.

2. A majority of the Governors shall constitute a quorum for any meeting of the Board of Governors, provided such majority represents not less than two-thirds of the total voting power of the members.

*Asian Infrastructure Investment Bank Agreement* 21  
*(Ratification) Act, No. 7 of 2016*

3. The Board of Governors shall by regulation establish procedures whereby the Board of Directors may obtain a vote of the Governors on a specific question without a meeting and provide for electronic meetings of the Board of Governors in special circumstances.

4. The Board of Governors, and the Board of Directors to the extent authorized, may establish such subsidiary entities, and adopt such rules and regulations, as may be necessary or appropriate to conduct the business of the Bank.

*Article 25—Board of Directors: Composition*

1. The Board of Directors shall be composed of twelve (12) members who shall not be members of the Board of Governors, and of whom:—

- (i) nine (9) shall be elected by the Governors representing regional members; and
- (ii) three (3) shall be elected by the Governors representing non-regional members.

Directors shall be persons of high competence in economic and financial matters and shall be elected in accordance with Schedule B. Directors shall represent members whose Governors have elected them as well as members whose Governors assign their votes to them.

2. The Board of Governors shall, from time to time, review the size and composition of the Board of Directors, and may increase or decrease the size or revise the composition as appropriate, by a Super Majority vote as provided in Article 28.

3. Each Director shall appoint an Alternate Director with full power to act for him when he is not present. The Board of Governors shall adopt rules enabling a Director elected by more than a specified number of members to appoint an additional Alternate Director.

4. Directors and Alternate Directors shall be nationals of member countries. No two or more Directors may be of the same nationality nor may any two or more Alternate Directors be of the same nationality. Alternate Directors may participate in meetings of the Board but may vote only when the Alternate Director is acting in place of the Director.

22 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

5. Directors shall hold office for a term of two (2) years and may be re-elected:—

- (a) Directors shall continue in office until their successors shall have been chosen and assumed office;
- (b) If the office of a Director becomes vacant more than one hundred and eighty (180) days before the end of his term, a successor shall be chosen in accordance with Schedule B, for the remainder of the term, by the Governors who elected the former Director. A majority of the votes cast by such Governors shall be required for such election. The Governors who elected a Director may similarly choose a successor if the office of a Director becomes vacant one hundred and eighty (180) days or less before the end of his term;
- (c) While the office of a Director remains vacant, an Alternate Director of the former Director shall exercise the powers of the latter, except that of appointing an Alternate Director.

6. Directors and Alternate Directors shall serve without remuneration from the Bank, unless the Board of Governors shall decide otherwise, but the Bank may pay them reasonable expenses incurred in attending meetings.

*Article 26—Board of Directors: Powers*

The Board of Directors shall be responsible for the direction of the general operations of the Bank and, for this purpose, shall, in addition to the powers assigned to it expressly by this Agreement, exercise all the powers delegated to it by the Board of Governors, and in particular:

- (i) prepare the work of the Board of Governors;
- (ii) establish the policies of the Bank, and, by a majority representing not less than three-fourths of the total voting power of the members, take decisions on major operational and financial policies and on delegation of authority to the President under Bank policies;



*Asian Infrastructure Investment Bank Agreement* 23  
*(Ratification) Act, No. 7 of 2016*

- (iii) take decisions concerning operations of the Bank under paragraph 2 of Article 11, and, by a majority representing not less than three-fourths of the total voting power of the members, decide on the delegation of such authority to the President;
- (iv) supervise the management and the operation of the Bank on a regular basis, and establish an oversight mechanism for that purpose, in line with principles of transparency, openness, independence and accountability;
- (v) approve the strategy, annual plan and budget of the Bank;
- (vi) appoint such committees as deemed advisable; and
- (vii) submit the audited accounts for each financial year for approval of the Board of Governors.

*Article 27–Board of Directors: Procedure*

1. The Board of Directors shall meet as often as the business of the Bank may require, periodically throughout the year. The Board of Directors shall function on a non-resident basis except as otherwise decided by the Board of Governors by a Super Majority vote as provided in Article 28. Meetings may be called by the Chairman or whenever requested by three (3) Directors.

2. A majority of the Directors shall constitute a quorum for any meeting of the Board of Directors, provided such majority represents not less than two-thirds of the total voting power of the members.

3. The Board of Governors shall adopt regulations under which, if there is no Director of its nationality, a member may send a representative to attend, without right to vote, any meeting of the Board of Directors when a matter particularly affecting that member is under consideration.

4. The Board of Directors shall establish procedures whereby the Board can hold an electronic meeting or vote on a matter without holding a meeting.

24 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

*Article 28–Voting*

1. The total voting power of each member shall consist of the sum of its basic votes, share votes and, in the case of a Founding Member, its Founding Member votes:—

- (i) The basic votes of each member shall be the number of votes that results from the equal distribution among all the members of twelve (12) per cent of the aggregate sum of the basic votes, share votes and Founding Member votes of all the members.
- (ii) The number of the share votes of each member shall be equal to the number of shares of the capital stock of the Bank held by that member.
- (iii) Each Founding Member shall be allocated six hundred (600) Founding Member votes.

In the event a member fails to pay any part of the amount due in respect of its obligations in relation to paid-in shares under Article 6, the number of share votes to be exercised by the member shall, as long as such failure continues, be reduced proportionately, by the percentage which the amount due and unpaid represents of the total par value of paid-in shares subscribed to by that member.

2. In voting in the Board of Governors, each Governor shall be entitled to cast the votes of the member he represents.

- (i) Except as otherwise expressly provided in this Agreement, all matters before the Board of Governors shall be decided by a majority of the votes cast.
- (ii) A Super Majority vote of the Board of Governors shall require an affirmative vote of two-thirds of the total number of Governors, representing not less than three-fourths of the total voting power of the members.
- (iii) A Special Majority vote of the Board of Governors shall require an affirmative vote of a majority of the total number of Governors, representing not less than a majority of the total voting power of the members.

*Asian Infrastructure Investment Bank Agreement 25*  
*(Ratification) Act, No. 7 of 2016*

3. In voting in the Board of Directors, each Director shall be entitled to cast the number of votes to which the Governors who elected him are entitled and those to which any Governors who have assigned their votes to him, pursuant to Schedule B, are entitled.

- (i) A Director entitled to cast the votes of more than one member may cast the votes for those members separately;
- (ii) Except as otherwise expressly provided in this Agreement, all matters before the Board of Directors shall be decided by a majority of the votes cast.

*Article 29–The President*

1. The Board of Governors, through an open, transparent and merit-based process, shall elect a president of the Bank by a Super Majority vote as provided in Article 28. He shall be a national of a regional member country. The President, while holding office, shall not be a Governor or a Director or an Alternate for either.

2. The term of office of the President shall be five (5) years. He may be re-elected once. The President may be suspended or removed from office when the Board of Governors so decides by a Super Majority vote as provided in Article 28.

- (a) If the office of the President for any reason becomes vacant during his term, the Board of Governors shall appoint an Acting President for a temporary period or elect a new President, in accordance with paragraph 1 of this Article.

3. The President shall be Chairman of the Board of Directors but shall have no vote, except a deciding vote in case of an equal division. He may participate in meetings of the Board of Governors but shall not vote.

4. The President shall be the legal representative of the Bank. He shall be chief of the staff of the Bank and shall conduct, under the direction of the Board of Directors, the current business of the Bank.

*Article 30–Officers and Staff of the Bank*

1. One or more Vice-Presidents shall be appointed by the Board of Directors on the recommendation of the President, on the basis of

26 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

an open, transparent and merit-based process. A Vice-President shall hold office for such term, exercise such authority and perform such functions in the administration of the Bank, as may be determined by the Board of Directors. In the absence or incapacity of the President, a Vice-President shall exercise the authority and perform the functions of the President.

2. The President shall be responsible for the organization, appointment and dismissal of the officers and staff in accordance with regulations adopted by the Board of Directors, with the exception of Vice-Presidents to the extent provided in paragraph 1 above.

3. In appointing officers and staff and recommending Vice-Presidents, the President shall, subject to the paramount importance of securing the highest standards of efficiency and technical competence, pay due regard to the recruitment of personnel on as wide a regional geographical basis as possible.

*Article 31–The International Character of the Bank*

1. The Bank shall not accept Special Funds, loans or assistance that may in any way prejudice, limit, deflect or otherwise alter its purpose or functions.

2. The Bank, its President, officers and staff shall not interfere in the political affairs of any member, nor shall they be influenced in their decisions by the political character of the member concerned. Only economic considerations shall be relevant to their decisions. Such considerations shall be weighed impartially in order to achieve and carry out the purpose and functions of the Bank.

3. The President, officers and staff of the Bank, in the discharge of their offices, owe their duty entirely to the Bank and to no other authority. Each member of the Bank shall respect the international character of this duty and shall refrain from all attempts to influence any of them in the discharge of their duties.

CHAPTER VI

GENERAL PROVISIONS

*Article 32–Offices of the Bank*

1. The principal office of the Bank shall be located in Beijing, People's Republic of China.

*Asian Infrastructure Investment Bank Agreement 27*  
*(Ratification) Act, No. 7 of 2016*

2. The Bank may establish agencies or offices elsewhere.

*Article 33–Channel of Communication; Depositories*

1. Each member shall designate an appropriate official entity with which the Bank may communicate in connection with any matter arising under this Agreement.

2. Each member shall designate its central bank, or such other institution as may be agreed upon with the Bank, as a depository with which the Bank may keep its holdings of currency of that member as well as other assets of the Bank.

3. The Bank may hold its assets with such depositories as the Board of Directors shall determine.

*Article 34–Reports and Information*

1. The working language of the Bank shall be English, and the Bank shall rely on the English text of this Agreement for all decisions and for interpretations under Article 54.

2. Members shall furnish the Bank with such information it may reasonably request of them in order to facilitate the performance of its functions.

3. The Bank shall transmit to its members an annual report containing an audited statement of its accounts and shall publish such report. It shall also transmit quarterly to its members a summary statement of its financial position and a profit and loss statement showing the results of its operations.

4. The Bank shall establish a policy on the disclosure of information in order to promote transparency in its operations. The Bank may publish such reports as it deems desirable in the carrying out of its purpose and functions.

*Article 35–Cooperation with Members and International Organizations*

1. The Bank shall work in close cooperation with all its members, and, in such manner as it may deem appropriate within the terms of this Agreement, with other international financial institutions, and international organizations concerned with the economic development of the region or the Bank's operational areas.

28 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

2. The Bank may enter into arrangements with such organizations for purposes consistent with this Agreement, with the approval of the Board of Directors.

*Article 36–References*

1. References in this Agreement to Article or Schedule refer to Articles and Schedules of this Agreement, unless otherwise specified.

2. References in this Agreement to a specific gender shall be equally applicable to any gender.

CHAPTER VII

WITHDRAWAL AND SUSPENSION OF MEMBERS

*Article 37 Withdrawal of Membership*

1. Any member may withdraw from the Bank at any time by delivering a notice in writing to the Bank at its principal office.

2. Withdrawal by a member shall become effective, and its membership shall cease, on the date specified in its notice but in no event less than six (6) months after the date that notice has been received by the Bank. However, at any time before the withdrawal becomes finally effective, the member may notify the Bank in writing of the cancellation of its notice of intention to withdraw.

3. A withdrawing member shall remain liable for all direct and contingent obligations to the Bank to which it was subject at the date of delivery of the withdrawal notice. If the withdrawal becomes finally effective, the member shall not incur any liability for obligations resulting from operations of the Bank effected after the date on which the withdrawal notice was received by the Bank.

*Article 38–Suspension of Membership*

1. If a member fails to fulfill any of its obligations to the Bank, the Board of Governors may suspend such member by a Super Majority vote as provided in Article 28.

2. The member so suspended shall automatically cease to be a member one (1) year from the date of its suspension, unless the Board of Governors decides by a Super Majority vote as provided in Article 28 to restore the member to good standing.

*Asian Infrastructure Investment Bank Agreement 29*  
*(Ratification) Act, No. 7 of 2016*

3. While under suspension, a member shall not be entitled to exercise any rights under this Agreement, except the right of withdrawal, but shall remain subject to all its obligations.

*Article 39—Settlement of Accounts*

1. After the date on which a country ceases to be a member, it shall remain liable for its direct obligations to the Bank and for its contingent liabilities to the Bank so long as any part of the loans, guarantees, equity investments or other forms of financing under paragraph 2 (vi) of Article 11 (hereinafter, other financing) contracted before it ceased to be a member is outstanding, but it shall not incur liabilities with respect to loans, guarantees, equity investments or other financing entered into thereafter by the Bank nor share either in the income or the expenses of the Bank.

2. At the time a country ceases to be a member, the Bank shall arrange for the repurchase of such country's shares by the Bank as a part of the settlement of accounts with such country in accordance with the provisions of paragraphs 3 and 4 of this Article. For this purpose, the repurchase price of the shares shall be the value shown by the books of the Bank on the date the country ceases to be a member.

3. The payment for shares repurchased by the Bank under this Article shall be governed by the following conditions:—

- (i) Any amount due to the country concerned for its shares shall be withheld so long as that country, its central bank or any of its agencies, instrumentalities or political subdivisions remains liable, as borrower, guarantor or other contracting party with respect to equity investment or other financing, to the Bank and such amount may, at the option of the Bank, be applied on any such liability as it matures. No amount shall be withheld on account of the contingent liability of the country for future calls on its subscription for shares in accordance with paragraph 3 of Article 6. In any event, no amount due to a member for its shares shall be paid until six (6) months after the date on which the country ceases to be a member;
- (ii) Payments for shares may be made from time to time, upon surrender of the corresponding stock certificates by the

30 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

country concerned, to the extent by which the amount due as the repurchase price in accordance with paragraph 2 of this Article exceeds the aggregate amount of liabilities, on loans, guarantees, equity investments and other financing referred to in sub-paragraph (i) of this paragraph, until the former member has received the full repurchase price;

- (iii) Payments shall be made in such available currencies as the Bank determines, taking into account its financial position;
- (iv) If losses are sustained by the Bank on any loans, guarantees, equity investments or other financing which were outstanding on the date when a country ceased to be a member and the amount of such losses exceeds the amount of the reserve provided against losses on that date, the country concerned shall repay, upon demand, the amount by which the repurchase price of its shares would have been reduced if the losses had been taken into account when the repurchase price was determined. In addition, the former member shall remain liable on any call for unpaid subscriptions in accordance with paragraph 3 of Article 6, to the same extent that it would have been required to respond if the impairment of capital had occurred and the call had been made at the time the repurchase price of its shares was determined.

4. If the Bank terminates its operations pursuant to Article 41 within six (6) months of the date upon which any country ceases to be a member, all rights of the country concerned shall be determined in accordance with the provisions of Articles 41 to 43. Such country shall be considered as still a member for purposes of such Articles but shall have no voting rights.

#### CHAPTER VIII

##### SUSPENSION AND TERMINATION OF OPERATIONS OF THE BANK

###### *Article 40–Temporary Suspension of Operations*

In an emergency, the Board of Directors may temporarily suspend operations in respect of new loans, guarantees, equity investment and other forms of financing under sub-paragraph 2 (vi) of Article 11, pending an opportunity for further consideration and action by the Board of Governors.



*Asian Infrastructure Investment Bank Agreement* 31  
*(Ratification) Act, No. 7 of 2016*

*Article 41–Termination of Operations*

1. The Bank may terminate its operations by a resolution of the Board of Governors approved by a Super Majority vote as provided in Article 28.

2. After such termination, the Bank shall forthwith cease all activities, except those incident to the orderly realization, conservation and preservation of its assets and settlement of its obligations.

*Article 42–Liability of Members and Payments of Claims*

1. In the event of termination of the operation of the Bank, the liability of all members for uncalled subscriptions to the capital stock of the Bank and in respect of the depreciation of their currencies shall continue until all claims of creditors, including all contingent claims, shall have been discharged.

2. All creditors holding direct claims shall first be paid out of the assets of the Bank and then out of payments to the Bank or unpaid or callable subscriptions. Before making any payments to creditors holding direct claims, the Board of Directors shall make such arrangements as are necessary, in its judgment, to ensure a pro rata distribution among holders of direct and contingent claims.

*Article 43–Distribution of Assets*

1. No distribution of assets shall be made to members on account of their subscriptions to the capital stock of the Bank until:

- (i) all liabilities to creditors have been discharged or provided for; and
- (ii) the Board of Governors has decided, by a Super Majority vote as provided in Article 28, to make such distribution.

2. Any distribution of the assets of the Bank to the members shall be in proportion to the capital stock held by each member and shall be effected at such times and under such conditions as the Bank shall deem fair and equitable. The shares of assets distributed need not be uniform as to type of asset. No member shall be entitled to receive its share in such a distribution of assets until it has settled all of its obligations to the Bank.

32 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

3. Any member receiving assets distributed pursuant to this Article shall enjoy the same rights with respect to such assets as the Bank enjoyed prior to their distribution.

CHAPTER IX

STATUS, IMMUNITIES, PRIVILEGES AND EXEMPTIONS

*Article 44—Purposes of Chapter*

1. To enable the Bank to fulfill its purpose and carry out the functions entrusted to it, the status, immunities, privileges and exemptions set forth in this Chapter shall be accorded to the Bank in the territory of each member.

2. Each member shall promptly take such action as is necessary to make effective in its own territory the provisions set forth in this Chapter and shall inform the Bank of the action which it has taken.

*Article 45—Status of the Bank*

The Bank shall possess full juridical personality and, in particular, the full legal capacity:—

- (i) to contract;
- (ii) to acquire, and dispose of, immovable and movable property;
- (iii) to institute and respond to legal proceedings; and
- (iv) to take such other action as may be necessary or useful for its purpose and activities.

*Article 46—Immunity from Judicial Proceedings*

1. The Bank shall enjoy immunity from every form of legal process, except in cases arising out of or in connection with the exercise of its powers to raise funds, through borrowings or other means, to guarantee obligations, or to buy and sell or underwrite the sale of securities, in which cases actions may be brought against the Bank only in a court of competent jurisdiction in the territory of a country in which the Bank has an office, or has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities.

*Asian Infrastructure Investment Bank Agreement* 33  
*(Ratification) Act, No. 7 of 2016*

2. Notwithstanding the provisions of paragraph 1 of this Article, no action shall be brought against the Bank by any member, or by any agency or instrumentality of a member, or by any entity or person directly or indirectly acting for or deriving claims from a member or from any agency or instrumentality of a member. Members shall have recourse to such special procedures for the settlement of controversies between the Bank and its members as may be prescribed in this Agreement, in the by-laws and regulations of the Bank, or in the contracts entered into with the Bank.

3. Property and assets of the Bank shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Bank.

*Article 47–Immunity of Assets and Archives*

1. Property and assets of the Bank, wheresoever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation or any other form of taking or foreclosure by executive or legislative action.

2. The archives of the Bank, and, in general, all documents belonging to it, or held by it, shall be inviolable, wheresoever located and by whomsoever held.

*Article 48–Freedom of Assets from Restrictions*

To the extent necessary to carry out the purpose and functions of the Bank effectively, and subject to the provisions of this Agreement, all property and assets of the Bank shall be free from restrictions, regulations, controls and moratoria of any nature.

*Article 49–Privilege for Communications*

Official communications of the Bank shall be accorded by each member the same treatment that it accords to the official communications of any other member.

*Article 50–Immunities and Privileges of Officers and Employees*

All Governors, Directors, Alternates, the President, Vice-Presidents and other officers and employees of the Bank, including experts and consultants performing missions or services for the Bank:

34 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

- (i) shall be immune from legal process with respect to acts performed by them in their official capacity, except when the Bank waives the immunity and shall enjoy inviolability of all their official papers, documents and records;
- (ii) where they are not local citizens or nationals, shall be accorded the same immunities from immigration restrictions, alien registration requirements and national service obligations, and the same facilities as regards exchange regulations, as are accorded by members to the representatives, officials and employees of comparable rank of other members; and
- (iii) shall be granted the same treatment in respect of travelling facilities as is accorded by members to representatives, officials and employees of comparable rank of other members.

*Article 51–Exemption from Taxation*

1. The Bank, its assets, property, income and its operations and transactions pursuant to this Agreement, shall be exempt from all taxation and from all customs duties. The Bank shall also be exempt from any obligation for the payment, withholding or collection of any tax or duty.

2. No tax of any kind shall be levied on or in respect of salaries, emoluments and expenses, as the case may be, paid by the Bank to Directors, Alternate Directors, the President, Vice-Presidents and other officers or employees of the Bank, including experts and consultants performing missions or services for the Bank, except where a member deposits with its instrument of ratification, acceptance, or approval a declaration that such member retains for itself and its political subdivisions the right to tax salaries, and emoluments, as the case may be, paid by the Bank to citizens or nationals of such member.

3. No tax of any kind shall be levied on any obligation or security issued by the Bank, including any dividend or interest thereon, by whomsoever held:

- (i) which discriminates against such obligation or security solely because it is issued by the Bank; or

*Asian Infrastructure Investment Bank Agreement* 35  
*(Ratification) Act, No. 7 of 2016*

- (ii) if the sole jurisdictional basis for such taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Bank.

4. No tax of any kind shall be levied on any obligation or security guaranteed by the Bank, including any dividend or interest thereon, by whomsoever held:

- (i) which discriminates against such obligation or security solely because it is guaranteed by the Bank; or
- (ii) if the sole jurisdictional basis for such taxation is the location of any office or place of business maintained by the Bank.

*Article 52–Waivers*

The Bank at its discretion may waive any of the privileges, immunities and exemptions conferred under this Chapter in any case or instance, in such manner and upon such conditions as it may determine to be appropriate in the best interests of the Bank.

CHAPTER X

AMENDMENT, INTERPRETATION AND ARBITRATION

*Article 53–Amendments*

1. This Agreement may be amended only by a resolution of the Board of Governors approved by a Super Majority vote as provided in Article 28.

2. Notwithstanding the provisions of paragraph 1 of this Article, the unanimous agreement of the Board of Governors shall be required for the approval of any amendment modifying:

- (i) the right to withdraw from the Bank;
- (ii) the limitations on liability provided in paragraphs 3 and 4 of Article 7; and
- (iii) the rights pertaining to purchase of capital stock provided in paragraph 4 of Article 5.

36 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

3. Any proposal to amend this Agreement, whether emanating from a member or the Board of Directors, shall be communicated to the Chairman of the Board of Governors, who shall bring the proposal before the Board of Governors. When an amendment has been adopted, the Bank shall so certify in an official communication addressed to all members. Amendments shall enter into force for all members three (3) months after the date of the official communication unless the Board of Governors specifies therein a different period.

*Article 54–Interpretation*

1. Any question of interpretation or application of the provisions of this Agreement arising between any member and the Bank, or between two or more members of the Bank, shall be submitted to the Board of Directors for decision. If there is no Director of its nationality on that Board, a member particularly affected by the question under consideration shall be entitled to direct representation in the Board of Directors during such consideration; the representative of such member shall, however, have no vote. Such right of representation shall be regulated by the Board of Governors.

2. In any case where the Board of Directors has given a decision under paragraph 1 of this Article, any member may require that the question be referred to the Board of Governors, whose decision shall be final. Pending the decision of the Board of Governors, the Bank may, so far as it deems necessary, act on the basis of the decision of the Board of Directors.

*Article 55–Arbitration*

If a disagreement should arise between the Bank and a country which has ceased to be a member, or between the Bank and any member after adoption of a resolution to terminate the operations of the Bank, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators. One of the arbitrators shall be appointed by the Bank, another by the country concerned, and the third, unless the parties otherwise agree, by the President of the International Court of Justice or such other authority as may have been prescribed by regulations adopted by the Board of Governors. A majority vote of the arbitrators shall be sufficient to reach a decision which shall be final and binding upon the parties. The third arbitrator shall be empowered to settle all questions of procedure in any case where the parties are in disagreement with respect thereto.

*Asian Infrastructure Investment Bank Agreement* 37  
*(Ratification) Act, No. 7 of 2016*

*Article 56–Approval Deemed Given*

Whenever the approval of any member is required before any act may be done by the Bank except under paragraph 2 of Article 53, approval shall be deemed to have been given unless the member presents an objection within such reasonable period as the Bank may fix in notifying the member of the proposed act.

CHAPTER XI

FINAL PROVISIONS

*Article 57–Signature and Deposit*

1. This Agreement, deposited with the Government of the People’s Republic of China (hereinafter called the “Depository”), shall remain open until December 31, 2015 for signature by the Governments of countries whose names are set forth in Schedule A.

2. The Depository shall send certified copies of this Agreement to all the Signatories and other countries which become members of the Bank.

*Article 58–Ratification, Acceptance or Approval*

1. This Agreement shall be subject to ratification, acceptance or approval by the Signatories. Instruments of ratification, acceptance or approval shall be deposited with the Depository not later than December 31, 2016, or if necessary, until such later date as may be decided by the Board of Governors by a Special Majority vote as provided in Article 28. The Depository shall duly notify the other Signatories of each deposit and the date thereof.

2. A Signatory whose instrument of ratification, acceptance or approval is deposited before the date on which this Agreement enters into force, shall become a member of the Bank, on that date. Any other Signatory which complies with the provisions of the preceding paragraph, shall become a member of the Bank on the date on which its instrument of ratification, acceptance or approval is deposited.

*Article 59–Entry into Force*

This Agreement shall enter into force when instruments of ratification, acceptance or approval have been deposited by at least ten (10)

38 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

Signatories whose initial subscriptions, as set forth in Schedule A to this Agreement, in the aggregate comprise not less than fifty (50) per cent of total of such subscriptions.

*Article 60–Inaugural Meeting and Commencement of Operations*

1. As soon as this Agreement enters into force, each member shall appoint a Governor, and the Depository shall call the inaugural meeting of the Board of Governors.

2. At its inaugural meeting, the Board of Governors:

- (i) shall elect the President;
- (ii) shall elect the Directors of the Bank in accordance with paragraph 1 of Article 25, provided that the Board of Governors may decide to elect fewer Directors for an initial period shorter than two years in consideration of the number of members and Signatories which have not yet become members;
- (iii) shall make arrangements for the determination of the date on which the Bank shall commence its operations; and
- (iv) shall make such other arrangements as necessary to prepare for the commencement of the Bank's operations.

3. The Bank shall notify its members of the date of the commencement of its operations.

DONE at Beijing, People's Republic of China on June 29, 2015, in a single original deposited in the archives of the Depository, whose English, Chinese and French texts are equally authentic.



*Asian Infrastructure Investment Bank Agreement* 39  
*(Ratification) Act, No. 7 of 2016*

SCHEDULE A

Initial Subscriptions to the Authorized Capital Stock for Countries  
Which May Become Members in accordance with Article 58

PART A

REGIONAL MEMBERS

	<i>Number of Shares</i>	<i>Capital Subscription (in million \$)</i>
Australia	36,912	3,691.2
Azerbaijan	2,541	254.1
Bangladesh	6,605	660.5
Brunei Darussalam	524	52.4
Cambodia	623	62.3
China	297,804	29,780.4
Georgia	539	53.9
India	83,673	8,367.3
Indonesia	33,607	3,360.7
Iran	15,808	1,580.8
Israel	7,499	749.9
Jordan	1,192	119.2
Kazakhstan	7,293	729.3
Korea	37,388	3,738.8
Kuwait	5,360	536.0
Kyrgyz Republic	268	26.8
Lao People's Democratic Republic	430	43.0
Malaysia	1,095	109.5
Maldives	72	7.2
Mongolia	411	41.1
Myanmar	2,645	264.5

40 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

	<i>Number of Shares</i>	<i>Capital Subscription (in million \$)</i>
Nepal	809	80.9
New Zealand	4,615	461.5
Oman	2,592	259.2
Pakistan	10,341	1,034.1
Philippines	9,791	979.1
Qatar	6,044	604.4
Russia	65,362	6,536.2
Saudi Arabia	25,446	2,544.6
Singapore	2,500	250.0
Sri Lanka	2,690	269.0
Tajikistan	309	30.9
Thailand	14,275	1,427.5
Turkey	26,099	2,609.9
United Arab Emirates	11,857	1,185.7
Uzbekistan	2,198	219.8
Vietnam	6,633	663.3
Unallocated	16,150	1,615.0
TOTAL	750,000	75,000.0

PART B.

NON REGIONAL MEMBERS

	<i>Number of Shares</i>	<i>Capital Subscription (in million \$)</i>
Austria	5,008	500.8
Brazil	31,810	3,181.0
Denmark	3,695	369.5
Egypt	6,505	650.5
Finland	3,103	310.3
France	33,756	3,375.6

*Asian Infrastructure Investment Bank Agreement* 41  
*(Ratification) Act, No. 7 of 2016*

Germany	44,842	4,484.2
Iceland	176	17.6
Italy	25,718	2,571.8
Luxembourg	697	69.7
Malta	136	13.6
Netherlands	10,313	1,031.3
Norway	5,506	550.6
Poland	8,318	831.8
Portugal	650	65.0
South Africa	5,905	590.5
Spain	17,615	1,761.5
Sweden	6,300	630.0
Switzerland	7,064	706.4
United Kingdom	30,547	3,054.7
Unallocated	2,336	233.6
TOTAL	250,000	25,000.0
GRAND TOTAL	1,000,000	100,000.0

SCHEDULE B

ELECTION OF DIRECTORS

The Board of Governors shall prescribe rules for the conduct of each election of Directors, in accordance with the following provisions.

1. Constituencies. Each Director shall represent one or more members in a constituency. The total aggregate voting power of each constituency shall consist of the votes which the Director is entitled to cast under paragraph 3 of Article 28.

2. Constituency Voting Power. For each election, the Board of Governors shall establish a Minimum Percentage for constituency voting power for Directors to be elected by Governors representing

42 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

regional members (Regional Directors) and a Minimum Percentage for constituency voting power for Directors to be elected by Governors representing non-regional members (Non-Regional Directors):

- (a) The Minimum Percentage for Regional Directors shall be set as a percentage of the total votes eligible to be cast in the election by the Governors representing regional members (Regional Governors). The initial Minimum Percentage for Regional Directors shall be 6%.
- (b) The Minimum Percentage for Non-Regional Directors shall be set as a percentage of the total votes eligible to be cast in the election by the Governors representing non-regional members (Non-Regional Governors). The initial Minimum Percentage for Non-Regional Directors shall be 15%.

3. Adjustment Percentage. In order to adjust voting power across constituencies when subsequent rounds of balloting are required under paragraph 7 below, the Board of Governors shall establish, for each election, an Adjustment Percentage for Regional Directors and an Adjustment Percentage for Non-Regional Directors. Each Adjustment Percentage shall be higher than the corresponding Minimum Percentage:

- (a) The Adjustment Percentage for Regional Directors shall be set as a percentage of the total votes eligible to be cast in the election by the Regional Governors. The initial Adjustment Percentage for Regional Directors shall be 15%.
- (b) The Adjustment Percentage for Non-Regional Directors shall be set as a percentage of the total votes eligible to be cast in the election by the Non-Regional Governors. The initial Adjustment Percentage for Non-Regional Directors shall be 60%.

4. Number of Candidates. For each election, the Board of Governors shall establish the number of Regional Directors and Non-Regional Directors to be elected, in light of its decisions on the size and composition of the Board of Directors pursuant to paragraph 2 of Article 25:

- (a) The initial number of Regional Directors shall be nine;

*Asian Infrastructure Investment Bank Agreement* 43  
*(Ratification) Act, No. 7 of 2016*

- (b) The initial number of Non-Regional Directors shall be three.

5. Nominations. Each Governor may only nominate one person. Candidates for the office of Regional Director shall be nominated by Regional Governors. Candidates for the office of Non-Regional Director shall be nominated by Non-Regional Governors.

6. Voting. Each Governor may vote for one candidate, casting all of the votes to which the member appointing him is entitled under paragraph 1 of Article 28. The election of Regional Directors shall be by ballot of Regional Governors. The election of Non-Regional Directors shall be by ballot of Non-Regional Governors.

7. First Ballot. On the first ballot, candidates receiving the highest number of votes, up to the number of Directors to be elected, shall be elected as Directors, provided that, to be elected, a candidate shall have received a sufficient number of votes to reach the applicable Minimum Percentage:

- (a) If the required number of Directors is not elected on the first ballot, and the number of candidates was the same as the number of Directors to be elected, the Board of Governors shall determine the subsequent actions to complete the election of Regional Directors or the election of Non-Regional Directors, as the case may be.

8. Subsequent Ballots. If the required number of Directors is not elected on the first ballot, and there were more candidates than the number of Directors to be elected on the ballot, there shall be subsequent ballots, as necessary. For subsequent ballots:

- (a) The candidate receiving the lowest number of votes in the preceding ballot shall not be a candidate in the next ballot.
- (b) Votes shall be cast only by:
- (i) Governors who voted in the preceding ballot for a candidate who was not elected; and
  - (ii) Governors whose votes for a candidate who was elected are deemed to have raised the votes for that candidate above the applicable Adjustment Percentage under (c) below.

44 *Asian Infrastructure Investment Bank Agreement  
(Ratification) Act, No. 7 of 2016*

- (c) The votes of all the Governors who cast votes for each candidate shall be added in descending order of number, until the number of votes representing the applicable Adjustment Percentage has been exceeded. Governors whose votes were counted in that calculation shall be deemed to have cast all their votes for that Director, including the Governor whose votes brought the total over the Adjustment Percentage. The remaining Governors whose votes were not counted in that calculation shall be deemed to have raised the candidate's total votes above the Adjustment Percentage, and the votes of those Governors shall not count towards the election of that candidate. These remaining Governors may vote in the next ballot;
- (d) If in any subsequent ballot, only one Director remains to be elected, the Director may be elected by a simple majority of the remaining votes. All such remaining votes shall be deemed to have counted towards the election of the last Director.

9. Assignment of Votes. Any Governor who does not participate in voting for the election or whose votes do not contribute to the election of a Director may assign the votes to which he is entitled to an elected Director, provided that such Governor shall first have obtained the agreement of all those Governors who have elected that Director to such assignment.

10. Founding Member Privileges. The nomination and voting by Governors for Directors and the appointment of Alternate Directors by Directors shall respect the principle that each Founding Member shall have the privilege to designate the Director or an Alternate Director in its constituency permanently or on a rotating basis.

---

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**

---

**REGISTRATION OF PERSONS  
(AMENDMENT) ACT, No. 8 OF 2016**

---

[Certified on 07th July, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of July 08, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 20.00**

**Postage : Rs. 10.00**



*Registration of Persons (Amendment)  
Act, No. 8 of 2016*

[Certified on 07th July, 2016]

L.D.—O. 33/2013

AN ACT TO AMEND THE REGISTRATION OF PERSONS  
ACT, No. 32 OF 1968

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

**1.** This Act may be cited as the Registration of Persons (Amendment) Act, No. 8 of 2016. Short title.

**2.** The Long Title of the Registration of Persons Act, No.32 of 1968 (hereinafter referred to as the “principal enactment”) is hereby repealed and the following Long Title substituted therefor:- Replacement of the Long Title to the Registration of Persons Act, No.32 of 1968.

“AN ACT TO PROVIDE FOR THE REGISTRATION OF ALL CITIZENS OF SRI LANKA; FOR THE ISSUE OF NATIONAL IDENTITY CARDS TO THE ELIGIBLE CITIZENS SO REGISTERED, AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.”

**3.** (1) In the principal enactment and in any other written law, there shall be substituted –

(a) for the words “Commissioner for the Registration of Persons”, the words “Commissioner-General for the Registration of Persons”;

(b) for the words “Register of Persons”, the words “National Register of Persons”;

(c) for the words “identity cards”, the words “national identity cards”; and

(d) for the words “three copies of the photograph or a photograph”, the word “photographs”.

“Commissioner for the Registration of Persons”,  
“Register of Persons”, “Identity Cards” and “three copies of the photograph or a photograph” to be known as  
“Commissioner-General for the Registration of Persons”,  
“National Register of Persons”,  
“National Identity Cards” and  
“photographs”.

2 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

(2) Every reference to the “Commissioner for the Registration of Persons”, “Register of Persons”, “Identity Cards” and “three copies of the photograph or a photograph” in any notice, notification or other document shall be read and construed as a reference respectively to the “Commissioner-General for the Registration of Persons”, “National Register of Persons”, “National Identity Cards” and “photographs”.

(3) Every reference to the “Commissioner” in sections 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 33, 36A, 37, 38, 39, 40, 41, 42, 43, 47, 51 and 55 in the principal enactment shall be read and construed as a reference to “the Commissioner-General for the Registration of Persons”.

Insertion of new Part 1A in the principal enactment.

4. The following new part is hereby inserted immediately after section 1 and shall have effect as Part 1A of the principal enactment:-

“PART 1 A

PRELIMINARY”

Replacement of section 2 of the principal enactment.

5. Section 2 of the principal enactment is hereby repealed and the following section is substituted therefor:-

“Persons liable to registration.

2. (1) From the date of commencement of this Act, every person who is a citizen of Sri Lanka and who has attained or attains the age of fifteen years shall be liable to registration under this Act.

(2) A person liable to registration shall, apply for such registration under this Act -

(a) for the purposes of section 6; and

(b) for the issue of a National Identity Card,

within a prescribed period.



4 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

Commissioner, any District Secretary, Divisional Secretary or any officer of the Department for the Registration of Persons to exercise, perform or discharge any power, duty or function conferred or imposed upon, or assigned to, the Commissioner-General by or under this Act:

Provided however, that the preceding provisions of this section shall not apply to the power to compound offences conferred upon the Commissioner-General by section 51.”;

- (2) by the substitution, in subsection (2) of that section, of the words “any Government Agent” of the words “any District Secretary or any Divisional Secretary”;
- (3) by the addition immediately after subsection (2) of that section of the following new subsections:-

“(3) The Commissioner-General may establish an office of the Department for the Registration of Persons at provincial level, district level or divisional level as the case may be, and appoint an officer to be in charge of such office.

(4) The Commissioner-General may authorize the officer in charge of the office referred to in subsection (3) to exercise, perform or discharge any power, duty or function vested in, or imposed or conferred on the Commissioner-General in respect of registering persons and issuing of national identity cards under this Act .”.

Replacement of section 6 of the principal enactment.

**10.** Section 6 of the principal enactment is hereby repealed and the following new section substituted therefor:-

“National Register of Persons.

6. (1) For the purposes of this Act, the Commissioner- General shall establish and maintain a database to be called the “National Register of Persons” in the prescribed form and

manner, in which every person who is a citizen of Sri Lanka, shall be registered.

(2) There shall be recorded the following information in respect of each person referred to in subsection (1)-

- (a) name;
- (b) date of birth;
- (c) place of birth;
- (d) gender;
- (e) the address;
- (f) family details; and
- (g) any other information as may be prescribed.”.

**11.** The principal enactment is hereby amended by the insertion immediately after section 6 thereof, of the following new section which shall have effect as section 6A in the principal enactment:-

Insertion of new section 6A in the principal enactment.

“Duty to inform the Commissioner-General of change of information. 6A. Every holder of a national identity card issued under this Act, shall inform the Commissioner-General of any change of circumstances affecting the information relating to such person recorded in the National Register of Persons, in the prescribed manner and form within the prescribed period, for the purpose of updating the National Register of Persons.”.

**12.** Section 9 of the principal enactment is hereby amended as follows:-

Amendment of section 9 of the principal enactment.

- (1) in subsection (1) of that section, by the substitution for the words “Commissioner or Government Agent” of the words “Commissioner-General”.

6            *Registration of Persons (Amendment)*  
                 *Act, No. 8 of 2016*

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

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

“(i) if no certificate of waiver in respect of the fee for such registration which the Minister is hereby authorized to fix by notification published in the Gazette has been issued to applicant under this Act, accompany a proof of payment of such fee or substantiate such payment through any prescribed mode of payment; or”;

(b) by the repeal of paragraph (c) and the substitution therefor of the following paragraph:-

“(c) shall be signed by the applicant manually or electronically; and”

(3) by the repeal of subsection (3) thereof and the substitution therefor of the following subsection:-

“(3) An application for registration shall contain–

(a)(i) prescribed biometrics taken by the Commissioner- General or by a person authorized by him;

(ii) photographs of the applicant of the prescribed dimensions, specifications, standards and quality; and



8 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

Replacement of section 15 of the principal enactment.

**16.** Section 15 of the principal enactment is hereby repealed and the following section substituted therefor:-

“National Identity card to be produced when required.

15. (1) The holder of a national identity card shall, on a request made by the Commissioner-General or any other prescribed officer, produce that card at such time and place as shall be specified in such request, and permit it to be inspected:

Provided, however, that no person shall be deemed to have contravened the preceding provisions of this section, if his national identity card had, at the time of the alleged contravention, been lost and he has complied with the provisions of subsection (1) of section 16 relating to the reporting of such loss to the nearest police station and submitting a declaration in writing to that effect to the Commissioner-General and the making of an application for the issue of a duplicate national identity card.

(2) If in any prosecution against any person for an offence under this Act by reason of a contravention of the provisions of sub-section (1), there is produced a certificate issued by the Commissioner-General, the Additional Commissioner-General, a Commissioner, a Deputy Commissioner, an Assistant Commissioner, or a police officer of a rank not below that of Assistant Superintendent or any such public officer as may be notified for such purpose by the Minister from time to time in the *Gazette*, to the effect that he is satisfied that such person is the holder of national identity card, it shall be presumed, until the contrary is proved by such person, that such person is the holder of such card.”.



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

Amendment of section 16 of the principal enactment.

- (1) by the repeal of subsection (1) thereof and the substitution therefor, of the following subsection:-

“(1) Any person who has lost his national identity card shall immediately report such loss to the nearest police station and submit a declaration to that effect to the Commissioner-General and shall thereafter forthwith apply to the Commissioner - General for a duplicate of that identity card.”

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

- (a) by the repeal of paragraph (b)(i) thereof and the substitution therefor of the following paragraph:-

“(i) if no certificate of waiver in respect of the fee for the issue of such duplicate which the Minister is hereby authorized to fix by notification published in the *Gazette* has been issued to the applicant under this Act, accompany a proof of payment of such fee or substantiate such payment through any prescribed mode of payment; or”

- (b) by the repeal of paragraph (c) thereof and the substitution, therefor of the following paragraph:-

“(c) shall be signed by the applicant manually or electronically ; and”

- (c) by the repeal of paragraph (d) thereof and the substitution, therefor of the following paragraph:-

“(d) shall contain –

- (i) a certified copy of the relevant extract of the information book

10 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

of the police station to which the loss of the original of such card was reported by the applicant;

- (ii) prescribed biometrics taken by the Commissioner- General or by a person authorized by him;
- (iii) photographs of the applicant of the prescribed dimensions, specifications, standards and quality; and
- (iv) an image of the applicant taken by the Commissioner- General or by a person authorized by him.”.

Amendment of section 17 of the principal enactment.

**18.** Section 17 of the principal enactment is hereby amended as follows:-

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

“(1) Where a national identity card is damaged, defaced or illegible or in danger of becoming illegible or where the information appearing in the national identity card is changed, or where the holder of a national identity card is of the opinion that such identity card carries incorrect information of which he is aware, the holder of that card shall forthwith –

- (a) report that fact in writing to the Commissioner- General; and
- (b) apply to the Commissioner- General for a duplicate of that card.”

- (2) in subsection (2) of that section-
- (a) by the repeal of paragraph (aa)(i) thereof and the substitution therefor of the following paragraph:-

“(i) if no certificate of waiver in respect of the fee for the issue of a duplicate of such card has been issued to the applicant under this Act, accompany a proof of payment of such fee or substantiate such payment through any prescribed mode of payment; or”
  - (b) by the repeal of paragraph (b) of that section and the substitution therefor of the following paragraph:-

“(b) shall be signed by the applicant manually or electronically; and”
  - (c) by the repeal of paragraph(c) thereof and the substitution therefor of the following paragraph:-

“(c) shall contain -

    - (i) prescribed biometrics taken by the Commissioner-General or by a person authorized by him;
    - (ii) photographs of the applicant of the prescribed dimensions, specifications, standards and quality;
    - (iii) an image of the applicant taken by the Commissioner-General or by a person authorized by him,; and

12 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

(iv) the original of that card.”.

Amendment of section 18 of the principal enactment.

**19.** Section 18 of the principal enactment is hereby amended by the repeal of paragraph (a) of subsection (1) of that section and the substitution therefor of the following paragraph:-

“(a) if the provisions of subsection (1) of section 16 have been complied with by such person prior to such recovery, forthwith inform the nearest police station and the Commissioner-General as referred to in that subsection, of the fact of such recovery; and”.

Amendment of section 19 of the principal enactment.

**20.** Section 19 of the principal enactment is hereby amended by the repeal of subsection (2) thereof and substitution therefor of the following subsection:-

“(2) Any person who ceases to be a citizen of Sri Lanka on or after the commencement of this Act, shall forthwith inform the Commissioner-General of such fact and surrender or caused to be surrendered the national identity card to the Commissioner-General with a declaration in the prescribed form.”.

Amendment of section 22 of the principal enactment

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

(1) by the insertion immediately after subsection (1) thereof of the following subsection which shall have effect as subsection (1A) of that section:-

“(1A) No person shall possess, use, or abuse a national identity card belonging to any other living person or any deceased person.”

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

“(3) any person who contravenes the provisions of subsections (1), (1A) and (2) shall be guilty of an

offence and shall, on conviction be liable to a fine not exceeding ten thousand rupees, or to imprisonment of either description for a term not exceeding five years or to both such fine and imprisonment.”.

**22.** Section 33 of the principal enactment is hereby amended by the repeal of subsection(2) of that section and the substitution therefor of the following new subsection:-  
Amendment of section 33 of the principal enactment.

“(2) A Tribunal shall cause notice of its decision on any appeal made to the Tribunal under this Act to be served on the Commissioner-General, and also on the appellant, through the Commissioner-General.”.

**23.** Section 36A of the principal enactment is hereby repealed and the substitution therefor of the following section :-  
Replacement of section 36A of the principal enactment.

“Waiver of fees. 36A. The Commissioner-General or any District Secretary or any Divisional Secretary -

(a) may, on the ground of the poverty of any person, waive the fee payable by that person for registration or the issue of a duplicate of national identity card; and

(b) shall, if such fee is so waived, issued to that person a certificate of waiver in respect of such fee.”.

**24.** Section 37 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection:-  
Amendment of section 37 of the principal enactment.

“(2) For the purposes of subsection (1) and sections 38 and 39, the expression “authorized

14 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

Officer” means the Additional Commissioner-General, any Commissioner, any Deputy Commissioner, any Assistant Commissioner, any District Secretary or any Divisional Secretary.”.

Insertion of new sections 39A, 39B, 39C, 39D, 39E and 39F in the principal enactment.

**25.** The principal enactment is hereby amended by the insertion immediately after section 39 thereof, of the following new sections which shall have effect as sections 39A, 39B, 39C, 39D, 39E and 39F in the principal enactment:-

“Power of the Commissioner-General or an authorized officer to require information from a prescribed authority. 39A. (1) The Commissioner General or an authorized officer may, for the purpose of discharging the functions under this Act, require a prescribed authority to furnish, in writing, such prescribed information relating to a person, recorded with such Authority .

(2) It shall be the duty of the person who is in charge of such authority referred to in subsection (1) to comply with such requirement.

(3) The information transmitted under subsection (2) shall be used only for the purposes of this Act.

The Commissioner-General or a prescribed officer to issue certified copies and furnish information upon request. 39B. The Commissioner-General or a prescribed officer in the prescribed manner may, -

(a) issue to a person a certified copy of the national identity card of that person upon a written request and on payment of a prescribed fee by such person; or

(b) certify to the authenticity of the particulars in a national identity card of a person, upon a written request made

by a public officer, in the exercise of his official duties or for the purposes of section 39c of this Act; or

- (c) with the consent of the holder of a national identity card, certify to the authenticity of the particulars relating to such card holder, upon a written request made by a prescribed authority.

Commissioner-General to disclose information on matters relating to national security, crime prevention etc..

39c. Notwithstanding any other provision of this Act, it shall be lawful for the Commissioner-General to disclose any information relating to a registered person recorded in the National Register of Persons, to a public officer or authority, where such disclosure is necessary -

- (a) in the interest of national security upon a direction issued by the secretary to the Ministry of the Minister to whom the subject of national defence is assigned; or
- (b) for the prevention or detection of crimes; or
- (c) for the purpose of complying with any order or direction issued by a competent Court.

Exemptions.

39D. The Minister may, in the interest of national security require the Commissioner-General to exempt any person or class of persons from the application of any of the provisions of this Act or any regulation made thereunder to the extent as is necessary, subject to such terms and conditions.

16 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

Unauthorized access to the National Register of Persons. 39E.(1) No person shall, without the approval of the Commissioner-General gain access to the National Register of Persons, or makes copies or extracts of any information, recorded in the National Register of Persons, relating to a registered person.

(2) No person shall, tamper with any information containing in the National Register of Persons, which may come to his knowledge in the performance of his duties under this Act.

Official Secrecy. 39F. Every person appointed under the authority of this Act shall, before entering upon his duties, sign a declaration pledging himself to observe strict secrecy in respect of any information, which may come to his knowledge in the exercise, performance and discharge of his powers, duties and functions under this Act and shall by such declaration pledge himself not to disclose any such information, except for the purpose of exercising, performing and discharging the powers, duties and functions under this Act and any other written law.”.

Amendment of section 40 of the principal enactment. **26.** Section 40 of the principal enactment is hereby amended by the substitution for the words “the Commissioner, Deputy Commissioner, an Assistant Commissioner” of the words “the Commissioner-General, the Additional Commissioner - General, a Commissioner, a Deputy Commissioner, an Assistant Commissioner”.

Replacement of section 43 of the principal enactment. **27.** Section 43 of the principal enactment is hereby repealed and the substitution therefor of the following section:-

”Commissioner-General, &c. deemed to be peace officers. 43. The Commissioner-General, the Additional Commissioner-General, every District Secretary, every Commissioner, every Divisional Secretary, every Deputy



Commissioner, every Assistant Commissioner, every Registration Officer, every Certifying Officer and every other officer acting under the authority of the Commissioner General shall be deemed to be a peace officer within the meaning of the Code of Criminal Procedure Act, No.15 of 1979 for the purposes of exercising any power conferred upon a peace officer by that Code.”.

**28.** Section 44 of the principal enactment is hereby repealed and the substitution therefor of the following section:-

Replacement of section 44 of the principal enactment.

“offences.

44. (1) Any person who-
- (a) fails to make an application for registration in compliance with the provisions of section 8;
  - (b) gives any incorrect information in such application or in response to any inquiry;
  - (c) makes more than one such application for registration;
  - (d) obtains a national identity card by fraud; or
  - (e) notwithstanding the provisions of sections 24 and 47, obtains by fraud or is in possession of or uses more than one national identity card,

shall commit an offence under this Act, and shall on conviction be liable to a fine not exceeding five thousand rupees.

(2) Any person who organizes or facilitates one or more persons to obtain a national identity card in contravention of any provision of this Act shall commit an offence under this Act, and shall on conviction be liable to a fine not exceeding one hundred thousand rupees or to imprisonment of either description for a term not exceeding five years or to both such fine and imprisonment.

(3) Any employer –

- (a) who fails to carry out the duty imposed on him by section 38 to comply with any direction issued to him under that section to furnish a return relating to any person or persons in his employment; or
- (b) who furnishes any such return containing any particular regarding such person or persons that is untrue or incorrect,

shall be guilty of an offence under this Act, and shall on conviction be liable to a fine not exceeding one hundred thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment -

- (i) in the case referred to in paragraph (a) of this subsection, in respect of each such person or persons in relation to whom he has omitted to furnish such return; and
- (ii) in the case referred to in paragraph (b) of this subsection,

in respect of each such person  
or persons to whom such untrue  
or incorrect particular relates.

(4) Any person who contravenes or fails to comply with any provision of this Act, other than any such provision as is referred to in subsections (1) to (3), or any regulation made thereunder, shall be guilty of an offence under this Act and shall on conviction be liable to a fine not exceeding one hundred thousand rupees or to imprisonment of either description for a term not exceeding five years or to both such fine and imprisonment.

(5) Notwithstanding the provisions of any other law, any person including any public officer-

- (a) who attempts or aids and abets any other person to organize and facilitate under subsection (2); or
- (b) who aides and abets or incites any other person liable to registration not to make an application for registration as required by this Act; or
- (c) who aids, abets or facilitates the commission of any other offence, under this Act,

shall be guilty of an offence and shall, on conviction be liable to a fine not exceeding one hundred thousand rupees or to an imprisonment of either description for a term not exceeding five years or to both such fine and imprisonment.”.

20 *Registration of Persons (Amendment)*  
*Act, No. 8 of 2016*

Amendment of section 46 of the principal enactment.

**29.** Section 46 of the principal enactment is hereby amended by the repeal of subsections (2) and (3).

Amendment of section 52 of the principal enactment.

**30.** Section 52 (2) of the principal enactment is hereby amended by the insertion immediately after paragraph (f), of the following new paragraphs:-

“(ff) the application for registration electronically and the process of registering an applicant;

(fff) the disposal of applications after issuing the national identity cards;

(ffff) the fees to be charged under section 39B”.

Amendment of section 55 of the principal enactment.

**31.** Section 55 of the principal enactment is hereby amended as follows:-

(1) by the omission of the definition of expression “Government Agent”.

(2) by the insertion of the following definition of expression immediately after the definition of expression “ Appropriate Tribunal”:-

‘ “Additional Commissioner -General” means a person appointed to be, or to act as the Additional Commissioner-General for the Registration of Persons, for the purposes of this Act;’;

(3) by the insertion immediately after definition of expression “Assistant Commissioner” the following new definition:-

‘ “Biometrics” includes the finger impression of a person;’;

- (4) by the repeal of the definition of expression, “Commissioner” and the substitution thereof of the following definitions of expression:-

‘ “Commissioner” means a person appointed to be, or to act as a Commissioner for the Registration of Persons for the purposes of this Act;

“Commissioner-General” means a person appointed to be, or to act as the Commissioner-General for the Registration of Persons, for the purposes of this Act;’;

- (5) by the insertion of the following definition of expression immediately after the definition of expression “ District”:-

‘ “District Secretary” means the District Secretary referred to in the Transfer of Powers (Divisional Secretaries) Act, No.58 of 1992;

“Divisional Secretary” has the same meaning assigned to it under the Transfer of Powers (Divisional Secretaries) Act, No.58 of 1992;’;

- (6) by the insertion of the following definition of expression immediately after the definition of expression “registered or registration”:-

‘ “Writing” includes writing in manual or electronic form.’.

**32.** (1) Every person who, on the date of commencement of this Act, is in the possession of a valid identity card issued under the principal enactment shall, re-register with the Commissioner- General in the manner prescribed, within such period as may be prescribed, by the Minister by Order published in the *Gazette*.

Special provisions relating to the registration of the holders of identity cards under the principal enactment.

(2) Every identity card referred to in subsection (1) shall cease to be valid on the expiration of the date specified in such Order.

(3) Nothing in this section shall be construed as preventing any person from re-registering, who failed to re-register within the period specified in subsection (1).

(4) The date of the expiration of the period referred to in subsection (1) may be altered, in respect of any district, by an Order published in the *Gazette*.

Special provisions relating to certain persons who are deemed to be not guilty of an offence under section 44 of the principal enactment.

**33.** (1) Any citizen who, on the day prior to the date of commencement of this Act, had attained the age of fifteen years but had not attained the age of sixteen years and was therefore not a person liable to registration under subsection (1) of section 2 of the principal enactment and on such date becomes so liable by virtue of the provisions of that section as amended by this Act, shall be deemed not to be guilty of an offence under section 44 of the principal enactment, provided that such person makes an application within the prescribed period for such registration under the provisions of that enactment.

(2) In this section “prescribed period” means the period within which any person referred to in subsection (1) is required by virtue of any regulation made under section 52, read with subsection (4) of section 7, of the principal enactment to apply for registration under the provisions of that enactment.

Special provisions relating to the infrastructure arrangements etc.

**34.** (1) Notwithstanding the amendments made to sections 6,9,14,16 and 17 of the principal enactment by this Act, sections 6,9,14,16 and 17 of the principal enactment and every regulation made under the principal enactment and in force immediately prior to the date of commencement of this Act, shall continue to be in operation under this Act until the necessary infrastructure arrangements and technological methodologies are made, to give effect to the amendments made to sections 6,9,14,16 and 17 by this Act.

(2) The Minister may, by Order published in the *Gazette* determine the period of operation of sections 6,9,14,16 and 17 of the principal enactment referred to in subsection(1) .

(3) The date of expiration of the period of operation of sections 6,9,14,16 and 17 of the principal enactment determined by Order published in the *Gazette* by the Minister under subsection (2) may be altered, from time to time by the Minister by a like Order.

**35.** 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**

---

**MEDIATION BOARD (AMENDMENT)  
ACT, No. 9 OF 2016**

---

[Certified on 21st July, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of July 22, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 10.00**

**Postage : Rs. 10.00**

*Mediation Board (Amendment)*  
*Act, No. 9 of 2016*

[Certified on 21st July, 2016]

L. D.—O. 60/2015.

AN ACT TO AMEND THE MEDIATION BOARD  
ACT, NO. 72 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 Mediation Board (Amendment) Act, No. 9 of 2016.

Short title.
- 2.** Section 7 of the Mediation Board Act, No. 72 of 1988 is hereby amended in paragraph (a) of subsection (1) of that section by the substitution for the words “two hundred and fifty thousand rupees in value;” of the words “five hundred thousand rupees in value;”.

Amendment of section 7 of the Act, No. 72 of 1988.
- 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**

---

**HOMOEOPATHY ACT, No. 10 OF 2016**

---

**[Certified on 27th July, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of July 29, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 21.00**

**Postage : Rs. 20.00**

*Homoeopathy Act, No. 10 of 2016*

[Certified on 27th July, 2016]

L.D.—O. 46/2005

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A HOMOEOPATHIC MEDICAL COUNCIL; FOR THE REGISTRATION OF HOMOEOPATHIC PRACTITIONERS AND HOMOEOPATHIC PHARMACISTS; FOR THE REGISTRATION AND REGULATION OF HOMOEOPATHIC INSTITUTIONS; TO PROMOTE, FOSTER, AND REGULATE THE HOMOEOPATHIC SYSTEM OF MEDICINE AND FOR THE REGULATION AND CONTROL OF THE MANUFACTURE, IMPORTATION, STORAGE, SALE AND DISTRIBUTION OF HOMOEOPATHIC MEDICINE, DRUGS AND OTHER HOMOEOPATHIC PREPARATIONS; TO REPEAL THE HOMOEOPATHY ACT, NO. 7 OF 1970 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 Homoeopathy Act, No. 10 of 2016 and shall come into operation on such date as may be appointed by the Minister (hereinafter referred to as the “appointed date”) by Order Published in the *Gazette*.

Short title and date of operation.

PART I

ESTABLISHMENT OF THE HOMOEOPATHIC MEDICAL COUNCIL

2. (1) There shall be established a Council which shall be called the Homoeopathic Medical Council (hereinafter referred to as the “Council”).

Establishment of the Homoeopathic Medical Council.

(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 that name and may hold, acquire and dispose of any property movable or immovable.

(3) The Council shall consist of the following members appointed by the Minister:-

- (a) *ex-officio* members, namely-
- (i) Additional Secretary of the Ministry or an officer not below the rank of Senior Assistant Secretary nominated by the Secretary to the Ministry;
  - (ii) a representative of the General Treasury nominated by the Secretary to the Ministry of the Minister assigned the subject of Finance;
  - (iii) a representative of the University Grants Commission nominated by the Chairman of the University Grants Commission established under the Universities Act, No. 16 of 1978.
- (b) five members to be elected in the manner specified in section 6 from among the registered practitioners of Homoeopathy;
- (c) three members to be appointed by the Minister, of whom at least two members shall be from among the registered practitioners of Homoeopathy.

Disqualification for being elected or appointed as a member of the Council.

**3.** A person shall be disqualified from being elected or being appointed as a member of the Council if he –

- (a) is or becomes a member of Parliament or of any Provincial Council or of any Local Authority; or
- (b) is less than twenty five years of age; or

- (c) is found or declared to be of unsound mind under any written law in force in Sri Lanka or any other country; or
- (d) is an undischarged, bankrupt or insolvent under any written law in force in Sri Lanka or any other country; or
- (e) is an employee of the Council; or
- (f) convicted by a competent court of an offence involving of moral turpitude; or
- (g) is not, or ceases to be a citizen of Sri Lanka; or
- (h) ceases to be a registered practitioner of Homoeopathy.

**4.** (1) The Minister may remove from office any member other than an *ex-officio* member, for reasons assigned after an inquiry.

Removal of the Members from office.

(2) Every such removal shall be published in the *Gazette*.

**5.** A member of the Council, other than an *ex-officio* member shall be deemed to have vacated office –

Vacation of office by members of the Council.

- (a) on his absence without excuse sufficient in the opinion of the Council from three consecutive meetings of the Council;
- (b) on ceasing to be a registered Homoeopathic practitioner;
- (c) on the acceptance of the resignation in writing by the Minister;
- (d) on the expiry of his term of office;
- (e) on his removal from office by the Minister under the Act;
- (f) if he becomes subject to any of the disqualifications referred to in section 3.

Election of the members for the purpose of section 2(3)(b).

**6.** An election for the purpose of section 2(3) (b) shall be conducted by the Secretary to the Ministry of the Minister in such manner as may be prescribed.

Appointment of the President and Vice President.

**7.** (1) The members of the Council shall elect a President who is a registered medical practitioner of Homoeopathy and a Vice President from among the members of the Council in such manner as may be prescribed.

(2) Where any dispute arises regarding the election of a member to the Council it shall be referred to the Minister, whose decision on such matter shall be final.

Resignation of the President. etc.

**8.** The President, Vice president, and any member of the Council other than the *ex-officio* members of the Council may at any time resign his office by letter addressed to the Minister and such resignation shall take effect from the date of acceptance by the Minister.

Term of office of the members of the Council.

**9.** (1) Every *ex-officio* member of the Council shall hold office as long as he holds the post by virtue of which he is a member of the Council.

(2) The President, Vice President, and a member of the Council shall, unless he vacates office earlier by death, resignation or removal hold office for a term of three years:

Provided however, that the member elected or appointed in place of a member who vacates office, shall hold office for the unexpired period of the term of office of the member whom he succeeds:

Provided further, that the unexpired period of the term of office so held by such member, shall not be deemed to be a full term for the purpose of re-election or re- appointment under section 2.

(3) A member of the Council shall, unless he is removed from office, be eligible for re-election or re-appointment to the Council for two consecutive terms.



(4) The election or appointment of the members of the Council shall be held at least three months prior to the expiry of the term of the Council.

**10.** (1) The Council shall hold meetings at least once in three months at such time and place as may be determined by the Council.

The meetings of the Council.

(2) The President, shall preside at any meeting of the Council and in the absence of the President, the Vice President or in the absence of both the President and Vice President a member elected by the members present shall preside at such meeting.

(3) The quorum for a meeting of the Council shall be seven.

(4) All questions for decision at any meeting shall be decided by a majority of votes of the members present.

(5) In the event of an equality of votes at any meeting of the Council, the President, Vice President or the member presiding at such meeting shall, in addition to his own vote, have a casting vote.

(6) Subject to the other provisions of this Act, the Council may regulate the procedure in regard to its meetings and the transaction of business at such meetings.

**11.** (1) The minutes of the proceedings of every meeting of the Council shall be entered in a book to be kept for the purpose and shall be signed by the President of the meeting.

Minutes of proceedings.

(2) A copy of the minutes of the proceedings of every meeting of the Council shall, be transmitted to the Minister within fourteen days from the date of the meeting.

**12.** A member 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 to whom the subject of Finance is assigned.

Remuneration of the members of the Council.

No act, decision or proceeding of the Council shall be invalid by reason only of the existence of any vacancy.

**13.** No act, decision or proceeding of the Council shall be invalid by reason only of the existence of any vacancy among its members or any defect in the appointment or election of a member thereof or in the constitution of the Council.

The seal of the Council.

**14.** The Seal of the Council-

- (a) shall be in the custody of the registrar of the Council appointed under section 18 of the Act;
- (b) may be altered in such manner as may be determined by the Council;
- (c) shall not be affixed to any instrument or document except in the presence of the registrar and two members of the Council all of whom shall sign the instrument or document in token of their presence.

## PART II

### THE OBJECTS AND POWERS OF THE COUNCIL

Objects of the Council.

**15.** The objects of the Council shall be-

- (a) to promote, foster and regulate the practice of Homoeopathy;
- (b) to promote Homoeopathic system of medicine in the society with a view to improving the public health, in accordance with Homoeopathy;
- (c) to promote and encourage the study, research into and practice of Homoeopathy;
- (d) to establish and maintain Homoeopathic Institutions;
- (e) to regulate and control Homoeopathic Institutions providing treatment according to the Homoeopathic system of medicine other than the government Homoeopathic teaching hospitals; and

- (f) to regulate and control of the manufacture, importation, storage, sale and distribution of Homoeopathic medicines, drugs and other Homoeopathic preparations.

**16.** The Council shall have the power to-

Powers of the Council.

- (a) register Homoeopathic medical practitioners, Homoeopathic pharmacists, Homoeopathic nurses and Homoeopathic institutions;
- (b) recognise the medical qualifications relating to Homoeopathy awarded by the Homoeopathic institutions in and outside Sri Lanka for the purpose of registration of Homoeopathic medical practitioners and to determine the circumstances in which such recognition shall be granted or refused;
- (c) call for such information from any recognized university or institution in respect of the courses of study, or examinations or any matter relating to the grant or conferment of a Homoeopathic medical qualifications by such university or medical institution;
- (d) appoint medical inspectors to supervise, enter, inspect, examine and investigate-
  - (i) the Homeopathy medical colleges and institutions in order to ensure that the minimum standards are maintained by such colleges or institutions for the purpose of regulations under this Act; and
  - (ii) institutions where Homeopathy is practiced, in order to ensure that Homeopathy is practiced only by a registered Homeopathic medical practitioner and such institutions conform to the minimum standards prescribed by regulations;

- (e) provide services necessary for the treatment of diseases, in accordance with the Homoeopathy;
- (f) establish and maintain Homoeopathic institutions and to arrange for postgraduate study in Homoeopathy;
- (g) establish and maintain dispensaries, centres, pharmacies and related institutions or establishments as the case may be, or import or export of Homoeopathic medicine, necessary for the preparation and administration of Homoeopathic treatment;
- (h) encourage the scientific manufacture of Homoeopathic medicines;
- (i) prescribe and maintain the minimum standards of medical education and practice of Homoeopathy including the minimum standards relating to courses of study, examinations, staff, equipment, accommodation, training, hospitals and other facilities provided by the Homoeopathic medical colleges and other Homoeopathic institutions;
- (j) encourage the study of, and research into the systems of Homoeopathic medicine by granting Scholarships and other facilities to deserving persons particularly youth and by granting financial and other assistance to institutions providing courses of study or engaged in research in Homoeopathy;
- (k) prescribe and maintain the minimum standards of medical education relating to post graduate Homoeopathic medical education;

- (l) develop and encourage such measures as are necessary for the investigation of diseases, the treatment and prevention of diseases, and improvement of public health, according to Homoeopathy;
- (m) make arrangements with higher educational institutions to grant or confer degrees and other academic distinctions relating to Homoeopathy;
- (n) make arrangements with the approval of the Minister and in consultation with the Minister the subject of higher education assigned, to establish a Homoeopathic Medical College in terms of the Universities Act, No.16 of 1978;
- (o) to establish with the approval of the Minister such committees as may be necessary for the carrying out of the functions and duties of the Council;
- (p) to delegate any power, duty or function to any officer or committee from time to time subject to such conditions as the Council may deem necessary;
- (q) to make rules for the exercise, discharge and performance of the powers, functions and duties of the Council; and
- (r) to do all such other acts which may be incidental or conducive to, the attainment of the objects of the Council or the exercise and discharge of the powers and duties under this Act.

Power of the Council to make rules.

**17.** (1) The Council may subject to the other provisions of this Act, make rules for the following:—

- (i) to exercise disciplinary control over such staff as may be deemed necessary by the Council to carry out the functions of the Council;
- (ii) to fix the wages, salary or other remuneration of such staff;
- (iii) to determine the terms and conditions of service of such staff in consultation with the Department of Management Services;
- (iv) to establish and regulate provident funds or pension schemes for the benefit of such staff and make contributions to any such fund or scheme; and
- (v) to manage and maintain the property of the Council.

(2) Rules may be made by the Council in respect of all or any of the matters referred to in subsection (1).

(3) Every rule made under subsection (1) shall be published in the *Gazette*, and shall come into operation on the date of its publication or on such later date as may be specified therein.

Registrar and other officers and employees of the Council.

**18.** (1) The Council shall, with the concurrence of the Minister, appoint—

- (a) a registrar who shall act as the Secretary of the Council for a period of five years unless removed earlier for reasons assigned;
- (b) such other officers and employees as it may deem necessary to discharge the functions under this Act.

(2) All persons appointed or employed under this section shall be deemed to be public servants within the meaning of the section 19 of the Penal Code.

**19.** The Council may, with the prior approval of the Minister and in consultation with the Minister assigned the subject of Finance grant such sum, out of moneys voted for the purpose by the Parliament in writing of following matters:—

Matters in respect of which moneys may be paid.

- (a) for the purpose of defraying expenses connected with the administration of the Council;
- (b) to any institution established and maintained for the training of practitioners of Homoeopathy;
- (c) to any institution which provides courses of study or which is engaged in research into Homoeopathy;
- (d) to any other institution established and maintained for the promotion of the Homoeopathy; and
- (e) to grant scholarships, stipends, to deserving students of recognized institutions to carry out studies in Homoeopathy.

### PART III

#### ESTABLISHMENT OF HOMOEOPATHIC MEDICAL COLLEGES OR HOMOEOPATHIC MEDICAL INSTITUTIONS

**20.** (1) No person shall establish and maintain a Homoeopathic Medical College or Homoeopathic Institution except with the prior approval of the University Grants Commission established under the Universities Act, No. 16 of 1978 and the Council.

Establishment of a Homoeopathic Medical College or Homoeopathic Medical Institution by persons other than the Council.

(2) An approved Homoeopathic Medical College or Homoeopathic Medical institution, shall not—

- (i) commence a new or higher course of study or training including any post-graduate course of study or training in Homoeopathy leading to the grant or conferment of a degree, diploma or any other recognized Homoeopathic medical qualification; or

- (ii) increase its admission capacity in any course of study or training which is connected to the field of Homoeopathy including any post-graduate course of study or training leading to the grant or conferment of a degree, diploma or any other recognized Homoeopathic medical qualification,

except with the prior approval of the University Grants Commission and the Council.

(3) Every course of study or training including any post-graduate course of study or training referred to in subsection (2) shall conform to the minimum standards of education referred to in section 25.

(4) Every person who contravenes the provisions of this section or any regulation made thereunder shall commit an offence and shall on conviction after summary trial before a Magistrate, be liable to a fine not less than fifty thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

(5) The Council may, in addition to the provisions of subsection (4) institute proceedings in the District Court for restraining the commission or continuance of the acts referred to in subsections (1) and (2) under the provisions of Chapter XLVIII of the Civil Procedure Code.

(6) Where an offence under this section 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 and officer of that firm,

shall be deemed to be guilty of that offence:



Provided that, a director or an officer of such body corporate or a partner or officer of such firm shall not be deemed to be guilty of such offence, if that director, officer or partner proves that such offence was committed without the knowledge of such person or that such person exercised all such diligence as is necessary to prevent the commission of such offence.

#### PART IV

##### RECOGNITION OF HOMOEOPATHIC MEDICAL QUALIFICATIONS

**21.** (1) The Homoeopathic medical qualifications granted or conferred by any recognized Homoeopathic medical college or Homoeopathic institution in Sri Lanka may be recognized by the Council subject to the provisions of subsection (2).

Recognition of Homoeopathic medical qualification awarded in Sri Lanka.

(2) The Council shall, make such examinations, investigations and inquiries in relation to the medical college or Homoeopathic institution referred to in subsection (1) for the purpose of ascertaining whether-

- (a) the courses of study provided by such Homoeopathic college or Homoeopathic institution leading to the grant or conferment of any such qualification; or
- (b) degree of proficiency required at any examination held by such college or institution for the purpose of granting or conferring any such Homoeopathy medical qualifications; or
- (c) the staff, equipment, accommodation and facilities provided by such college or institution for such course of study,

conforms to the prescribed minimum standards of education referred to in section 25.

(3) Where the Council is satisfied, upon making such examination, investigation and inquiries under subsection (2), the Council may recommend to the Minister, to recognize such Homoeopathic medical qualifications in the manner prescribed.

(4) The Council with the concurrence of the Minister may, by Notification published in the *Gazette*, notify the public of such qualifications recognized by the Council with effect from the date specified therein.

Recognition of Homoeopathic medical qualification awarded outside Sri Lanka.

**22.** (1) Any Homoeopathic medical qualification granted by a Homoeopathic medical college or an institution outside Sri Lanka, may be recognized by the Council having regard to the standard of medical education of such college or institution and whether such qualification is a qualification recognized by the approved authority responsible for recognizing such qualification under the appropriate laws of that country.

(2) (a) The Council may enter into negotiations in any country outside Sri Lanka, with any approved Authority referred to in subsection (1) for setting up of a Scheme of reciprocity for the recognition of medical qualifications in Homoeopathy.

(b) The Council may, in pursuance of any such scheme, by Notification published in the *Gazette*, notify the public that it intends to include such qualification as a Homoeopathic medical qualification recognized by the Council with effect from the date specified therein.

(c) Where the Council has refused to grant recognition to any Homoeopathic medical qualification granted by any Authority referred to in subsection (2), such college or institution which is dissatisfied with the decision of the Council may appeal to the Minister within two weeks from the date on which such decision was communicated to it. After considering such appeal and after obtaining from the Council a report, stating the reasons, if any, for such refusal, the Minister may, confirm or vary such decision.

(3) For the purpose of subsection (1) in determining the standard of medical education, the Council shall have regard to the prescribed minimum standards of education referred to in section 25.

**23.** (1) The Council shall appoint such number of Medical Inspectors prescribed by regulations, as it may consider necessary, who are experts in subjects taught in Homoeopathic Medical College, or Homoeopathic Institution—

Council to  
appoint Medical  
Inspectors.

- (a) to inspect any Homoeopathic Medical College or Homoeopathic Institution where education in Homoeopathy is given; and
- (b) to examine, investigate and inquire into, for the purpose of ascertaining whether—
  - (i) courses of study provided by such college or institution leading to the grant or conferment of a medical qualification in Homoeopathy;
  - (ii) the degree of proficiency required at examinations held by such college or institution for the purpose of granting or conferring any such qualification;
  - (iii) the staff, equipment, accommodation and facilities provided by such college or institution for such course of study,

conform to the prescribed minimum standards of education referred to in section 25, for recognition of Homoeopathic medical qualifications granted by such Homoeopathic Medical College or Homoeopathic Institution.

(2) Every person in charge of such medical college or institution shall afford all such facilities as may be required by such medical inspectors referred to in subsection (1) for the purpose of making all such examinations, investigations and inquiries.

(3) The medical inspectors shall not interfere with the conduct of any training or examination conducted by such medical college or institution.

(4) Where any medical inspector makes any investigation, examination or inquiry as is referred to in subsection (1), he shall make a report of his findings to the Council.

(5) The Council shall forward a copy of any such report to the Homoeopathic Medical College or Institution, requiring such college or institution to forward its observations.

(6) Upon receipt of the observations under subsection (5) the Council shall forward a copy of such report with the observations of the college or institution as the case may be, to the Minister.

Consequences of failure to conform to prescribed standards.

**24.** (1) Upon receipt of a report of the medical inspector if it appears to the Council that—

- (a) the courses of study provided by the Homoeopathic medical college or Homoeopathic institution leading to the grant or conferment of a medical qualification; or
- (b) the degree of proficiency required at examinations held by such medical college or institution for the purpose of granting or conferring any such qualification; or
- (c) the staff, equipment, accommodation and facilities provided by such medical college or institution for such course of study,

do not conform to the prescribed standards, the Council may make recommendations to the Minister that such qualifications shall not be recognized for the purposes of this Act.

(2) Upon the receipt of such recommendations under subsection (1), the Minister may forward a copy of such recommendation to the approved authority of such Homoeopathic medical college or Homoeopathic institution to make its comments thereon within a specified period.

(3) Upon the receipt of the comments if any or where comments are not made within the specified period, the Minister after making such further inquiry as he may consider necessary, shall declare by an Order published in the *Gazette* that the said medical qualification shall not be a recognized medical qualification in relation to such medical college or institution or in relation to any institution affiliated to such medical college or institution, from such date as may be specified in that Order.

**25.** The Council shall prescribe the minimum standards of education in Homoeopathy required for the grant or conferment of a medical qualification leading to the grant or conferment of a degree or diploma in Homoeopathy or the degree of proficiency required by such college or institution at any examination held, or the staff, equipment, accommodation and facilities provided by such Homoeopathic medical college or Homoeopathic medical institution for the purpose of such course of study.

Minimum Standards of Education.

**26.** Subject to the other provisions of this Act, any Homoeopathic medical qualification recognized by the Council shall be sufficient proof that the holder thereof has been granted the qualification specified therein for the purpose of enrolment as a Homoeopathic Medical Practitioner in terms of this Act, and for the inclusion of the name of the holder of such qualification in the register of Homoeopathy.

Rights and privileges of persons holding recognized qualification.

**27.** Every Homoeopathic Medical College or Institution in Sri Lanka which grants a recognized Homoeopathic medical qualification shall furnish such information as the Council may, from time to time, require.

Council to require information to be furnished.

## PART V

### THE REGISTER OF HOMOEOPATHY

**28.** (1) The Council shall maintain in the prescribed manner, a register of Homoeopathy (hereinafter in this part referred to as the “register”) for the purpose of registration of Homoeopathic medical practitioners.

Register of Homoeopathy.

(2) Notwithstanding the provisions of subsection (1), the general register of Homoeopathy maintained under section 25 of the Homoeopathy Act, No.7 of 1970 shall be deemed to be kept and maintained under this Act and every person whose name is entered in that register shall be deemed to be registered under this Act.

(3) A person whose name is entered in the Register shall -

- (a) be eligible to hold office as a Homoeopathic physician or any other office in Government or in any institution maintained by a local or other authority;
- (b) be eligible to practice Homoeopathy;
- (c) be eligible to give any evidence at any inquest or any Court as an expert under the Evidence Ordinance on any matter relating to Homoeopathy.

(4) The provisions of subsection (3) shall not affect -

- (a) the right of a practitioner of Homoeopathy enrolled in the register of Homoeopathy registered in terms of the Homoeopathy Act, No.7 of 1970, to practice Homoeopathy in Sri Lanka; and
- (b) the privileges (including the right to practice Homoeopathy) conferred on a practitioner of Homoeopathy enrolled on the register of Homoeopathy registered in terms of the Homoeopathy Act, No.7 of 1970.

(5) For the avoidance of doubt it is declared that any person who is registered in terms of section 25 of the Homoeopathy Act, No.7 of 1970, prior to the date of commencement of this Act, shall from the date of commencement of this Act be deemed by virtue of such registration to be a Homoeopathic practitioner for the purpose of this Act.

(6) It shall be the duty of the Registrar of the Council to maintain the Register of Homoeopathy in terms of the provisions of this Act and of any rule made by the Council, and update the register and publish it in such manner as may be prescribed.

(7) Subject to the provisions of section 33, any person whose name appears in the register shall renew his registration once in five years in the prescribed manner.

(8) The register shall be deemed to be a public document within the meaning of the Evidence Ordinance.

**29.** (1) No person shall be registered as a Homoeopathic practitioner in the register of Homoeopathic practitioners, unless that person –

Qualifications for registration as a Homoeopathic practitioner.

- (a) is of good character;
- (b) is a citizen of Sri Lanka; and
- (c) holds a Degree of Bachelor of Homoeopathic Medicine and Surgery or Diploma.

(2) For the purposes of this section –

- (a) “degree of Bachelor of Homoeopathic Medicine and Surgery” means a degree obtained after following a course of study of not less than four years duration including a period of internship of not less than six months, granted by a Homoeopathic medical college or an institution affiliated to a University in Sri Lanka or abroad and which is recognized by the Council having regard to the standard of medical education of such medical college or institution;

- (b) “diploma” shall include a fulltime diploma obtained in Homoeopathy after following a course of study of not less than four years duration including a period of internship of not less than six months, granted by a Homoeopathic medical college or an institution affiliated to a University in Sri Lanka or abroad and which is recognized by the Council having regard to the standard of medical education of such medical college or institution, including such other criteria as may be determined by the Council.

(3) For the purpose of subsection (1), the Council shall, in determining the standard of medical education have regard to the prescribed minimum standards of education referred to in section 25.

(4) Notwithstanding the provisions of subsection (1)(b), a person who is not a citizen of Sri Lanka may be registered temporarily for such period subject to the other provisions of section 31 and subject to such terms and conditions as may be prescribed.

Special  
circumstances  
under which  
registration may  
be made.

**30.** (1) Any person who possess knowledge and experience of not less than five years in Homoeopathy medicine on the appointed date may, make an application to the Council for registration as a Homoeopathic practitioner in the register.

(2) The Council shall within three months of the date of receipt of the application verify the details in the application and hold a written examination to examine the proficiency of such person to practice Homoeopathy, and on being satisfied of his knowledge and experience, cause the name of such person to be entered in the register of Homoeopathy.



(3) The Examination which is to be held under subsection (2) shall be notified by notification published in the *Gazette*.

(4) The Council shall hold the written examination referred to in subsection (2) only on three occasions within a period of three years from the appointed date.

**31.** (1) The Council shall cause to be maintained in the prescribed manner, a register of pharmacists of Homoeopathy to be known as the register of Homoeopathic pharmacists.

Maintenance of Register of Homoeopathic pharmacists.

(2) The Registrar shall be responsible for maintaining the register referred to in subsection (1).

(3) Where an applicant satisfies the requirements specified for the registration of the Homoeopathic Pharmacists, the Council shall on an application made in the prescribed manner by such person, enter the name of such person in the register of Homoeopathic Pharmacists.

**32.** The Council may make rules regarding the standards of professional conduct and etiquette and a Code of Ethics for practitioners of Homoeopathy and such rules may specify the activities which constitute malpractices and professional misconduct.

Standards of professional conduct and etiquette and a code of ethics.

**33.** (1) Where the Council is of the opinion, upon evidence forwarded to the Council that a registered practitioner of Homoeopathy is-

Removal of the names of persons from the register.

- (a) not actively practising Homoeopathy as his main vocation; or
- (b) not following the Homoeopathy; or
- (c) deprived of any diploma, degree or certificate on the faith of which he was registered as a medical practitioner; or

- (d) convicted of an offence which shows him to be unfit to practise as a medical practitioner; or
- (e) guilty of any malpractice or professional misconduct,

the Council shall, subject to the provisions of subsections (2) and (3), cause to remove their names from the register.

(2) The Council shall, prior to the removal of their names from the register, require such practitioners to give reasons in writing as to why their names should not be removed from the register on the grounds specified above.

(3) Where the Council is dissatisfied with the reasons given by the registered Homoeopathic practitioner, and after holding due inquiry in the prescribed manner, the Council shall make an order to remove the name and all other related entries from the register.

(4) Subject to the provisions of subsection (5), the Council shall cause to be published in the *Gazette* the name of the Practitioner so removed from the register.

(5) Where the name of any person has been removed from the register on any ground specified in subsection (1) other than the ground specified in paragraph (c) thereof and where any application by the said person for restoration of his name to the register has been rejected, he may appeal to the Minister in the prescribed manner.

(6) The decision of the Minister in respect of such appeal shall be final.

(7) For the purposes of this section “main vocation” shall mean the practice of Homoeopathy medicine in accordance with the accepted principles of Homoeopathy to the exclusion of other systems of medicine.

**34.** Subject to the conditions and restrictions specified in this Act regarding practice of Homoeopathy by every person who is registered in the register shall be entitled to practice Homoeopathy in any part of Sri Lanka and to charge a fee in respect of the treatments given.

Rights of any persons possessing certain recognized medical qualifications.

**35.** For the purposes of any written law, the words “a registered Homoeopathic practitioner” shall be construed as meaning a Homoeopathic medical practitioner registered under this Act.

Meaning of “registered Homoeopathic practitioner”.

**36.** Where any person whose name is entered in the Register, obtains any title, diploma or other qualification for proficiency in the field of Homoeopathy, which is a recognized medical qualification, he shall, on application made in that behalf in the prescribed manner, be entitled to have an entry stating such other title, diploma or other qualification made against his name in the register either in substitution for or in addition to any entry previously made.

Entry of additional title, diploma or other qualifications.

**37.** Every person registered in the register shall notify any change of place of his residence or practice to the Council within thirty days of such change. Where he fails to notify such change such member shall forfeit the right to participate in the election of members to the Council.

Transfer of the place of his residence to be notified.

**38.** (1) A person who, not being a registered Homoeopathic Practitioner-

Pretence to be a registered Homoeopathic Practitioner, or practicing for gain as a Homoeopathic Practitioner when not registered, to be an offence.

(a) uses the title of “registered Homoeopathic practitioner” in Sinhala or its equivalent in any other language, either alone or in combination with any other words or letter; or

(b) uses any name, title, addition or description implying that such person is a registered Homoeopathic practitioner; or

(c) practises Homoeopathy for gain;

shall commit an offence.

(2) Any person who commits an offence under subsection (1) shall be guilty of an offence and shall on conviction after summary trial before a Magistrate be liable to imprisonment of either description for a term not exceeding one year or to a fine not less than two hundred thousand rupees or to both such imprisonment and fine.

## PART VI

### FINANCE AND ACCOUNTS

The Fund of the Council.

**39.** (1) There shall be established a Fund called “Homoeopathic Fund” (hereinafter referred to as the “Fund”) of the Council.

(2) There shall be paid into the Fund of the Council -

- (a) all such sums of money as may be received in the exercise, performance and discharge of its powers, duties and functions under this Act;
- (b) all such sums of money voted from time to time by Parliament;
- (c) any fees received from Homoeopathic practitioners and examinees;
- (d) any loans and other sums of money received by the Council; and
- (e) any grant, gift or donation in cash or kind received from the Government of Sri Lanka or from a foreign Country:

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 National Policies and Economic Affairs in respect of any grant, gift or donation received by the Council from a foreign country.

(3) There shall be paid out of the Fund all the expenditure incurred in implementing the provisions of this Act.

**40.** (1) The Financial year of the Council shall be the calendar year.

The financial year and the audit of accounts.

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

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of Public Corporations shall apply to and in relation to the audit of the accounts of the Council.

## PART VII

### MISCELLANEOUS

**41.** The provisions of the Medical Ordinance (Chapter 105) shall not apply to, or in relation to, persons practicing medicine, pharmacy or nursing according to Homoeopathy.

Medical Ordinance (Chapter 105) not to apply to registered Homoeopathic practitioners.

**42.** (1) The Council shall within three months at the end of the each financial year submit to the Minister an annual report of the activities carried on by the Council during that financial year and cause each of the following documents relating to that year attached to such report:-

Council to furnish reports etc. to the Minister.

- (a) the audited account of the Council for the year along with a report of proposed activities for the year immediately following the year to which such report relates;

- (b) Action Plan, Corporate Plan, Performance Report, and other information to the Minister as may be required.

(2) The Minister shall lay copies of the document under subsection (1) before Parliament within six months from the date of receipt of such report.

Exempt the Council from any duties & of any tax.

**43.** The Minister assigned the subject of Finance, may exempt the Council from the payment of any duties, levies and of any tax on the income or profits of the Council to such extent as is permitted in terms of the Inland Revenue Act, No. 10 of 2006 or in terms of any other written law for the time being in force governing the imposition of such duty, levy or tax as the case may be.

complaints made against the Council.

**44.** (1) Where the Minister is of the opinion that the Council is not complying with any of the provisions of this Act or upon receipt of a complaint against the Council, he may refer that non compliance or the complaint to the Secretary to the Ministry of the Minister and the Secretary shall proceed to inquire in to the complaint and report to the Minister and the Secretary may submit the report with the recommendations as he may deem appropriate.

(2) Where the Minister approves the recommendation made under subsection (1), the Secretary may require the Council to adopt such recommendations within such time and if the Council fails to comply with any such requirement, he may make order or take such other steps as he may deem necessary to give effect to such recommendations.

(3) Where the Council fails to carry out any recommendation, the Secretary shall have power to direct the Council to comply with the relevant provisions of the Act.

**45.** (1) No premises shall be used for the purpose of manufacturing, storing and selling Homoeopathic medicine on or after such date as may be appointed in that behalf by the Minister by Order published in the *Gazette* unless such premises is for the time being registered in the manner prescribed under this Act by the Director as a Homoeopathic manufacturing unit, pharmacy, store or sales outlet as the case may be, upon an application being made in that behalf to the Director.

Homoeopathic units for manufacturing, storing and selling of medicine to be registered.

(2) The appointed date shall be a date not earlier than three months after the date of the publication of that Order under subsection (1).

(3) Any person who contravenes the provisions of subsection (1) shall commit an offence and shall on conviction after summary trial before a Magistrate be liable to imprisonment of either description for a term not exceeding six months or to a fine of not less than fifty thousand rupees or to both such imprisonment and fine.

**46.** The Minister may from time to time issue to the Council such general or special directions in writing as to the exercise, performance and discharge of its powers, functions and duties and it shall be the duty of the Council to give effect to such directions.

Directions by the Minister.

**47.** (1) The Minister may, for the purpose of carrying out or giving effect to the principles and provisions of the Act, make regulations with respect to any matter required by the Act to be prescribed or in respect of which regulations are required or authorized to be made under the Act.

Regulations.

(2) In particular and without prejudice to the generality of the powers conferred on the Minister by subsection (1) the Minister may make regulation under this section in respect of all or any of the following matters:-

- (a) the manner in which the registration of the Homoeopathic medical practitioners, and

pharmacists, medical institutions, Homoeopathic manufacturing units, sales outlets are to be carried out, the forms of application, the fees to be charged and the period of registration;

- (b) the manner in which refusal, renewal, suspension or cancellation of registration as a Homoeopathic medical practitioner, is carried out;
- (c) the manner of the election of the president, vice president and the members of the Council;
- (d) the terms and conditions to be complied in relation to registered Homoeopathy manufacturing units, pharmacies, sales outlets or stores;
- (e) the manner in which the records and books are to be kept and maintained in relation to registered Homoeopathic manufacturing units, pharmacies, sales outlets or stores;
- (f) the manner in which the reports to be furnished from time to time in respect of registered Homoeopathic manufacturing units, pharmacies, sales outlets and the stores and the particulars to be contained therein;
- (g) the manner in which the proper maintenance and administration of registered Homoeopathic manufacturing units, pharmacies, sales outlets and stores, be carried out;
- (h) the summoning of meetings of the Council for the purpose of electing members of the Council and the procedure to be observed at such meeting;
- (i) the minimum standards of medical education and the practice of Homoeopathy including minimum



standards relating to courses of study, examinations, staff, equipment, accommodation, training and other facilities at the Homoeopathy Colleges and other Institutions which grant or confer any qualification which entitles a person to obtain registration under this Act;

- (j) qualifications and criteria for enrolment as a pharmacist;
- (k) the conduct of professional examinations, qualifications of examiners and the criteria of admission to such examinations.

**48.** All members, officers and employees of the Council shall be deemed to be public servants within the meaning and for the purpose of the Penal Code (Chapter 19).

All members, officers and employees of the Council deemed to be public servants.

**49.** The Council shall be deemed to be a scheduled institution within the meaning of the Bribery Act (Chapter 26) and the provisions of that Act shall be construed accordingly.

The Council deemed to be a scheduled institution with in the meaning of the Bribery Act.

**50.** (1) The Homoeopathy Act, No. 7 of 1970 is hereby repealed.

Repeal and Savings.

(2) Notwithstanding the repeal of the aforesaid Act -

- (a) all moneys lying to the credit of the Fund established under section 39 of the repealed Act, on the day immediately prior to the date of commencement of this Act, shall be transferred to the Fund of the Council established under this Act;
- (b) all suits and prosecutions instituted by or against the Council in any Court or tribunal and pending

on the day prior to the date of commencement of this Act shall be deemed to be suits and prosecutions instituted by or against the Council under this Act and may be continued accordingly;

- (c) all decrees and orders entered or made by any competent Court in favour of or against the Council and remaining unsatisfied on the date of Commencement of this Act, shall be deemed to have been entered or made in favour of or against the Council under this Act and may be enforced accordingly;
- (d) every regulation and rule made by the Minister under the repealed Act and in force on the date of commencement of this Act and which is not inconsistent with the provisions of this Act, shall be deemed to be a regulation made under this Act and may be amended or varied until regulations are made in terms of this Act;
- (e) every officer and servant appointed to the Council under the repealed Act, and holding office on the date of commencement of this Act, shall be deemed to be officers and servants appointed under this Act and shall continue in office accordingly on the same terms and conditions; and
- (f) the Homoeopathic hospital administered by the government under the repealed Act and functioning as such on the day immediately preceding the date of commencement of this Act shall be deemed to be a hospital established under this Act and shall be continued accordingly.

**51.** (1) Notwithstanding the provisions of section 2, the Minister shall appoint an Interim Homoeopathic Medical Council (hereinafter referred to as the “Interim Council”) which shall consist of the following members:-

The interim Homoeopathic medical Council.

- (a) *ex officio* members referred to in Section 2 (3) (a);
- (b) four registered medical practitioners of Homoeopathy; and
- (c) three persons who have distinguished themselves with proven knowledge, experience and eminence in the fields of law, medical or science.

(2) The Interim Council shall carry out the functions of the Council until the Council is constituted within two years from the date of commencement of this Act.

(3) The Minister shall, appoint the Interim Council within a period of three months commencing from the appointed date.

(4) The Minister shall, appoint the President and the Vice President of the Interim Council from among the members referred to in paragraph (b) of subsection (1).

(5) Subject to the provisions of subsection (2), the members of the Interim Council shall hold office until the Council is appointed by the Minister.

(6) The quorum for a meeting of the Interim Council shall be five.

**52.** In this Act-

Interpretation.

“Commission” means the University Grants Commission established under the Universities Act, No.16 of 1978;

“Council” means the Homoeopathic Medical Council constituted under section 2;

”Degree Awarding Institute” has the same meaning as in the Universities Act, No.16 of 1978;

“dispensary” means any premises (howsoever described) used or intended to be used for the outdoor treatment of persons suffering from illnesses;

“Homoeopathy” means the system of medicine established by Dr. Hahneman which uses the medicine prepared according to such system of medicine and also use all such modern advanced methods in science and technology as are necessary for clinical management of diseases, diseases prevention and for promotion of health and includes the use of Bio chemical remedies, natural therapies, Batch flower remedies, anthropomorphically medicines etc;

“Homoeopathic Medical College” means a college of Homoeopathy, whether known by that name or by any other name, in which a person may undergo a course of study or training including any postgraduate course of study or training and all other such courses related to Homoeopathy within or outside Sri Lanka, which grants or confers Degrees, Diplomas or any other qualifications in Homoeopathy or related disciplines;

“ Homoeopathic Institution” means any institution other than a Homoeopathic medical college within or outside Sri Lanka, which grants Degrees, Diplomas or any other qualifications

in Homoeopathy or related disciplines and includes a University or Degree Awarding Institute and an institution referred to section 20 of this Act;

“Homoeopathic Medical qualification” means any Homoeopathic medical qualifications which entitle the holder to be registered under this Act.

“Minister” means the Minister to whom the subject of Homoeopathic System of Medicine is assigned and “Ministry” shall be construed accordingly;

“Pharmacy” includes the manufacturing unit, where Homoeopathic medicines are manufactured, prepared or compounded;

“prescribed” “ means prescribed by regulations made under this Act;

“recognized Homeopathic medical college or institution” means any Homoeopathic medical college or institution recognized by the Council which grants or confers a medical qualification;

“Register” means the register of Homoeopathic practitioners maintained by the Council under section 28 of this Act;

“registered medical practitioner of Homoeopathy” means a person who is for the time being registered, in the General Register maintained under section 25 of the Homoeopathy Act, No.7 of 1970 and persons who are registered under this Act.

“rules” means any rule made under this Act;

“University” means any University established or deemed to be established under the Universities Act, No.16 of 1978.

Sinhala text to prevail in case of Inconsistency.

**53.** 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 RESEARCH COUNCIL OF  
SRI LANKA ACT, No. 11 OF 2016**

---

[Certified on 27th July, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of July 29, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 14.00**

**Postage : Rs. 10.00**



*National Research Council of Sri Lanka  
Act, No. 11 of 2016*

[Certified on 27th July, 2016]

L.D.—O. 28/2014

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A COUNCIL TO BE CALLED AND KNOWN AS THE NATIONAL RESEARCH COUNCIL OF SRI LANKA FOR THE PURPOSE OF FOSTERING AND SUSTAINING A SCIENCE AND TECHNOLOGY RESEARCH CULTURE AND COMMUNITY IN SRI LANKA AND FACILITATING RESEARCH PROGRAMMES THAT WILL CONTRIBUTE TO THE NATIONAL DEVELOPMENT AGENDA, AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the National Research Council of Sri Lanka Act, No. 11 of 2016, and shall come into operation on such date (hereinafter referred to as the “appointed date”) as the Minister may appoint by Order published in the *Gazette*.

Short title and date of operation.

PART I

ESTABLISHMENT OF THE NATIONAL RESEARCH COUNCIL OF SRI LANKA

2. (1) There shall be established a Council which shall be called the National Research Council of Sri Lanka (hereinafter referred to as the “Council”).

Establishment of the National Research Council of Sri Lanka.

(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 its corporate name.

2            *National Research Council of Sri Lanka*  
                  *Act, No. 11 of 2016*

Objectives of the Council.

**3.** The objectives for which the Council is established shall be—

- (a) to assist the Government to facilitate research relating to science and technology in order to build a vibrant scientific and technological community in the country;
- (b) to promote and facilitate research relating to science and technology in higher educational institutions and public sector research institutes and other governmental institutes so as to develop a research base that will contribute to national needs; and
- (c) to solicit the co-operation of the private sector in the enhancement of research relating to science and technology.

Constitution of the Council.

**4.** (1) The Council shall consist of—

- (a) not more than ten members to be appointed by the Minister from among Scientists who have wide knowledge and experience in the field of research relating to science and technology and other relevant disciplines (hereinafter referred to as ‘appointed members’);
- (b) the following *ex-officio* members:—
  - (i) the Secretary to the Ministry of the Minister to whom the subject of science and technology is assigned or his representative; and
  - (ii) the Secretary to the Ministry of the Minister to whom the subject of finance is assigned or his representative.

(2) The Minister shall appoint one of the appointed members to be the Chairman of the Council.

**5.** In the exercise of its powers and carrying out of its objectives, the Council shall comply with the general policy of the Government in connection with research relating to science and technology with any general or special directions issued by the Minister in respect thereof.

Council to exercise its powers under the directions of the Minister.

**6.** A person shall be disqualified from being appointed or continuing as a member of the Council—

Disqualification for membership of the Council.

- (a) if such person is, or becomes a member of Parliament, any Provincial Council or any Local Authority; or
- (b) if such person is not, or ceases to be a citizen of Sri Lanka; or
- (c) if such person 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; or
- (d) if such person absents himself from three consecutive meetings of the Council without acceptable reasons; or
- (e) if such person is under any law in force in Sri Lanka or in any other country, found or declared to be of unsound mind; or
- (f) if such person is serving or has served a sentence of imprisonment imposed by any court in Sri Lanka or any other country.

**7.** Every *ex-officio* member of the Council shall hold office as long as such officer holds office by virtue of which he has been appointed to the Council.

*Ex-officio* members.

**8.** (1) Every appointed member of the Council shall, unless such member vacates office earlier by death, resignation or removal, hold office for a term of three years from the date of appointment and unless such member has been removed from office, be eligible for re-appointment.

Provisions relating to appointed members.

4            *National Research Council of Sri Lanka*  
                  *Act, No. 11 of 2016*

(2) The Minister may, remove any appointed member of the Council from office for reasons assigned.

(3) Any appointed member of the Council may at any time resign from office by letter to that effect addressed to Minister and such resignation shall take effect upon it being accepted by the Minister in writing.

(4) (a) In the event of the vacation of office by death, resignation or removal from office of any appointed member, the Minister may having regard to the provisions of section 4(1), appoint any other person to succeed such member.

(b) Any person so appointed in place of such member, shall hold office during the unexpired part of the term of office of the member whom he succeeds.

(5) Where any appointed member of the Council, by reason of illness, infirmity or absence from Sri Lanka for a period of not less than three months, is temporarily unable to perform the duties of his office, such member shall inform the Minister in writing of such inability. Thereupon, the Minister may having regard to the provisions of section 4(1) appoint another person to act in his place during such period.

Term of office  
etc. of the  
Chairman.

**9.** (1) The Chairman may resign from the office of Chairman by letter in that behalf addressed to the Minister and such resignation shall take effect upon it being accepted by the Minister in writing.

(2) The Minister may for reasons assigned, by Order published in the *Gazette*, remove the Chairman. The Chairman in respect of whom an Order is made under this paragraph shall be deemed to have vacated office on the date of the publication of the Order in the *Gazette*.

(3) Where the Chairman 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,

the Chairman shall inform the Minister of such inability in writing. The Minister may, under section 4(2), appoint another member to act in place of the Chairman during such absence.

(4) Where the Chairman vacates office by death, resignation or removal, the Minister may, under the provisions of section 4(2), appoint another member in his place and the Chairman so appointed shall hold office for the unexpired term of the term of office of the Chairman whom he succeeds.

(5) Subject to the provisions of subsection (1) and (2), the term of office of the Chairman shall be his period of membership of the Council.

**10.** 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.

Acts or proceedings of the Council not to be invalid by reason of any vacancy or defect in the appointment of a member.

**11.** The members of the Council may be paid such remuneration as may be determined by the Minister with the concurrence of the Minister in charge of the subject of finance.

Remuneration &c. of members of the Council.

**12.** (1) A meeting of the Council shall be held at least once in every two months.

Meetings of the Council.

(2) The Chairman or in his absence a member elected by the members present, shall preside at the meetings of the Council.

(3) All questions for decision at any meeting of the Council shall be decided 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.

(4) The quorum for any meeting of the Council shall be six members and subject to the provisions of this section the Council may regulate the procedure of its meetings.

The seal of the Council.

**13.** (1) The Seal of the Council shall be as determined by the Council.

(2) The seal of the Council—

- (a) may be altered in such manner as may be determined by the Council;
- (b) shall be in the custody of such person or persons as the Council may determine;
- (c) shall not be affixed to any instrument or document without the sanction of the Council and except in the presence of two members of the Council, both of whom shall sign the instrument in token of their presence.

## PART II

### POWERS AND FUNCTIONS OF THE COUNCIL

The functions of the Council.

**14.** The functions of the Council shall be-

- (a) to provide grants for the conduct of research relating to science and technology for the purpose of achieving the objectives of the Council;
- (b) to facilitate, coordinate, supervise and monitor research relating to science and technology in respect of grants provided to higher educational institutions, public sector research institutes and other governmental institutions so as to ensure the efficient utilization of government investments in research;

- (c) to import plant, machinery and equipment required for the purpose of the Council and to receive equipment, funds and any other assistance from recognized local or foreign sources for the efficient conduct of the Council;
- (d) to collect, print and publish reports, periodicals and papers on research relating to science and technology and related subjects;
- (e) to award scholarships and fellowships for scientific study or scientific work at science and technology institutions local or foreign;
- (f) to develop a national system to recognize and grant awards for research and innovations relating to science and technology; and
- (g) to conduct lectures, seminars and workshops on research relating to science and technology and related subjects.

**15.** The Council shall have the power—

Powers of the Council.

- (a) to purchase, acquire and hold any property, movable or immovable and to sell, lease, mortgage, exchange or otherwise dispose of the same for the purposes of the Council;
- (b) to open and maintain current, savings or deposit accounts in any bank or banks;
- (c) to enter into all such contracts with local or foreign individuals or institutions as may be necessary for the exercise, performance or discharge of its powers and functions;

8 *National Research Council of Sri Lanka  
Act, No. 11 of 2016*

- (d) to invest its funds which are not required immediately in such securities as it may determine;
- (e) to acquire such rights, privileges, powers, licences and authorities as may be necessary for the performance and discharge of its functions;
- (f) to give grants to individuals, scientists or to any institute or authority to initiate or conduct research on specific projects relating to science and technology;
- (g) to establish working committees to assist the Council in any aspect of its work, define the scope of work of such committees and to appoint, with the approval of the Minister, persons to such committees;
- (h) to make rules in respect of matters pertaining to the administration of the affairs of the Council as may become necessary;
- (i) levy fees, royalties or charges for any services rendered by the Council; and
- (j) to do all other acts as may be necessary for, or incidental to the attainment of the objectives of the Council and the carrying out of the functions of the Council.

PART III

APPOINTMENT OF CHIEF EXECUTIVE OFFICER AND THE STAFF  
OF THE COUNCIL

The Chief  
Executive  
Officer of the  
Council.

**16.** (1) The Minister shall in consultation with the Council appoint a person who possesses a degree in the Science, from a recognized university to be the Chief



Executive Officer of the Council subject to such terms and conditions as may be determined in the like manner.

(2) The Chief Executive Officer shall, subject to the directions of the Council, be charged with the administration of the affairs of the Council and disciplinary control of the staff of the Council. He shall discharge any other functions as may be assigned to him by the Council.

(3) The Chief Executive Officer 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 Council, taking into consideration his performance in such office during the tenure of his office.

(4) The Chief Executive Officer shall be entitled to be present and express his views at any meeting of the Council, but shall not be entitled to vote at any such meeting.

(5) The Minister may remove the Chief Executive Officer for reasons assigned therefor.

**17.** (1) The Council may, subject to the provisions of this Act—

Appointment  
&c. of the staff  
of the Council.

(a) appoint such officers and other employees as it considers necessary for the performance or discharge of its functions and may exercise disciplinary control over or dismiss such officers or employees;

(b) pay such remuneration and other benefits to such officers and other employees as shall be determined by the Council, in consultation with the Minister and with the concurrence of the Minister in charge of the subject of Finance;

10      *National Research Council of Sri Lanka  
Act, No. 11 of 2016*

- (c) establish and regulate provident funds or schemes, for the benefit of its officers and employees and make contributions to such funds or schemes.

(2) Where any officer in the public service is temporarily appointed to the staff of the Council, the provisions 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 Council, the provisions 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 Council, employs a person who has entered into a contract with the Government for a specified period, any period of service to the Council shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

PART IV

FINANCE

Fund of the  
Council.

**18.** (1) The Council 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 Council;
- (b) all such sums of money as may be received by the Council in the exercise, discharge and performance of its powers and functions under the Act;
- (c) all such sums of money as may be received by the Council for the promotion and enhancement of the

objects of the Council by way of loans, donations, gifts, bequests or grants from any source whatsoever, whether within or outside Sri Lanka; and

- (d) all such sums of money as may be received by the Council by way of fees, royalties or charges under this Act.

(2) There shall be paid out of the Fund of the Council, all such sums of money as are required to defray the expenditure incurred by the Council in the exercise, discharge and performance of the powers and functions of the Council.

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

Audit of  
Accounts of the  
Council.

(2) The Financial year of the Council 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 the Council.

## PART V

### GENERAL

**20.** (1) The Council shall within six months of the end of each financial year, submit to the Minister an annual report of the activities carried out by the Council during that financial year, and cause a copy each of the following documents relating to that year to be attached to the report:—

Annual Report.

- (a) the audited accounts of the Council for the year, along with the Auditor-General's report;
- (b) a report of proposed activities for the year immediately following the year to which such report and accounts relates.

12            *National Research Council of Sri Lanka*  
                  *Act, No. 11 of 2016*

(2) The Minister shall lay copies of the reports and documents submitted under subsection (1) before Parliament within six months from date of receipt of such reports and documents.

Compulsory acquisition of land for the Council.

**21.** Where any land is required for any purpose of the Council, 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 the Act by the Government for the Council, and the provisions of that Act shall apply to and in relation to such acquisition.

Protection of members and officers of the Council from suit or prosecution.

**22.** (1) No liability, whether civil or criminal, shall attach to any member or officer of the Council 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 on or assigned to the Council under this Act.

(2) Any expenses incurred by the Council in any suit or prosecution brought by or against any relevant authority before any Court, shall be paid out of the Fund of the Council and any cost paid to or recovered by the Council in any such suit or prosecution, shall be credited to the Fund of the Council.

(3) Any expenses incurred by a member or officer of the Council 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 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 Council, unless such expenses are recovered by him in such suit or prosecution.

Interference or exercise of undue influence etc; to be an offence.

**23.** (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.

(2) A person who acts in violation of the prohibition imposed by subsection (1), shall commit an offence and shall on conviction after summary trial before a Magistrate, be liable to a fine not exceeding rupees five hundred thousand.

**24.** All officers and servants of the Council shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

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

**25.** The Council 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.

Council deemed to be a scheduled institution for the purposes of the Bribery Act.

**26.** (1) The Council may make rules which are necessary for the management and administration of the affairs of the Council.

Rules.

(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.

**27.** From and after the appointed date—

Savings.

(a) all activities hitherto carried out by the National Research Council which has been established under the Presidential Directive dated 24th of July 2007 (hereinafter referred to as the “National Research Council”) in the accomplishment of the objects of that Council and which are not inconsistent with the objects of the National Research Council of Sri Lanka established under section 2 of this Act (hereinafter referred as ‘the Council’) shall be deemed to be activities required to be carried out under this Act and, shall continue to be carried out by the Council;



to be debts, obligations, assets and liabilities incurred, all contracts and agreements executed or enforced into and all matters and things engaged or agreed to be done by, with or for and licenses issued for and on behalf of the Council.

**28.** In this Act, unless the context otherwise requires — Interpretation.

“Minister” means the Minister to whom the implementation of the provisions of this Act is assigned.

**29.** 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**

---

**RIGHT TO INFORMATION  
ACT, No. 12 OF 2016**

---

[Certified on 04th August, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of August 05, 2016.

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 21.00**

**Postage : Rs. 20.00**

*Right to Information Act, No. 12 of 2016*

[Certified on 04th August, 2016]

L.D.—O. 4/2015

AN ACT TO PROVIDE FOR THE RIGHT OF ACCESS TO INFORMATION; TO SPECIFY GROUNDS ON WHICH ACCESS MAY BE DENIED; TO ESTABLISH THE RIGHT TO INFORMATION COMMISSION; TO APPOINT INFORMATION OFFICERS; TO SET OUT THE PROCEDURE AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS the Constitution guarantees the right of access to information in Article 14A thereof and there exists a need to foster a culture of transparency and accountability in public authorities by giving effect to the right of access to information and thereby promote a society in which the people of Sri Lanka would be able to more fully participate in public life through combating corruption and promoting accountability and good governance.

Preamble.

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

**1.** (1) This Act may be cited as the Right to Information Act, No. 12 of 2016.

Short title and date of operation.

(2) The provisions of this section, Part IV, sections 23, 36, 40, 41, 42, 43 and 44 shall come into operation on the date on which the certificate is endorsed in respect of this Act in terms of Article 79 of the Constitution.

(3) The provisions of all other sections of this Act, shall come into operation in respect of such public authorities or categories of public authorities and on such dates as may be prescribed by the Minister by Order published in the *Gazette*:

Provided however, that the dates so prescribed shall be at least six months after the certification referred to in subsection (2) above, and that all provisions of this Act shall be applicable to all public authorities no later than one year of such certification.

2 *Right to Information Act, No. 12 of 2016*

Responsibility to ensure effective implementation.

2. It shall be the responsibility of the Ministry of the Minister assigned the subject of mass media to ensure the effective implementation of the provisions of this Act.

PART I

APPLICATION OF THE PROVISIONS OF THE ACT

Right of access to information.

3. (1) Subject to the provisions of section 5 of this Act, every citizen shall have a right of access to information which is in the possession, custody or control of a public authority.

(2) The provisions of this Act, shall not be in derogation of the powers, privileges and practices of Parliament.

Provisions of this Act to prevail over other written law.

4. The provisions of this Act shall have effect notwithstanding anything to the contrary in any other written law and accordingly in the event of any inconsistency or conflict between the provisions of this Act and such other written law, the provisions of this Act shall prevail.

PART II

DENIAL OF ACCESS TO INFORMATION

When right of access may be denied.

5. (1) Subject to the provisions of subsection (2) a request under this Act for access to information shall be refused, where—

- (a) the information relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the larger public interest justifies the disclosure of such information or the person concerned has consented in writing to such disclosure;

- (b) disclosure of such information–
  - (i) would undermine the defence of the State or its territorial integrity or national security;
  - (ii) would be or is likely to be seriously prejudicial to Sri Lanka's relations with any State, or in relation to international agreements or obligations under international law, where such information was given by or obtained in confidence;
- (c) the disclosure of such information would cause serious prejudice to the economy of Sri Lanka by disclosing prematurely decisions to change or continue government economic or financial policies relating to-
  - (i) exchange rates or the control of overseas exchange transactions;
  - (ii) the regulation of banking or credit;
  - (iii) taxation;
  - (iv) the stability, control and adjustment of prices of goods and services, rents and other costs and rates of wages, salaries and other income; or
  - (v) the entering into of overseas trade agreements;
- (d) information, including commercial confidence, trade secrets or intellectual property, protected under the Intellectual Property Act, No. 36 of 2003, the disclosure of which would harm the competitive position of a third party, unless the public authority is satisfied that larger public interest warrants the disclosure of such information;

4 *Right to Information Act, No. 12 of 2016*

- (e) the information could lead to the disclosure of any medical records relating to any person, unless such person has consented in writing to such disclosure;
- (f) the information consist of any communication, between a professional and a public authority to whom such professional provides services, which is not permitted to be disclosed under any written law, including any communication between the Attorney General or any officer assisting the Attorney General in the performance of his duties and a public authority;
- (g) the information is required to be kept confidential by reason of the existence of a fiduciary relationship;
- (h) the disclosure of such information would-
  - (i) cause grave prejudice to the prevention or detection of any crime or the apprehension or prosecution of offenders; or
  - (ii) expose the identity of a confidential source of information in relation to law enforcement or national security, to be ascertained;
- (i) subject to the provisions of section 29(2)(c), the information has been supplied in confidence to the public authority concerned by a third party and the third party does not consent to its disclosure;
- (j) the disclosure of such information would be in contempt of court or prejudicial to the maintenance of the authority and impartiality of the judiciary;
- (k) the disclosure of such information would infringe the privileges of Parliament or of a Provincial Council as provided by Law;

- (l) disclosure of the information would harm the integrity of an examination being conducted by the Department of Examination or a Higher Educational Institution;
- (m) the information is of a cabinet memorandum in relation to which a decision has not been taken; or
- (n) the information relates to an election conducted by the Commissioner of Elections which is required by the relevant election laws to be kept confidential.

(2) Notwithstanding the provisions of subsection (1), a request for information shall not be refused on any of the grounds referred to therein, other than the grounds referred to in paragraphs (a), (b), (d), (e), (f), (g), (h) and (j) of that subsection, if the information requested for is over ten years old.

(3) Any information relating to any overseas trade agreement referred to in subsection (1) (c) (v) of this section, where the negotiations have not concluded even after a lapse of ten years shall not be disclosed.

(4) Notwithstanding the provisions of subsection (1), a request for information shall not be refused where the public interest in disclosing the information outweighs the harm that would result from its disclosure.

(5) An information officer may seek the advice of the Commission, with regard to an issue connected with the grant of access to any information which is exempted from being disclosed under subsection (1), and the commission may as expeditiously as possible and in any event give its advice within fourteen days.

Severability  
under certain  
circumstances.

**6.** Where a request for information is refused on any of the grounds referred to in section 5, access shall nevertheless be given to that part of any record or document which contains any information that is not exempted from being disclosed under that section, and which can reasonably be severed from any part that contains information exempted from being disclosed.

### PART III

#### DUTIES OF MINISTERS AND PUBLIC AUTHORITIES

Public  
authorities to  
maintain and  
preserve its  
records.

**7.** (1) It shall be the duty of every public authority to maintain all its records duly catalogued and indexed in such form as is consistent with its operational requirements which would facilitate the right of access to information as provided for in this Act.

(2) In discharging its obligations under subsection (1), every public authority shall comply with any direction given by the Commission under section 14(h).

(3) All records being maintained by every public authority, shall be preserved—

(a) in the case of those records already in existence on the date of coming into operation of this Act, for a period of not less than ten years from the date of coming into operation of this Act; and

(b) in the case of new records which are created after the date of coming into operation of this Act, for a period of not less than twelve years from the date on which such record is created.

(4) No record or information which is the subject matter of a request made under this Act, shall be destroyed during the pendency of such request or any appeal or judicial proceeding relating to such request.

(5) Notwithstanding the provisions of subsection (2), every public authority shall endeavor to preserve all its records in electronic format within a reasonable time, subject to the availability of resources.

**8.** (1) It shall be the duty of every Minister to whom any subject has been assigned to publish biannually before the thirtieth of June and thirty first of December respectively of each year, a report in such form as shall be determined by the Commission as would enable a citizen to exercise the right of access to information granted under section 3 of this Act.

Ministers duty to publish a report.

(2) The report referred to in subsection (1) shall contain-

- (a) the particulars relating to the organisation, functions, activities and duties of the Ministry of such Minister and of all the public authorities falling within the functions so assigned;
- (b) the following particulars pertaining to the Ministry and the public authorities referred to in paragraph (a):-
  - (i) the powers, duties and functions of officers and employees and the respective procedures followed by them in their decision making process;
  - (ii) the norms set for the discharge of their functions, performance of their duties and exercise of their powers;
  - (iii) rules, regulations, instructions, manuals and any other categories of records, which are used by its officers and employees in the discharge of their functions, performance of their duties and exercise of their powers;



8 *Right to Information Act, No. 12 of 2016*

- (iv) the details of facilities available to citizens for obtaining information;
- (v) the budget allocated, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (vi) the name, designation and other particulars of the information officer or officers appointed.

(3) Notwithstanding the provisions of subsection (1), it shall be the duty of every Minister, within six months of the date of coming into operation of this Act, to publish in such form as may be determined by such Minister, a report containing the information referred to in paragraphs (a) and (b) of subsection (2).

(4) The reports referred to in subsections (1), (2) and (3) shall be-

- (a) published in the official languages and be made available in electronic form; and
- (b) made available for public inspection and copies of the same may be issued to a citizen, on the payment of such fee as shall be determined by the Commission.

For the avoidance of doubt it is hereby declared that any reference to the Minister shall also include a reference to a Minister of a Provincial Council established under Chapter XVIIA of the Constitution.

**9.** (1) (a) It shall be the duty of the Minister, to whom the subject pertaining to any project has been assigned, to communicate, three months prior to the commencement of such project, to the public generally, and to any particular persons who are likely to be affected by such project all information relating to the project that is available with the Minister, as on the date of such communication:

Duty of the Minister to inform public about the initiation of projects.

Provided however, in the event of an urgent project, information shall be provided one week prior to the commencement of such project and reasons for such urgency shall be communicated to the Commission.

(b) The Commission shall issue guidelines specifying the manner in which the communication referred to in paragraph (a) shall be made.

(2) (a) The Minister shall, on a written request made in that behalf by a citizen, make available updated information about a project referred to in subsection (1), throughout the period of its development and implementation.

(b) The information shall be made available on the payment of such fee, as shall be prescribed by the Commission for that purpose.

(3) For the purposes of this section, “project” means any project the value of which exceeds-

(a) in the case of foreign funded projects, one hundred thousand United States dollars; and

(b) in the case of locally funded projects, five hundred thousand rupees.

For the avoidance of doubt it is hereby declared that any reference to the Minister shall also include a reference to a Minister of a Provincial Council established under Chapter XVIII A of the Constitution.

Duty of public authorities to submit reports etc.

**10.** Every public authority shall submit annual reports to the Commission before the thirty first day of December immediately succeeding the year to which the report relates which shall be made available to the public in its office and on its official website, furnishing information such as-

- (a) the total number of requests received during the year and information provided and rejected;
- (b) the amount of fees collected during the year;
- (c) the number of requests rejected under section 5;
- (d) the number of times information was provided at the direction of the Commission;
- (e) any suggestions for improving the effectiveness of the regime of transparency;
- (f) the number of appeals from refusal to communicate information;
- (g) practices relating to the maintenance, management and destruction of records; and
- (h) its activities under section 8.

#### PART IV

##### ESTABLISHMENT OF THE RIGHT TO INFORMATION COMMISSION

Establishment of the right to Information Commission.

**11.** (1) There shall be established for the purposes of this Act, a body called the Right to Information Commission (in this Act referred to as the “Commission”).

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

**12.** (1) The Commission shall consist of five persons appointed by the President upon the recommendation of the Constitutional Council. In making such recommendations, the Constitutional Council shall recommend one person nominated by each of the following organisations or categories of organisations:-

Constitution of  
the Commission.

- (a) Bar Association of Sri Lanka which shall nominate an Attorney-at-Law of eminence or a Legal Academic in consultation with Attorneys -at-Law and Legal Academia;
- (b) organizations of publishers, editors and media persons;
- (c) other civil society organizations.

(2) (a) In making recommendations under subsection (1), the Constitutional Council shall ensure that the persons who are being recommended are persons who-

- (i) have distinguished themselves in public life with proven knowledge, experience and eminence in the fields of law, governance, public administration, social services, journalism, science and technology or management;
- (ii) are not Members of Parliament, any Provincial Council or a local authority;
- (iii) do not hold any public or judicial office or any other office of profit;
- (iv) are not connected with any political party; or
- (v) are not carrying on any business or pursuing any profession.

(b) In nominating persons for the consideration of the Constitutional Council the organizations referred to in subsection (1) shall ensure that the persons nominated meet

the criteria specified herein. In the event the Constitutional Council is of the opinion that the nominees do not meet the criteria set out herein fresh nominations shall be called for.

(3) The Constitutional Council shall make its recommendations under subsection (1), within one month of the date of coming into operation of this Act or the date of a vacancy arising in the Commission. In the event, any or all of the organisations concerned fail to make nominations within such period, the Constitutional Council shall make its own recommendations after the expiry of the said period. In the event any nominations are rejected the Constitutional Council shall make its own nominations if no acceptable nominations are resubmitted within two weeks from the rejection.

(4) Where a member of the Commission while holding such office becomes a Member of Parliament, any Provincial Council or a local authority or appointed to any public or judicial office or an office bearer of any political party such member shall cease to be a member of the Commission on such appointment.

(5) The President shall nominate one of the members appointed to the Commission to be its Chairperson.

(6) The members of the Commission shall hold office for a period of five years.

(7) A member of the Commission shall not disclose any information that cannot be disclosed under the provisions of this Act.

(8) The provisions of the Schedule to this Act shall apply to and in respect of the members of the Commission and the conduct of its meetings.

- 13.** (1) The Commission shall appoint-
- (a) a Director-General who shall be the Chief Executive Officer of the Commission;
  - (b) such officers and other employees as it considers necessary.
- Appointment of officers and employees of the Commission.

(2) The Director-General shall be responsible for the general supervision, direction and management of the affairs of the Commission and exercise disciplinary control over the officers and employees of the Commission.

(3) The Director-General and other officers and employees appointed under subsection (1), shall be subject to such terms and conditions of service as shall be determined by the Commission and be paid such remuneration as determined by the Commission in consultation with the Minister assigned the subject of Finance.

- 14.** The duties and functions of the Commission shall be, to –
- (a) monitor the performance and ensure the due compliance by public authorities, of the duties cast on them under this Act;
  - (b) make recommendations for reform both of a general nature and those in regard to any specific public authority;
  - (c) issue guidelines based on reasonableness, for determining fees to be levied by public authorities for the release of any information under this Act;
  - (d) prescribe the circumstances in which information may be provided by an information officer, without the payment of a fee;
  - (e) prescribe the fee Schedule based on the principle of proactive disclosure, in regard to providing information;
- Duties and functions of the Commission.

14 *Right to Information Act, No. 12 of 2016*

- (f) co-operate with or undertake training activities for public officials on the effective implementation of the provisions of this Act;
- (g) publicise the requirements of this Act and the rights of individuals under the Act;
- (h) issue guidelines for the proper record management for public authorities.

Powers of the Commission.

**15.** For the purpose of performing its duties and discharging of its functions under this Act, the Commission shall have the power-

- (a) to hold inquiries and require any person to appear before it;
- (b) to examine such person under oath or affirmation and require such person where necessary to produce any information which is in that person's possession, provided that the information which is exempted from disclosure under section 5 shall be examined in confidence;
- (c) to inspect any information held by a public authority, including any information denied by a public authority under the provisions of this Act;
- (d) to direct a public authority to provide information, in a particular form;
- (e) to direct a public authority to publish any information withheld by a public authority from the public, subject to the provisions of section 5;
- (f) to hear and determine any appeals made to it by any aggrieved person under section 32; and
- (g) to direct a public authority or any relevant information officer of the authority to reimburse fees charged from a citizen due to any information requested for not been provided in time.

**16.** (1) The Commission shall have its own Fund into which shall be credited- Fund of the Commission.

(a) all such sums of money as may be voted upon from time to time by Parliament for the use of the Commission; and

(b) donations, gifts or grants from any source whatsoever, whether in or outside Sri Lanka.

(2) Where any money is received by way of donations, gifts or grants under subsection (1)(b), the sources and purpose for which such donation, grant or gift was made available shall be made public.

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

**17.** (1) The financial year of the Commission shall be the calendar year. Financial year and audit of accounts.

(2) The Commission shall cause proper books of accounts to be maintained of the income and expenditure and all other transactions of the Commission.

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to the audit of the accounts of the Commission.

**18.** The provisions of Part II of the Finance Act, No. 38 of 1971 shall, *mutatis mutandis* apply to the financial control and accounts of the Commission. Part II of the Finance Act, No. 38 of 1971 to apply.

**19.** The members and officers and all other employees of the Commission shall be deemed to be public servants within the meaning and for the purposes of the Penal Code (Chapter 19) and every inquiry held by the Commission under this Act shall be deemed to be a judicial proceeding within the meaning of the Code of Criminal Procedure Act, No. 15 of 1979. Members etc, of the Commission deemed to be public servants.



Application of the Bribery Act.

**20.** The Commission shall be deemed to be a scheduled institution within the meaning of the Bribery Act (Chapter 26) and the provisions of that Act shall be construed accordingly.

Expenses incurred in any suit or prosecution.

**21.** Any expenses incurred by any member, officer or employee of the Commission 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 Commission unless such expenses are recovered by him in such suit or prosecution.

Procedural requirements to be published.

**22.** The Commission shall within six months of its establishment, formulate and give adequate publicity to the procedural requirements for the submission of appeals to the Commission under section 32.

## PART V

### APPOINTMENT OF INFORMATION OFFICERS AND PROCEDURE FOR GAINING ACCESS TO INFORMATION

Appointment of Information officers and designated officers.

**23.** (1) (a) Every public authority shall for the purpose of giving effect to the provisions of this Act, appoint, within three months of the date of coming into operation of this Act, one or more officers as information officers of such public authority and a designated officer to hear appeals.

(b) Until such time that an information officer is appointed under paragraph (a) the Head or Chief Executive Officer of the public authority shall be deemed to be the information officer of such public authority, for the purposes of this Act.

(2) Every information officer shall deal with requests for information made to the public authority of which he or she has been appointed its information officer, and render all necessary assistance to any citizen making such request to obtain the information.

(3) The Information Officer may seek the assistance of any other officer as he or she may consider necessary, for the

proper discharge of the duty imposed on him under this Act, and where assistance is sought from any such officer, it shall be the duty of such officer to provide the required assistance.

24. (1) Any citizen who is desirous of obtaining any information under this Act shall make a request in writing to the appropriate information officer, specifying the particulars of the information requested for:

Procedure for obtaining information.

Provided that where any citizen making a request under this subsection is unable due to any reason to make such request in writing, such citizen shall be entitled to make the request orally and it shall be the duty of the appropriate information officer to reduce such request to writing on behalf of the citizen.

(2) Where a citizen –

- (a) wishes to make a request to a public authority; or
- (b) has made a request to a public authority which does not comply with the requirements of this Act,

the information officer concerned shall take all necessary steps to assist the citizen, free of charge, to make the request in a manner that complies with this Act.

(3) On receipt of a request, an information officer shall immediately provide a written acknowledgement of the request to the citizen.

(4) Where an information officer is able to provide an immediate response to a citizen making a request and such response is to the satisfaction of the requester, the information officer shall make and retain a record of the request and the response thereto.

(5) A citizen making a request for information shall:–

- (a) provide such details concerning the information requested as is reasonably necessary to enable

the information officer to identify the information;

- (b) identify the nature of the form and language in which the citizen prefers access;
- (c) where the citizen making the request believes that the information is necessary to safeguard the life or liberty of a person, include a statement to that effect, including the basis for that belief; and
- (d) not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him or her.

(6) For the purpose of this section –

“writing” includes writing done through electronic means; and

“appropriate information officer” means the Information Officer appointed to the public authority from which the information is being requested for.

Decision on requests submitted under section 24.

**25.** (1) An information officer shall, as expeditiously as possible and in any case within fourteen working days of the receipt of a request under section 24, make a decision either to provide the information requested for on the payment of a fee determined in accordance with the fee schedule referred to in section 14(e) or to reject the request on any one or more of the grounds referred to in section 5 of this Act, and shall forthwith communicate such decision to the citizen who made the request.

(2) Where a decision is made to provide the information requested for, access to such information shall be granted within fourteen days of arriving at such decision.

(3) Where the request for information concerns the life and personal liberty of the citizen, the response to it shall be made within forty-eight hours of the receipt of the request.

(4) Notwithstanding the requirement made for the payment of a fee under subsection (1), the Commission may specify the circumstances in which information may be provided by an information officer, without the payment of a fee.

(5) The period of fourteen days referred to in subsection (2) for providing access to information may be extended for a further period of not more than twenty one days where-

- (a) the request is for a large number of records and providing the information within fourteen days would unreasonably interfere with the activities of the public authority concerned; or
- (b) the request requires a search for records in, or collection of records from, an office of the public authority not situated in the same city, town or location as the office of the information officer that cannot reasonably be completed within the fourteen days.

(6) Where a period for providing information is to be extended for any of the circumstances referred to in subsection (5), the information officer shall, as soon as reasonably possible, but in any case within fourteen days, notify the citizen concerned of such fact giving the following reasons:-

- (a) the period of the extension; and
- (b) reasons for the extension.

(7) A citizen who is dissatisfied with the reasons given under subsection (6) may lodge an appeal with the designated officer.

**26.** (1) Every public authority shall display in a conspicuous place within the official premises and on a website of such public Authority if any, a notice specifying-

- (a) contact details of the Commission and the members of the Commission;

Public authority to display details of information officers and fees to be charged.

- (b) contact details of the information officer;
- (c) contact details of the designated officer;
- (d) fees to be charged for obtaining any information from such public Authority.

(2) The fee referred to in subsection (1)(d), shall be determined in accordance with the fee scheduled formulated by the Commission under section 14(e).

Manner in which information is to be provided.

**27.** (1) Where decision has been made to grant a request for information, such information shall be provided in the form in which it is requested for, unless the information officer is of the view that providing the information in the form requested for would not be detrimental to the safety or preservation of the relevant document or record in respect of which the request was made.

(2) Where an information officer is unable to provide the information in the manner requested for, it shall be the duty of such officer to consult the citizen and render all possible assistance to the citizen to determine an appropriate alternative means of providing access to the information and to facilitate compliance with such request.

(3) Subject to the provisions of subsection (1), a citizen, whose request for information has been granted, is entitled to:—

- (a) inspect relevant work, documents, records;
- (b) take notes, extracts or certified copies of documents or records;
- (c) take certified samples of material;
- (d) obtain information in the form of diskettes, floppies, tapes, video cassettes or any other electronic mode or through printouts where such information is stored in a computer or in any other device.

**28.** Where a request for information is refused by an information officer, such officer shall specify the following information in the communication to be sent under section 25(1), to the citizen who made the request—

Refusal of a request to be communicated.

- (a) the grounds on which such request is refused; and
- (b) the period within which and the person to whom an appeal against such refusal may be preferred under section 32 of this Act.

**29.** (1) Where a request made to an information officer by any citizen to disclose information which relates to, or has been supplied by a third party and such information has been treated as confidential at the time the information was supplied, the information officer shall, within one week of the receipt of such request, invite such third party by notice issued in writing, to make representation for or against such disclosure, within seven days of the receipt of the notice.

Where information requested for was supplied by a third party.

(2) An information officer shall be required in making his decision on any request made for the disclosure of information which relates to or has been supplied by a third party, to take into consideration the representations made by such third party under subsection (1), and shall, where the third party—

- (a) does not respond to the notice, disclose information requested for;
- (b) responds to the notice and agrees to the disclosure of the information requested for, disclose such information;
- (c) responds to the notice and refuses to the disclosure of the information requested for, deny access to the information requested for:

Provided however, the Commission may on the application made in that behalf by the citizen making the request, direct the disclosure of the information in question notwithstanding any objections raised by such third party against its disclosure, where the release of the information concerned demonstrably outweighs the private interest in non disclosure.

Exemption from suit or prosecution.

**30.** No liability, whether civil or criminal, shall attach to any public authority or any information officer or any other officer of such public authority, for anything which in good faith is done by such officer in the performance or exercise of any function or power imposed or assigned to such officer under this Act.

## PART VI

### APPEALS AGAINST REJECTIONS

Appeals against a rejection of a request.

- 31.** (1) Any citizen who is aggrieved as a result of—
- (a) refusing a request made for information;
  - (b) refusing access to the information on the ground that such information is exempted from being granted under section 5;
  - (c) non-compliance with time frames specified by this Act;
  - (d) granting of incomplete, misleading or false information;
  - (e) charging an excessive fees;
  - (f) the refusal of the information officer to provide information in the form requested; or
  - (g) the citizen requesting having reasonable grounds to believe that information has been

deformed, destroyed or misplaced to prevent such citizen from having access to the information,

may, prefer an appeal to the designated officer within fourteen days of the refusal, act or date of becoming aware of the grounds on which the appeal is sought to be made, as the case may be:

Provided however, that the designated officer may admit the appeal after the expiry of the period of fourteen days if he or she is satisfied that the appellant was prevented by a reason beyond his or her control from filing the appeal in time.

(2) The designated officer shall issue a receipt on the acceptance of the appeal, to the citizen making the appeal, and in any case within three working days.

(3) The decision on any appeal preferred under subsection (1), shall be made by the designated officer within three weeks of the receipt of the appeal and shall include the reasons for the said decision including specific grounds for the same.

(4) The right of a citizen to prefer an appeal under subsection (1) shall be without prejudice to his or her right to make an application to the Commission.

(5) The designated officer may where reasonable cause is given for failure to submit an appeal within a period specified by subsection (1) by the citizen making such an appeal may at his discretion hear the appeal notwithstanding such delay.

**32.** (1) Any citizen aggrieved by:—

Appeals to the Commission.

(a) the decision made in respect of an appeal under section 31(1), may within two months of the communication of such decision; or



- (b) the failure to obtain a decision on any appeal made within the time specified for giving the same under section 31(3), may within two months of the expiry of the period so specified,

may appeal against that decision or the failure, to the Commission and the Commission may within thirty days of the receipt of such appeal affirm, vary or reverse the decision appealed against and forward the request back to the information officer concerned for necessary action.

(2) The Commission may admit the appeal after the expiry of the period of two months if the commission is satisfied that the appellant was prevented by a reason beyond his or her control from filing the appeal in time.

(3) The Commission shall give reasons for its decisions in writing, to the appellant, the information officer and the public authority concerned.

(4) On appeal, the burden of proof shall be on the public authority to show that it acted in compliance with this Act in processing a request.

Appeal may be made on behalf of an aggrieved party.

**33.** Where the aggrieved party is unable due to any reason to make an appeal under section 31 or section 32, as the case may be, such appeal may be made by a person duly authorized in writing by the aggrieved party to prefer the same.

Appeals to the Court of Appeal.

**34.** (1) A citizen or public authority who is aggrieved by the decision of the Commission made under section 32, may appeal against such decision to the Court of Appeal within one month of the date on which such decision was communicated to such citizen or public authority.

(2) Until rules are made under Article 136 of the Constitution pertaining to appeals under this section, the rules made under that Article pertaining to an application by way of revision to the Court of Appeal, shall apply in respect of every appeal made under subsection (1) of this section.

PART VII

GENERAL

**35.** Every officer in any public authority giving a decision which affects any person in any way, shall be required on request made in that behalf by the person concerned, to disclose to that person in writing the reasons for arriving at such decision.

Duty to disclose reasons for a decision.

**36.** Nothing in this Act is intended to prevent or discourage information holders from publishing or giving access to information or prevent any person from seeking and obtaining information, which may be provided in due compliance with the law.

Nothing in this Act to prevent or discourage information from being published.

**37.** (1) The Commission shall cause to be prepared a report of its activities as often as it may consider necessary, so however, that it shall prepare at least one report in each calendar year. The Commission shall transmit a copy of every such report to be tabled before Parliament and a copy of same shall also be sent to the President.

Commission to prepare a report of its activities.

(2) A copy of the report prepared under subsection (1) shall, within two weeks of it being tabled before Parliament, be made available for public inspection at the office of the Commission and wherever possible, a copy of the same may be made available on its website.

**38.** (1) Where—

Commission to inform the appropriate disciplinary authority.

- (a) any information officer willfully -
- (i) refuses to receive an application for information from any citizen;
  - (ii) refuses a request made for information, without giving reasons for such refusal;
  - (iii) stipulates excessive fees in breach of the fee Schedule referred to in section 14 (e);

- (iv) otherwise fails to process a request in accordance with the provisions of this Act;  
or

(b) any designated officer willfully –

- (i) under section 31 refuses an appeal, made on any ground other than a ground specified in section 5 of this Act;
- (ii) failed without any reasonable cause to make a decision on an appeal, within the time specified under section 31(3) for making such decision,

the Commission shall, bring the matter to the notice of the appropriate disciplinary authority.

(2) The relevant disciplinary authority shall inform the Commission of the steps taken in respect of any matter brought to the notice of such disciplinary authority within a period of one month.

Offences. **39.** (1) Every person who–

- (a) deliberately obstructs the provision of information or intentionally provides incorrect, incomplete or inaccurate information;
- (b) destroys, invalidates, alters or totally or partially conceal information under his or her custody, or to which he or she has access to or knowledge of due to the exercise of his or her employment in such public authority;
- (c) fails or refuses to appear before the Commission when requested to do so by the Commission;

- (d) appears before the Commission, and fails or refuses to be examined by the Commission or to produce any information which is in that persons possession or power or deliberately provides false information under oath or affirmation;
- (e) fails or refuses to comply with or give effect to a decision of the Commission;
- (f) resists or obstructs the Commission or any officer or other employee of the Commission, in the exercise of any power conferred on the Commission or such officer or employee, by this Act;
- (g) discloses any information in contravention of the provisions of section 12(7) of this Act,

commits an offence under this Act and shall on conviction after summary trial by a Magistrate be liable to a fine not exceeding fifty thousand rupees or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(2) Any officer whose assistance was sought for by an information officer under section 23(3) and who fails without reasonable cause to provide such assistance, shall commit an offence under this Act, and shall on conviction after summary trial by a Magistrate be liable to a fine not exceeding ten thousand rupees.

(3) A fine imposed for the commission of an offence referred to in subsection (1) or (2) of this section, shall be in addition to and not in derogation of any disciplinary action that may be taken against such officer by the relevant authority empowered to do so.

(4) A prosecution under this Act shall be instituted by the Commission.

Release or disclosure of information by an employee of a public authority.

**40.** Notwithstanding any legal or other obligation to which a person may be subject to by virtue of being an officer or employee of any public authority, no officer or employee of a public authority shall be subjected to any punishment, disciplinary or otherwise, for releasing or disclosing any information which is permitted to be released or disclosed under this Act.

Regulations.

**41.** (1) The Minister may in consultation with the Commission make regulations in respect of all matters required by this Act to be prescribed or in respect of which regulations are necessary to be made in order to give effect to the principles and provisions of this Act.

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

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

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

Rules.

**42.** (1) The Commission may make rules concerning any of the following matters:-

- (a) the form and manner in which appeals may be made to the Commission;
- (b) the procedure for holding inquiries;
- (c) fee schedule in respect of providing information;

- (d) the format of the reports to be prepared under section 10.

(2) No rule made under this section shall have effect until it is approved by the Minister and notification of such approval is published in the *Gazette*.

**43.** In this Act, unless the context otherwise requires— Interpretation.

“citizen” includes a body whether incorporated or unincorporated, if not less than three-fourths of the members of such body are citizens;

“designated officer” means a designated officer appointed under section 23 of this Act;

“Higher Educational Institution” means a University, Campus or University College established or deemed to be established or made by the Universities Act, No. 16 of 1978 or acknowledged by the University Grants Commission or established under the provisions of any other Act;

“information” includes any material which is recorded in, in any form including records, documents, memos, emails, opinions, advices, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, correspondence, memorandum, draft legislation, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, video tape, machine readable record, computer records and other documentary material, regardless of its physical form or character and any copy thereof;

“information officer” means an information officer appointed under section 23 of this Act;

“local authority” means a Municipal Council, Urban Council or a Pradeshiya Sabha and includes any authority created or established by or under any law to exercise, perform and discharge powers, duties and functions corresponding or similar to the powers, duties and functions exercised, performed or discharged by any such Council or Sabha;

“non governmental organisation” means any organization formed by a group of persons on a voluntary basis and receiving funds directly or indirectly from the Government or international organisations and is of a non governmental nature;

“public authority” means –

- (a) a Ministry of the Government;
- (b) any body or office created or established by or under the Constitution, any written law, other than the Companies Act No. 7 of 2007, except to the extent specified in paragraph (e), or a statute of a Provincial Council;
- (c) a Government Department;
- (d) a public corporation;
- (e) a company incorporated under the Companies Act, No. 7 of 2007, in which the State, or a public corporation or the State and a public corporation together hold twenty five *per centum* or more of the shares or otherwise has a controlling interest;

- (f) a local authority;
- (g) a private entity or organisation which is carrying out a statutory or public function or service, under a contract, a partnership, an agreement or a license from the government or its agencies or from a local body, but only to the extent of activities covered by that statutory or public function or service;
- (h) any department or other authority or institution established or created by a Provincial Council;
- (i) non-governmental organisations that are substantially funded by the government or any department or other authority established or created by a Provincial Council or by a foreign government or international organisation, rendering a service to the public in so far as the information sought relates to the service that is rendered to the public;
- (j) higher educational institutions including private universities and professional institutions which are established, recognised or licensed under any written law or funded, wholly or partly, by the State or a public corporation or any statutory body established or created by a statute of a Provincial Council;
- (k) private educational institutions including institutions offering vocational or technical education which are established, recognised or



licensed under any written law or funded, wholly or partly, by the State or a public corporation or any statutory body established or created by a statute of a Provincial Council;

- (l) all courts, tribunals and institutions created and established for the administration of justice;

Sinhala text to prevail in case of inconsistency.

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

SCHEDULE [Section 12(8)]

PROVISIONS RELATING TO MEMBERS OF THE COMMISSION

(1) A member of the Commission shall cease to be a member, where such member:-

- (a) resigns his or her office earlier by writing addressed to the President;
- (b) is removed from office by the President;
- (c) is convicted by a court of law;
- (d) is deemed to have vacated office by absenting himself or herself from three consecutive meetings of the Commission, without obtaining prior leave of the Commission; or
- (e) engages in any employment outside the duties of his office, during the term of office.

(2) The President may on the recommendation of the Constitutional Council remove from office a member of the Commission, where:-

- (a) such member has become permanently incapable of performing his or her duties owing to any physical disability or unsoundness of mind ;

- (b) such member is unfit to perform his or her duties on the basis of moral turpitude; or
- (c) such member is convicted of an offence by a competent court of law.

(3) The Chairperson or any other member of the Commission may resign from such office by letter in that behalf addressed to the President and the resignation shall become effective from the date of its acceptance by the President in writing.

(4) In the event of the vacation of the office of any member of the Commission, the President shall follow the same procedure as set out in section 12(1) and appoint another person to hold such office for the unexpired term of office of the member whom he succeeds.

(5) (a) Where a member of the Commission, is temporarily unable to discharge his or her duty due to ill health, absence from Sri Lanka or for any other cause, the President may on the recommendation of the Constitutional Council, appoint another person to act in place of such member during his or her absence.

(b) Where the Chairperson of the Commission, is temporarily unable to discharge his or her duty due to ill health, absence from Sri Lanka or for any other cause, the President shall appoint another member of the Commission, to act in place of such Chairperson during his or her absence.

(6) The members of the Commission, shall be paid such remuneration as shall be determined by the Minister in charge of the subject of Finance.

(7) (a) The Commission shall meet at least once in every month or as often as may be necessary.

(b) The quorum for any meeting of the Commission shall be three members.

(c) The Chairperson of the Commission shall preside at all meetings of the Commission, and in the absence of the Chairperson at any such meeting, the members present shall elect from amongst them, a member to preside at such meeting.

(d) The Chairperson or the person presiding at any meeting of the Commission, shall in addition to his vote, have a casting vote.

(e) The Commission shall regulate the procedure in regard to its meetings and the transaction of business at such meetings.

34      *Right to Information Act, No. 12 of 2016*

(8) The seal of the Commission:—

- (a) shall be as determined from time to time by the Commission;
- (b) shall be in the custody of such person as the Commission shall determine;
- (c) may be altered in such manner as may be determined by the Commission; and
- (d) shall not be affixed to any document or instrument, except with the sanction of the Commission, and in the presence of the Chairperson and one other member of such Commission both of whom shall sign such document or the instrument in token of their presence.

---

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**

---

**FISCAL MANAGEMENT (RESPONSIBILITY)  
(AMENDMENT) ACT, No. 13 OF 2016**

---

[Certified on 23rd August, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of August 26, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 10.00**

**Postage : Rs. 10.00**

*Fiscal Management (Responsibility)  
(Amendment) Act, No. 13 of 2016*

[Certified on 23rd August, 2016]

L.D.—O. 16/2016

AN ACT TO AMEND THE FISCAL MANAGEMENT (RESPONSIBILITY)  
ACT, NO. 3 OF 2003

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

1. This Act may be cited as the Fiscal Management (Responsibility) (Amendment) Act, No. 13 of 2016, and shall be deemed to have come into operation on January 1, 2016.

Short title and date of operation.
2. Section 3 of the Fiscal Management (Responsibility) Act, No. 3 of 2003 is hereby amended in paragraph (e) thereof by the substitution for the words and figures “7 per centum;” of the words “ten per centum;”.

Amendment of section 3 of Act, No. 3 of 2003.
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**

---

**OFFICE ON MISSING PERSONS  
(ESTABLISHMENT, ADMINISTRATION AND  
DISCHARGE OF FUNCTIONS)  
ACT, No. 14 OF 2016**

---

[Certified on 23rd August, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of August 26, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 15.00**

**Postage : Rs. 10.00**



*Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

[Certified on 23rd August, 2016]

L.D.O- 32/2016

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE OFFICE ON MISSING PERSONS; TO PROVIDE FOR THE SEARCHING AND TRACING OF MISSING PERSONS; TO PROVIDE ASSISTANCE TO RELATIVES OF MISSING PERSONS; FOR THE SETTING UP OF A DATABASE OF MISSING PERSONS; FOR SETTING OUT THE PROCEDURES AND GUIDELINES APPLICABLE TO THE POWERS AND FUNCTIONS ASSIGNED TO THE SAID OFFICE; AND TO PROVIDE FOR ALL MATTERS WHICH ARE CONNECTED WITH OR INCIDENTAL TO, THE IMPLEMENTATION OF THE PROVISIONS OF THIS ACT.

WHEREAS there have been incidents of missing persons including those missing as victims of abduction, persons missing in action or otherwise missing in connection with armed conflicts, political unrest and civil disturbances: Preamble

AND WHEREAS relatives of missing persons are entitled to know the circumstances in which such persons went missing, and the fate and whereabouts of such missing persons:

AND WHEREAS it is recognised that the establishment of an Office on Missing Persons is necessary to take all necessary measures to search and trace missing persons; to protect the rights and interests of missing persons and their relatives; and towards ensuring non-recurrence:

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 Office on Missing Persons (Establishment, Administration and Discharge of Functions) Act, No. 14 of 2016. Short title and date of operation.

2 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

(2) The provisions of this Act shall come into operation on such date as the Minister may appoint, by Order published in the *Gazette* (hereinafter referred to as the ‘appointed date’).

Objectives of the Act.

2. The objectives of the Office on Missing Persons (Establishment, Administration and Discharge of Functions) Act is to ensure that all necessary measures are taken –

- (a) to provide appropriate mechanisms for searching and tracing of missing persons, and to clarify the circumstances in which such persons went missing, and their fate ;
- (b) to make recommendations to the relevant authorities towards reducing the incidents of ‘missing persons’ within the meaning of this Act;
- (c) to protect the rights and interests of missing persons and their relatives as provided for in this Act;
- (d) to identify proper avenues of redress to which such missing persons or their relatives may have recourse.

## PART I

### ESTABLISHMENT OF THE OFFICE ON MISSING PERSONS

Establishment of the Office on Missing Persons (OMP).

3. (1) There shall be established an Office which shall be called and known as the “Office on Missing Persons” (hereinafter referred to as the “OMP”)

(2) The OMP shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) The head office of the OMP shall be situated in Colombo. The OMP may, from time to time, establish such number of regional offices as may be necessary, to achieve its mandate.

*Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)* 3  
*Act, No. 14 of 2016*

4. (1)(a) The OMP shall consist of seven members who shall be appointed by the President on the recommendation of the Constitutional Council. Constitution and composition of the OMP.

- (b) One of the members of the OMP shall, on the recommendation of the Constitutional Council, be appointed by the President as the Chairman of the OMP:

Provided that the Constitutional Council may recommend more than one name for consideration by the President, to be appointed as the Chairman of the OMP.

(2) In making recommendations for the appointment of members to the OMP, the Constitutional Council shall, have due regard to:-

- (a) ensuring that the composition of the OMP reflects the pluralistic nature of the Sri Lankan society; and
- (b) ensuring that the members of the OMP shall be persons with previous experience in fact finding or investigation, human rights law, international humanitarian law, humanitarian response, or possess other qualifications relevant to the carrying out of the functions of the OMP.

5. (1) The President shall appoint, within fourteen days of receiving the recommendations of the Constitutional Council for such appointments, the Chairman and the Members of the OMP. Chairman and members of the OMP.

(2) In the event the President fails to make the necessary appointments within such period of fourteen days-

- (a) the persons recommended to be appointed as members of the OMP, shall be deemed to have been appointed as members of the OMP; and

4 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

- (b) the person whose name appears first in the list of names recommended to be appointed as the Chairman, shall be deemed to have been appointed as the Chairman of the OMP,

with effect from the date of expiry of such period.

(3) The Chairman of the OMP shall be its Chief Executive Officer.

Term of office  
of members.

**6.** Every member of the OMP shall hold office for a period of three years, unless he vacates office prior to the expiration of such term.

Removal of  
members.

**7.** (1) Any member who vacates his office, otherwise than by, removal under subsection (3), shall be eligible to be considered for re-appointment for one further term of three years only:

Provided that no person shall be entitled to be appointed as a Member of the OMP for more than two terms of office.

Provided further, that the period in which a Member is appointed as an acting Member shall not be considered as a 'term' of office within the meaning of this subsection.

(2) The office of a member shall become vacant-

- (a) upon the death of such member;
- (b) upon such member resigning such office by writing addressed to the President;
- (c) upon such member being removed from office on any ground specified in subsection (3) hereof; or
- (d) on the expiration of such member's term of office.

(3) A member of the OMP may be removed from office by the President, if such person-

- (a) is adjudged an insolvent by a court of competent jurisdiction;

*Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)* 5  
*Act, No. 14 of 2016*

- (b) is found to have a conflict of interest, which in the opinion of the President, formed on the recommendation of the Prime Minister, made in consultation with the Speaker and the Leader of the Opposition, conflicts with his duties as a member of the OMP;
- (c) is unfit to continue in office by reason of infirmity of mind or body;
- (d) is declared to be of unsound mind by a court of competent jurisdiction;
- (e) is convicted of an offence involving moral turpitude; or
- (f) absents himself from three consecutive meetings without previously obtaining leave of the OMP.

(4) The Chairman may resign from the office of Chairman by letter addressed to the President.

(5) Subject to the provisions of subsection (3), the term of office of the Chairman shall be the period of membership of the OMP.

(6) (a) If the Chairman of the OMP becomes temporarily unable to perform the duties of his office, by reason of illness or other infirmity or due to absence from Sri Lanka or any other such reason, the President may appoint any other member of the OMP to act in his place.

(b) If a Member of the OMP becomes temporarily unable to perform the duties of his office, by reason of illness or other infirmity or due to absence from Sri Lanka or any other such reason, the President may appoint any other person to act in his place.

6 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

(c) The provisions of sections 4 (1) and 5 shall apply in respect of any person appointed to act as Chairman or Member.

(7) No act or proceeding of the OMP shall be deemed to be invalid by reason only of the existence of any vacancy among its members, or defect in the appointment of any member thereof.

Meetings of  
OMP.

**8.** (1) The Chairman shall preside at all meetings of the OMP. In the event of his absence from any meeting, the members of the OMP present at such meeting shall elect one of their membership to preside at such meeting.

(2) The Chairman of the OMP shall, in addition to his own vote, have a casting vote.

(3) Subject to the other provisions of this Act, the OMP may make rules, to regulate the procedure in regard to the conduct of meetings of the OMP, and the transaction of business at such meetings.

Quorum.

**9.** The quorum for meetings of the OMP shall be four members.

## PART II

### POWERS, DUTIES AND MANDATE OF THE OMP

Mandate of the  
OMP.

**10.** (1) The OMP shall have the mandate-

(a) to search for and trace missing persons and identify appropriate mechanisms for the same and to clarify the circumstances in which such persons went missing;

(b) to make recommendations to the relevant authorities towards addressing the incidence of missing persons;

*Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016* 7

- (c) to protect the rights and interests of missing persons and their relatives as provided for in this Act;
  - (d) to identify avenues of redress to which missing persons and relatives of missing persons are entitled and to inform the missing person (if found alive) or relative of such missing person of same;
  - (e) to collate data related to missing persons obtained by processes presently being carried out, or which were previously carried out, by other institutions, organizations, Government Departments and Commissions of Inquiry and Special Presidential Commission of Inquiry and centralize all available data within the database established under this Act;
  - (f) to do all such other necessary things that may become necessary to achieve the objectives under the Act.
- (2) The mandate of the OMP shall extend to missing persons notwithstanding the time period in which such person became a missing person.

**11.** The OMP shall have the following general powers-

General Powers  
of the OMP.

- (a) to enter into agreements, as are necessary to achieve the mandate of the OMP, with any person or organization;
- (b) to make rules to ensure the effective functioning of the OMP;
- (c) to issue from time to time, rules and guidelines, which may include gender-sensitive policies, to be followed by all staff of the OMP relating to the exercise, performance and discharge of its powers, duties and functions;

8 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

- (d) to appoint and dismiss staff and consultants and to request secondment of public officers to the OMP;
- (e) to establish from time to time, and in addition to those Units and Divisions specifically mentioned in this Act, such Committees and / or Divisions and / or Units as are required for the effective administration and functioning of the OMP, and shall also have the power to delegate such powers and functions as are necessary to such Committees, Divisions and Units.

Powers of  
Investigation.

**12.** The OMP shall have the following investigative powers:-

- (a) to receive, from any relative of a missing person, or any other person or organization, complaints relating to missing persons, irrespective of when such person may have become a missing person;
- (b) to initiate an inquiry and/or investigation into the whereabouts and/or circumstances of disappearance of a missing person pursuant to a complaint made to the OMP or on the basis of information received from previously established Commissions of Inquiry, Commissions on missing persons or Commissions which have inquired into allegations relating to disappearances or missing persons:

Provided however, that the OMP may grant priority to-

- (i) incidents of missing persons that have occurred most recently;
- (ii) incidents in which there is substantial evidence already available; or
- (iii) such incidents that are, in the opinion of the OMP, of public importance;



- (c) to take all necessary steps to investigate cases of missing persons, including but not limited to the following—
  - (i) to procure and receive statements, written or oral, and to examine persons as witnesses, including video-conferencing facilities;
  - (ii) to summon any person present or residing in Sri Lanka to be present before the OMP to provide a statement or produce any document or other thing in his possession;
  - (iii) to admit, notwithstanding anything contained to the contrary in the Evidence Ordinance, any statement or material, whether written or oral, which might be inadmissible in civil or criminal proceedings;
  - (iv) to establish a process to accept confidential information or information *in camera*, if required, to help ensure personal security for victims and witnesses;
  - (v) to establish a process to accept information on the condition of confidentiality.
- (d) to apply to the appropriate Magistrate's Court having territorial jurisdiction, for an order of Court to carry out an excavation and/or exhumation of suspected grave sites, and to act as an observer at such excavation or exhumation, and at other proceedings, pursuant to the same;
- (e) to request assistance necessary for the achieving of its mandate, from any State, governmental, provincial, or local authority or agency, or any officer thereof. Notwithstanding anything to the

10 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

contrary in any other written law or regulation made thereunder, any such authority, agency or officer to which a request for assistance is made by the OMP shall forthwith render such assistance. Such assistance shall include but not be limited to providing information and producing documents in the possession of such authority, agency or officer;

- (f) to authorize in writing a specified officer of the OMP, to enter without warrant, at any time any place of detention, police station, prison or any other place in which any person is suspected to be detained, or is suspected to have previously been detained in, whether by judicial order or otherwise and make such examinations therein or make such inquiries from any person found therein, to ascertain the conditions of detention and retain any documents or objects, as may be necessary;

For the purposes of this paragraph, the Minister assigned the subject of Justice shall make guidelines for the conduct of the search and place it before Parliament within a period of three months;

The OMP shall inform the Inspector General of Police within twenty four hours of conducting the search without a warrant;

- (g) to make an application to the Magistrate having territorial jurisdiction, for the issuance of a search warrant, to enable Police or specified officers of the OMP, to search any premises suspected to contain evidence relevant to an investigation being conducted by the OMP, and to examine, make copies of, extract from, seize and retain, any object that is deemed necessary for the purposes of any investigation being conducted by the OMP;
- (h) to refer, after due consultation with the complainant, to the police or any other relevant law enforcement

authority all cases of missing persons that have been brought before the OMP not falling within the definition of the expression “missing persons” as defined in this Act;

- (i) where it appears to the OMP that an offence within the meaning of the Penal Code or any other law, has been committed, that warrants investigation, the OMP may, after consultation with such relatives of the missing person as it deems fit, in due consideration of the best interests of the victims, relatives and society, report the same to the relevant law enforcement or prosecuting authority: such report will provide information relating to the missing person’s civil status (such as the name, age and gender of the missing person), the place(s) or district(s) in which the missing person was last seen and the date thereof:

Provided that where a witness consents, the OMP may also inform the relevant authority, of the details of such witness, in order to enable such relevant authority to secure a statement from such witness to be used in the process of investigation.

- 13.** (1) The OMP shall be charged with the following functions:-

Functions and duties of the OMP.

- (a) (i) Pending an ongoing investigation, where the OMP has sufficient material to conclude that the person to whom a complaint relates is a missing person, it shall issue an interim report to the relative of such missing person, to such effect, in order to enable the Registrar General to issue a Certificate of Absence;
- (ii) Upon the conclusion of an investigation, where the OMP concludes that the person to whom a complaint relates is a missing person or is

12 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

deceased it shall issue a report to the relative of such missing person, to such effect, in order to enable the Registrar General to issue a Certificate of Absence or a Certificate of Death as the case may be;

- (iii) where further investigations reveal that a conclusion reported in an interim report or report is erroneous, the OMP shall notify the relative of the same, and simultaneously inform the Registrar General of such further development;
  - (iv) in providing interim reports, reports, or information to a relative of a missing person, the order of priority between relatives shall be the order specified in section 27;
  - (v) interim reports and reports shall only be issued to facilitate the issuance of Certificates of Absence during the operation of the Registration of Deaths (Temporary Provisions) Act, No. 19 of 2010 or such other law which permits the issuance of Certificates of Absence by the Registrar General.
- (b) to provide to any relative of a missing person or any other complainant, wherever the OMP is able to do so, information relating to the whereabouts of a missing person, if found to be alive, subject to the consent of the person found alive;
- (c) to provide relatives of a missing person, information relating to the status of an ongoing investigation, pertaining to such missing person, unless the OMP is of the view that such would hinder the ongoing investigation or that it is not in the best interests of the missing person:

Provided that where the relatives of the missing person are deceased or unknown or the OMP is unable to locate such relatives, the OMP may provide updates with regard to such investigation to an appropriate authority or organisation.

- (d) at the conclusion of an investigation the OMP shall, subject to the provisions of section 15(1)-
  - (i) where the missing person is deceased or his whereabouts are unknown, inform the relatives of the missing person and other complainant as the case may be, of the circumstances in which such person went missing and his fate;
  - (ii) where the missing person's whereabouts are known, subject to sub-paragraph (b) inform the relatives of the missing person of the circumstances in which such person went missing.
- (e) to provide, or facilitate the provision of, administrative assistance, and welfare services including where required, psycho-social support, to the relatives of the missing person;
- (f) to recommend that the relevant authority grant reparations to missing persons and / or relatives of missing persons, including but not limited to compensation and / or recommend the provision of other administrative and welfare services including psycho-social services;
- (g) to develop and enforce a system for victim and witness protection:

Provided that the provisions hereof shall not prejudice the rights of parties or the OMP to seek

14 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

appropriate orders in terms of the Assistance to and Protection of Victims of Crime and Witnesses Act, No. 4 of 2015;

- (h) to create, manage and maintain a database which will include all particulars concerning missing persons;
- (i) to inform victims, relatives, witnesses and other informants who provide information to the OMP, of their right to directly refer matters to relevant authorities, including their right to report serious crimes to the relevant law enforcement or prosecuting authority and of the availability of any mechanism through which they may make claims for administrative relief;
- (j) to take appropriate steps towards creating public awareness of the causes, incidence and effects of missing persons, and towards creating public support for fulfilling the needs of the relatives of missing persons and facilitating their access to economic, psycho-social, legal and administrative support;
- (k) to make recommendations to the relevant authorities, relevant to its mandate, including recommendations relating to-
  - (i) the prevention of future disappearances, based on patterns identified in the course of the work of the OMP;
  - (ii) the means and methods of commemoration and acknowledgment;
  - (iii) the handling of unidentifiable remains and identifiable remains;

- (iv) the handling of cases in which either circumstances or whereabouts of missing persons cannot be clarified;
- (v) the publishing of information on issues of missing persons for public knowledge with due consideration to all relevant laws pertaining to confidentiality and protection of data;
- (vi) the development of national laws and regulations related to missing persons; and
- (vii) reparations, psycho-social support and other means to improve social and economic conditions of victims and relatives of missing persons:

Provided that in making the said recommendations under paragraph (k) the OMP shall consult as it deems appropriate, relatives of missing persons and / or organisations representing missing persons.

(2) The findings of the OMP shall not give rise to any criminal or civil liability.

**14.** In exercising its powers under this Act the OMP shall ensure that the rights of missing persons and relatives of missing persons shall be enforced on a basis of equality without regard to status and without discrimination on any grounds whatsoever.

OMP to ensure the rights of missing persons and relatives.

**15.** (1) Notwithstanding anything to the contrary in any written law, except in the performance of his duties under this Act, every member, officer, servant and consultant of the OMP shall preserve and aid in preserving confidentiality with regard to matters communicated to them in confidence. The provisions of the Right to Information Act, No. 12 of 2016, shall not apply with regard to such information.

Confidentiality of information.

16 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

(2) No member, officer, servant or consultant of the OMP shall be required to produce, whether in any court or otherwise, any material communicated to him in confidence in the performance of his duties under this Act, except as may be necessary for the purpose of carrying out or giving effect to, the provisions of this Act.

(3) The OMP shall take all necessary steps including technical safeguards to ensure the security of all its databases and data.

**PART III**

**SECRETARIAT, TRACING UNIT, VICTIMS AND WITNESS PROTECTION  
DIVISION OF THE OMP**

The Secretariat  
of the OMP.

**16.** (1) The OMP shall have a Secretariat which shall be charged with the responsibility for the administration of the affairs of the OMP.

(2) There may be appointed by the OMP, such officers and staff as may be necessary to assist the OMP in the exercise, performance and discharge of its powers, duties and functions as set out in this Act.

(3) The members of the OMP (for the limited purpose of their functions under this Act) and the officers and staff of the OMP, shall be deemed to be “public servants” for the purposes of the Penal Code (Chapter 19), the Bribery Act and the Evidence Ordinance (Chapter 14).

(4) The OMP 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.

OMP Tracing  
Unit.

**17.** (1) There shall be a Tracing Unit of the OMP, which shall be responsible for tracing and searching for missing persons and for assisting in clarifying the circumstances of such disappearance, and the whereabouts and fate of such missing person.



*Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)* 17  
*Act, No. 14 of 2016*

(2) The Tracing Unit shall be headed by an Executive Officer appointed by the OMP and shall include competent, experienced and qualified investigators, including those with relevant technical and forensic expertise.

**18.** (1) There shall be a Victim and Witness Protection Division within the OMP that shall protect the rights and address the needs and concerns of victims, witnesses and relatives of missing persons. OMP Victim and Witness Protection Division.

(2) The Victim and Witness Protection Division shall be headed by an Executive Officer appointed by the OMP.

(3) The Division shall take all appropriate measures to ensure the protection of victims and witnesses who engage with the OMP.

(4) The Victim and Witness Protection Division may provide or facilitate the provision of administrative services and welfare services including psycho-social support to victims, witnesses and relatives of missing persons.

(5) The Victim and Witness Protection Division shall inform victims and witnesses of all the uses or potential uses, of information provided.

(6) The Victim and Witness Protection Division may coordinate with other law enforcement agencies where it deems necessary.

PART IV

FINANCE

**19.** The State shall provide the OMP with adequate funds to enable the OMP to discharge the functions assigned to it by this Act. Such funds shall be charged on the Consolidated Fund. Finances.

18 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

Salaries of OMP  
members.

**20.** The salaries of the members of the OMP shall be determined by Parliament and shall be charged on the Consolidated Fund, and shall not be diminished during their terms of office.

OMP to raise  
funds.

**21.** The OMP may raise funds—

- (a) by obtaining grants, gifts or endowments from within Sri Lanka; and
- (b) to achieve its mandate by obtaining grants, gifts or endowments from outside Sri Lanka:

Provided that the funds under paragraph (b) are channeled through the Department of External Resources.

Financial year.

**22.** (1) The financial year of the OMP shall be the calendar year.

(2) The OMP shall cause proper accounts to be kept of its income and expenditure, and assets and liabilities. The accounts of the OMP shall be audited by the Auditor General in terms of Article 154 of the Constitution.

Reporting.

**23.** The OMP shall, subject to the provisions of section 15 (1), submit annual reports to Parliament, and shall also cause such reports to be made public.

PART V

GENERAL

Offences.

**24.** (1) If any person-

- (a) fails without cause to appear before the OMP pursuant to summons issued by the OMP; or
- (b) refuses without cause to answer any question put to him by the OMP; or

- (c) refuses or fails without cause to comply with the requirements of a notice or written order or direction issued or made to him, by the OMP; or
- (d) upon whom a summons is served, refuses or fails without cause to produce any document or other thing, which is in his possession or control; or
- (e) resists or obstructs an officer authorized under this Act in the exercise by that officer of the powers conferred on him; or
- (f) knowingly hinders or obstructs the OMP in the fulfillment or execution of its powers, obligations and duties; or
- (g) performs any act aimed at improperly influencing or interfering with the work of the OMP; or
- (h) threatens, intimidates or improperly influences, or attempts to threaten, intimidate or improperly influence any person who has co-operated, or is intending to co-operate with the OMP; or
- (i) discloses any confidential information in contravention of the provisions of this Act; or
- (j) without reasonable excuse fails to comply with any other order of the OMP,

such person shall be guilty of an offence of contempt against the authority of the OMP.

(2) Where it appears that a person is guilty of an offence of contempt the OMP shall report such matter to the Court of Appeal. Every offence of contempt committed against the authority of the OMP shall be punishable by the Court of Appeal as though it were an offence of contempt committed against the Court of Appeal.

20 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

Protection  
from Action.

**25.** (1) (a) No order, decision, act or omission of the OMP or any member, officer or servant thereof shall be questioned in any proceedings or any court of law, save and except in proceedings under Article 126 or 140 of the Constitution.

(b) The writ jurisdiction conferred on the Court of Appeal by Article 140 of the Constitution in relation to any order, decision, act or omission of the OMP or any member, officer or servant thereof, shall be exercised by the Supreme Court and not by the Court of Appeal.

(2) Other than in the circumstances provided for in subsection (1) of this section -

(a) no proceedings civil or criminal, shall be instituted against any member of the OMP or any officer or servant appointed to assist the OMP, other than for contempt against the authority of the OMP, for any act which in good faith is done or omitted to be done, by him, as such member or officer or servant;

(b) no proceedings civil or criminal, shall be instituted against any member of the OMP in respect of any report made in good faith by the OMP under this Act or against any other person in respect of the publication by such person of a true account of such report;

(c) no proceedings civil, criminal or administrative, shall be instituted against any person consequent, to such person in good faith providing evidence or documentation to the OMP.

Rules.

**26.** (1) The OMP may make rules for matters for which rules are required to be made under this Act.

*Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)* 21  
*Act, No. 14 of 2016*

(2) Every rule made under this Act shall be tabled before Parliament and shall be published in the *Gazette* within a reasonable period not exceeding three months.

27. Unless the context otherwise requires, in this Act - Interpretation.

“missing person” means a person whose fate or whereabouts are reasonably believed to be unknown and which person is reasonably believed to be unaccounted for and missing-

- (i) in the course of, consequent to, or in connection with the conflict which took place in the Northern and Eastern Provinces or its aftermath, or is a member of the armed forces or police who is identified as “missing in action”; or
- (ii) in connection with political unrest or civil disturbances; or
- (iii) as an enforced disappearance as defined in the “International Convention on Protection of All Persons from Enforced Disappearances”;

“relative of a missing person” shall in relation to such missing person include the following persons-

- (i) spouse;
- (ii) children including adopted children, non-marital children, or step children;
- (iii) parents (including step-mother, step-father, adopter);

22 *Office on Missing Persons (Establishment,  
Administration and Discharge of Functions)  
Act, No. 14 of 2016*

- (iv) full or half brother or sisters or adopted brothers or sisters;
- (v) father / mother- in-law, brother/sister-in-law, sons/daughters-in-law;
- (vi) grandchildren and grandparents.

Sinhala text to prevail in case of inconsistency.

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

---

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**

---

**ANIMAL FEED (AMENDMENT)  
ACT, No. 15 OF 2016**

---

**[Certified on 07th September, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of September 09, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 9.00**

**Postage : Rs. 10.00**



*Animal Feed (Amendment)  
Act, No. 15 of 2016*

[Certified on 07th September, 2016]

L.D.—O. 69/2006.

AN ACT TO AMEND THE ANIMAL FEED ACT, NO. 15 OF 1986

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

**1.** This Act may be cited as the Animal Feed (Amendment) Act, No. 15 of 2016. Short title.

**2.** Long title of the Animal Feed Act, No. 15 of 1986 (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for the words “MANUFACTURE, SALE AND DISTRIBUTION OF ANIMAL FEED” of the words “MANUFACTURE, SALE, IMPORTATION FOR SALE, DISTRIBUTION AND USE OF ANIMAL FEED”. Amendment of the long title of Act, No. 15 of 1986.

**3.** Section 2 of the principal enactment is hereby repealed and the following section is substituted therefor:— Replacement of section 2 of the principal enactment.

“Director - 2. (1) The Director-General of Animal Production and Health (hereinafter referred to as the “the Director-General”) shall be responsible for the general administration of this Act.

(2) There may be appointed such number of Directors, Deputy Directors, Assistant Directors of Animal Production and Health and such other officers as may be necessary for the purpose of assisting the Director-General in carrying out or giving effect to the provisions of this Act.

(3) Any power, duty or function of the Director-General under this Act may be exercised, performed or discharged by any

Director, Deputy Director, Assistant Director of Animal Production and Health under the direction of the Director-General or by such other officer who is authorized to do so by the Director-General in writing.”.

Insertion of new section 2A in the principal enactment.

**4.** The following new section is hereby inserted immediately after section 2 of the principal enactment and shall have effect as section 2A of that enactment.

“Licensing authority for animal feed.

2A. (1) There shall be appointed an officer belonging to the Grade I of the Sri Lanka Animal Production and Health Service having not less than three years of active service in that Grade to be or to act as the Registrar of Animal Feed (hereinafter referred to as “the Registrar”) who shall be the licensing authority for the purposes of this Act.

(2) The Registrar shall exercise, perform and discharge any power, duty and function assigned to him under this Act, subject to the direction and control of the Director-General.”.

Replacement of section 3 of the principal enactment.

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

“Licensing.

3. No person shall manufacture or import any animal feed except under the authority of a licence issued by the Registrar under this Act.”.

Amendment of section 4 of the principal enactment.

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

- (1) in subsection (1) thereof, by the substitution for the words “Every person desirous of obtaining a licence to manufacture” of the words “Every person desirous of obtaining a licence to manufacture or import”;

(2) in subsection (2) thereof —

(a) by the deletion of paragraph (d); and

(b) in paragraph (e) by the substitution for the words “a statement of the composition of such animal feed,” of the words “a statement of the nutrient composition of such animal feed.”.

7. Section 6 of the principal enactment is hereby amended by the repeal of subsection (1) of that section, and the substitution therefor of the following subsection:—

Amendment of section 6 of the principal enactment.

“(1) The Registrar shall declare any animal feed manufactured or imported for sale on a licence issued under section 5 of this Act to be an approved animal feed (hereinafter referred to as “approved animal feed”) and assign a number in respect of such approved animal feed.”.

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

Replacement of section 7 of the principal enactment.

“Sale of approved animal feed.

7. No person shall sell, expose for sale, offer for sale or distribute any animal feed other than an approved animal feed declared under section 6.”.

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

Insertion of new section 7A in the principal enactment.

“Registering of premises.

7A. No person shall sell, expose for sale, offer for sale, store, supply or distribute any approved animal feed at or from any premises unless such premises has been registered in the manner prescribed by the Registrar and a Certificate of Registration is obtained in that behalf.”.

Amendment of section 8 of the principal enactment.

**10.** Section 8 of the principal enactment is amended as follows:—

- (1) by the repeal of paragraph (a) of subsection (1) and substitution therefor of the following:—

“(a) the Director-General or a person nominated by him; and”;

- (2) in subparagraph (ii) of paragraph (b) of subsection (1) by the substitution for the word “three” of the word “five”;

- (3) in subsection (2) of that section by the substitution for the words “three members.” of the words “four members.”;

- (4) by the insertion immediately after subsection (3) of that section of the following new subsection which shall have effect as subsection (3A):—

“(3A) The Registrar shall be the Secretary of the Committee.”.

Amendment of section 10 of the principal enactment.

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

- (1) in paragraph (i) by the substitution for the words “manufacture, storage and preparation of animal feed for sale” of the words “manufacture, importation, storage and preparation of animal feed for sale or for use”;

- (2) in paragraph (ii) by the substitution for the words “of any approved animal feed;” of the words “of any approved animal feed or any other raw material suitable of being used as animal feed;”;

- (3) in paragraph (iii) by the substitution for the words “fix the maximum level of deleterious” of the words “specify the maximum level, and prohibit where required, the use of deleterious”;
- (4) by the insertion immediately after paragraph (iii) of that section of the following paragraph which shall have effect as paragraph (iiiA):—

“(iiiA) recommend to the Minister on matters relating to the quality of animal feed and raw materials;”.

**12.** Section 11 of the principal enactment is hereby amended in paragraph (c) by the substitution for the word “composition” of the words “nutrient composition”.

Amendment of section 11 of the principal enactment.

**13.** Section 12 of the principal enactment is hereby repealed and the following section is substituted therefor:—

Replacement of section 12 of the principal enactment.

“Committee to make continuing studies and reports.

12. The Committee shall —

- (a) study and keep under review matters relating to —
  - (i) the production, importation, manufacture, sale, processing, distribution and use of animal feed;
  - (ii) preparation of animal feed;
- (b) report on matters relating to subparagraphs (i) or (ii) of paragraph (a) from time to time to the Minister; and
- (c) recommend to the Minister such proposals as it considers necessary or advisable for the control,

supervision, use, marketing and distribution of approved animal feed in the interest of national economy.”.

Amendment of section 13 of the principal enactment.

**14.** Section 13 of the principal enactment is hereby amended in subsection (1) by the substitution for the words “the production, manufacture, processing, distribution and sale of approved animal feed” of the words “the production, manufacture, importation, processing, distribution, use and sale of animal feed”.

Amendment of section 16 of the principal enactment.

**15.** Section 16 of the principal enactment is hereby amended by the substitution for the words “No alteration in the container, print or the label or” of the words “Where any approved animal feed is intended to be sold, no alteration in the container, print or the label or”.

Amendment of section 17 of the principal enactment.

**16.** Section 17 of the principal enactment is hereby amended by the repeal of subsection (2).

Amendment of section 18 of the principal enactment.

**17.** Section 18 of the principal enactment is hereby amended by the substitution for the words “manufacture, prepare or store any approved animal feed for sale” of the words “manufacture, import, prepare or store any approved animal feed for sale”.

Amendment of section 21 of the principal enactment.

**18.** Section 21 of the principal enactment is hereby amended by the substitution for the words “no person shall manufacture, any approved animal feed for sale or sell” of the words “no person shall manufacture or import any approved animal feed for sale, use or sell”.

Amendment of section 22 of the principal enactment.

**19.** Section 22 of the principal enactment is hereby amended as follows:—

- (1) in subsection (1) by the substitution for the words “No manufacturer or a distributor or a commission agent or a dealer of any approved animal feed shall

sell such approved animal feed” of the words “No manufacturer or an importer or a distributor or a commission agent or a dealer of any approved animal feed shall sell such approved animal feed”;

- (2) in subsection (2) by the substitution for the words “Where any manufacturer or a distributor or a commission agent or a dealer of any approved animal feed” of the words “Where any manufacturer or an importer or a distributor or a commission agent or a dealer of any approved animal feed”.

**20.** Section 23 of the principal enactment is hereby amended as follows:—

Amendment of section 23 of the principal enactment.

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

“(1) The Director-General may nominate any public officer by name or by office to be an authorized officer to carry out the provisions of this Act and any regulation made thereunder.”;

- (2) by the insertion immediately after subsection (1) of that section of the following subsection which shall have effect as subsection (1A):—

“(1A) Every authorized officer nominated under subsection (1) shall be deemed to be a peace officer within the meaning and for the purposes of the Code of Criminal Procedure Act, No. 15 of 1979.”;

- (3) in paragraph (b) of subsection (2) of that section by the substitution for the words “any approved animal feed, from any person who has such animal feed in his possession for the purpose of sale;” of the words “any approved animal feed, from any person who has such animal feed in his possession for the purpose of sale or for any other use;”.

Amendment of section 25 of the principal enactment.

**21.** Section 25 of the principal enactment is hereby amended as follows:—

- (1) in subsection (1) by the substitution for the words “the referee analyst” of the words “the authorized analyst or the referee analyst”;
- (2) in subsection (2) by the substitution for the words “the referee analyst” of the words “the authorized analyst or the referee analyst”;
- (3) in subsection (3) by the substitution for the words “the referee analyst” of the words “the authorized analyst or the referee analyst”.

Amendment of section 28 of the principal enactment.

**22.** Section 28 of the principal enactment is hereby amended in subsection (1) by the substitution for the words “to a fine not exceeding one thousand rupees” of the words “to a fine not less than fifty thousand rupees and not exceeding two hundred and fifty thousand rupees”.

Amendment of section 31 of the principal enactment.

**23.** Section 31 of the principal enactment is hereby amended in subsection (2) by the insertion immediately after paragraph (a) of that section of the following paragraph which shall have effect as paragraph (aa):—

“(aa) prescribing the standards for the manufacture of self mixed animal feed;”.

Amendment of section 32 of the principal enactment.

**24.** Section 32 of the principal enactment is hereby amended as follows:—

- (1) by the insertion immediately before the definition of the expression “animal feed” of the following new definition:—

““animal” shall have the same meaning as in the Animal Diseases Act, No. 59 of 1992;”;



- (2) by the insertion immediately after the definition of the expression “compounded feeds” of the following new definition:—

““Controller of Imports and Exports” means the Controller of Imports and Exports appointed under section 2 of the Imports and Exports (Control) Act, No. 1 of 1969;

“Director-General” means the Director-General of the Department of Animal Production and Health;

“Distributor” means a person who distributes animal feed obtained from a manufacturer, importer or a dealer to a retailer, a seller or a user respectively;”;

- (3) by the insertion immediately after the definition of the expression “referee analyst” of the following new definition:—

““self mixed animal feed” means a feed obtained by mixing two or more feed stuffs to be used as a feed by any person for animal or poultry in his custody;”;

- (4) by the repeal of the definition of “seller” and substitution therefor of the following new definition:—

““seller” means any person to whom any approved animal feed is sold or delivered by the manufacturer or importer, for the purpose of sale by retail, and includes any person who barter or supply any approved animal feed under the integrated contract farming arrangement, and the word “sell” shall be construed accordingly;”;

- (5) by the insertion immediately after the definition of the expression “simple feed” of the following new definition:—

““user” means any person who has any animal feed in his possession to be used as a feed for animal or poultry in his custody or for the manufacture of feed;”.

The “Director of Animal Production and Health” and “Director” to be known as the “Director-General of Animal Production and Health” and “Director-General”.

**25.** (1) In the principal enactment and in any other written law wherever the words “Director of Animal Production and Health” and “Director” occur there shall be substituted the words “Director-General of Animal Production and Health” and “Director-General” respectively.

(2) Every reference to the “Director of Animal Production and Health” and “Director” in any notice, notification, contract, communication or other document under this Act shall be read and construed as a reference respectively to the “Director-General of Animal Production and Health” and “Director-General”.

Sinhala text to prevail in case of any inconsistency.

**26.** 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**

---

**REGISTRATION OF DEATHS  
(TEMPORARY PROVISIONS)  
(AMENDMENT) ACT, No. 16 OF 2016**

---

**[Certified on 07th September, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of September 09, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 18.00**

**Postage : Rs. 10.00**

*Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

[Certified on 07th of September, 2016]

L.D.—O. 41/2015.

AN ACT TO AMEND THE REGISTRATION OF DEATHS (TEMPORARY  
PROVISIONS) ACT, NO. 19 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 Registration of Deaths  
(Temporary Provisions) (Amendment) Act, No. 16 of 2016.

Short Title.

**2.** The long title to the Registration of Deaths  
(Temporary Provisions) Act, No. 19 of 2010 (hereinafter  
referred to as the “principal enactment”) is hereby amended  
by the substitution for the words “AND FOR MATTERS  
CONNECTED THEREWITH OR INCIDENTAL  
THERETO.” of the words “TO PROVIDE FOR THE  
REGISTRATION OF PERSONS REPORTED MISSING AS  
A RESULT OF THE CONFLICT WHICH TOOK PLACE IN  
THE NORTHERN AND EASTERN PROVINCES OR ITS  
AFTERMATH OR POLITICAL UNREST OR CIVIL  
DISTURBANCES OR ENFORCED DISAPPEARANCES OR  
OF MEMBERS OF THE ARMED FORCES OR POLICE  
IDENTIFIED AS MISSING IN ACTION; AND FOR  
MATTERS CONNECTED THEREWITH OR INCIDENTAL  
THERETO.”.

Amendment of  
the long title of  
Act, No. 19 of  
2010.

**3.** The Preamble of the principal enactment is hereby  
amended as follows:-

Amendment of  
the Preamble of  
the principal  
enactment.

(1) for the words “subversive activities or civil  
commotion” of the words “subversive activities, or  
as a result of the conflict which took place in the  
Northern and Eastern Provinces or its aftermath or  
political unrest or civil disturbances or enforced  
disappearances;”;

2 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

- (2) for the words “for the registration of such deaths:”  
of the words “for the registration of such deaths and  
such missing persons:”.

General  
amendments to  
the principal  
enactment.

4. (1) In the principal enactment and in any other written law there shall be substituted for the words “Registration of Deaths (Temporary Provisions) Act” whenever those words occur in the principal enactment or any other written law, the words “Registration of Deaths and Missing Persons (Special Provisions) Act”.

(2) Every reference to the “Registration of Deaths (Temporary Provisions) Act” in any notice, notification, contract, communication or other document shall be read and construed as a reference respectively to the “Registration of Deaths and Missing Persons (Special Provisions) Act”.

Amendment of  
section 1 of the  
principal  
enactment.

5. Section 1 of the principal enactment is hereby amended by the repeal of subsections (2) and (3) of that section and the substitution therefor of the following sections:-

“(2) Notwithstanding any extension of the period of operation of this Act, the Minister may not less than one month prior to the expiration of any period of operation of this Act, by Order published in the *Gazette*, extend the period of operation of Parts I and IA of this Act:

Provided that, –

- (a) any period of operation may be extended by the Minister upon review of such period having considered the number of applications seeking relief under the said Parts; and
- (b) any such extension shall not, in any one instance, be for more than a period of five years.

*Registration of Deaths (Temporary Provisions) 3*  
*(Amendment) Act, No. 16 of 2016*

(3) Notwithstanding the expiry of the period of operation of Parts I and IA, the provisions of Parts II and III shall continue to be in operation.”.

**6.** Section 2 of the principal enactment is hereby amended in subsection (2) of that section by the substitution for the words, “in the Form specified in the Schedule” of the words “in the Form A specified in the Schedule”.

Amendment of section 2 of the principal enactment.

**7.** Section 6 of the principal enactment is hereby amended by the addition immediately after subsection (4) of that section of the following new subsection:-

Amendment of section 6 of the principal enactment.

“(5) Where a Certificate of Absence has been issued under section 8E in respect of a missing person a Certificate of Death shall not be issued in relation to the same missing person until the cancellation of the Certificate of Absence.”.

**8.** The following new section is hereby inserted immediately after section 7 of the principal enactment and shall have effect as section 7A of the principal enactment:-

Insertion of new section 7A in the principal enactment.

“If dissatisfied may apply to District Court.

**7A.** An applicant who is dissatisfied with the decision of the Registrar-General made under section 7, may within one month of the notification of such refusal or issue, as the case may be, make an application to the District Court against such refusal or issue. The District Court may after review of the material before it, either affirm the decision of the Registrar-General, or direct the Registrar-General to issue a Certificate of Absence, or disallow the report issued by the Registrar-General as the case may be.”.

**9.** Section 8 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the words “substantially in the Form set out in the Schedule”, of the words “substantially in the Form A set out in the Schedule”.

Amendment of section 8 of the principal enactment.

4 *Registration of Deaths (Temporary Provisions)*  
(Amendment) Act, No. 16 of 2016

Insertion of new Part IA in the principal enactment.

**10.** The following new Part (sections 8A to 8L) is hereby inserted immediately after Part I and shall have effect as Part IA, of the principal enactment:-

**“PART IA**

**REGISTRATION OF PERSONS MISSING DUE TO THE CONFLICT IN THE  
NORTHERN AND EASTERN PROVINCES, POLITICAL UNREST OR CIVIL  
DISTURBANCES OR ENFORCED DISAPPEARANCES**

Criteria required to apply for a Certificate of Absence.

8A. (1) Where any person is reported missing and has not been heard of for a period exceeding one year by those who would naturally have heard of him, had he been present, and his disappearance is attributable to the conflict which took place in the Northern and Eastern Provinces or its aftermath or political unrest or civil disturbances or enforced disappearances or is a member of the armed forces or police who is identified as missing in action (hereinafter referred to as “missing person”), a relative of such person may apply in the manner hereinafter provided, to register such person as missing and to have issued to him, a Certificate of Absence in respect of such person.

(2) Every application under this section shall be substantially in the Form B specified in the Schedule to this Act and shall be forwarded to the Registrar-General or the District Registrar of the District in which such missing person was last resident or had his permanent residence.

(3) The relative appointed by Form C of the Schedule (hereinafter referred to as the “relative”) shall administer the affairs of the missing person in accordance with the provisions of this Act, taking into account the best interest of the missing person and the successors to the estate of such missing person.



*Registration of Deaths (Temporary Provisions) 5*  
*(Amendment) Act, No. 16 of 2016*

Additional material to be supplied.      8B. Every application shall be supported by an Affidavit of the applicant which shall set out the grounds for his belief that the person who is sought to be registered is missing. The application shall be accompanied by a Report of the Grama Niladhari of the Grama Niladhari Division in which the person who is sought to be registered as missing was last resident or had his permanent residence, confirming the fact that such person has not been seen or heard of, for a period of over one year, together with any other evidence in support of such application.

Display of application.      8c. Upon receipt of an application under this Part, the Registrar-General or the District Registrar as the case may be, shall cause a copy of such application to be displayed for a period of two weeks on the notice board kept at his office and in the office of the relevant Grama Niladhari.

Objection for registration.      8D. Any person may, within one month of the date on which a copy of an application is displayed as provided for in section 8c, forward to the Register-General or the District Registrar, as the case may be, his objections in writing to the registration of such person as missing to whom such application relates or to the appointment of the relative and such objection shall be supported by an Affidavit of the objector and of any other person, setting out clearly the grounds for their objections and tender evidence in support of such objections.

Registration of Missing Persons.      8E. (1) On the expiry of the period of one month allowed to forward objections, the Registrar-General or the District Registrar, as the case may be, shall consider the application together with the evidence tendered in support of the application and the objections if any.

6 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

The Registrar-General or the District Registrar may, question any person or call for any evidence and after such inquiry as he may consider necessary, if satisfied as to the truth of the matter stated in the application, allow such application.

(2) Where the application was made to the Registrar-General, he shall make an order on the conclusion of such inquiry directing the District Registrar to register the missing person in the Register of Missing Persons and to issue a Certificate of Absence under his hand to the relative under section 8H, unless the issue of a Certificate of Absence is disallowed for reasons assigned.

(3) Where the application was made to the District Registrar, on the conclusion of such inquiry, he shall forward to the Registrar-General a Report under his hand setting out the particulars concerning the missing person. The Registrar-General having considered the contents of the Report shall make an order directing the District Registrar to register the missing person in the Register of Missing Persons under section 8H and to issue a Certificate of Absence under his hand to the relative, who applied for the same unless for reasons assigned the Registrar-General disallows the issue of a Certificate of Absence.

(4) The District Registrar shall accordingly enter such particulars in the Register of Missing Persons and issue a Certificate of Absence to the relative who applied for the same under section 8A, in the Form C of the Schedule hereto.

(5) The District Registrar shall forthwith forward the duplicate of the relevant registration entry for transmission to the Registrar-General.

*Registration of Deaths (Temporary Provisions) 7*  
*(Amendment) Act, No. 16 of 2016*

The Registrar-General shall forthwith include the necessary entries to the Register maintained under subsection (1) of section 8H subject to review of the District Court under 8F, if necessary. The registration entry made by the Registrar-General shall be final and conclusive for the purposes of this Act.

If dissatisfied to apply to District Court. 8F. An applicant who is dissatisfied with the decision of the Registrar-General refusing to issue a Certificate of Absence to him under section 8E, or a person who has objected under section 8D to the issue of a Certificate of Absence under this Part, may within one month of the notification of such refusal or issue, as the case may be, make application to the District Court against such refusal or issue. The District Court may after review of the material before it, either affirm or set aside the decision of the Registrar-General, and may direct the Registrar-General to issue a Certificate of Absence or allow the application of a relative, as the case may be.

Special procedure relating to registration of Missing Persons in respect of whom there are findings by a Commission of Inquiry or a Special Presidential Commission of Inquiry or by the Office on Missing Persons. 8G. (1) Where a Commission appointed under the Commissions of Inquiry Act (Chapter 393) or a Special Presidential Commission of Inquiry established under the Special Presidential Commission Law, No. 7 of 1978 or the Office on Missing Persons established under the Office on Missing Persons (Establishment, Administration and Discharge of Functions) Act, No. 14 of 2016 finds that a person has disappeared or is missing, the relative of that person may, apply to the Registrar-General or to the District Registrar in which that person was last residing or had his permanent residence, substantially in the Form "B" set out in the Schedule to this Act, to have issued to him, a Certificate of Absence in

8 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

respect of that missing person. Every such application shall be accompanied by an Affidavit of the applicant in terms of section 8B and a certified copy of the findings of the Commission of Inquiry or Special Presidential Commission of Inquiry or the Interim Report or Report of the Office on Missing Persons, as the case may be, relating to such missing person.

(2) Upon receipt of an application under subsection (1), the District Registrar shall, notwithstanding anything to the contrary in the preceding provisions of this Act, forthwith send to the Registrar-General a Report under his hand, setting out the particulars of the missing person.

(3) Upon receipt of the Report under subsection (2), the Registrar-General shall consider the contents of the Report and make an order directing the District Registrar to register the missing person in the Register of Missing Persons and issue under section 8E a Certificate of Absence under his hand to the relative of the missing person who applied for the same.

(4) The District Registrar shall accordingly enter such particulars in the Register of Missing Persons as provided under subsections (2) and (3) of section 8H.

(5) The District Registrar shall forthwith forward the duplicate of the relevant registration entry together with the order issued under subsection (2), to the Registrar-General. The Registrar-General shall forthwith include the necessary entries to the Register maintained under subsection (1) of section 8H. The

registration entry made by the Registrar-General shall be final and conclusive for the purposes of this Act.

Register of  
Missing  
Persons.

8H. (1) Registrar-General shall maintain a Register of Missing Persons electronically. The information for registration shall be entered based on the name of the missing person and where available the National Identity Card numerical of the missing person.

(2) Every District Registrar shall also maintain a Register of Missing Persons and make such entries as may be directed by the Registrar-General by order.

(3) Every registration entry made by the District Registrar –

- (a) shall be made in the order of time in which the particulars were given to the Registrar-General or the District Registrar;
- (b) shall be numbered consecutively and signed by the officer making the entry; and
- (c) shall be prepared in triplicate. The original shall be in the custody of the District Registrar, the second copy (hereinafter referred to as the “duplicate”) shall be forwarded to the Registrar-General and the third copy (hereinafter referred to as the “Certificate of Absence”) shall be delivered or transmitted by post to the relative who applied for the same, duly endorsed under the hand of the District Registrar.

10 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

Correction of errors. 8i. The provisions in Part VI of the Births and Deaths Registration Act (Chapter 110) pertaining to correction of any error, including an omission in any registration entry shall, *mutatis mutandis*, be applicable to registrations made under this Part.

Applicability of the Certificate of Absence. 8j. (1) The Certificate of Absence may be used by the relative of the missing person who applied for the same in order to –

(a) apply for benefits under any social welfare scheme;

(b) (i) temporarily manage under the supervision of the District Court, the property and assets of the missing person and act as a provisional guardian for dependent children of the missing person;

(ii) The application under item (i) shall be made to the District Court having jurisdiction in respect of the property concerned or where the dependent children reside and shall be dealt with by summary procedure in the following manner:-

(a) matters pertaining to the administration of the property and other assets of the missing person, shall be concluded within four months from the date of application to the District Court.

(b) matters pertaining to guardianship of children where both parents are missing or where the surviving parent is unable to secure the wellbeing

of the child, shall be concluded within one month.

- (c) make representation before executive, administrative and judicial authorities on behalf of the estate of the missing person.

(2) All institutions and persons in authority shall recognize and accept the Certificate of Absence as proof of the status of the person missing.

(3)(a) Any dispute arising in regard to a matter specified under paragraph (a) of subsection (1), may be referred to the Divisional Secretary of the Divisional Secretary's Division by the relative.

(b) The Divisional Secretary of the Divisional Secretary's Division shall make a determination after having discussed the matter in dispute with the relevant Institution, within one calendar month of receiving the application.

(c) The determination of the Divisional Secretary of the Divisional Secretary's Division shall be in writing and be considered as conclusive thereon.

Period of  
Operation.

8κ. (1) The Certificate of Absence shall be valid for a period of two years from the date specified therein:

Provided however –

- (a) the remains of the missing person is recovered or other conclusive evidence is discovered regarding the

12 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

death of the missing person, in such instances the Certificate of Absence shall be annulled and a Certificate of Death shall be issued under section 6.

- (b) the Missing Person is found to be alive, the provisions of section 13 shall *mutatis mutandis* apply. The District Registrar shall accordingly take action to cancel the registration and annul the Certificate of Absence;

(2) At the conclusion of the period of two years, the District Registrar shall inquire from the relative who is issued with the Certificate of Absence, of the status of the missing person and may subject to subsection (2)(a) of section 1 either, –

- (i) extend the period of the Certificate of Absence, subject to subsection (1) (b) of section 8A, by endorsement for another two years; or
- (ii) direct the relative, if willing to apply for a Certificate of Death, to make an application under section 2 and take action to cancel the registration and annul the Certificate of Absence; or
- (iii) cancel the Certificate of Absence where the relative does not intend to extend the period of the said Certificate.

“Cancellation of a Certificate of Death and the issue of a Certificate of Absence.

8L. (1) Notwithstanding anything to the contrary in the preceding provisions of this Act, where, prior to coming into operation of that Part–

- (a) an application has been made under section 2 or 8 for a Certificate of Death in respect of a missing person; or



*Registration of Deaths (Temporary Provisions) 13*  
*(Amendment) Act, No. 16 of 2016*

(b) a Certificate of Death has been issued  
in respect of a missing person,

then a relative of a missing person may make an  
application substantially in the manner specified  
under section 8G (1). The Registrar-General shall  
forthwith cancel such application or Certificate  
referred to in (a) or (b) respectively and issued  
a Certificate of Absence under section 8G.

(2) The provisions of section 8D and 8F shall  
*mutatis mutandis* apply to an application made  
under this section.”.

**11.** Subsection (3) of section 10 of the principal  
enactment is hereby amended by the substitution for the  
words, “set out in the Schedule” of the words, “in Form A set  
out in the Schedule”.

Amendment of  
section 10 of  
the principal  
enactment.

**12.** Section 14 of the principal enactment is hereby  
repealed and the following section substituted therefor:—

Replacement of  
section 14 of  
the principal  
enactment.

“Avoidance of doubt. 14. For the avoidance of doubt it is hereby  
declared that—

(a) if the operation of Parts I and IA has  
lapsed upon the expiry of the period  
specified in subsection (2) of section 1,  
and no Order for the extension of the  
period of operation of Parts I and IA  
has been made in terms of that  
subsections; and

(b) if an application for the issue of a  
Certificate of Death or of a Certificate of  
Absence respectively, has been made  
in terms of the provisions of sections  
2, 8, 8A, 10 and 11 of this Act prior to  
the expiry of the period of operation of  
Parts I or Parts IA,

14 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

the Registrar-General may proceed to register the death of such person or register such person as missing and issue the Certificate of Death or a Certificate of Absence, respectively, in terms of the provisions of Part I and Part IA of this Act.”.

Amendment of section 15 of the principal enactment.

**13.** Section 15 of the principal enactment is hereby amended as follows:-

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

“(d) being aware that a person who has been registered as missing in pursuance of an application made under this Act, is alive, fails to furnish such information to the Register-General; or

(e) dishonestly or fraudulently uses a Certificate of Absence issued under this Act knowing or having reason to believe that the person referred to in such Certificate is alive,”;

- (2) for the words “to a term of imprisonment of not exceeding five years.” of the words “to a fine not exceeding one hundred and fifty thousand rupees or to a term of imprisonment not exceeding two years and six months.”.

Amendment of section 17 of the principal enactment.

**14.** Section 17 of the principal enactment is hereby amended by the insertion immediately after the definition of the expression “District Registrar” of the following definition:-

“Minister” means the Minister assigned the Registrar-General’s Department;

*Registration of Deaths (Temporary Provisions) 15*  
*(Amendment) Act, No. 16 of 2016*

“relative” shall in relation to a missing person include the following persons:-

- (i) spouse;
- (ii) children including adopted children, non-marital children, or step children;
- (iii) parents (including step-mother, step-father, adopter);
- (iv) full or half brothers or sisters or adopted brothers or sisters;
- (v) father-in-law, mother-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law;
- (vi) grandchildren and grandparents.

15. The Schedule to the principal enactment is hereby amended as follows:-

Amendment of the Schedule to the principal enactment.

- (1) immediately after the word “Schedule” by the addition of the following:-

“Form A”

- (2) by the insertion, immediately after Form A, of the following new Forms:-

“Form B

(Section 8A(2))

**APPLICATION FOR REGISTRATION OF A MISSING PERSON AND FOR THE ISSUE OF A CERTIFICATE OF ABSENCE**

- 1. Full name of missing person:
- 2. Gender and race:

16 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

3. Date of birth:
4. Last seen date (approximately):
5. Address of last known residence:
6. Address of permanent residence:
7. Full name and residence of the person applying as relative:
8. Relationship of the person applying as relative to Missing Person:
9. Full name of the Missing Person's:-

Father :

Mother :

Spouse :

Dependents :

I.....of.....do hereby state that the said .....(name of the person missing) has been missing for a period of over one year.

I therefore request that the said ..... (name of the missing person) be registered as a Missing Person under the Registration of Deaths and Missing Persons (Special Provisions) Act, No.19 of 2010 and a Certificate of Absence in respect of such person be issued to me as the relative, and I shall forthwith inform the Registrar-General, if the person reported to be missing is found to be alive or on receiving evidence of the death of the missing person.

.....  
Date

.....  
Signature of Applicant

*Registration of Deaths (Temporary Provisions) 17  
(Amendment) Act, No. 16 of 2016*

Form C

(Section 8A, 8E and 8H)

Registrar-General's Department

**Certificate of Absence**

Number: ..... District: ..... Division:.....

I have this day received from ..... of  
.....notice that the  
undermentioned person is missing and do hereby register  
the following information:-

1. Full name of person missing:
2. Date and place of last sighting:
3. Sex:
4. Race:
5. Age of person if present:
6. Rank or Profession:
7. Full name of Missing Person's:

Father:

Mother:

Spouse:

Dependents:

This Certificate shall be valid for a period of two years  
from ..... to.....

Date: .....

Registrar: .....

18 *Registration of Deaths (Temporary Provisions)  
(Amendment) Act, No. 16 of 2016*

**Relative appointed to administer the affairs of the  
Missing Person**

\_\_\_\_\_ (Name) of \_\_\_\_\_  
(NIC No.) \_\_\_\_\_ as the \_\_\_\_\_  
\_\_\_\_\_ (Relationship).

Signature of the relative: .....

*N.B.*— Section 8J (2) of the Registration of Deaths and Missing Person (Special Provisions) Act, No. 19 of 2010 requires all Institutions and Persons in authority to recognize and accept the Certificate of Absence as proof of the status of the person missing when applying for benefits under any social welfare scheme and when making representations on behalf of the missing person and his estate, before executive, administrative and judicial authorities.

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.

---

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**

---

**UNIVERSITIES (AMENDMENT)  
ACT, No. 17 OF 2016**

---

[Certified on 05th October, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of October 07, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 6.00**

**Postage : Rs. 10.00**



*Universities (Amendment) Act, No. 17 of 2016*

[Certified on 05th October, 2016]

L. D.—O. 35/2013.

AN ACT TO AMEND THE UNIVERSITIES  
ACT, NO. 16 OF 1978

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

**1.** This Act may be cited as the Universities (Amendment) Act, No. 17 of 2016. Short title.

**2.** Section 75 of the Universities Act, No. 16 of 1978 (hereinafter referred to as the “principal enactment”) is hereby repealed and the following new section is substituted therefor:— Replacement of section 75 of Act, No. 16 of 1978.

“Retirement of persons other than teachers.

75. (1) The retirement age of a public officer as may be determined by the Government, from time to time, shall apply with effect from the same date as applicable to a public officer in respect of the retirement age of the holder of any post, other than that of a teacher.

(2)(a) the Commission or the governing authority of any Higher Educational Institution to which the holder of such post is attached or in the case where such person is attached to a Higher Educational Institute, the governing authority of the Higher Educational Institution to which such institute is affiliated may based on the recommendations of the Institute suspend the holder of such post pending an inquiry by the Commission or such governing authority or the Institute, as the case may be, for misconduct, inefficiency or dereliction of duty; or

- (b) where such holder of post is found guilty after such inquiry, the Commission, the governing authority of the Higher Educational Institution to which such person is attached or in the case where such person is attached to a Higher Educational Institute, the governing authority of the Higher Educational Institution to which such Institute is affiliated, as the case may be, may on resolution adopted by the Commission or the governing authority of the relevant Higher Educational Institution, dismiss or compulsorily retire the holder of such post.”.

Amendment of section 147 of the principal enactment.

**3.** Section 147 of the principal enactment is hereby amended by the insertion, immediately after the definition, “governing authority”, the following new definition:—

“Higher Educational Institute” means an institute for higher learning established or deemed to be established under section 24A or 24B of the Universities Act, No. 16 of 1978.

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.



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

---

**CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) ACT, No. 18 OF 2016**

---

[Certified on 17th October, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of October 21, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 10.00**

**Postage : Rs. 10.00**

*Code of Criminal Procedure  
(Amendment) Act, No. 18 of 2016*

[Certified on 17th October, 2016]

L. D.—O. 44/2015.

AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE  
ACT, NO. 15 OF 1979

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

1. This Act may be cited as the Code of Criminal Procedure (Amendment) Act, No. 18 of 2016. Short title.
  
2. Section 431 of the Code of Criminal Procedure Act, No. 15 of 1979 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 431 of Act, No. 15 of 1979.
  - (a) in subsection (2) of that section, by the substitution for the words “within six months” of the words “within two months”; and
  
  - (b) in subsection (3) of that section, by the substitution for the words “two thousand five hundred rupees or more.” of the words “one hundred thousand rupees or more.”.
  
3. Section 432 of the principal enactment is hereby amended by the repeal of the marginal note to that section and the substitution therefor of the following:— Amendment of section 432 of the principal enactment.

“Procedure where no claimant appears within two months.”.

Insertion of new section 432A in the principal enactment.

**4.** The following new section is hereby inserted immediately after section 432 of the principal enactment and shall have effect as section 432A of that enactment:—

“Procedure where claimant appears within two months.

432A. (1) Where the person entitled to the possession of such property establishes his claim within two months, the Magistrate shall order the property to be delivered to him on such conditions, as the Magistrate may think fit:

Provided however, where the person entitled to the possession of such property does not consent to take the possession of the same, such property may be sold under the order of the Magistrate.

(2) The proceeds of such sale shall be deposited in a deposit account opened and operated in that behalf, in a Government owned bank, until the judgement of the case is pronounced.

(3) The person entitled to the possession of the property referred to in subsection (1), shall make an application, in the prescribed form and manner to obtain the value of such property and the payment shall be made subject to the recorded verdict of the case.

(4) Regulations shall be made prescribing the manner of administration and management of the deposit account referred to in subsection (2).”.

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  
SOCIALIST REPUBLIC OF  
SRI LANKA**

---

**LAW COMMISSION (AMENDMENT)  
ACT, No. 19 OF 2016**

---

[Certified on 17th October, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of October 21, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 10.00**

**Postage : Rs. 10.00**



*Law Commission (Amendment)  
Act, No. 19 of 2016*

[Certified on 17th October, 2016]

L. D.—O. 52/2015.

AN ACT TO AMEND THE LAW COMMISSION  
ACT, NO. 3 OF 1969

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

1. This Act may be cited as the Law Commission (Amendment) Act, No. 19 of 2016. Short title.

2. Section 2 of the Law Commission Act, No. 3 of 1969 (hereinafter referred to as the “principal enactment”) as last amended by Act, No. 11 of 1978 is hereby repealed and the as following section substituted therefor:— Replacement of section 2 of Act, No. 3 of 1969.

“Establishment and constitution of the Law Commission. 2. (1) There shall be established a Commission which shall be called the Law Commission, and which shall consist of—

(a) the following *ex-officio* members:—

- (i) the Secretary to the Ministry of the Minister assigned the subject of Justice or his nominee not below the rank of a Senior Assistant Secretary;
- (ii) an officer not below the rank of an Additional Solicitor-General nominated by the Attorney-General; and
- (iii) the Legal Draftsman or his nominee not below the rank of a Senior Assistant Legal Draftsman; and

*Law Commission (Amendment)  
Act, No. 19 of 2016*

- (b) not less than ten and not more than fourteen other members appointed by the President (hereinafter referred to as the “appointed member”) from among persons appearing to the President to be suitably qualified for such appointment and the majority of whom shall be persons who have held or hold judicial office, or have experience as attorneys-at-law or teachers in law, or are academically qualified in law.

(2) The President shall appoint one of the members of the Commission to be the Chairman of the Commission.

(3) An appointed member shall, unless he earlier vacates his office, hold office for such period, not exceeding five years, as may be determined by the President at the time of his appointment, and shall be eligible for reappointment:

Provided, however, that if an appointed member vacates his office prior to the expiration of his term of office, his successor shall, unless he earlier vacates his office, hold office only for the unexpired portion of the term of the member whom he succeeds.

(4) An appointed member may resign from his office by writing under his hand addressed to the President.

(5) There shall be paid to the members of the Commission for their services such remuneration as may be determined by the Minister, with the prior concurrence of the Minister assigned the subject of Finance.”.

- 3.** Section 8 of the principal enactment is hereby amended by the substitution for the words “any Commissioner” of the words “any member of the Commission”.
- Amendment of section 8 of the principal enactment.
- 4.** Section 11 of the principal enactment is hereby amended by the substitution for the words “The Permanent Secretary to the Ministry” of the words “The Secretary to the Ministry”.
- Amendment of section 11 of the principal enactment.
- 5.** Section 12 of the principal enactment is hereby amended by the substitution for the words “the Commissioners” of the words “the members of the Commission”.
- Amendment of section 12 of the principal enactment.
- 6.** Section 13 of the principal enactment is hereby amended by the repeal of the definition of the expression “Commissioner”.
- Amendment of section 13 of the principal enactment.
- 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.

---

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**

---

**VALUE ADDED TAX (AMENDMENT)  
ACT, No. 20 OF 2016**

---

**[Certified on 01st November, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of November 04, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 20.00**

**Postage : Rs. 20.00**

*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

[Certified on 01st November, 2016]

L.D.—O. 27/2016.

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. 20 of 2016 and shall come into operation on November 1, 2016 unless the dates on which certain provisions thereof shall come into operation are specified in such sections.

Short title and the date of operation.

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

Amendment of section 2 of Act, No.14 of 2002.

(1) in item (iii) of sub-paragraph (v) of subsection (1) of that section by the substitution for the words and figures “at the rate of twelve *per centum* (of which the tax fraction is  $\frac{3}{28}$ ); and” of the words and figures “at the rate of twelve *per centum* (of which the tax fraction is  $\frac{3}{28}$ );”;

(2) in item (iv) of sub-paragraph (v) of subsection (1) of that section by the substitution for the words and figures “for any taxable period commencing on or after January 1, 2015” of the words and figures “for any taxable period commencing on or after January 1, 2015 and ending on or before March 31, 2016 and for the period commencing on April 1, 2016 and ending on May 1, 2016 and for the period commencing on July 12, 2016 and ending prior to November 1, 2016; and”;

*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

- (3) by the insertion immediately after item (iv) of subparagraph (v) of subsection (1) of that section of the following:—

“(v) for the period commencing on May 2, 2016 and ending on June 30, 2016, for the period commencing on July 1, 2016 and ending on July 11, 2016, and for any period commencing on November 1, 2016 and any taxable period thereafter at the rate of fifteen *per centum* (of which the tax fraction is 3/23).”.

Amendment of section 3 of the principal enactment.

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

- (1) in paragraph (f) of subsection (1) as follows:—
- (a) in subparagraph (ii) of that paragraph by the substitution for the words and figures “before December 31, 2014; and” of the words and figures “before December 31, 2014;”;
- (b) in subparagraph (iii) of that paragraph by the substitution for the words and figures “January 1, 2015,” of the words and figures “January 1, 2015 but ending on or before March 31, 2016, for the period commencing on April 1, 2016 but ending before May 2, 2016; and for the period commencing from July 11, 2016 but ending on or before November 1, 2016; and”;
- (2) immediately after subparagraph (iii), by the insertion of the following:—
- “(iv) twelve million and five hundred thousand, for any such period of three months falling within any period commencing on or after November 1, 2016,”.

4. Section 5 of the principal enactment is hereby amended by the insertion immediately after subsection (13) of that section, of the following new subsections:-

Amendment of section 5 of the principal enactment.

“(14) where, for the period from January 1, 2016 to January 13, 2016 a registered person has issued an invoice other than a tax invoice, the value of supply shall be, –

- (i) where tax has been collected at a rate other than the rate of eleven *per centum* –
  - (a) in the case of supply of any goods, the value shall be deemed to be equal to the amount derived by multiplying the total invoiced value by 200/297; and
  - (b) in the case of supply of any service, the value shall be deemed to be equal to the amount derived by multiplying the total invoiced value by 100/99.
- (ii) where no tax has been collected, the value shall be deemed to be equal to tax inclusive consideration and excluding the tax at the rate of eleven *per centum*.

(15) The value of supply of healthcare services shall be the value of such supply less the cost of diagnostic tests, dialysis and, services provided by the Out Patient Department but excluding medical consultation services:

Provided that, the Minister may, from time to time, in consultation with the Minister in charge of the subject of Health, prescribe any value of supply which may be excluded for the purposes of this subsection. Any such regulation made by the Minister shall be approved by the Cabinet of Ministers and published



4 *Value Added Tax (Amendment)*  
*Act, No. 20 of 2016*

in the *Gazette*. Such regulations shall be placed before the Parliament for its approval and shall be effective only upon it being approved by the Parliament.

For the purpose of this subsection –

“medical consultation” includes a procedure whereby a medical practitioner registered under the Medical Ordinance reviews the medical history of a patient, examines a patient and makes recommendations as to care and treatment of such patient.”.

Amendment of section 8 of the principal enactment.

**5.** Section 8 of the principal enactment is hereby amended as follows:–

- (1) in the first proviso to that section, by the substitution for the words “be treated as liable supplies of such registered person and chargeable” of the words and figures “be treated as liable supplies of such registered person, for any period ending prior to January 1, 2016 and chargeable”.
- (2) in the second proviso to that section, by the substitution for the words “Provided further, in the case of” of the words and figures “Provided further, for any period ending prior to January 1, 2016, in the case of”.

Amendment of section 10 of the principal enactment.

**6.** Section 10 of the principal enactment is hereby amended as follows:–

- (1) in subsection (1) of that section –
  - (i) by the substitution in paragraph (iv), for the words and figures “on or after January 1, 2015 carries on” of the words and figures “on or after January 1, 2015, but prior to April 1, 2016 carries on”;

(ii) by the insertion immediately after paragraph (iv) thereof, of the following new paragraph:-

“(v) on or after April 1, 2016, carries on or carries out any taxable activity in Sri Lanka shall be required to be registered under this Act if –

- (a) at the end of any taxable period of one month or three months, as the case may be, the total value of the taxable supplies of goods or services or goods and services of such person, made in Sri Lanka in that taxable period of one month or three months, as the case may be, has three million rupees; or
- (b) in the twelve months period then ending, the total value of the taxable supplies of goods or services or goods and services of such person, made in Sri Lanka has exceeded twelve million rupees; or
- (c) at any time, there are reasonable grounds to believe that the total value of the taxable supplies of goods or services or goods and services of such person in Sri Lanka, in the succeeding one month or three months taxable period, as the case may be, is likely to exceed three million rupees or in the succeeding

*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

twelve months period is likely to  
exceed twelve million rupees.”;

- (iii) by the addition immediately after the first proviso to subsection (1) of that section of the following proviso:-

“Provided further, for the purposes of paragraph (v), the requirement for the registration shall arise with effect from May 2, 2016.”.

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

- (i) by the substitution in sub-paragraph (c), for the words and figures “on or after January 1, 2015” of the words and figures “on or after January 1, 2015, but prior to April 1, 2016 and for the period from July 11, 2016 but ending on or before November 1, 2016; and”;

- (ii) by the insertion immediately after sub-paragraph (c) of that section of the following new sub-paragraph:-

“(d) twelve million and five hundred thousand, for any such period of three months falling within any period commencing on or after November 1, 2016.”.

Amendment of section 20 of the principal enactment.

**7.** Section 20 of the principal enactment is hereby amended in subsection (2) of that section by the repeal of items (b) and (c) and the substitution therefor of the following:-

- “(b) the name, address and the registration number of the person to whom the supply was made;

*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

7

- (c) the date on which the tax invoice was issued and its serial number which does not exceed 40 characters without any space;”.

8. Section 21 of the principal enactment is hereby amended as follows:–

Amendment of section 21 of the principal enactment.

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

- (a) by the substitution for the words “every such return shall be in the specified form and shall contain all such particulars as may be required to be set out in such form.” of the words “every such return shall be in the specified form containing all such particulars and relevant schedules as the Commissioner-General may specify by Order published in the *Gazette*.”;
- (b) by the insertion immediately after subsection (1) of that section, of the following new subsections:–

“(1A) Every registered person who furnishes a return of supplies which is not in such form and does not contain all such particulars with relevant schedules as are specified in subsection (1), shall be deemed for the purposes of this Act, not to have furnished a return on supplies.

(1B) Where any registered person furnishes a return on supplies on or before the date specified in subsection (1) for any taxable period, and deemed under the provisions of subsection (1A) not to have furnished a return, the Assistant Commissioner shall before the expiry of fourteen days from the last day of the month

*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

after the expiry of such taxable period issue a notice to such registered person and inform him that the return furnished by him is not a proper return as it does not contain all such particulars in such form and relevant schedules as specified in subsection (1).

(1C) Where any registered person receives a notice under subsection (1B), such person shall within fourteen days of receipt of such notice, furnish a proper return containing all such particulars in such form and relevant schedules required to make such return a proper return, and then the provisions of subsection (1A) shall thereafter not apply in respect of such return.

(1D) The Assistant Commissioner shall acknowledge receipt of the return only upon receipt of a proper return which shall be considered a valid return for the purposes of subsection (1).”;

- (2) in subsection (2) of that section, by the substitution for the words, “in the specified form within the time” of the words “containing all such particulars in such form and relevant schedules within the time”.

Amendment of section 22 of the principal enactment.

**9.** section 22 of the principal enactment is hereby amended as follows:—

- (1) in paragraph (a) of the first proviso to subsection (1) of that section by the substitution for the words “shall be rupees twenty five for each such garment so supplied within Sri Lanka” of the following:—

“shall be rupees twenty five, in respect of any period commencing prior to November 1, 2016, and rupees seventy five, for any period commencing on or after November 1, 2016 for each such garment so supplied within Sri Lanka”;

- (2) in paragraph (b) of the first proviso to subsection (1) of that section by the substitution for the words starting from “shall be at the following rate:-” up to the words “(v) any other fabric at rupees forty per kilogram” of the following:-

“shall be for any period commencing prior to November 1, 2016 at the following rates:-

- (i) linen or curtains at rupees forty per kilogram;
- (ii) towels at rupees twenty five per item;
- (iii) bags made out of fabric at rupees forty per item;
- (iv) excess fabric as cut pieces not more than two metres in length of each piece at rupees twenty five per kilogram;
- (v) any other fabric at rupees forty per kilogram; and

for any period commencing on or after November 1, 2016 at the rate of seventy five rupees for each unit specified in paragraphs (i) to (v).”;

- (3) in paragraph (e) of the second proviso to subsection (5) of that section, by the substitution for the words “being a supplier of goods to exporters of goods” of the words “being a supplier of goods to any person referred to in items (i) to (vii) of paragraph (e) of subsection (2) of section 2”;
- (4) in item (ii) of the second proviso to subsection (10) of that section, by the substitution for the words “made to exporters by a supplier” of the words “made to any person referred to in items (i) to (vii) of paragraph (e) of subsection (2) of section 2 by a supplier”;

- (5) by the insertion, immediately after subsection (13) of that section the following new subsection:—

“(14) where any person referred to in paragraph (f) of subsection (1) of section 3 supplies goods in wholesale or retail trade is registered under this Act for any period commencing on or after May 2, 2016, and supply of such goods is supported by an invoice other than a tax invoice on his purchases of goods from a person who is not registered for tax under this Act and such goods are not specified in the First Schedule to this Act, a deemed input tax may be allowed to such first mentioned person on account of such purchases at the rate of the tax fraction specified in section 2 of this Act, if an Assistant Commissioner is satisfied that the goods which have been sold are such purchased goods:

Provided that, a record shall be maintained for such purchases as the Commissioner General may specify by Order published in the *Gazette* and submitted such record along with the relevant return of such person.”.

Amendment of section 25A of the principal enactment.

**10.** Section 25A of the principal enactment is hereby amended as follows:—

- (1) in paragraph (c) of subsection (2) of that section, by the substitution for the words and figures “on or after January 1, 2015.” of the words and figures “on or after January 1, 2015 but prior to May 2, 2016; or”;
- (2) by the insertion immediately after paragraph (c) of subsection (2) of that section of the following new paragraph:—

“(d) where the value of such supplies for a period of three months exceeds three million rupees

or for a period of twelve months exceeds twelve million rupees, as the case may be, if such registration has taken place for any period on or after May 2, 2016.”.

11. Section 25B of the principal enactment is hereby amended as follows:–

Amendment of section 25B of the principal enactment.

(1) In subsection (1) of that section –

(a) in paragraph (a) of that subsection by the substitution for the words and figures “period prior to January 1, 2011; and” of the words and figures “period prior to January 1, 2011;”;

(b) in paragraph (b) of that subsection by the substitution for the words and figures “commencing on or after January 1, 2011.” of the words and figures “commencing on or after January 1, 2011 but ending prior to April 1, 2017;”;

(c) by the insertion immediately after the proviso to paragraph (b) of that subsection the following new paragraph:–

“(c) twelve months for any taxable period commencing on or after January 1, 2017”.

(d) by the insertion of the following proviso to paragraph (c) of that subsection:–

“Provided that, in the case of a specified institution or any person whose accounts are made up for a period of twelve months ending on the 31st day March, such period of twelve months may be commenced on the 1st day of April:

Provided further, in the event of changing the accounting period with the approval of



*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

the Commissioner-General, the taxable period may be adjusted at the time of such change.

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

“(2) Every registered specified institution or other person shall in respect of each taxable period furnish a return in the specified form –

- (a) before the end of the following month of the taxable period, if such taxable period is a taxable period commencing prior to January 1, 2017; and
- (b) within six months immediately succeeding the end of that taxable period, if such taxable period is a taxable period commencing on or after January 1, 2017.

(2A) (a) Every registered person who furnishes a return which is not in such form or fails to furnish an interim estimate on every six months referred to in paragraph (b) of the proviso to subsection (1) of section 25C or fails to furnish the contents of such return or the interim estimate as specified by the Commissioner-General, shall be deemed for the purposes of this Act, not to have furnished a return of Value Added Tax on the supply of financial services.

(b) Where any registered person furnishes a return of Value Added Tax on the supply of financial services or an interim estimate on or before the date as specified in this section and paragraph (b) of the proviso to subsection (1)

of section 25C for any taxable period or any six months period, as the case may be, and is deemed under the provisions of paragraph (a) of subsection (2A) of section 25B not to have furnished a return of Value Added Tax on the supply of financial services, Assistant Commissioner shall, before the expiry of thirty days from the due date for the submission of the return or interim estimate, inform such person in writing, that the return or the interim estimate furnished by him does not contain all such particulars in such form and relevant schedules as specified by the Commissioner-General.

(c) Where any registered person receives any notice under paragraph (b), such person may within thirty days of receipt of such notice, furnish to the Commissioner-General all such particulars in such form and relevant schedules required to make the return submitted a proper return, and then the provisions of paragraph (a) shall thereafter not apply in respect of such return.”.

- (3) in paragraph (a) of subsection (3) of that section, by the substitution for the words “in this section.” of the following:-

“in this section:

Provided that, for any taxable period commencing on or after January 1, 2017, the tax payable by every registered specified institution or other person on monthly basis shall be adjusted with the total liability for every six months period on the interim estimate referred to in the proviso to paragraph (b) of section 25C and payable with the submission of the interim estimate if the monthly payments made are less than the tax calculated based on the interim estimate.”.

Amendment of section 25C of the principal enactment.

**12.** Section 25C of the principal enactment is hereby amended as follows:-

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

- (a) by the substitution for the words “interest of economy by Order” of the words “interest of economy and maintaining the uniformity of allowable depreciation by Order”;
- (b) by the repeal of the proviso to subsection (1) and the substitution therefor of the following new proviso:-

“Provided however,

- (a) for any taxable period commencing prior to January 1, 2017, where the amount of profits for each taxable period cannot be accurately ascertained, such amount may be estimated on the basis of available information. The estimated amounts shall be adjusted to reflect the actual amounts 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; and
- (b) for any taxable period commencing on or after January 1, 2017, where the amount of profits cannot be accurately ascertained for monthly payments, such amount may be estimated on the basis of available information, and every registered specified institution or any other person shall furnish an interim estimate of the profits in the specified form in respect of each six months

period of the taxable period before the twentieth day of the succeeding month of the each such six months period.

- (2) in subsection (3) of that section by the repeal of paragraphs (d) and (e) of that subsection and the substitution therefor of the following:-

“(d) commencing from January 1, 2011, but prior to January 1, 2015 shall be twelve *per centum*;

(e) commencing from January 1, 2015, but prior to May 2, 2016 shall be eleven *per centum*; and

(f) commencing from May 2, 2016, shall be fifteen *per centum*.”.

- (3) in subsection (5) of that section –

(a) by the substitution in paragraph (gg) thereof for the words “the profits or income arising to” of the words “the profits or income, not being profit from a business, arising to”;

(b) by the insertion of the following at the end of that subsection:-

“For the purposes of this subsection, the expression “A person who is not registered with the Central Bank of Sri Lanka, but providing services similar to the services provided by a finance company” includes, any person or body of persons, corporate or unincorporated, whose business or part of whose business consists in the acceptance of money by way of deposit, debenture or bond or in any other form, and on the payment of

16 *Value Added Tax (Amendment)*  
*Act, No. 20 of 2016*

interest, profit or discount thereon, whether such acceptance is on its own behalf or on behalf of any other person or provision of loans for the receipt of interest.”.

Amendment of section 25F of the principal enactment.

**13.** Section 25F of the principal enactment is hereby amended by the repeal of sub-paragraph (c) of paragraph (h) of that section and the substitution therefor of the following:-

“(c) of leasing facilities under any;

- finance lease agreement; or
- operating lease agreement in respect of any installment for any period prior to on November 1, 2016,

on any asset other than any land or building, if such agreement is entered into on or after October 25, 2014 and not being an agreement entered into prior to October 25, 2014.”.

Amendment of section 66 of the principal enactment.

**14.** Section 66 of the principal enactment is hereby amended by the insertion immediately after paragraph (c) of that section, of the following new paragraph:-

“(d) submit false documents for online registration, uploading incorrect information for registration or submitting false documents under electronic filing system permitted under the Revenue Administration, Management Information System .”

Amendment of section 76 of the principal enactment.

**15.** Section 76 of the principal enactment is hereby amended as follows:-

- (1) in subsection (1) of that section by the substitution for the words “such supply subsequently becomes a taxable supply” of the words and figures “such supply subsequently becomes a taxable supply for any period prior to May 2, 2016”;

- (2) by the insertion immediately after subsection (2) of that section of the following new subsection:–

“(3) Where any person supplying goods in wholesale or retail trade is registered under this Act for any period commencing on or after May 2, 2016 and ending on December 31, 2016, and if there remains any unsold stocks of goods of such person as at the date of registration which are not specified in the First Schedule to this Act, a deemed input tax may be allowed to such person for such taxable period where the registration became effective on account of such stocks at the rate specified in section 2:

Provided that, a similar record shall be maintained as specified in the proviso to subsection (14) of section 22 for such stocks and submitted such record along with the relevant return of such person.”.

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

Amendment of the First Schedule to the principal enactment.

- (1) in paragraph (a) of that PART –
- (a) by the repeal of item (i) and the substitution therefor of the following:–
- “(i) Wheat or wheat flour;”.
- (b) substitute in sub item (c) of item (xix) of paragraph (a) of PART II of the First Schedule for the words “(c) light weight electrical and electronic items with effect from June 1, 2010;” of the following:–
- “(c) light weight electrical and electronic items with effect from June 1, 2010 but prior to November 1, 2016;”.

*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

- (c) by the repeal of sub-item (e) of item (xix) and the substitution therefor of the following:—

“(e) telecommunication equipment with effect from January 1, 2011 but prior to May 2, 2016 and for the period commencing from July 11, 2016 but ending on or before on November 1, 2016;”;

- (d) substitute in item (xviii) of paragraph (a) of PART II of the First Schedule for the words “(xviii) petrol, coal or” of the following:—

“(xviii) petrol, coal (if supplied prior to November 1, 2016) or”;

- (e) by the repeal of item (xx) and the substitution therefor of the following:—

“(xx) any machinery or high-tech equipment for the telecom industry, having identified that such machinery or equipment is imported or purchased exclusively for the use in the telecom industry and imported or purchased by any operator of telecommunication services, with effect from January 1, 2011 but prior to May 2, 2016 and for the period commencing from July 11, 2016 but ending on or before November 1, 2016;”;

- (f) substitute in item (xxi) of paragraph (a) of PART II of the First Schedule for the words “(xxi) spare parts and accessories for exclusive use by Sri Lanka Transport Board and Department of Sri Lanka Railways

(including imports made on or after 18. 08. 2010)” of the following:–

“(xxi) spare parts and accessories for exclusive use by Sri Lanka Railways, prior to November 1, 2016;”;

- (g) substitute in sub-item (i) of item (xxii) of paragraph (a) of PART II of the First Schedule for the word “perfumes,” of the following:–

“perfumes (if supplied prior to November 1, 2016),”.

- (h) by the repeal of item (xxv) and the substitution therefor of the following:–

“(xxv) copper cables for telecom industry,  
- imported prior to May 2, 2016 where such copper cables are not available in Sri Lanka; or  
- purchased from a local manufacturer prior to May 2, 2016 and for the period commencing from July 11, 2016 but ending on or before November 1, 2016.”.

- (2) in paragraph (b) of that PART –

- (a) by the repeal of sub-item (c) of sub-paragraph (h) of item (x) and the substitution therefor of the following:–

“(c) of leasing facilities under any;

- finance lease agreement; or



*Value Added Tax (Amendment)  
Act, No. 20 of 2016*

- operating lease agreement in respect of any installment for any period prior to November 1, 2016,

on any asset, if such agreement is entered into on or after October 25, 2014 and not being an agreement entered into prior to October 25, 2014”;

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

“(xi) services being the supply, lease or rent of residential accommodation –

- (a) if such supply has taken place prior to November 1, 2016, other than the supply, lease or rent of residential accommodation by a person, being an enterprise which has entered into an agreement with the Board of Investment of Sri Lanka, under section 17 of the Board of Investment of Sri Lanka Law, No. 4 of 1978, on or after April 1, 2001 and the total cost of the projects which such agreement relates is not less than ten million United States Dollars or its equivalent in any other currency and the project relates exclusively to the aforesaid supply, lease or rental;

- (b) on or after November 1, 2016 by any person, other than any lease or rent of residential accommodation.

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

“(xii) all healthcare services provided by medical institutions or professionally qualified persons providing such care, prior to May 2, 2016 and for the period commencing from July 11, 2016, but ending on or before November 1, 2016;”;

- (d) by the repeal of item (xxvi) and the substitution therefor of the following:–

“(xxvi) locally produced dairy products other than powdered milk containing added sugar or other sweetening matter, out of locally produced fresh milk in so far as such milk is produced in Sri Lanka and locally produced rice products containing rice produced in Sri Lanka.”.

- (e) substitute in item (xxx) of paragraph (b) of PART II of the First Schedule for the words “(xxx) locally manufactured jewellery” of the following:–

“(xxx) locally manufactured jewellery, prior to November 1, 2016.”.

- (f) 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, and the services specifically excluded from

such liability in the definition of the expression “telecommunication services” in that Act, prior to May 2, 2016 and for the period commencing from July 11, 2016, but ending on or before November 1, 2016;”;

- (g) by the repeal of item (xxxv) and the substitution therefor of the following:-

“(xxxv) services being the issue of licenses to local telecom operators by Telecommunication Regulatory Commission, established by the Sri Lanka Telecommunications Act, No. 25 of 1991, prior to May 2, 2016 and for the period commencing from July 11, 2016, but ending on or before November 1, 2016”.

- (h) In item (xL) of that paragraph, by the substitution for the words “provided to exporters or to providers of services which are zero rated” of the words “provided to any person referred to in item (i) to (vii) of paragraph (e) of subsection (2) of section 2 or to providers of services which are zero rated”;

- (3) in paragraph (f) of that PART, by the repeal of item (iii) of that paragraph and the substitution therefor of the following:-

“(iii) any goods or services provided prior to November 1, 2016, by any society registered under the Co-operative Societies Law, No. 5 of 1972 or under any respective Statute enacted by any Provincial Council providing for such registration, or Lak Sathosa registered under the Companies Act, No. 7 of 2007.”.

(4) in paragraph (l) of that PART –

“(a) in sub-paragraph (b) of that paragraph, by the substitution for the words and figures “after October 25, 2014” of the words and figures “after October 25, 2014 but prior to November 1, 2016.”.

(b) substitute in sub-paragraph (c) of paragraph (I) of PART II of the First Schedule for the words “(c) liquor identified under the Harmonized Commodity Description and Coding System Numbers for Custom Purposes” of the following:–

“(c) liquor, prior to November 1, 2016 and identified under the Harmonized Commodity Description and Coding System Numbers for Custom Purposes.”.

**17.** Any person who is authorized to collect the Value Added Tax as provided for in this Act during the period commencing from January 1, 2016 and ending on November 1, 2016, 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:

Validation.

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 the said period.

**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**

---

**PORTS AND AIRPORTS DEVELOPMENT  
LEVY (AMENDMENT) ACT, No. 21 OF 2016**

---

[Certified on 07th November, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of November 11, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 6.00**

**Postage : Rs. 10.00**

*Ports and Airports Development Levy  
(Amendment) Act, No. 21 of 2016*

[Certified on 07th November, 2016]

L.D.—O. 15/2016.

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

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

**1.** This Act may be cited as the Ports and Airports  
Development Levy (Amendment) Act, No. 21 of 2016 and  
shall be deemed to have come into operation on January 1,  
2016.

Short title and  
the date of  
operation.

**2.** Section 3 of the Ports and Airports Development Levy  
Act, No. 18 of 2011 (hereinafter referred to as the “principal  
enactment”) is hereby amended by the repeal of subsection  
(1) thereof and substitution therefor of the following  
subsection:—

Amendment of  
section 3 of Act,  
No. 18 of 2011.

“(1) The levy to be charged and levied in respect  
of the cost, insurance and freight value of any article  
referred to in section 2 shall be calculated –

(a) for the period commencing on January 1,  
2011 and ending on December 31, 2015 at  
the rate of 5.0 *per centum*; and

(b) from January 1, 2016 at the rate of 7.5 *per  
centum*.”.

**3.** Where the Director-General of Customs who charges  
or collects, during the period commencing on January 1,  
2016 and ending on the date on which the certificate of the  
Speaker is endorsed in respect of this Act, the Levy as  
provided in subsection (1) of section 3 of the principal  
enactment as amended by section 2 of this Act shall be

Validation.

2 *Ports and Airports Development Levy  
(Amendment) Act, No. 21 of 2016*

deemed to have acted and to be acting with due authority and such charge or collection, shall be deemed for all purposes to have been, and to be, validly made. The Director-General of Customs is hereby indemnified against all action, civil or criminal, in respect of such charge or collection.

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.



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

---

**NATION BUILDING TAX (AMENDMENT)  
ACT, No. 22 OF 2016**

---

[Certified on 07th November, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of November 11, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 6.00**

**Postage : Rs. 10.00**

*Nation Building Tax (Amendment)  
Act, No. 22 of 2016*

[Certified on 07th November, 2016]

L.D.—O. 28/2016

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. 22 of 2016, and shall be deemed to have come into operation from November 1, 2016 unless different dates of operation are specified hereunder.

Short title and  
date of  
operation.

**2.** Section 3 of the Nation Building Tax Act, No. 9 of 2009 (hereinafter referred to as the “principal enactment”), as last amended by Act, No. 12 of 2015 is hereby further amended in subsection (4) thereof as follows:-

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

(1) in paragraph (iii) of that subsection—

(a) in sub-paragraph (b) thereof, by the substitution for the words and figures “but prior to January 1, 2015; and” of the words and figures “but prior to January 1, 2015;”;

(b) in sub-paragraph (c) thereof, by the substitution for the words and figures “on or after January 1, 2015;” of the words and figures “on or after January 1, 2015 but prior to April 1, 2016; and”;

(c) by the insertion immediately after sub-paragraph (c) thereof, of the following new sub-paragraph:-

“(d) the sum of three million rupees if such relevant quarter is any quarter commencing on or after April 1, 2016:

Provided that, in case of any person whose liable turnover for the quarter commencing on April 1, 2016 exceeds the sum of three million rupees and does not exceed the sum of three million seven hundred and fifty thousand rupees, such person shall be chargeable with the tax only on the liable turnover accrued on or after May 2, 2016 but prior to July 11, 2016, and on or after the date on which this Act comes into operation;” and

- (2) by the repeal of paragraph (iv) of that subsection, and the substitution therefor of the following paragraph:-

“(iv) such quarter is a quarter commencing-

- (A) on or after January 1, 2011 but prior to April 1, 2016 and the liable turnover of such person from-

- (a) operating a hotel, guest house, restaurant or other similar business;
- (b) the processing of any locally procured agricultural produce in the preparation for sale;
- (c) providing educational services by any institution established locally for that purpose; or
- (d) supply of labour (manpower),

and which does not exceed the sum of twenty five million rupees:

Provided that, in the case of any person whose liable turnover from any business referred to in subparagraphs (a), (c) and (d) for the quarter commencing on April 1, 2016 exceeds the sum of three million rupees and does not exceed the sum of twenty five million rupees, such person shall be chargeable with the tax only on the liable turnover accrued on or after May 2, 2016 but prior to July 11, 2016, and on or after the date on which this Act comes into operation;

- (B) on or after April 1, 2016 and the liable turnover of such person from the processing of any locally procured agricultural produce in the preparation for sale and which does not exceed the sum of twenty five million rupees;”.

**3.** Section 8 of the principal enactment as last amended by Act, No. 32 of 2009 is hereby further amended by the addition immediately after paragraph (d) of that section, of the following new paragraph:-

Amendment of section 8 of the principal enactment.

- “(e) no assessment or additional assessment shall be made under this Act in respect of any person-
- (i) who has furnished a return for the relevant quarter in the year of assessment on or before the date referred to in paragraph (d) of this section, after the expiry of eighteen months from the thirtieth day of November of the year of assessment immediately succeeding the year of assessment in which such relevant quarter falls, if his return of income has been

4                    *Nation Building Tax (Amendment)*  
   *Act, No. 22 of 2016*

furnished under subsection (1) or subsection (7) of section 106 of the Inland Revenue Act, No. 10 of 2006; or

- (ii) who has failed to furnish a return on or before such date as is referred to in paragraph (d) of this section, after the expiry of four years from the thirtieth day of November of the year of assessment immediately succeeding the year of assessment within which such relevant quarter falls.”.

Amendment of the First Schedule to the principal enactment.

**4.** The First Schedule to the principal enactment as last amended by Act, No. 12 of 2015, is hereby further amended as follows:-

(1) in PART I of that Schedule-

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

“(xi) petroleum and petroleum products calssified under Harmonized Commodity Description and Coding Numbers for Customs purposes, for any period prior to May 2, 2016, and for the period commencing from July 11, 2016, and ending on or before the date on which this Act comes into operation;”; and

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

“(xvi) any goods imported or supplied to a specified project, other than any housing project, as approved by the Minister prior to May 2, 2016, and for the period commencing from July 11,

2016, and ending on or before the date on which this Act comes into operation, considering economic benefit to the country and carried on, out of foreign funds or donations received by the Government;”; and

(2) in Part II of that Schedule-

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

“(ii) for any period ended prior to May 2, 2016, and for the period commencing from July 11, 2016, and ending on or before the date on which this Act comes into operation, supply of electricity;”; and

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

“(xxviii) for any period ended prior to May 2, 2016, and for the period commencing from July 11, 2016, and ending on or before the date on which this Act comes into operation, telecommunication services liable to the telecommunication levy under the Telecommunication Levy Act, No. 21 of 2011, and the services specially excluded from such liability in defining the telecommunication services in that Act;”.

**5.** Where the Commissioner-General of Inland Revenue or the Director-General of Customs as the case may be, collects under the provisions of section 4 or section 5

Validation.

6 *Nation Building Tax (Amendment)*  
*Act, No. 22 of 2016*

respectively of the principal enactment, the tax calculated considering the provisions of this Act, during the period commencing from January 1, 2016 and ending on the date of coming into operation of this Act from a person to whom the provisions of this Act applies, such collection shall be deemed for all purposes to have been, and to be, validly made:

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

Sinhala text to prevail in case of inconsistency.

**6.** 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**

---

**APPROPRIATION (AMENDMENT)  
ACT, No. 23 OF 2016**

---

[Certified on 07th November, 2016]

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of November 11, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 20.00**

**Postage : Rs. 20.00**

*Appropriation (Amendment) Act, No. 23 of 2016*

[Certified on 07th November, 2016]

L.D.—O. 34/2016

AN ACT TO AMEND THE APPROPRIATION ACT, NO. 16 OF 2015

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. 23 of 2016. Short title.
- 2.** Section 2 of the Appropriation Act, No. 16 of 2015 (hereinafter referred to as the “principal enactment”) is hereby amended by the repeal of paragraph (b) of subsection (1) and the substitution therefor of the following:—

*(b)* from the borrowings made in the financial year 2016 which are hereby authorized in terms of relevant laws for moneys to be raised whether in or outside Sri Lanka, for and on behalf of the government: provided that, the balance outstanding of such borrowings at any given time during the financial year 2016 or at the end of the financial year 2016 shall not exceed rupees one thousand six hundred ninety nine billion and the details of such borrowings 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.

Amendment of section 2 of Act, No. 16 of 2015.
- 3.** The First Schedule to the principal enactment is hereby replaced and the following Schedule is substituted therefor:—

Replacement of the First Schedule to the principal enactment.

**FIRST SCHEDULE — ESTIMATE — 2016**  
**Sums Payable for General Services**

2

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
<b>Head 1 - 22</b>	<b>Special Spending Units</b>		
	<b>Recurrent</b>	<b>9,380,725,000</b>	
	<b>Capital</b>	<b>1,851,200,000</b>	
Made up as follows :-			
Head 1	<b>His Excellency the President</b>		
	Programme 01 Operational Activities	1,748,675,000	443,400,000
	Programme 02 Development Activities	—	200,000,000
Head 2	<b>Office of the Prime Minister</b>		
	Programme 01 Operational Activities	315,100,000	171,100,000
Head 4	<b>Judges of the Superior Courts</b>		
	Programme 01 Operational Activities	105,000,000	43,600,000
Head 5	<b>Office of the Cabinet of Ministers</b>		
	Programme 01 Operational Activities	68,350,000	14,850,000
Head 6	<b>Public Service Commission</b>		
	Programme 01 Operational Activities	140,700,000	185,150,000
Head 7	<b>Judicial Service Commission</b>		
	Programme 01 Operational Activities	41,250,000	450,000
Head 8	<b>National Police Commission</b>		
	Programme 01 Operational Activities	43,350,000	850,000

Appropriation (Amendment) Act, No. 23 of 2016

Head	9	<b>Administrative Appeals Tribunal</b> Programme 01 Operational Activities	22,200,000	850,000
Head	10	<b>Commission to Investigate Allegations of Bribery or Corruption</b> Programme 01 Operational Activities	229,400,000	8,200,000
Head	11	<b>Office of the Finance Commission</b> Programme 01 Operational Activities	38,800,000	203,000,000
Head	12	<b>National Education Commission</b> Programme 01 Operational Activities	36,500,000	4,650,000
Head	13	<b>Human Rights Commission of Sri Lanka</b> Programme 01 Operational Activities	168,700,000	12,400,000
Head	16	<b>Parliament</b> Programme 01 Operational Activities	1,665,350,000	525,600,000
Head	17	<b>Office of the Leader of the House of Parliament</b> Programme 01 Operational Activities	31,200,000	1,400,000
Head	18	<b>Office of the Chief Govt. Whip of Parliament</b> Programme 01 Operational Activities	39,850,000	1,450,000
Head	19	<b>Office of the Leader of the Opposition of Parliament</b> Programme 01 Operational Activities	87,750,000	2,100,000
Head	20	<b>Department of Elections</b> Programme 01 Operational Activities	3,570,500,000	12,000,000
Head	21	<b>Auditor General</b> Programme 01 Operational Activities	1,015,000,000	19,800,000
Head	22	<b>Office of the Parliamentary Commissioner for Administration</b> Programme 01 Operational Activities	13,050,000	350,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Buddha Sasana</b>		
	<b>Recurrent</b>	<b>603,435,000</b>	
	<b>Capital</b>	<b>734,230,000</b>	
	Made up as follows :-		
Head 101	<b>Minister of Buddha Sasana</b>		
	Programme 01 Operational Activities	147,450,000	8,530,000
	Programme 02 Development Activities	—	680,000,000
Head 201	<b>Department of Buddhist Affairs</b>		
	Programme 01 Operational Activities	54,435,000	10,700,000
	Programme 02 Development Activities	401,550,000	35,000,000
	<b>Ministry of Finance</b>		
	<b>Recurrent</b>	<b>76,357,790,000</b>	
	<b>Capital</b>	<b>596,972,025,000</b>	
	Made up as follows :-		
Head 102	<b>Minister of Finance</b>		
	Programme 01 Operational Activities	550,950,000	1,321,050,000
	Programme 02 Development Activities	—	2,485,000
Head 238	<b>Department of Fiscal Policy</b>		
	Programme 01 Operational Activities	74,750,000	2,600,000
Head 240	<b>Department of National Budget</b>		
	Programme 01 Operational Activities	1,978,600,000	5,504,700,000
	Programme 02 Development Activities	44,443,800,000	579,201,780,000

Head 241	<b>Department of Public Enterprises</b> Programme 01 Operational Activities	68,850,000	3,300,000
Head 242	<b>Department of Management Services</b> Programme 01 Operational Activities	44,400,000	2,250,000
Head 243	<b>Department of Development Finance</b> Programme 01 Operational Activities Programme 02 Development Activities	4,835,510,000 —	1,700,000 229,000,000
Head 244	<b>Department of Trade and Investment Policy</b> Programme 01 Operational Activities	46,825,000	4,500,000
Head 245	<b>Department of Public Finance</b> Programme 01 Operational Activities	49,625,000	2,350,000
Head 246	<b>Department of Inland Revenue</b> Programme 01 Operational Activities	2,423,400,000	1,103,350,000
Head 247	<b>Sri Lanka Customs</b> programme 01 Operational Activities	1,956,000,000	79,500,000
Head 248	<b>Department of Excise</b> Programme 01 Operational Activities	665,350,000	265,800,000
Head 249	<b>Department of Treasury Operations</b> Programme 01 Operational Activities Programme 02 Development Activities	18,722,900,000 —	1,651,640,000 7,565,570,000
Head 250	<b>Department of State Accounts</b> Programme 01 Operational Activities	36,900,000	1,700,000
Head 251	<b>Department of Valuation</b> Programme 01 Operational Activities	378,650,000	25,500,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 323	<b>Department of Legal Affairs</b> Programme 01 Operational Activities	10,050,000	600,000
Head 324	<b>Department of Management Audit</b> Programme 01 Operational Activities	34,500,000	1,300,000
Head 329	<b>Department of Information Technology Management</b> Programme 01 Operational Activities	36,730,000	1,350,000
	<b>Ministry of Defence</b>		
	<b>Recurrent</b>	<b>257,693,059,000</b>	
	<b>Capital</b>	<b>48,964,765,000</b>	
Made up as follows :-			
Head 103	<b>Minister of Defence</b> Programme 01 Operational Activities Programme 02 Development Activities	4,681,288,000 1,171,074,000	8,003,690,000 3,213,355,000
Head 222	<b>Sri Lanka Army</b> Programme 01 Operational Activities	151,893,685,000	5,837,520,000
Head 223	<b>Sri Lanka Navy</b> Programme 01 Operational Activities	48,655,198,000	12,357,700,000
Head 224	<b>Sri Lanka Air Force</b> Programme 01 Operational Activities	34,047,252,000	19,237,000,000
Head 320	<b>Department of Civil Security</b> Programme 01 Operational Activities	17,214,792,000	283,000,000



Head 325	<b>Department of Sri Lanka Coast Guard</b>		
	Programme 01 Operational Activities	29,770,000	32,500,000
	<b>Ministry of National Policies and Economic Affairs</b>		
	<b>Recurrent</b>	<b>3,229,285,000</b>	
	<b>Capital</b>	<b>8,963,065,000</b>	

Made up as follows :-

Head 104	<b>Minister of National Policies and Economic Affairs</b>		
	Programme 01 Operational Activities	362,150,000	25,700,000
	Programme 02 Development Activities	1,593,720,000	7,348,400,000
Head 237	<b>Department of National Planning</b>		
	Programme 01 Operational Activities	86,310,000	5,100,000
Head 239	<b>Department of External Resources</b>		
	Programme 01 Operational Activities	262,780,000	1,533,430,000
Head 252	<b>Department of Census and Statistics</b>		
	Programme 01 Operational Activities	838,300,000	38,105,000
Head 280	<b>Department of Project Management and Monitoring</b>		
	Programme 02 Development Activities	86,025,000	12,330,000
	<b>Ministry of Disaster Management</b>		
	<b>Recurrent</b>	<b>799,200,000</b>	
	<b>Capital</b>	<b>2,134,550,000</b>	

Made up as follows :-

Head 106	<b>Minister of Disaster Management</b>		
	Programme 01 Operational Activities	115,100,000	264,850,000
	Programme 02 Development Activities	423,300,000	1,806,500,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 304	<b>Department of Meteorology</b> Programme 02 Development Activities	260,800,000	63,200,000
	<b>Ministry of Posts, Postal Services and Muslim Religious Affairs</b>		
	<b>Recurrent</b>	<b>12,353,650,000</b>	
	<b>Capital</b>	<b>233,000,000</b>	
	Made up as follows :-		
Head 108	<b>Minister of Posts, Postal Services and Muslim Religious Affairs</b> Programme 01 Operational Activities	115,450,000	66,840,000
Head 202	<b>Department of Muslim Religious and Cultural Affairs</b> Programme 02 Development Activities	71,700,000	31,160,000
Head 308	<b>Department of Posts</b> Programme 02 Development Activities	12,166,500,000	135,000,000
	<b>Ministry of Justice</b>		
	<b>Recurrent</b>	<b>7,439,040,000</b>	
	<b>Capital</b>	<b>2,445,720,000</b>	
	Made up as follows :-		
Head 110	<b>Minister of Justice</b> Programme 01 Operational Activities	840,080,000	160,390,000
Head 205	<b>Department of Public Trustee</b> Programme 01 Operational Activities	45,280,000	2,080,000
Head 228	<b>Courts Administration</b> Programme 01 Operational Activities	5,378,550,000	1,224,450,000

Head 229	<b>Department of Attorney General</b>		
	Programme 01 Operational Activities	659,600,000	606,300,000
Head 230	<b>Department of Legal Draftsman</b>		
	Programme 01 Operational Activities	86,560,000	31,300,000
Head 231	<b>Department of Debt Conciliation Board</b>		
	Programme 01 Operational Activities	15,890,000	800,000
Head 233	<b>Department of Government Analyst</b>		
	Programme 01 Operational Activities	245,300,000	409,200,000
Head 234	<b>Registrar of the Supreme Court</b>		
	Programme 01 Operational Activities	152,920,000	9,400,000
Head 235	<b>Department of Law Commission</b>		
	Programme 01 Operational Activities	14,860,000	1,800,000
	<b>Ministry of Health, Nutrition and Indigenous Medicine</b>		
	<b>Recurrent</b>	<b>138,077,998,000</b>	
	<b>Capital</b>	<b>36,000,000,000</b>	

Made up as follows :-

Head 111	<b>Minister of Health, Nutrition and Indigenous Medicine</b>		
	Programme 01 Operational Activities	124,469,798,000	7,144,600,000
	Programme 02 Development Activities	12,385,700,000	27,554,800,000
Head 220	<b>Department of Ayurveda</b>		
	Programme 01 Operational Activities	108,150,000	9,800,000
	Programme 02 Development Activities	1,114,350,000	1,290,800,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Foreign Affairs</b>		
	<b>Recurrent</b>	<b>9,123,605,000</b>	
	<b>Capital</b>	<b>345,600,000</b>	
	Made up as follows :-		
Head 112	<b>Minister of Foreign Affairs</b>		
	Programme 01 Operational Activities	108,400,000	5,000,000
	Programme 02 Development Activities	9,015,205,000	340,600,000
	<b>Ministry of Transport and Civil Aviation</b>		
	<b>Recurrent</b>	<b>16,672,950,000</b>	
	<b>Capital</b>	<b>42,857,700,000</b>	
	Made up as follows :-		
Head 114	<b>Minister of Transport and Civil Aviation</b>		
	Programme 01 Operational Activities	297,550,000	23,100,000
	Programme 02 Development Activities	1,150,500,000	21,233,000,000
Head 306	<b>Department of Sri Lanka Railways</b>		
	Programme 02 Development Activities	13,592,500,000	20,585,100,000
Head 307	<b>Department of Motor Traffic</b>		
	Programme 02 Development Activities	1,632,400,000	1,016,500,000
	<b>Ministry of Higher Education and Highways</b>		
	<b>Recurrent</b>	<b>30,537,930,000</b>	
	<b>Capital</b>	<b>142,525,950,000</b>	
	Made up as follows :-		
Head 117	<b>Minister of Higher Education and Highways</b>		
	Programme 01 Operational Activities	500,930,000	3,219,050,000
	Programme 02 Development Activities	1,056,000,000	123,364,900,000

Head 214	<b>University Grants Commission</b>		
	Programme 02 Development Activities	28,981,000,000	15,942,000,000

	<b>Ministry of Agriculture</b>		
	<b>Recurrent</b>	<b>50,178,612,000</b>	
	<b>Capital</b>	<b>4,022,600,000</b>	

Made up as follows :-

Head 118	<b>Minister of Agriculture</b>		
	Programme 01 Operational Activities	197,855,000	29,900,000
	Programme 02 Development Activities	38,761,100,000	788,700,000

Head 281	<b>Department of Agrarian Development</b>		
	Programme 01 Operational Activities	393,400,000	45,000,000
	Programme 02 Development Activities	6,527,000,000	1,618,000,000

Head 285	<b>Department of Agriculture</b>		
	Programme 01 Operational Activities	407,682,000	31,700,000
	Programme 02 Development Activities	3,891,575,000	1,509,300,000

	<b>Ministry of Power and Renewable Energy</b>		
	<b>Recurrent</b>	<b>478,100,000</b>	
	<b>Capital</b>	<b>759,300,000</b>	

Made up as follows :-

Head 119	<b>Minister of Power and Renewable Energy</b>		
	Programme 01 Operational Activities	294,100,000	12,100,000
	Programme 02 Development Activities	184,000,000	747,200,000

	<b>Ministry of Women and Child Affairs</b>		
	<b>Recurrent</b>	<b>8,962,565,000</b>	
	<b>Capital</b>	<b>803,590,000</b>	

Made up as follows :-

Head 120	<b>Minister of Women and Child Affairs</b>		
	Programme 01 Operational Activities	625,130,000	73,300,000
	Programme 02 Development Activities	8,048,355,000	711,310,000

Appropriation (Amendment) Act, No. 23 of 2016

11

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 217	<b>Department of Probation and Childcare Services</b>		
	Programme 01 Operational Activities	29,940,000	1,030,000
	Programme 02 Development Activities	259,140,000	17,950,000
	<b>Ministry of Home Affairs</b>		
	<b>Recurrent</b>	<b>27,325,000,000</b>	
	<b>Capital</b>	<b>5,313,000,000</b>	
Made up as follows :-			
Head 121	<b>Minister of Home Affairs</b>		
	Programme 01 Operational Activities	9,588,000,000	768,000,000
Head 254	<b>Department of Registrar General</b>		
	Programme 01 Operational Activities	1,294,000,000	105,000,000
Head 255	<b>District Secretariat, Colombo</b>		
	Programme 01 Operational Activities	721,000,000	954,000,000
Head 256	<b>District Secretariat, Gampaha</b>		
	Programme 01 Operational Activities	986,000,000	167,000,000
Head 257	<b>District Secretariat, Kalutara</b>		
	Programme 01 Operational Activities	834,000,000	238,000,000
Head 258	<b>District Secretariat, Kandy</b>		
	Programme 01 Operational Activities	1,132,000,000	99,000,000
Head 259	<b>District Secretariat, Matale</b>		
	Programme 01 Operational Activities	575,000,000	296,000,000

Head 260	<b>District Secretariat, Nuwara-Eliya.</b> Programme 01 Operational Activities	437,000,000	99,000,000
Head 261	<b>District Secretariat, Galle</b> Programme 01 Operational Activities	1,079,000,000	78,000,000
Head 262	<b>District Secretariat, Matara</b> Programme 01 Operational Activities	903,000,000	179,000,000
Head 263	<b>District Secretariat, Hambantota</b> Programme 01 Operational Activities	762,000,000	105,000,000
Head 264	<b>District Secretariat/ Kachcheri - Jaffna</b> Programme 01 Operational Activities	679,000,000	106,000,000
Head 265	<b>District Secretariat/ Kachcheri - Mannar</b> Programme 01 Operational Activities	212,000,000	102,000,000
Head 266	<b>District Secretariat/ Kachcheri - Vavuniya</b> Programme 01 Operational Activities	193,000,000	60,000,000
Head 267	<b>District Secretariat/ Kachcheri - Mullaitivu</b> Programme 01 Operational Activities	169,000,000	91,000,000
Head 268	<b>District Secretariat/ Kachcheri - Killinochchi</b> Programme 01 Operational Activities	188,000,000	108,000,000
Head 269	<b>District Secretariat/ Kachcheri - Batticaloa</b> Programme 01 Operational Activities	556,000,000	323,000,000
Head 270	<b>District Secretariat, Ampara</b> Programme 01 Operational Activities	886,000,000	77,000,000
Head 271	<b>District Secretariat/ Kachcheri - Trincomalee</b> Programme 01 Operational Activities	353,000,000	54,000,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 272	<b>District Secretariat, Kurunegala</b> Programme 01 Operational Activities	1,572,000,000	47,000,000
Head 273	<b>District Secretariat, Puttalam</b> Programme 01 Operational Activities	634,000,000	75,000,000
Head 274	<b>District Secretariat, Anuradhapura</b> Programme 01 Operational Activities	714,000,000	67,000,000
Head 275	<b>District Secretariat - Polonnaruwa</b> Programme 01 Operational Activities	369,000,000	565,000,000
Head 276	<b>District Secretariat - Badulla</b> Programme 01 Operational Activities	632,000,000	125,000,000
Head 277	<b>District Secretariat, Monaragala</b> Programme 01 Operational Activities	450,000,000	120,000,000
Head 278	<b>District Secretariat, Ratnapura</b> Programme 01 Operational Activities	771,000,000	209,000,000
Head 279	<b>District Secretariat, Kegalle</b> Programme 01 Operational Activities	636,000,000	96,000,000
	<b>Ministry of Parliamentary Reforms and Mass Media</b>		
	<b>Recurrent</b>	<b>3,265,000,000</b>	
	<b>Capital</b>	<b>2,189,480,000</b>	

Made up as follows :-

Head 122	<b>Minister of Parliamentary Reforms and Mass Media</b>		
	Programme 01 Operational Activities	669,000,000	1,852,480,000
	Programme 02 Development Activities	471,000,000	221,000,000



Head 210	<b>Department of Information</b>		
	Programme 01 Operational Activities	221,000,000	18,000,000
Head 211	<b>Department of Government Printer</b>		
	Programme 01 Operational Activities	1,904,000,000	98,000,000
	<b>Ministry of Housing and Construction</b>		
	<b>Recurrent</b>	<b>732,300,000</b>	
	<b>Capital</b>	<b>2,091,100,000</b>	

Made up as follows :-

Head 123	<b>Minister of Housing and Construction</b>		
	Programme 01 Operational Activities	243,625,000	8,750,000
	Programme 02 Development Activities	108,000,000	2,009,000,000
Head 309	<b>Department of Buildings</b>		
	Programme 01 Operational Activities	103,490,000	12,800,000
	Programme 02 Development Activities	186,550,000	24,700,000
Head 310	<b>Government Factory</b>		
	Programme 01 Operational Activities	47,335,000	19,150,000
	Programme 02 Development Activities	43,300,000	16,700,000
	<b>Ministry of Social Empowerment and Welfare</b>		
	<b>Recurrent</b>	<b>68,202,192,000</b>	
	<b>Capital</b>	<b>198,690,000</b>	

Made up as follows :-

Head 124	<b>Minister of Social Empowerment and Welfare</b>		
	Programme 01 Operational Activities	608,580,000	48,220,000
	Programme 02 Development Activities	11,158,132,000	56,390,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 216	<b>Department of Social Services</b>		
	Programme 01 Operational Activities	28,060,000	3,680,000
	Programme 02 Development Activities	417,100,000	42,800,000
Head 331	<b>Department of Divineguma Development</b>		
	Programme 01 Operational Activities	415,300,000	14,100,000
	Programme 02 Development Activities	55,575,020,000	33,500,000
	<b>Ministry of Education</b>		
	<b>Recurrent</b>	<b>167,612,750,000</b>	
	<b>Capital</b>	<b>18,363,280,000</b>	
Made up as follows :-			
Head 126	<b>Minister of Education</b>		
	Programme 01 Operational Activities	12,065,665,000	643,200,000
	Programme 02 Development Activities	151,588,500,000	16,918,550,000
Head 207	<b>Department of Archaeology</b>		
	Programme 01 Operational Activities	130,150,000	10,000,000
	Programme 02 Development Activities	730,500,000	152,500,000
Head 209	<b>Department of National Archives</b>		
	Programme 01 Operational Activities	51,940,000	11,850,000
	Programme 02 Development Activities	60,715,000	208,400,000
Head 212	<b>Department of Examinations</b>		
	Programme 02 - Development Activities	2,926,400,000	334,250,000
Head 213	<b>Department of Educational Publications</b>		
	Programme 02 Development Activities	58,880,000	84,530,000

**Ministry of Public Administration and Management**  
**Recurrent** 155,896,075,000  
**Capital** 360,050,000

Made up as follows :-

Head 130	<b>Minister of Public Administration and Management</b>		
	Programme 01 Operational Activities	1,128,100,000	320,050,000
Head 253	<b>Department of Pensions</b>		
	Programme 01 Operational Activities	154,767,975,000	40,000,000

**Ministry of Plantation Industries**  
**Recurrent** 3,071,500,000  
**Capital** 4,807,280,000

Made up as follows :-

Head 135	<b>Minister of Plantation Industries</b>		
	Programme 01 Operational Activities	440,200,000	15,800,000
	Programme 02 Development Activities	2,364,300,000	3,734,980,000
Head 293	<b>Department of Rubber Development</b>		
	Programme 02 Development Activities	267,000,000	1,056,500,000

**Ministry of Sports**  
**Recurrent** 1,009,600,000  
**Capital** 2,311,500,000

Made up as follows :-

Head 136	<b>Minister of Sports</b>		
	Programme 01 Operational Activities	291,500,000	571,450,000
	Programme 02 Development Activities	80,900,000	49,350,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 219	<b>Department of Sports Development</b>		
	Programme 01 Operational Activities	58,050,000	7,600,000
	Programme 02 Development Activities	579,150,000	1,683,100,000
	<b>Ministry of Hill Country New Villages, Infrastructure and Community Development</b>		
	<b>Recurrent</b>	<b>225,800,000</b>	
	<b>Capital</b>	<b>461,000,000</b>	
	Made up as follows :-		
Head 140	<b>Minister of Hill Country New Villages, Infrastructure and Community Development</b>		
	Programme 01 Operational Activities	225,800,000	11,000,000
	Programme 02 Development Activities	—	450,000,000
	<b>Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs</b>		
	<b>Recurrent</b>	<b>6,532,920,000</b>	
	<b>Capital</b>	<b>6,065,560,000</b>	
	Made up as follows :-		
Head 145	<b>Minister of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs</b>		
	Programme 01 Operational Activities	792,820,000	713,520,000
	Programme 02 Development Activities	71,500,000	2,005,000,000
Head 232	<b>Department of Prisons</b>		
	Programme 01 Operational Activities	5,319,050,000	3,240,000,000
Head 326	<b>Department of Community Based Corrections</b>		
	Programme 01 Operational Activities	246,250,000	13,050,000

Head 204	<b>Department of Hindu Religious and Cultural Affairs</b>		
	Programme 02 Development Activities	103,300,000	93,990,000
	<b>Ministry of Industry and Commerce</b>		
	<b>Recurrent</b>	<b>2,286,905,000</b>	
	<b>Capital</b>	<b>3,388,275,000</b>	
Made up as follows :-			
Head 149	<b>Minister of Industry and Commerce</b>		
	Programme 01 Operational Activities	499,640,000	19,900,000
	Programme 02 Development Activities	1,053,625,000	3,096,900,000
Head 295	<b>Department of Commerce</b>		
	Programme 01 Operational Activities	101,180,000	10,500,000
Head 297	<b>Department of the Registrar of Companies</b>		
	Programme 01 Operational Activities	49,825,000	—
Head 298	<b>Department of Measurement Units, Standards and Services</b>		
	Programme 01 Operational Activities	101,050,000	210,000,000
Head 299	<b>National Intellectual Property Office of Sri Lanka</b>		
	Programme 01 Operational Activities	28,000,000	—
Head 300	<b>Department of Food Commissioner</b>		
	Programme 01 Operational Activities	300,050,000	6,750,000
Head 301	<b>Department of Co-operative Development (Registrar of Co-operative Societies)</b>		
	Programme 01 Operational Activities	64,955,000	11,225,000
Head 302	<b>Co-operative Employees Commission</b>		
	Programme 01 Operational Activities	14,780,000	850,000

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 303	<b>Department of Textile Industries</b> Programme 02 Development Activities	73,800,000	32,150,000
	<b>Ministry of Petroleum Resources Development</b>		
	<b>Recurrent</b>	<b>210,000,000</b>	
	<b>Capital</b>	<b>71,500,000</b>	
	Made up as follows :-		
Head 150	<b>Minister of Petroleum Resources Development</b>		
	Programme 01 Operational Activities	130,000,000	11,500,000
	Programme 02 Development Activities	80,000,000	60,000,000
	<b>Ministry of Fisheries and Aquatic Resources Development</b>		
	<b>Recurrent</b>	<b>1,571,925,000</b>	
	<b>Capital</b>	<b>3,361,120,000</b>	
	Made up as follows :-		
Head 151	<b>Minister of Fisheries and Aquatic Resources Development</b>		
	Programme 01 Operational Activities	210,000,000	41,420,000
	Programme 02 Development Activities	980,000,000	1,665,000,000
Head 290	<b>Department of Fisheries and Aquatic Resources</b>		
	Programme 01 Operational Activities	381,925,000	1,654,700,000
	<b>Ministry of Lands</b>		
	<b>Recurrent</b>	<b>4,480,292,000</b>	
	<b>Capital</b>	<b>3,320,482,000</b>	
	Made up as follows :-		
Head 153	<b>Minister of Lands</b>		
	Programme 01 Operational Activities	298,525,000	12,850,000
	Programme 02 Development Activities	—	2,917,000,000

Head 286	<b>Department of Land Commissioner General</b> Programme 02 Development Activities	333,900,000	53,960,000
Head 287	<b>Department of Land Title Settlement</b> Programme 02 Development Activities	384,700,000	19,000,000
Head 288	<b>Department of Surveyor General</b> Programme 01 Operational Activities Programme 02 Development Activities	216,843,000 2,897,259,000	104,910,000 142,750,000
Head 327	<b>Department of Land Use Policy Planning</b> Programme 02 Development Activities	349,065,000	70,012,000

**Ministry of Rural Economic Affairs**  
**Recurrent 1,019,235,000**  
**Capital 3,781,250,000**

Made up as follows :-

Head 154	<b>Minister of Rural Economic Affairs</b> Programme 01 Operational Activities Programme 02 Development Activities	248,050,000 294,785,000	14,000,000 3,196,250,000
Head 292	<b>Department of Animal Production and Health</b> Programme 01 Operational Activities Programme 02 Development Activities	476,400,000 —	51,000,000 520,000,000

**Ministry of Provincial Councils and Local Government**  
**Recurrent 168,650,226,000**  
**Capital 69,284,416,000**

Made up as follows :-

Head 155	<b>Minister of Provincial Councils and Local Government</b> Programme 01 Operational Activities Programme 02 Development Activities	232,000,000 2,000,000,000	66,000,000 24,209,646,000
----------	---	------------------------------	------------------------------

Appropriation (Amendment) Act, No. 23 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 312	<b>Western Provincial Council</b>		
	Programme 01 Operational Activities	21,743,786,000	—
	Programme 02 Development Activities	—	4,100,200,000
Head 313	<b>Central Provincial Council</b>		
	Programme 01 Operational Activities	23,374,869,000	—
	Programme 02 Development Activities	—	5,174,340,000
Head 314	<b>Southern Provincial Council</b>		
	Programme 01 Operational Activities	20,507,843,000	—
	Programme 02 Development Activities	—	4,389,300,000
Head 315	<b>Northern Provincial Council</b>		
	Programme 01 Operational Activities	16,174,251,000	—
	Programme 02 Development Activities	—	8,818,000,000
Head 316	<b>North Western Provincial Council</b>		
	Programme 01 Operational Activities	20,797,898,000	—
	Programme 02 Development Activities	—	4,709,400,000
Head 317	<b>North Central Provincial Council</b>		
	Programme 01 Operational Activities	12,838,982,000	—
	Programme 02 Development Activities	—	4,465,220,000
Head 318	<b>Uva Provincial Council</b>		
	Programme 01 Operational Activities	16,249,859,000	—
	Programme 02 Development Activities	—	4,044,960,000
Head 319	<b>Sabaragamuwa Provincial Council</b>		
	Programme 01 Operational Activities	18,219,223,000	—
	Programme 02 Development Activities	—	4,575,300,000



Head 321	<b>Eastern Provincial Council</b>		
	Programme 01 Operational Activities	16,511,515,000	—
	Programme 02 Development Activities	—	4,732,050,000
	<b>Ministry of National Dialogue</b>		
	<b>Recurrent</b>	<b>454,785,000</b>	
	<b>Capital</b>	<b>336,030,000</b>	
Made up as follows :-			
Head 157	<b>Minister of National Dialogue</b>		
	Programme 01 Operational Activities	354,355,000	291,380,000
Head 236	<b>Department of Official Languages</b>		
	Programme 01 Operational Activities	100,430,000	44,650,000
	<b>Ministry of Public Enterprise Development</b>		
	<b>Recurrent</b>	<b>287,330,000</b>	
	<b>Capital</b>	<b>73,900,000</b>	
Made up as follows :-			
Head 158	<b>Minister of Public Enterprise Development</b>		
	Programme 01 Operational Activities	210,330,000	21,900,000
	Programme 02 Development Activities	77,000,000	52,000,000
	<b>Ministry of Tourism Development and Christian Religious Affairs</b>		
	<b>Recurrent</b>	<b>128,800,000</b>	
	<b>Capital</b>	<b>34,000,000</b>	
Made up as follows :-			
Head 159	<b>Minister of Tourism Development and Christian Religious Affairs</b>		
	Programme 01 Operational Activities	76,900,000	9,900,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 203	<b>Department of Christian Religious Affairs</b> Programme 02 Development Activities	51,900,000	24,100,000
	<b>Ministry of Mahaweli Development and Environment</b>		
	<b>Recurrent</b>	<b>5,177,607,000</b>	
	<b>Capital</b>	<b>64,318,200,000</b>	
	Made up as follows :-		
Head 160	<b>Minister of Mahaweli Development and Environment</b>		
	Programme 01 Operational Activities	305,897,000	779,500,000
	Programme 02 Development Activities	3,403,000,000	60,922,700,000
Head 283	<b>Department of Forests</b>		
	Programme 01 Operational Activities	1,253,600,000	788,500,000
Head 291	<b>Department of Coast Conservation</b>		
	Programme 01 Operational Activities	215,110,000	1,827,500,000
	<b>Ministry of Sustainable Development and Wildlife</b>		
	<b>Recurrent</b>	<b>1,812,880,000</b>	
	<b>Capital</b>	<b>1,333,450,000</b>	
	Made up as follows :-		
Head 161	<b>Minister of Sustainable Development and Wildlife</b>		
	Programme 01 Operational Activities	124,650,000	16,350,000
Head 284	<b>Department of Wildlife Conservation</b>		
	Programme 01 Operational Activities	1,043,530,000	489,600,000

Head 294	<b>Department of National Zoological Gardens</b> Programme 02 Development Activities	304,200,000	539,700,000
Head 322	<b>Department of National Botanical Gardens</b> Programme 02 Development Activities	340,500,000	287,800,000
	<b>Ministry of Megapolis and Western Development</b>		
	<b>Recurrent</b>	<b>347,650,000</b>	
	<b>Capital</b>	<b>21,927,500,000</b>	

Made up as follows :-

Head 162	<b>Minister of Megapolis and Western Development</b> Programme 01 Operational Activities	166,700,000	9,800,000
	Programme 02 Development Activities	—	21,809,100,000
Head 311	<b>Department of National Physical Planning</b> Programme 01 Operational Activities	180,950,000	108,600,000

**Ministry of Internal Affairs, Wayamba Development and Cultural Affairs**  
**Recurrent** **3,112,968,000**  
**Capital** **3,038,260,000**

Made up as follows :-

Head 163	<b>Minister of Internal Affairs, Wayamba Development and Cultural Affairs</b> Programme 01 Operational Activities	257,550,000	1,013,410,000
	Programme 02 Development Activities	605,300,000	748,100,000
Head 206	<b>Department of Cultural Affairs</b> Programme 01 Operational Activities	86,510,000	6,400,000
	Programme 02 Development Activities	418,180,000	326,550,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 208	<b>Department of National Museums</b>		
	Programme 01 Operational Activities	31,908,000	4,200,000
	Programme 02 Development Activities	139,820,000	150,200,000
Head 226	<b>Department of Immigration and Emigration</b>		
	Programme 01 Operational Activities	991,770,000	703,200,000
Head 227	<b>Department of Registration of Persons</b>		
	Programme 01 Operational Activities	581,930,000	86,200,000
	<b>Ministry of National Integration and Reconciliation</b>		
	<b>Recurrent</b>	<b>88,920,000</b>	
	<b>Capital</b>	<b>11,500,000</b>	
	Made up as follows :-		
Head 165	<b>Minister of National Integration and Reconciliation</b>		
	Programme 01 Operational Activities	88,920,000	11,500,000
	<b>Ministry of City Planning and Water Supply</b>		
	<b>Recurrent</b>	<b>217,916,000</b>	
	<b>Capital</b>	<b>31,760,090,000</b>	
	Made up as follows :-		
Head 166	<b>Minister of City Planning and Water Supply</b>		
	Programme 01 Operational Activities	167,150,000	25,009,400,000
	Programme 02 Development Activities	—	6,628,490,000
Head 332	<b>Department of National Community Water Supply</b>		
	Programme 01 Operational Activities	50,766,000	122,200,000

<b>Ministry of Ports and Shipping</b>			
	<b>Recurrent</b>	<b>157,900,000</b>	
	<b>Capital</b>	<b>532,700,000</b>	
Made up as follows :-			
Head 176	<b>Minister of Ports and Shipping</b>		
	Programme 01 Operational Activities	157,900,000	13,700,000
	Programme 02 Development Activities	—	519,000,000
<b>Ministry of Foreign Employment</b>			
	<b>Recurrent</b>	<b>599,450,000</b>	
	<b>Capital</b>	<b>437,600,000</b>	
Made up as follows :-			
Head 182	<b>Minister of Foreign Employment</b>		
	Programme 01 Operational Activities	40,100,000	5,000,000
	Programme 02 Development Activities	559,350,000	432,600,000
<b>Ministry of Law and Order and Southern Development</b>			
	<b>Recurrent</b>	<b>63,151,620,000</b>	
	<b>Capital</b>	<b>5,069,800,000</b>	
Made up as follows :-			
Head 192	<b>Minister of Law and Order and Southern Development</b>		
	Programme 01 Operational Activities	7,154,120,000	1,082,700,000
Head 225	<b>Department of Police</b>		
	Programme 0 Operational Activities	55,997,500,000	3,987,100,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Labour and Trade Union Relations</b>		
	<b>Recurrent</b>	<b>1,948,870,000</b>	
	<b>Capital</b>	<b>5,126,750,000</b>	
	Made up as follows :-		
Head 193	<b>Minister of Labour and Trade Union Relations</b>		
	Programme 01 Operational Activities	144,220,000	27,180,000
	Programme 02 Development Activities	76,740,000	6,650,000
Head 221	<b>Department of Labour</b>		
	Programme 01 Operational Activities	725,500,000	4,962,000,000
	Programme 02 Development Activities	671,460,000	98,720,000
Head 328	<b>Department of Manpower &amp; Employment</b>		
	Programme 01 Operational Activitie	330,950,000	32,200,000
	<b>Ministry of Telecommunication and Digital Infrastructure</b>		
	<b>Recurrent</b>	<b>118,700,000</b>	
	<b>Capital</b>	<b>308,100,000</b>	
	Made up as follows :-		
Head 194	<b>Minister of Telecommunication and Digital Infrastructure</b>		
	Programme 01 Operational Activities	108,700,000	12,825,000
	Programme 02 Development Activities	10,000,000	295,275,000

**Ministry of Development Strategy and International Trade**  
**Recurrent 546,055,000**  
**Capital 268,500,000**

Made up as follows :-

Head 195	<b>Minister of Development Strategy and International Trade</b>		
	Programme 01 Operational Activities	216,030,000	12,650,000
	Programme 02 Development Activities	270,000,000	250,000,000
Head 296	<b>Department of Import and Export Control</b>		
	Programme 01 Operational Activities	60,025,000	5,850,000

**Ministry of Science,Technology & Research**  
**Recurrent 1,617,850,000**  
**Capital 2,250,700,000**

Made up as follows :-

Head 196	<b>Minister of Science,Technology &amp; Research</b>		
	Programme 01 Operational Activities	154,500,000	13,700,000
	Programme 02 Development Activities	1,463,350,000	2,237,000,000

**Ministry of Skills Development and Vocational Training**  
**Recurrent 5,324,280,000**  
**Capital 6,692,850,000**

Made up as follows :-

Head 197	<b>Minister of Skills Development and Vocational Training</b>		
	Programme 01 Operational Activities	3,524,335,000	696,850,000
	Programme 02 Development Activities	—	5,745,000,000
Head 215	<b>Department of Technical Education and Training</b>		
	Programme 01 Operational Activities	206,750,000	14,000,000
	Programme 02 Development Activities	1,593,195,000	237,000,000

Appropriation (Amendment) Act, No. 23 of 2016

Head  
No.

Recurrent  
Expenditure  
Rs.

Capital  
Expenditure  
Rs.

30

**Ministry of Irrigation and Water Resources Management**

**Recurrent 3,424,745,000**

**Capital 24,653,580,000**

Made up as follows :-

Head 198 **Minister of Irrigation and Water Resources Management**

Programme 01 Operational Activities

137,620,000

111,950,000

Programme 02 Development Activities

274,775,000

11,970,200,000

Head 282 **Department of Irrigation**

Programme 01 Operational Activities

668,650,000

43,100,000

Programme 02 Development Activities

2,343,700,000

12,528,330,000

**Ministry of Primary Industries**

**Recurrent 768,090,000**

**Capital 526,150,000**

Made up as follows :-

Head 199 **Minister of Primary Industries**

Programme 01 Operational Activities

164,780,000

17,450,000

Programme 02 Development Activities

—

5,000,000

Head 289 **Department of Export Agriculture**

Programme 02 Development Activities

603,310,000

503,700,000



**Ministry of Special Assignment**  
**Recurrent**  
**Capital**

**85,200,000**  
**64,800,000**

Made up as follows :-

Head 167 **Minister of Special Assignment**  
Programme 01 Operational Activities

85,200,000

64,800,000.

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

Sinhala text  
to prevail in  
case of  
inconsistency.

---

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**

---

**APPROPRIATION ACT, No. 24 OF 2016**

---

**[Certified on 10th December, 2016]**

*Printed on the Order of Government*

---

Published as a Supplement to Part II of the **Gazette of the Democratic  
Socialist Republic of Sri Lanka** of December 16, 2016

---

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA  
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

**Price : Rs. 17.00**

**Postage : Rs. 25.00**

*Appropriation Act, No. 24 of 2016*

[Certified on 10th December, 2016]

L.D.—O. 53/2016

AN ACT TO PROVIDE FOR THE SERVICE OF THE FINANCIAL YEAR 2017 ; TO AUTHORIZE THE RAISING OF LOANS IN OR OUTSIDE SRI LANKA, FOR THE PURPOSE OF SUCH SERVICE ; TO MAKE FINANCIAL PROVISIONS 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 PROVISIONS 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. 24 of 2016. 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 to be rupees two thousand one hundred twelve billion nine hundred ten million forty four thousand for the service of the period beginning on January 1, 2017 and ending on December 31, 2017 (in this Act referred to as the “financial year 2017”), shall be met – Appropriation for financial year, 2017.

- (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 borrowing made in the financial year 2017 which are hereby authorized in terms of relevant laws for moneys to be raised whether in or outside

Sri Lanka, for and on behalf of the Government, provided that the balance outstanding of such borrowing at any given time during the financial year 2017 or at the end of the financial year 2017 shall not exceed rupees one thousand five hundred seventy nine billion one hundred ten million four hundred thirty six thousand 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 twelve billion nine hundred ten million forty four 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 five hundred fifteen billion two hundred million three hundred ninety two thousand for the service of the period beginning on January 1, 2017 and ending on December 31, 2017. 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 2017.

**3.** (1) The receipts of the Government during the financial year 2017, 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 2017.

(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 2017 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 2017 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 2017, 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 2017.

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.

**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.

(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.

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,
- Power of Minister to limit expenditure previously authorized.

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, 2018, 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.



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

**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 all or any of –

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

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.

**FIRST SCHEDULE — ESTIMATE — 2017**  
**Sums Payable for General Services**

<i>Head No.</i>			<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
<b>Head 1 - 25</b>	<b>Special Spending Units</b>			
	<b>Recurrent</b>	<b>11,843,028,000</b>		
	<b>Capital</b>	<b>5,735,310,000</b>		
Made up as follows:-				
Head 1	<b>His Excellency the President</b>			
	Programme 01 Operational Activities		1,951,499,000	1,751,180,000
	Programme 02 Development Activities		—	2,750,000,000
Head 2	<b>Office of the Prime Minister</b>			
	Programme 01 Operational Activities		770,471,000	484,800,000
Head 4	<b>Judges of the Superior Courts</b>			
	Programme 01 Operational Activities		100,443,000	31,300,000
Head 5	<b>Office of the Cabinet of Ministers</b>			
	Programme 01 Operational Activities		78,085,000	12,200,000
Head 6	<b>Public Service Commission</b>			
	Programme 01 Operational Activities		188,713,000	254,200,000
Head 7	<b>Judicial Service Commission</b>			
	Programme 01 Operational Activities		40,594,000	7,700,000
Head 8	<b>National Police Commission</b>			
	Programme 01 Operational Activities		71,896,000	1,530,000

Appropriation Act, No. 24 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 9	<b>Administrative Appeals Tribunal</b> Programme 01 Operational Activities	22,455,000	850,000
Head 10	<b>Commission to Investigate Allegations of Bribery or Corruption</b> Programme 01 Operational Activities	297,256,000	15,600,000
Head 11	<b>Office of the Finance Commission</b> Programme 01 Operational Activities	44,086,000	102,900,000
Head 12	<b>National Education Commission</b> Programme 01 Operational Activities	35,502,000	4,150,000
Head 13	<b>Human Rights Commission of Sri Lanka</b> Programme 01 Operational Activities	186,046,000	6,100,000
Head 16	<b>Parliament</b> Programme 01 Operational Activities	1,923,267,000	130,800,000
Head 17	<b>Office of the Leader of the House of Parliament</b> Programme 01 Operational Activities	34,978,000	1,300,000
Head 18	<b>Office of the Chief Govt. Whip of Parliament</b> Programme 01 Operational Activities	40,643,000	1,600,000
Head 19	<b>Office of the Leader of the Opposition of Parliament</b> Programme 01 Operational Activities	79,588,000	4,500,000
Head 20	<b>Elections Commission</b> Programme 01 Operational Activities	4,473,446,000	56,500,000
Head 21	<b>Auditor General</b> Programme 01 Operational Activities	1,377,691,000	106,800,000

Head 22	<b>Office of the Parliamentary Commissioner for Administration</b>		
	Programme 01 Operational Activities	20,146,000	800,000
Head 23	<b>Audit Service Commission</b>		
	Programme 01 Operational Activities	52,234,000	2,800,000
Head 24	<b>National Procurement Commission</b>		
	Programme 01 Operational Activities	43,562,000	6,500,000
Head 25	<b>Delimitation Commission</b>		
	Programme 01 Operational Activities	10,427,000	1,200,000

**Ministry of Buddha Sasana**  
**Recurrent** **902,114,000**  
**Capital** **967,860,000**

Made up as follows:-

Head 101	<b>Minister of Buddha Sasana</b>		
	Programme 01 Operational Activities	124,499,000	6,810,000
	Programme 02 Development Activities	313,795,000	910,600,000
Head 201	<b>Department of Buddhist Affairs</b>		
	Programme 01 Operational Activities	54,529,000	13,450,000
	Programme 02 Development Activities	409,291,000	37,000,000

**Ministry of Finance**  
**Recurrent** **199,705,646,000**  
**Capital** **43,100,805,000**

Made up as follows:-

Head 102	<b>Minister of Finance</b>		
	Programme 01 Operational Activities	803,270,000	699,450,000
	Programme 02 Development Activities	—	3,591,530,000

Appropriation Act, No. 24 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 238	<b>Department of Fiscal Policy</b> Programme 01 Operational Activities	3,724,091,000	3,600,000
Head 240	<b>Department of National Budget</b> Programme 01 Operational Activities Programme 02 Development Activities	1,741,513,000 193,592,534,000	4,895,350,000 294,485,000,000
Head 241	<b>Department of Public Enterprises</b> Programme 01 Operational Activities	72,750,000	3,000,000
Head 242	<b>Department of Management Services</b> Programme 01 Operational Activities	57,230,000	2,900,000
Head 243	<b>Department of Development Finance</b> Programme 01 Operational Activities Programme 02 Development Activities	364,332,000 —	1,300,000 4,463,875,000
Head 244	<b>Department of Trade and Investment Policy</b> Programme 01 Operational Activities	45,832,000	3,200,000
Head 245	<b>Department of Public Finance</b> Programme 01 Operational Activities	518,300,000	7,700,000
Head 246	<b>Department of Inland Revenue</b> Programme 01 Operational Activities	2,920,379,000	298,000,000
Head 247	<b>Sri Lanka Customs</b> Programme 01 Operational Activities	2,033,032,000	180,000,000

Head 248	<b>Department of Excise</b>			
	Programme 01	Operational Activities	1,028,103,000	209,800,000
Head 249	<b>Department of Treasury Operations</b>			
	Programme 01	Operational Activities	16,700,816,000	409,200,000
	Programme 02	Development Activities	—	787,000,000
Head 250	<b>Department of State Accounts</b>			
	Programme 01	Operational Activities	42,728,000	3,500,000
Head 251	<b>Department of Valuation</b>			
	Programme 01	Operational Activities	387,321,000	2,528,500,000
Head 323	<b>Department of Legal Affairs</b>			
	Programme 01	Operational Activities	10,238,000	900,000
Head 324	<b>Department of Management Audit</b>			
	Programme 01	Operational Activities	43,834,000	4,900,000
Head 329	<b>Department of Information Technology Management</b>			
	Programme 01	Operational Activities	39,343,000	7,100,000
	<b>Ministry of Defence</b>			
	<b>Recurrent</b>		<b>251,806,588,000</b>	
	<b>Capital</b>		<b>32,237,756,000</b>	

Appropriation Act, No. 24 of 2016

Made up as follows:-

Head 103	<b>Minister of Defence</b>			
	Programme 01	Operational Activities	6,039,829,000	5,542,363,000
	Programme 02	Development Activities	1,563,640,000	3,569,500,000
Head 222	<b>Sri Lanka Army</b>			
	Programme 01	Operational Activities	146,161,530,000	6,627,148,000

11

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 223	<b>Sri Lanka Navy</b> Programme 01 Operational Activities	48,424,262,000	7,406,460,000
Head 224	<b>Sri Lanka Air Force</b> Programme 01 Operational Activities	32,838,161,000	8,597,885,000
Head 320	<b>Department of Civil Security</b> Programme 01 Operational Activities	16,742,452,000	205,000,000
Head 325	<b>Department of Sri Lanka Coast Guard</b> Programme 01 Operational Activities	36,714,000	289,400,000
	<b>Ministry of National Policies and Economic Affairs</b>		
	<b>Recurrent</b>	<b>3,652,939,000</b>	
	<b>Capital</b>	<b>8,890,258,000</b>	
Made up as follows:-			
Head 104	<b>Minister of National Policies and Economic Affairs</b> Programme 01 Operational Activities Programme 02 Development Activities	302,704,000 1,789,594,000	225,514,000 8,517,700,000
Head 237	<b>Department of National Planning</b> Programme 01 Operational Activities	86,145,000	9,300,000
Head 239	<b>Department of External Resources</b> Programme 01 Operational Activities	437,867,000	9,050,000
Head 252	<b>Department of Census and Statistics</b> Programme 01 Operational Activities	939,052,000	114,231,000
Head 280	<b>Department of Project Management and Monitoring</b> Programme 02 Development Activities	97,577,000	14,463,000

**Ministry of Disaster Management**  
**Recurrent** 1,797,353,000  
**Capital** 2,814,540,000

Made up as follows:-

Head 106	<b>Minister of Disaster Management</b>		
	Programme 01 Operational Activities	129,572,000	459,540,000
	Programme 02 Development Activities	1,405,396,000	2,312,000,000
Head 304	<b>Department of Meteorology</b>		
	Programme 02 Development Activities	262,385,000	43,000,000

**Ministry of Posts, Postal Services and Muslim Religious Affairs**  
**Recurrent** 12,035,759,000  
**Capital** 514,400,000

Made up as follows:-

Head 108	<b>Minister of Posts, Postal Services and Muslim Religious Affairs</b>		
	Programme 01 Operational Activities	125,469,000	11,200,000
Head 202	<b>Department of Muslim Religious and Cultural Affairs</b>		
	Programme 02 Development Activities	80,655,000	17,200,000
Head 308	<b>Department of Posts</b>		
	Programme 02 Development Activities	11,829,635,000	486,000,000

**Ministry of Justice**  
**Recurrent** 7,426,360,000  
**Capital** 2,804,535,000

Made up as follows:-

Head 110	<b>Minister of Justice</b>		
	Programme 01 Operational Activities	788,447,000	227,950,000

Appropriation Act, No. 24 of 2016



<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 205	<b>Department of Public Trustee</b> Programme 01 Operational Activities	49,372,000	2,280,000
Head 228	<b>Courts Administration</b> Programme 01 Operational Activities	5,381,756,000	1,842,550,000
Head 229	<b>Department of Attorney General</b> Programme 01 Operational Activities	664,644,000	608,500,000
Head 230	<b>Department of Legal Draftsman</b> Programme 01 Operational Activities	107,262,000	15,200,000
Head 231	<b>Department of Debt Conciliation Board</b> Programme 01 Operational Activities	18,468,000	850,000
Head 233	<b>Department of Government Analyst</b> Programme 01 Operational Activities	241,209,000	93,600,000
Head 234	<b>Registrar of the Supreme Court</b> Programme 01 Operational Activities	159,867,000	11,655,000
Head 235	<b>Department of Law Commission</b> Programme 01 Operational Activities	15,335,000	1,950,000
	<b>Ministry of Health, Nutrition and Indigenous Medicine</b>		
	<b>Recurrent</b>	<b>120,554,029,000</b>	
	<b>Capital</b>	<b>40,417,800,000</b>	

Made up as follows:-

Head 111	<b>Minister of Health, Nutrition and Indigenous Medicine</b>		
	Programme 01 Operational Activities	106,620,072,000	8,766,300,000
	Programme 02 Development Activities	12,829,899,000	30,831,700,000

Head 220	<b>Department of Ayurveda</b>		
	Programme 01	Operational Activities	114,654,000
	Programme 02	Development Activities	9,400,000
			810,400,000
	<b>Ministry of Foreign Affairs</b>		
	<b>Recurrent</b>		<b>9,244,439,000</b>
	<b>Capital</b>		<b>444,700,000</b>

Made up as follows:-

Head 112	<b>Minister of Foreign Affairs</b>		
	Programme 01	Operational Activities	112,229,000
	Programme 02	Development Activities	4,500,000
			440,200,000
	<b>Ministry of Transport and Civil Aviation</b>		
	<b>Recurrent</b>		<b>17,382,594,000</b>
	<b>Capital</b>		<b>33,916,493,000</b>

Made up as follows:-

Head 114	<b>Minister of Transport and Civil Aviation</b>		
	Programme 01	Operational Activities	288,575,000
	Programme 02	Development Activities	294,300,000
			15,185,393,000
Head 306	<b>Department of Sri Lanka Railways</b>		
	Programme 02	Development Activities	14,571,340,000
			17,316,600,000
Head 307	<b>Department of Motor Traffic</b>		
	Programme 02	Development Activities	1,916,429,000
			1,120,200,000
	<b>Ministry of Higher Education and Highways</b>		
	<b>Recurrent</b>		<b>29,940,728,000</b>
	<b>Capital</b>		<b>133,464,010,000</b>

Made up as follows:-

Head 117	<b>Minister of Higher Education and Highways</b>		
	Programme 01	Operational Activities	461,458,000
	Programme 02	Development Activities	4,186,900,000
			118,777,110,000
			1,121,320,000

Appropriation Act, No. 24 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 214	<b>University Grants Commission</b> Programme 02 Development Activities	28,357,950,000	10,500,000,000
	<b>Ministry of Agriculture</b>		
	<b>Recurrent</b>	<b>15,151,774,000</b>	
	<b>Capital</b>	<b>6,242,400,000</b>	
	Made up as follows:-		
Head 118	<b>Minister of Agriculture</b>		
	Programme 01 Operational Activities	523,067,000	179,500,000
	Programme 02 Development Activities	3,606,423,000	2,926,800,000
Head 281	<b>Department of Agrarian Development</b>		
	Programme 01 Operational Activities	461,720,000	45,000,000
	Programme 02 Development Activities	6,290,450,000	1,754,000,000
Head 285	<b>Department of Agriculture</b>		
	Programme 01 Operational Activities	410,727,000	35,000,000
	Programme 02 Development Activities	3,859,387,000	1,302,100,000
	<b>Ministry of Power and Renewable Energy</b>		
	<b>Recurrent</b>	<b>438,973,000</b>	
	<b>Capital</b>	<b>619,784,000</b>	
	Made up as follows:-		
Head 119	<b>Minister of Power and Renewable Energy</b>		
	Programme 01 Operational Activities	240,123,000	7,450,000
	Programme 02 Development Activities	198,850,000	612,334,000

**Ministry of Women and Child Affairs**  
**Recurrent** 1,403,677,000  
**Capital** 1,294,960,000

Made up as follows:-

Head 120	<b>Minister of Women and Child Affairs</b>		
	Programme 01 Operational Activities	589,566,000	63,600,000
	Programme 02 Development Activities	524,616,000	1,212,760,000
Head 217	<b>Department of Probation and Childcare Services</b>		
	Programme 01 Operational Activities	30,661,000	850,000
	Programme 02 Development Activities	258,834,000	17,750,000

**Ministry of Home Affairs**  
**Recurrent** 26,873,850,000  
**Capital** 17,669,000,000

Made up as follows:-

Head 121	<b>Minister of Home Affairs</b>		
	Programme 01 Operational Activities	9,017,120,000	770,000,000
	Programme 02 Development Activities	—	12,005,000,000
Head 254	<b>Department of Registrar General</b>		
	Programme 01 Operational Activities	1,325,020,000	67,000,000
Head 255	<b>District Secretariat, Colombo</b>		
	Programme 01 Operational Activities	710,040,000	918,000,000
Head 256	<b>District Secretariat, Gampaha</b>		
	Programme 01 Operational Activities	969,030,000	468,000,000
Head 257	<b>District Secretariat, Kalutara</b>		
	Programme 01 Operational Activities	846,810,000	201,000,000

Appropriation Act, No. 24 of 2016

17

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 258	<b>District Secretariat, Kandy</b> Programme 01 Operational Activities	1,159,150,000	114,000,000
Head 259	<b>District Secretariat, Matale</b> Programme 01 Operational Activities	569,390,000	302,000,000
Head 260	<b>District Secretariat, Nuwara-Eliya.</b> Programme 01 Operational Activities	424,860,000	66,000,000
Head 261	<b>District Secretariat, Galle</b> Programme 01 Operational Activities	1,060,210,000	125,000,000
Head 262	<b>District Secretariat, Matara</b> Programme 01 Operational Activities	890,460,000	206,000,000
Head 263	<b>District Secretariat, Hambantota</b> Programme 01 Operational Activities	758,540,000	136,000,000
Head 264	<b>District Secretariat/ Kachcheri - Jaffna</b> Programme 01 Operational Activities	681,910,000	110,000,000
Head 265	<b>District Secretariat/ Kachcheri - Mannar</b> Programme 01 Operational Activities	200,790,000	120,000,000
Head 266	<b>District Secretariat/ Kachcheri - Vavuniya</b> Programme 01 Operational Activities	190,120,000	82,000,000
Head 267	<b>District Secretariat/ Kachcheri - Mullaitivu</b> Programme 01 Operational Activities	186,240,000	120,000,000

Head 268	<b>District Secretariat/ Kachcheri - Killinochchi</b> Programme 01 Operational Activities	202,730,000	100,000,000
Head 269	<b>District Secretariat/ Kachcheri - Batticaloa</b> Programme 01 Operational Activities	558,720,000	274,000,000
Head 270	<b>District Secretariat, Ampara</b> Programme 01 Operational Activities	884,640,000	86,000,000
Head 271	<b>District Secretariat/ Kachcheri - Trincomalee</b> Programme 01 Operational Activities	356,960,000	64,000,000
Head 272	<b>District Secretariat, Kurunegala</b> Programme 01 Operational Activities	1,581,100,000	68,000,000
Head 273	<b>District Secretariat, Puttalam</b> Programme 01 Operational Activities	642,140,000	95,000,000
Head 274	<b>District Secretariat, Anuradhapura</b> Programme 01 Operational Activities	781,820,000	117,000,000
Head 275	<b>District Secretariat - Polonnaruwa</b> Programme 01 Operational Activities	367,630,000	522,000,000
Head 276	<b>District Secretariat - Badulla</b> Programme 01 Operational Activities	648,930,000	150,000,000
Head 277	<b>District Secretariat, Moneragala</b> Programme 01 Operational Activities	462,690,000	118,000,000
Head 278	<b>District Secretariat, Ratnapura</b> Programme 01 Operational Activities	776,970,000	195,000,000
Head 279	<b>District Secretariat, Kegalle</b> Programme 01 Operational Activities	619,830,000	70,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Parliamentary Reforms and Mass Media</b>		
	<b>Recurrent</b>	<b>3,470,319,000</b>	
	<b>Capital</b>	<b>2,264,250,000</b>	
	Made up as follows:-		
Head 122	<b>Minister of Parliamentary Reforms and Mass Media</b>		
	Programme 01 Operational Activities	909,384,000	1,878,700,000
	Programme 02 Development Activities	462,690,000	247,000,000
Head 210	<b>Department of Information</b>		
	Programme 01 Operational Activities	203,147,000	32,450,000
Head 211	<b>Department of Government Printer</b>		
	Programme 01 Operational Activities	1,895,098,000	106,100,000
	<b>Ministry of Housing and Construction</b>		
	<b>Recurrent</b>	<b>848,856,000</b>	
	<b>Capital</b>	<b>2,418,950,000</b>	
	Made up as follows:-		
Head 123	<b>Minister of Housing and Construction</b>		
	Programme 01 Operational Activities	226,116,000	11,450,000
	Programme 02 Development Activities	210,490,000	2,312,200,000
Head 309	<b>Department of Buildings</b>		
	Programme 01 Operational Activities	103,790,000	13,000,000
	Programme 02 Development Activities	205,446,000	26,900,000

Head 310	<b>Government Factory</b>		
	Programme 01	Operational Activities	68,676,000
	Programme 02	Development Activities	34,338,000
			21,550,000
			33,850,000
	<b>Ministry of Social Empowerment and Welfare</b>		
	<b>Recurrent</b>		<b>14,148,982,000</b>
	<b>Capital</b>		<b>2,100,630,000</b>

Made up as follows:-

Head 124	<b>Minister of Social Empowerment and Welfare</b>		
	Programme 01	Operational Activities	635,525,000
	Programme 02	Development Activities	200,528,000
			104,350,000
			580,480,000
Head 216	<b>Department of Social Services</b>		
	Programme 01	Operational Activities	32,844,000
	Programme 02	Development Activities	460,080,000
			4,100,000
			175,000,000
Head 331	<b>Department of Divineguma Development</b>		
	Programme 01	Operational Activities	386,933,000
	Programme 02	Development Activities	12,433,072,000
			11,700,000
			1,225,000,000
	<b>Ministry of Education</b>		
	<b>Recurrent</b>		<b>36,243,069,000</b>
	<b>Capital</b>		<b>40,700,650,000</b>

Made up as follows:-

Head 126	<b>Minister of Education</b>		
	Programme 01	Operational Activities	1,525,004,000
	Programme 02	Development Activities	30,580,455,000
			731,250,000
			38,794,000,000
Head 207	<b>Department of Archaeology</b>		
	Programme 01	Operational Activities	132,065,000
	Programme 02	Development Activities	725,366,000
			7,500,000
			58,600,000

Appropriation Act, No. 24 of 2016



<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 209	<b>Department of National Archives</b>		
	Programme 01 Operational Activities	51,545,000	14,700,000
	Programme 02 Development Activities	59,674,000	233,100,000
Head 212	<b>Department of Examinations</b>		
	Programme 02 - Development Activities	3,112,245,000	778,000,000
Head 213	<b>Department of Educational Publications</b>		
	Programme 02 Development Activities	56,715,000	83,500,000
	<b>Ministry of Public Administration and Management</b>		
	<b>Recurrent</b>	<b>164,537,324,000</b>	
	<b>Capital</b>	<b>667,150,000</b>	
	Made up as follows:-		
Head 130	<b>Minister of Public Administration and Management</b>		
	Programme 01 Operational Activities	1,064,235,000	643,400,000
Head 253	<b>Department of Pensions</b>		
	Programme 01 Operational Activities	163,473,089,000	23,750,000
	<b>Ministry of Plantation Industries</b>		
	<b>Recurrent</b>	<b>3,251,047,000</b>	
	<b>Capital</b>	<b>4,969,475,000</b>	
	Made up as follows:-		
Head 135	<b>Minister of Plantation Industries</b>		
	Programme 01 Operational Activities	525,934,000	20,100,000
	Programme 02 Development Activities	2,426,455,000	3,931,375,000

Head 293	<b>Department of Rubber Development</b>			
	Programme 02	Development Activities	298,658,000	1,018,000,000
	<b>Ministry of Sports</b>			
	<b>Recurrent</b>		<b>1,334,122,000</b>	
	<b>Capital</b>		<b>3,150,250,000</b>	

Made up as follows:-

Head 136	<b>Minister of Sports</b>			
	Programme 01	Operational Activities	350,921,000	352,500,000
	Programme 02	Development Activities	96,330,000	960,900,000
Head 219	<b>Department of Sports Development</b>			
	Programme 01	Operational Activities	55,872,000	8,600,000
	Programme 02	Development Activities	830,999,000	1,828,250,000
	<b>Ministry of Hill Country New Villages, Infrastructure and Community Development</b>			
	<b>Recurrent</b>		<b>334,776,000</b>	
	<b>Capital</b>		<b>3,032,510,000</b>	

Made up as follows:-

Head 140	<b>Minister of Hill Country New Villages, Infrastructure and Community Development</b>			
	Programme 01	Operational Activities	334,776,000	12,510,000
	Programme 02	Development Activities	—	3,020,000,000
	<b>Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs</b>			
	<b>Recurrent</b>		<b>6,802,764,000</b>	
	<b>Capital</b>		<b>10,638,650,000</b>	

Made up as follows:-

Head 145	<b>Minister of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs</b>			
	Programme 01	Operational Activities	860,293,000	684,500,000
	Programme 02	Development Activities	97,000,000	9,020,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 204	<b>Department of Hindu Religious and Cultural Affairs</b> Programme 02 Development Activities	118,398,000	94,650,000
Head 232	<b>Department of Prisons</b> Programme 01 Operational Activities	5,467,744,000	829,000,000
Head 326	<b>Department of Community Based Corrections</b> Programme 01 Operational Activities	259,329,000	10,500,000
	<b>Ministry of Regional Development</b>		
	<b>Recurrent</b>	<b>344,641,000</b>	
	<b>Capital</b>	<b>277,000,000</b>	
	Made up as follows:-		
Head 147	<b>Minister of Regional Development</b>		
	Programme 01 Operational Activities	229,211,000	77,000,000
	Programme 02 Development Activities	115,430,000	200,000,000
	<b>Ministry of Industry and Commerce</b>		
	<b>Recurrent</b>	<b>2,822,609,000</b>	
	<b>Capital</b>	<b>7,098,775,000</b>	
	Made up as follows:-		
Head 149	<b>Minister of Industry and Commerce</b>		
	Programme 01 Operational Activities	659,357,000	84,500,000
	Programme 02 Development Activities	1,171,372,000	6,697,650,000
Head 295	<b>Department of Commerce</b>		
	Programme 01 Operational Activities	119,067,000	12,950,000

Head 297	<b>Department of the Registrar of Companies</b>			
	Programme 01	Operational Activities	50,997,000	—
Head 298	<b>Department of Measurement Units, Standards and Services</b>			
	Programme 01	Operational Activities	103,062,000	70,000,000
Head 299	<b>National Intellectual Property Office of Sri Lanka</b>			
	Programme 01	Operational Activities	29,294,000	—
Head 300	<b>Department of Food Commissioner</b>			
	Programme 01	Operational Activities	532,845,000	164,025,000
Head 301	<b>Department of Co-operative Development (Registrar of Co-operative Societies)</b>			
	Programme 01	Operational Activities	66,833,000	31,500,000
Head 302	<b>Co-operative Employees Commission</b>			
	Programme 01	Operational Activities	16,208,000	1,700,000
Head 303	<b>Department of Textile Industries</b>			
	Programme 02	Development Activities	73,574,000	36,450,000
	<b>Ministry of Petroleum Resources Development</b>			
	<b>Recurrent</b>		<b>219,026,000</b>	
	<b>Capital</b>		<b>92,700,000</b>	

Made up as follows:-

Head 150	<b>Minister of Petroleum Resources Development</b>			
	Programme 01	Operational Activities	131,726,000	10,700,000
	Programme 02	Development Activities	87,300,000	82,000,000

Appropriation Act, No. 24 of 2016

25

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Fisheries and Aquatic Resources Development</b>		
	<b>Recurrent</b>	<b>1,795,470,000</b>	
	<b>Capital</b>	<b>3,875,500,000</b>	
	Made up as follows:-		
Head 151	<b>Minister of Fisheries and Aquatic Resources Development</b>		
	Programme 01 Operational Activities	209,520,000	43,000,000
	Programme 02 Development Activities	1,144,600,000	3,295,500,000
Head 290	<b>Department of Fisheries and Aquatic Resources</b>		
	Programme 01 Operational Activities	441,350,000	537,000,000
	<b>Ministry of Lands</b>		
	<b>Recurrent</b>	<b>5,053,197,000</b>	
	<b>Capital</b>	<b>3,483,750,000</b>	
	Made up as follows:-		
Head 153	<b>Minister of Lands</b>		
	Programme 01 Operational Activities	304,869,000	9,350,000
	Programme 02 Development Activities	—	3,140,000,000
Head 286	<b>Department of Land Commissioner General</b>		
	Programme 02 Development Activities	339,364,000	54,200,000
Head 287	<b>Department of Land Title Settlement</b>		
	Programme 02 Development Activities	387,080,000	14,300,000
Head 288	<b>Department of Surveyor General</b>		
	Programme 01 Operational Activities	240,218,000	52,650,000
	Programme 02 Development Activities	3,441,146,000	169,750,000

Head 327	<b>Department of Land Use Policy Planning</b>			
	Programme 02	Development Activities	340,520,000	43,500,000
	<b>Ministry of Rural Economic Affairs</b>			
	<b>Recurrent</b>		<b>1,357,200,000</b>	
	<b>Capital</b>		<b>6,973,000,000</b>	

Made up as follows:-

Head 154	<b>Minister of Rural Economic Affairs</b>			
	Programme 01	Operational Activities	652,049,000	405,100,000
	Programme 02	Development Activities	189,441,000	5,941,400,000
Head 292	<b>Department of Animal Production and Health</b>			
	Programme 01	Operational Activities	515,710,000	61,500,000
	Programme 02	Development Activities	—	565,000,000
	<b>Ministry of Provincial Councils and Local Government</b>			
	<b>Recurrent</b>		<b>162,809,497,000</b>	
	<b>Capital</b>		<b>51,313,952,000</b>	

Made up as follows:-

Head 155	<b>Minister of Provincial Councils and Local Government</b>			
	Programme 01	Operational Activities	264,713,000	75,850,000
	Programme 02	Development Activities	1,940,000,000	26,510,460,000
Head 312	<b>Western Provincial Council</b>			
	Programme 01	Operational Activities	14,866,857,000	—
	Programme 02	Development Activities	—	1,649,256,000
Head 313	<b>Central Provincial Council</b>			
	Programme 01	Operational Activities	22,489,338,000	—
	Programme 02	Development Activities	—	2,222,728,000

Appropriation Act, No. 24 of 2016

27

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 314	<b>Southern Provincial Council</b>		
	Programme 01 Operational Activities	19,203,883,000	—
	Programme 02 Development Activities	—	2,196,126,000
Head 315	<b>Northern Provincial Council</b>		
	Programme 01 Operational Activities	16,476,737,000	—
	Programme 02 Development Activities	—	5,618,114,000
Head 316	<b>North Western Provincial Council</b>		
	Programme 01 Operational Activities	21,586,686,000	—
	Programme 02 Development Activities	—	2,291,257,000
Head 317	<b>North Central Provincial Council</b>		
	Programme 01 Operational Activities	13,526,120,000	—
	Programme 02 Development Activities	—	2,621,430,000
Head 318	<b>Uva Provincial Council</b>		
	Programme 01 Operational Activities	15,898,711,000	—
	Programme 02 Development Activities	—	2,922,040,000
Head 319	<b>Sabaragamuwa Provincial Council</b>		
	Programme 01 Operational Activities	19,195,250,000	—
	Programme 02 Development Activities	—	2,463,951,000
Head 321	<b>Eastern Provincial Council</b>		
	Programme 01 Operational Activities	17,361,202,000	—
	Programme 02 Development Activities	—	2,742,740,000

**Ministry of National Co-existence, Dialogue and Official Languages**

**Recurrent 485,093,000**

**Capital 191,500,000**

Made up as follows:-

Head 157	<b>Minister of National Co-existence, Dialogue and Official Languages</b>		
	Programme 01 Operational Activities	350,461,000	158,150,000
Head 236	<b>Department of Official Languages</b>		
	Programme 01 Operational Activities	134,632,000	33,350,000

**Ministry of Public Enterprise Development**

**Recurrent 275,092,000**

**Capital 157,200,000**

Made up as follows:-

Head 158	<b>Minister of Public Enterprise Development</b>		
	Programme 01 Operational Activities	216,892,000	65,200,000
	Programme 02 Development Activities	58,200,000	92,000,000

**Ministry of Tourism Development and Christian Religious Affairs**

**Recurrent 192,062,000**

**Capital 662,970,000**

Made up as follows:-

Head 159	<b>Minister of Tourism Development and Christian Religious Affairs</b>		
	Programme 01 Operational Activities	129,883,000	12,800,000
	Programme 02 Development Activities	-	618,000,000



<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 203	<b>Department of Christian Religious Affairs</b> Programme 02 Development Activities	62,179,000	32,170,000
	<b>Ministry of Mahaweli Development and Environment</b>		
	<b>Recurrent</b>	<b>5,177,035,000</b>	
	<b>Capital</b>	<b>52,446,430,000</b>	
	Made up as follows:-		
Head 160	<b>Minister of Mahaweli Development and Environment</b>		
	Programme 01 Operational Activities	304,386,000	144,700,000
	Programme 02 Development Activities	3,330,010,000	50,431,930,000
Head 283	<b>Department of Forests</b>		
	Programme 01 Operational Activities	1,326,184,000	842,700,000
Head 291	<b>Department of Coast Conservation and Coastal Resource Management</b>		
	Programme 01 Operational Activities	216,455,000	1,027,100,000
	<b>Ministry of Sustainable Development and Wildlife</b>		
	<b>Recurrent</b>	<b>1,901,781,000</b>	
	<b>Capital</b>	<b>1,598,600,000</b>	
	Made up as follows:-		
Head 161	<b>Minister of Sustainable Development and Wildlife</b>		
	Programme 01 Operational Activities	176,171,000	31,050,000

Head 284	<b>Department of Wildlife Conservation</b> Programme 01 Operational Activities	1,025,610,000	758,800,000
Head 294	<b>Department of National Zoological Gardens</b> Programme 02 Development Activities	355,020,000	508,700,000
Head 322	<b>Department of National Botanical Gardens</b> Programme 02 Development Activities	344,980,000	300,050,000

**Ministry of Megapolis and Western Development**  
**Recurrent** 2,446,679,000  
**Capital** 13,358,950,000

Made up as follows:-

Head 162	<b>Minister of Megapolis and Western Development</b> Programme 01 Operational Activities	2,267,472,000	12,550,000
	Programme 02 Development Activities	—	13,135,000,000
Head 311	<b>Department of National Physical Planning</b> Programme 01 Operational Activities	179,207,000	211,400,000

**Ministry of Internal Affairs, Wayamba Development and Cultural Affairs**  
**Recurrent** 3,523,001,000  
**Capital** 4,405,455,000

Made up as follows:-

Head 163	<b>Minister of Internal Affairs, Wayamba Development and Cultural Affairs</b> Programme 01 Operational Activities	249,063,000	1,016,505,000
	Programme 02 Development Activities	623,225,000	2,179,350,000

Appropriation Act, No. 24 of 2016

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 206	<b>Department of Cultural Affairs</b>		
	Programme 01 Operational Activities	107,496,000	15,700,000
	Programme 02 Development Activities	454,081,000	196,660,000
Head 208	<b>Department of National Museums</b>		
	Programme 01 Operational Activities	33,712,000	4,750,000
	Programme 02 Development Activities	142,856,000	46,090,000
Head 226	<b>Department of Immigration and Emigration</b>		
	Programme 01 Operational Activities	1,240,533,000	875,700,000
Head 227	<b>Department of Registration of Persons</b>		
	Programme 01 Operational Activities	672,035,000	70,700,000
	<b>Ministry of National Integration and Reconciliation</b>		
	<b>Recurrent</b>	<b>113,405,000</b>	
	<b>Capital</b>	<b>1,722,950,000</b>	
	Made up as follows:-		
Head 165	<b>Minister of National Integration and Reconciliation</b>		
	Programme 01 Operational Activities	113,405,000	1,722,950,000
	<b>Ministry of City Planning and Water Supply</b>		
	<b>Recurrent</b>	<b>317,691,000</b>	
	<b>Capital</b>	<b>22,528,515,000</b>	
	Made up as follows:-		
Head 166	<b>Minister of City Planning and Water Supply</b>		
	Programme 01 Operational Activities	174,713,000	15,009,475,000
	Programme 02 Development Activities	—	7,414,740,000

Head 332	<b>Department of National Community Water Supply</b>		
	Programme 01 Operational Activities	142,978,000	104,300,000

	<b>Ministry of Special Assignments</b>		
	<b>Recurrent</b>	<b>65,169,000</b>	
	<b>Capital</b>	<b>53,085,000</b>	

Made up as follows:-

Head 167	<b>Minister of Special Assignments</b>		
	Programme 01 Operational Activities	65,169,000	53,085,000

	<b>Ministry of Ports and Shipping</b>		
	<b>Recurrent</b>	<b>255,255,000</b>	
	<b>Capital</b>	<b>2,107,700,000</b>	

Made up as follows:-

Head 176	<b>Minister of Ports and Shipping</b>		
	Programme 01 Operational Activities	255,255,000	17,000,000
	Programme 02 Development Activities	—	2,090,700,000

	<b>Ministry of Foreign Employment</b>		
	<b>Recurrent</b>	<b>613,622,000</b>	
	<b>Capital</b>	<b>81,400,000</b>	

Made up as follows:-

Head 182	<b>Minister of Foreign Employment</b>		
	Programme 01 Operational Activities	63,050,000	4,400,000
	Programme 02 Development Activities	550,572,000	77,000,000

Appropriation Act, No. 24 of 2016

33

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
<b>Ministry of Law &amp; Order and Southern Development</b>			
	<b>Recurrent</b>	<b>63,166,393,000</b>	
	<b>Capital</b>	<b>5,228,490,000</b>	
Made up as follows:-			
Head 192	<b>Minister of Law &amp; Order and Southern Development</b>		
	Programme 01 Operational Activities	6,962,436,000	863,490,000
Head 225	<b>Department of Police</b>		
	Programme 01 Operational Activities	56,203,957,000	4,365,000,000
<b>Ministry of Labour and Trade Union Relations</b>			
	<b>Recurrent</b>	<b>2,039,891,000</b>	
	<b>Capital</b>	<b>3,688,700,000</b>	
Made up as follows:-			
Head 193	<b>Minister of Labour and Trade Union Relations</b>		
	Programme 01 Operational Activities	122,560,000	37,250,000
	Programme 02 Development Activities	90,714,000	6,750,000
Head 221	<b>Department of Labour</b>		
	Programme 01 Operational Activities	805,319,000	3,512,000,000
	Programme 02 Development Activities	699,937,000	95,300,000
Head 328	<b>Department of Manpower &amp; Employment</b>		
	Programme 01 Operational Activities	321,361,000	37,400,000

**Ministry of Telecommunication and Digital Infrastructure**  
**Recurrent** 133,660,000  
**Capital** 2,320,010,000

Made up as follows:-

Head 194	<b>Minister of Telecommunication and Digital Infrastructure</b>		
	Programme 01 Operational Activities	122,302,000	20,300,000
	Programme 02 Development Activities	11,358,000	2,299,710,000

**Ministry of Development Strategies and International Trade**  
**Recurrent** 602,660,000  
**Capital** 352,650,000

Made up as follows:-

Head 195	<b>Minister of Development Strategies and International Trade</b>		
	Programme 01 Operational Activities	227,833,000	79,600,000
	Programme 02 Development Activities	318,936,000	261,000,000
Head 296	<b>Department of Import and Export Control</b>		
	Programme 01 Operational Activities	55,891,000	12,050,000

**Ministry of Science, Technology & Research**  
**Recurrent** 1,782,310,000  
**Capital** 2,494,625,000

Made up as follows:-

Head 196	<b>Minister of Science, Technology &amp; Research</b>		
	Programme 01 Operational Activities	219,366,000	11,275,000
	Programme 02 Development Activities	1,562,944,000	2,483,350,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	<b>Ministry of Skills Development and Vocational Training</b>		
	<b>Recurrent</b>	<b>5,693,127,000</b>	
	<b>Capital</b>	<b>3,897,450,000</b>	
	Made up as follows:-		
Head 197	<b>Minister of Skills Development and Vocational Training</b>		
	Programme 01 Operational Activities	3,809,015,000	742,550,000
	Programme 02 Development Activities	—	2,847,000,000
Head 215	<b>Department of Technical Education and Training</b>		
	Programme 01 Operational Activities	212,691,000	24,950,000
	Programme 02 Development Activities	1,671,421,000	282,950,000
	<b>Ministry of Irrigation and Water Resources Management</b>		
	<b>Recurrent</b>	<b>3,768,900,000</b>	
	<b>Capital</b>	<b>16,269,850,000</b>	
	Made up as follows:-		
Head 198	<b>Minister of Irrigation and Water Resources Management</b>		
	Programme 01 Operational Activities	353,118,000	49,550,000
	Programme 02 Development Activities	135,727,000	8,156,400,000
Head 282	<b>Department of Irrigation</b>		
	Programme 01 Operational Activities	659,018,000	45,500,000
	Programme 02 Development Activities	2,621,037,000	8,018,400,000

**Ministry of Primary Industries**

**Recurrent**

**723,135,000**

**Capital**

**2,438,000,000**

Made up as follows:-

Head 199	<b>Minister of Primary Industries</b>			
	Programme 01	Operational Activities	121,735,000	13,800,000
	Programme 02	Development Activities	—	1,750,000,000
Head 289	<b>Department of Export Agriculture</b>			
	Programme 02	Development Activities	601,400,000	674,200,000.

*Appropriation Act, No. 24 of 2016*



SECOND SCHEDULE — ESTIMATE 2017

38

**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	3,510,000	—	3,510,000
4	Judges of the Superior Courts	Article 108 of the Constitution	Programme 01-Operational Activities	26,000,000	—	26,000,000
6	Public Service Commission	Chapter IX of the Constitution	Programme 01-Operational Activities	8,400,000	—	8,400,000
7	Judicial Service Commission	Chapter XV A of the Constitution	Programme 01-Operational Activities	1,600,000	—	1,600,000
8	National Police Commission	Chapter XVIII A of the Constitution	Programme 01-Operational Activities	9,500,000	—	9,500,000

Appropriation Act, No. 24 of 2016

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	3,500,000	—	3,500,000
16	Parliament	Article 65 of the Constitution	Programme 01-Operational Activities	1,200,000	—	1,200,000
20	Elections Commission	Article 103 of the Constitution	Programme 01-Operational Activities	3,000,000	—	3,000,000
21	Auditor General	Article 153 of the Constitution	Programme 01-Operational Activities	1,300,000	—	1,300,000
22	Office of the Parliamentary Commissioner for Administration	Article 156 of the Constitution	Programme 01-Operational Activities	780,000	—	780,000
111	Ministry of Health, Nutrition and Indigenous Medicine	Medical Ordinance (Chapter 105)	Programme 01-Operational Activities	2,000	—	2,000

<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>
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 Asian Infrastructure Investment Bank Agreement Act, No. 7 of 2016.	Programme 01- Operational Activities	—	1,615,000,000	1,615,000,000
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	667,739,400,000	799,787,200,000	1,467,526,600,000
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	46,000,000,000	—	46,000,000,000.

THIRD SCHEDULE - ESTIMATE - 2017

Limits of Advance Account Activities

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	32,000,000	18,000,000	100,000,000	—
2	Office of the Prime Minister	00201	Advances to Public Officers	16,000,000	9,000,000	45,000,000	—
3	Judges of the Superior Courts	00401	Advances to Public Officers	3,200,000	500,000	5,000,000	—
4	Office of the Cabinet of Ministers	00501	Advances to Public Officers	3,500,000	2,300,000	25,000,000	—
5	Public Service Commission	00601	Advances to Public Officers	8,000,000	3,500,000	35,000,000	—
6	Judicial Service Commission	00701	Advances to Public Officers	3,300,000	1,400,000	20,000,000	—
7	National Police Commission	00801	Advances to Public Officers	2,500,000	1,300,000	7,000,000	—
8	Administrative Appeals Tribunal	00901	Advances to Public Officers	1,300,000	400,000	2,500,000	—
9	Commision to Investigate Allegations of Bribery or Corruption						
		01001	Advances to Public Officers	7,500,000	5,000,000	30,000,000	—
10	Commision to Investigate Allegations of Bribery or Corruption	01002	Advancing moneys to be used in bribery detection as bribes	150,000,000	2,000,000	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.
11	Office of the Finance Commission	01101	Advances to Public Officers	3,200,000	800,000	12,000,000	—
12	National Education Commission	01201	Advances to Public Officers	1,800,000	900,000	6,000,000	—
13	Parliament	01601	Advances to Public Officers	39,000,000	30,000,000	175,000,000	—
14	Office of the Leader of the House of Parliament	01701	Advances to Public Officers	2,000,000	1,000,000	4,000,000	—
15	Office of the Chief Govt. Whip of Parliament	01801	Advances to Public Officers	2,000,000	1,300,000	7,000,000	—
16	Office of the Leader of the Opposition of Parliament	01901	Advances to Public Officers	2,500,000	1,500,000	7,500,000	—
17	Elections Commission	02001	Advances to Public Officers	24,000,000	16,000,000	80,000,000	—
18	Auditor General	02101	Advances to Public Officers	65,000,000	55,000,000	253,000,000	—
19	Office of the Parliamentary Commissioner for Administration	02201	Advances to Public Officers	1,500,000	400,000	4,000,000	—
20	Audit Service Commission	02301	Advances to Public Officers	2,000,000	420,000	9,000,000	—
21	National Procurement Commission	02401	Advances to Public Officers	638,000	18,000	2,000,000	—

22	Delimitation Commission	02501 Advances to Public Officers	1,500,000	400,000	4,000,000	—
23	Minister of Buddha Sasana	10101 Advances to Public Officers	9,000,000	3,500,000	28,000,000	—
24	Minister of Finance	10201 Advances to Public Officers	15,000,000	9,500,000	70,000,000	—
25	Minister of Defense	10301 Advances to Public Officers	75,000,000	55,000,000	275,000,000	—
26	Minister of National Policies and Economic Affairs	10401 Advances to Public Officers	35,000,000	16,000,000	100,000,000	—
27	Minister of Disaster Management	10601 Advances to Public Officers	20,000,000	4,500,000	42,000,000	—
28	Minister of Post, Postal service and Muslim Religious Affairs	10801 Advances to Public Officers	6,000,000	2,000,000	26,000,000	—
29	Minister of Justice	11001 Advances to Public Officers	26,000,000	9,000,000	100,000,000	—
30	Minister of Health Nutrition and Indigenous Medicine	11101 Advances to Public Officers	1,600,000,000	1,200,000,000	2,500,000,000	—
31	Minister of Foreign Affairs	11201 Advances to Public Officers	30,000,000	24,000,000	130,000,000	—
32	Minister of Transport and Civil Aviation	11401 Advances to Public Officers	10,000,000	6,000,000	45,000,000	—
33	Minister of Higher Education and Highways	11701 Advances to Public Officers	19,000,000	8,000,000	57,000,000	—
34	Minister of Agriculture	11801 Advances to Public Officers	45,000,000	20,000,000	100,000,000	—
35	Minister of Power and Renewable Energy	11901 Advances to Public Officers	8,000,000	3,000,000	22,000,000	—

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.
36	Minister of Women and Child Affairs	12001	Advances to Public Officers	32,000,000	19,000,000	90,000,000	—
37	Minister of Home Affairs	12101	Advances to Public Officers	580,000,000	265,900,000	1,600,000,000	—
38	Minister of Parliamentary Reforms and Mass Media	12201	Advances to Public Officers	24,000,000	8,000,000	50,000,000	—
39	Minister of Housing and Construction	12301	Advances to Public Officers	11,000,000	5,500,000	45,000,000	—
40	Minister of Social Empowerment and Welfare	12401	Advances to Public Officers	24,000,000	7,000,000	70,000,000	—
41	Minister of Education	12601	Advances to Public Officers	1,700,000,000	980,000,000	3,500,000,000	—
42	Minister of Public Administration and Management	13001	Advances to Public Officers	64,000,000	30,000,000	191,000,000	—
43	Minister of Plantation Industries	13501	Advances to Public Officers	23,000,000	12,000,000	52,000,000	—
44	Minister of Sports	13601	Advances to Public Officers	11,000,000	5,000,000	30,000,000	—

45	Minister of Hill Country New Villages, Infrastructure and Community Development	14001 Advances to Public Officers	14,000,000	7,000,000	40,000,000	—
46	Minister of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs	14501 Advances to Public Officers	9,000,000	5,500,000	37,000,000	—
47	Minister of Regional Development	14701 Advances to Public Officers	2,000,000	600,000	7,000,000	—
48	Minister of Industry and Commerce	14901 Advances to Public Officers	21,000,000	13,000,000	65,000,000	—
49	Minister of Petroleum Resources Development	15001 Advances to Public Officers	5,000,000	2,500,000	13,000,000	—
50	Minister of Fisheries and Aquatic Resources Development	15101 Advances to Public Officers	9,500,000	5,000,000	30,000,000	—
51	Minister of Lands	15301 Advances to Public Officers	17,000,000	7,500,000	30,000,000	—
52	Minister of Rural Economic Affairs	15401 Advances to Public Officers	20,000,000	9,500,000	80,000,000	—
53	Minister of Provincial Councils and Local government	15501 Advances to Public Officers	12,000,000	5,300,000	35,000,000	—
54	Minister of National Co-existence, Dialogue and Official Languages	15701 Advances to Public Officers	18,000,000	5,000,000	50,000,000	—
55	Minister of Public Enterprise Development	15801 Advances to Public Officers	4,000,000	1,300,000	12,500,000	—



<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>
56	Minister of Tourism Development and Christian Religious Affairs	15901	Advances to Public Officers	3,800,000	1,000,000	15,000,000	—
57	Minister of Mahaweli Development and Environment	16001	Advances to Public Officers	12,000,000	8,000,000	48,000,000	—
58	Minister of Sustainable Development and Wild Life	16101	Advances to Public Officers	6,000,000	1,500,000	22,000,000	—
59	Minister of Megapolis and Western Development	16201	Advances to Public Officers	8,000,000	3,700,000	20,000,000	—
60	Minister of Internal Affairs Wayamba Development and Cultural Affairs	16301	Advances to Public Officers	38,000,000	23,000,000	120,000,000	—
61	Minister of National Integration and Reconciliation	16501	Advances to Public Officers	2,500,000	500,000	10,000,000	—
62	Minister of City Planning and Water Supply	16601	Advances to Public Officers	8,000,000	4,500,000	19,000,000	—
63	Minister of Special Assignment	16701	Advances to Public Officers	2,200,000	800,000	10,000,000	—

64	Minister of Ports and Shipping	17601 Advances to Public Officers	6,000,000	3,500,000	18,000,000	—
65	Minister of Foreign Employment	18201 Advances to Public Officers	35,000,000	10,000,000	80,000,000	—
66	Minister of Law and Order and Southern Development	19201 Advances to Public Officers	100,000,000	75,000,000	230,000,000	—
67	Minister of Labour and Trade Union Relation	19301 Advances to Public Officers	8,500,000	4,500,000	26,000,000	—
68	Minister of Telecommunication and Digital Infrastructure	19401 Advances to Public Officers	2,800,000	1,100,000	6,300,000	—
69	Minister of Development Strategy and International Trade	19501 Advances to Public Officers	20,000,000	4,000,000	50,000,000	—
70	Minister of Science, Technology and Reserch	19601 Advances to Public Officers	23,000,000	12,000,000	75,000,000	—
71	Minister of Skills Development and Vocational Training	19701 Advances to Public Officers	28,000,000	12,000,000	80,000,000	—
72	Minister of Irrigation and Water Resources Management	19801 Advances to Public Officers	25,000,000	13,000,000	54,000,000	—
73	Minister of Primary Industries	19901 Advances to Public Officers	4,000,000	1,200,000	13,000,000	—
74	Department of Buddhist Affairs	20101 Advances to Public Officers	29,000,000	18,000,000	68,000,000	—
75	Department of Muslim Religious and Cultural Affairs	20201 Advances to Public Officers	4,500,000	1,250,000	12,000,000	—
76	Department of Christian Religious Affairs	20301 Advances to Public Officers	3,000,000	700,000	10,000,000	—

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.
77	Department of Hindu Religious and Cultural Affairs	20401	Advances to Public Officers	6,000,000	2,500,000	20,000,000	—
78	Department of Public Trustee	20501	Advances to Public Officers	3,500,000	1,800,000	11,000,000	—
79	Department of Cultural Affairs	20601	Advances to Public Officers	27,000,000	13,000,000	70,000,000	—
80	Department of Archaeology	20701	Advances to Public Officers	45,000,000	35,000,000	150,000,000	—
81	Department of National Museums	20801	Advances to Public Officers	15,000,000	8,000,000	49,000,000	—
82	Department of National Archives	20901	Advances to Public Officers	7,000,000	3,500,000	25,000,000	—
83	Department of Information	21001	Advances to Public Officers	12,000,000	7,500,000	40,000,000	—
84	Department of Government Printer	21101	Advances to Public Officers	70,000,000	50,000,000	350,000,000	—
85	Department of Examinations	21201	Advances to Public Officers	35,000,000	20,000,000	100,000,000	—
86	Department of Educational Publications	21301	Advances to Public Officers	18,000,000	6,500,000	42,000,000	—
87	Department of Educational Publications	21302	Printing Publicity and Sales of Publications	4,300,000,000	4,300,000,000	8,000,000,000	3,000,000,000

88	Department of Technical Education and Training	21501 Advances to Public Officers	60,000,000	55,000,000	200,000,000	—
89	Department of Social Services	21601 Advances to Public Officers	20,000,000	15,000,000	95,000,000	—
90	Department of Probation and Child Care Services	21701 Advances to Public Officers	16,000,000	8,800,000	58,000,000	—
91	Department of Sports Development	21901 Advances to Public Officers	12,000,000	7,000,000	34,000,000	—
92	Department of Ayurveda	22001 Advances to Public Officers	50,000,000	33,000,000	190,000,000	—
93	Department of Labour	22101 Advances to Public Officers	75,000,000	60,000,000	265,000,000	—
94	Sri Lanka Army	22201 Advances to Public Officers	3,300,000,000	2,828,000,000	4,542,000,000	—
95	Sri Lanka Navy	22301 Advances to Public Officers	625,000,000	570,000,000	910,000,000	—
96	Sri Lanka Navy	22302 Stores Advance Account (Explosive items)	450,000,000	460,000,000	360,000,000	—
97	Sri Lanka Air Force	22401 Advances to Public Officers	550,000,000	490,000,000	1,000,000,000	—
98	Department of Police	22501 Advances to Public Officers	1,200,000,000	1,450,000,000	2,900,000,000	—
99	Department of Immigration and Emigration	22601 Advances to Public Officers	35,000,000	30,000,000	140,000,000	—
100	Department of Registration of Persons	22701 Advances to Public Officers	35,000,000	22,000,000	70,000,000	—
101	Courts Administration	22801 Advances to Public Officers	475,000,000	280,000,000	1,400,000,000	—

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 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.
102	Department of Attorney General	22901	Advances to Public Officers	23,000,000	14,000,000	80,000,000	—
103	Department of Legal Draftsman	23001	Advances to Public Officers	4,800,000	2,500,000	16,000,000	—
104	Department of Debt Conciliation						
	Board	23101	Advances to Public Officers	1,500,000	300,000	3,500,000	—
105	Department of Prisons	23201	Advances to Public Officers	180,000,000	140,000,000	400,000,000	—
106	Department of Prisons	23202	Prisons Industrial and Agricultural Undertakings	100,000,000	120,000,000	12,000,000	65,000,000
107	Department of Government						
	Analyst	23301	Advances to Public Officers	8,000,000	5,500,000	35,000,000	—
108	Registrar of the Supreme Court	23401	Advances to Public Officers	16,000,000	10,000,000	40,000,000	—
109	Department of Law Commission	23501	Advances to Public Officers	1,200,000	500,000	2,500,000	—
110	Department of Official Languages	23601	Advances to Public Officers	7,500,000	4,000,000	25,000,000	—
111	Department of National Planning	23701	Advances to Public Officers	4,500,000	2,700,000	30,000,000	—
112	Department of Fiscal Policy	23801	Advances to Public Officers	4,000,000	1,500,000	14,000,000	—
113	Department of External Resources	23901	Advances to Public Officers	6,000,000	3,500,000	30,000,000	—

114	Department of National Budget	24001	Advances to Public Officers	10,000,000	5,000,000	33,000,000	—
115	Deparatment of Public Enterprises	24101	Advances to Public Officers	4,000,000	2,500,000	18,000,000	—
116	Department of Management Services	24201	Advances to Public Officers	6,000,000	2,500,000	18,000,000	—
117	Department of Development Finance	24301	Advances to Public Officers	3,500,000	850,000	13,000,000	—
118	Department of Trade and Investment Policy	24401	Advances to Public Officers	3,500,000	1,400,000	12,000,000	—
119	Department of Public Finance	24501	Advances to Public Officers	4,000,000	1,800,000	18,000,000	—
120	Department of Inland Revenue	24601	Advances to Public Officers	110,000,000	77,000,000	415,000,000	—
121	Si Lanka Customs	24701	Advances to Public Officers	45,000,000	42,000,000	310,000,000	—
122	Si Lanka Customs	24702	Expenses in Connection with seized and forfeited goods	6,000,000	1,000,000	35,000,000	—
123	Department of Excise	24801	Advances to Public Officers	42,000,000	32,000,000	177,000,000	—
124	Department of Treasury Operations	24901	Advances to Public Officers	7,000,000	3,700,000	24,500,000	—
125	Department of State Accounts	25001	Advances to Public Officers	4,000,000	1,500,000	14,000,000	—
126	Department of State Accounts	25002	Advances for Payments on behalf of other Governments	4,000,000	2,000,000	3,000,000	—

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.
127	Department of State Accounts	25003	Miscellaneous Advances	10,000,000	2,500,000	350,000,000	—
128	Department of Valuation	25101	Advances to Public Officers	29,000,000	19,000,000	88,000,000	—
129	Department of Census and Statistics	25201	Advances to Public Officers	48,000,000	30,000,000	240,000,000	—
130	Department of Pensions	25301	Advances to Public Officers	45,000,000	28,000,000	160,000,000	—
131	Department of Registrar General	25401	Advances to Public Officers	62,000,000	50,000,000	230,000,000	—
132	District Secretariat, Colombo	25501	Advances to Public Officers	58,000,000	43,000,000	220,000,000	—
133	District Secretariat, Gampaha	25601	Advances to Public Officers	103,000,000	80,000,000	246,000,000	—
134	District Secretariat, Kalutara	25701	Advances to Public Officers	87,000,000	62,000,000	320,000,000	—
135	District Secretariat, Kandy	25801	Advances to Public Officers	75,000,000	60,000,000	250,000,000	—
136	District Secretariat, Matale	25901	Advances to Public Officers	60,000,000	38,000,000	170,000,000	—
137	District Secretariat, Nuwara-Eliya	26001	Advances to Public Officers	32,000,000	22,000,000	94,000,000	—
138	District Secretariat, Galle	26101	Advances to Public Officers	65,000,000	55,000,000	230,000,000	—
139	District Secretariat, Matara	26201	Advances to Public Officers	62,000,000	55,000,000	250,000,000	—
140	District Secretariat, Hambantota	26301	Advances to Public Officers	73,000,000	51,000,000	212,000,000	—

141	District Secretariat/ Kachcheri, Jaffna	26401	Advances to Public Officers	65,000,000	46,000,000	200,000,000	—
142	District Secretariat/ Kachcheri, Mannar	26501	Advances to Public Officers	17,000,000	10,000,000	50,000,000	—
143	District Secretariat/ Kachcheri, Vavuniya	26601	Advances to Public Officers	16,000,000	12,000,000	50,000,000	—
144	District Secretariat/ Kachcheri, Mullaitivu	26701	Advances to Public Officers	17,500,000	10,000,000	53,000,000	—
145	District Secretariat/ Kachcheri, Killinochchi	26801	Advances to Public Officers	15,000,000	11,000,000	45,000,000	—
146	District Secretariat/ Kachcheri, Batticaloa	26901	Advances to Public Officers	44,000,000	28,000,000	125,000,000	—
147	District Secretariat, Ampara	27001	Advances to Public Officers	70,000,000	49,000,000	240,000,000	—
148	District Secretariat/ Kachcheri, Trincomalee	27101	Advances to Public Officers	35,000,000	23,000,000	100,000,000	—
149	District Secretariat, Kurunegala	27201	Advances to Public Officers	112,000,000	88,000,000	300,000,000	—
150	District Secretariat, Puttalam	27301	Advances to Public Officers	60,000,000	38,000,000	195,000,000	—
151	District Secretariat, Anuradhapura	27401	Advances to Public Officers	75,000,000	50,000,000	230,000,000	—
152	District Secretariat, Polonnaruwa	27501	Advances to Public Officers	31,000,000	21,000,000	120,000,000	—
153	District Secretariat, Badulla	27601	Advances to Public Officers	56,000,000	37,000,000	155,000,000	—
154	District Secretariat, Moneragala	27701	Advances to Public Officers	37,000,000	35,000,000	125,000,000	—



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.
155	District Secretariat, Ratnapura	27801	Advances to Public Officers	64,000,000	45,000,000	220,000,000	—
156	District Secretariat, Kegalle	27901	Advances to Public Officers	50,000,000	38,000,000	150,000,000	—
157	Department of Project Management and Monitoring	28001	Advances to Public Officers	5,000,000	4,000,000	20,000,000	—
158	Department of Agrarian Development	28101	Advances to Public Officers	285,000,000	225,000,000	600,000,000	—
159	Department of Irrigation	28201	Advances to Public Officers	210,000,000	140,000,000	600,000,000	—
160	Department of Forests	28301	Advances to Public Officers	70,000,000	65,000,000	286,000,000	—
161	Department of Wildlife Conservation	28401	Advances to Public Officers	55,000,000	42,000,000	163,000,000	—
162	Department of Agriculture	28501	Advances to Public Officers	300,000,000	180,000,000	1,000,000,000	—
163	Department of Agriculture	28502	Maintenance of Agricultural Farms and Seed Sale	510,000,000	510,000,000	70,000,000	—
164	Department of Land Commissioner General	28601	Advances to Public Officers	21,000,000	15,200,000	80,000,000	—

165	Department of Land Title Settlement	28701	Advances to Public Officers	19,000,000	15,000,000	67,000,000	—
166	Department of Surveyor General	28801	Advances to Public Officers	148,000,000	110,000,000	400,000,000	—
167	Department of Export Agriculture	28901	Advances to Public Officers	45,000,000	29,000,000	110,000,000	—
168	Department of Fisheries and Aquatic Resources	29001	Advances to Public Officers	24,000,000	17,000,000	105,000,000	—
169	Department of Coast Conservation and Coastal Resource Management	29101	Advances to Public Officers	11,000,000	9,000,000	39,000,000	—
170	Department of Animal Production and Health	29201	Advances to Public Officers	29,000,000	21,000,000	120,000,000	—
171	Department of Rubber Development	29301	Advances to Public Officers	19,000,000	14,500,000	55,000,000	—
172	Department of National Zoological Gardens	29401	Advances to Public Officers	30,000,000	14,000,000	90,000,000	—
173	Department of Commerce	29501	Advances to Public Officers	6,000,000	3,000,000	20,000,000	—
174	Department of Import and Export Control	29601	Advances to Public Officers	5,000,000	2,400,000	20,000,000	—
175	Department of the Registrar of Companies	29701	Advances to Public Officers	6,500,000	3,000,000	20,000,000	—
176	Department of Measurement Units, Standards and Services	29801	Advances to Public Officers	6,750,000	3,750,000	30,000,000	—

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.
177	National Intellectual Property Office of Sri Lanka	29901	Advances to Public Officers	4,000,000	1,500,000	12,000,000	—
178	Department of Food Commissioner	30001	Advances to Public Officers	7,000,000	3,600,000	42,000,000	—
179	Department of Co-operative Development (Registrar of Co-operative Societies)	30101	Advances to Public Officers	6,500,000	3,000,000	30,000,000	—
180	Co-operative Employees Commission	30201	Advances to Public Officers	1,800,000	300,000	6,000,000	—
181	Department of Textile Industries	30301	Advances to Public Officers	5,500,000	3,200,000	30,000,000	—
182	Department of Meteorology	30401	Advances to Public Officers	12,000,000	8,000,000	55,000,000	—
183	Department of Sri Lanka Railways	30601	Advances to Public Officers	750,000,000	400,000,000	1,500,000,000	—
184	Department of Sri Lanka Railways	30602	Railway Stores Advance Account	2,000,000,000	1,800,000,000	8,535,000,000	1,500,000,000
185	Department of Motor Traffic	30701	Advances to Public Officers	31,000,000	22,000,000	155,000,000	—
186	Department of Posts	30801	Advances to Public Officers	820,000,000	710,000,000	2,400,000,000	—
187	Department of Buildings	30901	Advances to Public Officers	26,000,000	18,000,000	90,000,000	—
188	Government Factory	31001	Advances to Public Officers	32,000,000	23,000,000	125,000,000	—

189	Government Factory	31002 Government Factory Stores Advance Account	120,000,000	120,000,000	40,000,000	20,000,000	
190	Government Factory	31003 Government Factory Work Done Advance Account	330,000,000	350,000,000	220,000,000	5,000,000	
191	Department of National Physical Planning	31101 Advances to Public Officers	12,000,000	8,000,000	50,000,000	—	
192	Department of Civil Security	32001 Advances to Public Officers	781,500,000	325,000,000	1,000,000,000	—	
193	Department of National Botanical Gardens	32201 Advances to Public Officers	25,000,000	17,000,000	82,000,000	—	
194	Department of Legal Affairs	32301 Advances to Public Officers	1,000,000	200,000	3,000,000	—	
195	Department of Management Audit	32401 Advances to Public Officers	4,500,000	2,000,000	10,000,000	—	
196	Department of Community Based Corrections	32601 Advances to Public Officers	17,000,000	7,000,000	44,000,000	—	
197	Department of Land Use Policy Planning	32701 Advances to Public Officers	22,000,000	14,500,000	69,000,000	—	
198	Department of Manpower and Employment	32801 Advances to Public Officers	18,000,000	11,000,000	55,000,000	—	
199	Department of Information Technology Management	32901 Advances to Public Officers	2,000,000	500,000	7,000,000	—	
200	Department of Divineguma Development	33101 Advances to Public Officers	350,000,000	300,000,000	600,000,000	—	
201	Department of National Community Water Supply	33201 Advances to Public Officers	4,000,000	1,800,000	8,000,000	—	
<b>Total</b>			<b>26,048,788,000</b>	<b>21,048,788,000</b>	<b>58,897,300,000</b>	<b>4,590,000,000.</b>	

---

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.