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

**CHEMICAL WEAPONS CONVENTION
(AMENDMENT) ACT, NO. 1 OF 2019**

[Certified on 17th of January, 2019]

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Chemical Weapons Convention (Amendment)
Act, No. 1 of 2019

[Certified on 17th of January, 2019]

L.D.—O. 23/2018

AN ACT TO AMEND THE CHEMICAL WEAPONS CONVENTION
ACT, No. 58 OF 2007

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

- 1.** This Act may be cited as the Chemical Weapons Convention (Amendment) Act, No. 1 of 2019.

Short title.
- 2.** Section 6 of the Chemical Weapons Convention Act, No. 58 of 2007 is hereby amended in subsection (1) thereof by the substitution for the words “Minister in charge of the subject of Industries” of the words “Minister assigned the subject of Defence”.

Amendment of section 6 of Act, No. 58 of 2007.
- 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.

English Acts of the Parliament can be purchased at the "prakashana piyasa", Department of
Government Printing, No. 118, Dr. Danister De Silva Mawatha, Colombo 8.



**THE GAZETTE OF THE DEMOCRATIC
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SRI LANKA**

**RECOVERY OF DAMAGES FOR THE
DEATH OF A PERSON
ACT, NO. 2 OF 2019**

[Certified on 17th of January, 2019]

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*Recovery of Damages for the Death of a Person
Act, No. 2 of 2019*

[Certified on 17th of January, 2019]

L.D.—O. 25/2017

AN ACT TO PROVIDE FOR THE RECOVERY OF DAMAGES FOR THE DEATH OF A PERSON CAUSED BY A WRONGFUL ACT, OMISSION, NEGLIGENCE OR DEFAULT OF ANOTHER AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

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

1. This Act may be cited as the Recovery of Damages for the Death of a Person Act, No. 2 of 2019. Short title.

2. (1) Where the death of a person is caused by a wrongful act, omission, negligence or default of another, the person referred to in subsection (2) (hereinafter referred to as the “applicant”) shall have the right to maintain an action for damages in respect thereof, against the person whose wrongful act, omission, negligence or default caused the death of such person. Right to maintain an action.

(2) The action may be maintained by—

- (a) the spouse;
- (b) a parent or the parents jointly;
- (c) a child or the children jointly;
- (d) a sibling or the siblings jointly;
- (e) a grandparent or the grandparents jointly; or
- (f) the guardian.

3. In an action to recover damages for the death of a person, the applicant may recover damages for— Damages for the death of a person.

- (a) the loss of that person’s love and affection and care and companionship; and
- (b) the mental pain and suffering.

2 *Recovery of Damages for the Death of a Person
Act, No. 2 of 2019*

No right of succession.

4. Where an applicant dies—

(a) before a claim under this Act is made; or

(b) after a claim is made but before a judgment is delivered,

the heirs, executors or administrators of such deceased applicant shall have no right for the damages.

Assistance of an expert.

5. The Court may, for the purpose of deciding any matter under this Act, call on one or more persons specially skilled in any matter relevant to the matter under consideration, for assistance.

Damages where abandonment has occurred.

6. Any applicant who has abandoned the deceased person shall not be entitled to claim damages under this Act.

The provisions of this Act in addition to any other remedy.

7. The provisions of this Act shall be in addition to and not in derogation of any other right or remedy provided by any other written law or unwritten law.

Sinhala text to prevail in case of inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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**COMMISSIONS OF INQUIRY (AMENDMENT)
ACT, No. 3 OF 2019**

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*Commissions of Inquiry (Amendment)
Act, No. 3 of 2019*

[Certified on 01st of February, 2019]

L.D.—O. 1/2018.

AN ACT TO AMEND THE COMMISSIONS OF INQUIRY ACT
(CHAPTER 393)

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

1. This Act may be cited as the Commissions of Inquiry (Amendment) Act, No. 3 of 2019. Short title.

2. The Commissions of Inquiry Act (Chapter 393) (hereinafter referred to as the “principal enactment”) is hereby amended by the insertion immediately after section 24, of the following new sections and the new sections shall have effect as sections 24A, 24B, 24C, 24D and 24E of that enactment:- Insertion of new sections 24A, 24B, 24C, 24D, and 24E in Chapter 393.

“Commission to Investigate Allegations of Bribery or Corruption to institute Criminal proceedings. 24A. (1) Notwithstanding anything to the contrary in the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law, where the Commission to Investigate Allegations of Bribery or Corruption, on a consideration of material collected in the course of an investigation or inquiry or both an investigation and inquiry as the case may be by a Commission of Inquiry appointed under section 2, is satisfied that an offence under the following laws has been committed, it may direct the Director General to institute criminal proceedings in terms of the -

(a) Bribery Act; or

(b) Declaration of Assets and Liabilities Law.

2 *Commissions of Inquiry (Amendment)*
Act, No. 3 of 2019

(2) The Commission to Investigate Allegations of Bribery or Corruption may prior to the institution of proceedings under subsection (1) -

- (a) conduct further investigations into the commission of any offence;
- (b) consider material that may have been collected in the course of an investigation conducted by the Commission to Investigate Allegations of Bribery or Corruption prior to the receipt of the material referred to in subsection (1); and
- (c) consider material the Commission to Investigate Allegations of Bribery or Corruption may have received from any other law enforcement authority.

Commission to Investigate Allegations of Bribery or Corruption to forward material collected and received to the relevant authority.

24B. Notwithstanding anything to the contrary in the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law, the Commission to Investigate Allegations of Bribery or Corruption may, if it deems appropriate, forward the material collected and received under section 24A to the Attorney-General or to any other authority to take any appropriate action under any other written law.

Commission to Investigate Allegations of Bribery or Corruption not to record statements or evidence given.

24c. The Commission to Investigate Allegation of Bribery or Corruption shall not be required, unless it deems appropriate to, record a statement of a person who has given a statement to a Commission of Inquiry appointed under section 2 or has given evidence before such Commission.

Commissions of Inquiry (Amendment) 3
Act, No. 3 of 2019

Commission to Investigate Allegations of Bribery or Corruption to seek advice or opinion of the Attorney-General. 24D. The Commission to Investigate Allegations of Bribery or Corruption may solicit, receive and consider the advice or opinion of the Attorney-General or any officer representing the Attorney-General in giving effect to the provisions of sections 24A, 24B, or 24C.

Not to restrict the powers and functions of the Commission to Investigate Allegations of Bribery or Corruption by the provisions of this Act. 24E. The provisions of this Act shall not restrict the powers and functions of the Commission to Investigate Allegations of Bribery or Corruption conferred on it by the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law.”.

3. The following new section is hereby inserted immediately after section 26 of the principal enactment and shall have effect as section 27 of that enactment:-

Insertion of new section 27 in the principal enactment.

“Interpretation. 27. In this Act unless the context otherwise requires-

“Bribery Act” means the Bribery Act (Chapter 26);

“Commission to Investigate Allegations of Bribery or Corruption Act” means the Commission to Investigate Allegations of Bribery or Corruption Act, No. 19 of 1994;

“Commission to Investigate Allegations of Bribery or Corruption” means the Commission established by section 2 of the Commission to Investigate Allegations of Bribery or Corruption Act;

4 *Commissions of Inquiry (Amendment)*
Act, No. 3 of 2019

“Declaration of Assets and Liabilities Law” means the Declaration of Assets and Liabilities Law, No. 1 of 1975;

“Director General” means the Director General for the Prevention of Bribery and Corruption appointed under section 16 of the Commission to Investigate Allegations of Bribery or Corruption Act;

“law enforcement authority” means a police officer or any other person or authority that is authorized by or under any written law to investigate into the commission of an offence.”.

Reference to “Governor-General” to be a reference to “President”.

4. (1) In the principal enactment there shall be substituted for the words “Governor-General”, the word “President”.

(2) Every reference to the “Governor-General”, in any regulation, rule, order, notice, notification, circular, contract, communication or other document issued under the principal enactment shall be read and construed as a reference to the “President”.

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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, No. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
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**DEBT CONCILIATION (AMENDMENT)
ACT, No. 4 OF 2019**

[Certified on 05th of February, 2019]

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Debt Conciliation (Amendment) Act, No. 4 of 2019

[Certified on 05th of February, 2019]

L.D.—O. 72/2017

AN ACT TO AMEND THE DEBT CONCILIATION ORDINANCE
(CHAPTER 81)

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

1. This Act may be cited as the Debt Conciliation (Amendment) Act, No. 4 of 2019. Short title.

2. Section 2 of the Debt Conciliation Ordinance (Chapter 81) (hereinafter referred to as the “principal enactment”) is hereby amended as follows:- Amendment of section 2 of (Chapter 81).

- (1) in subsection (1) of that section by the substitution, for all the words commencing from “shall consist of five members”, to “to be Chairman of the Board.” of the following:-

“shall consist of eleven members appointed by the Minister.”;

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

“(2) The Board shall consist of the following:-

(a) seven members consisting of persons-

- (i) who hold or have held a post as a Judge of the High Court or as a District Judge; or

2 *Debt Conciliation (Amendment) Act, No. 4 of 2019*

- (ii) who have not less than fifteen years professional experience as an attorney-at-law; and
- (b) four members consisting of persons-
 - (i) who have not less than ten years' professional experience as an attorney-at-law;
 - (ii) who hold or have held a post of Class I officer in the Sri Lanka Administrative Service or in an All Island Service; or
 - (iii) who have experience in the fields of trade and commerce.”;
- (3) by the repeal of subsection (3) of that section and the substitution therefor of the following new subsection:-

“(3) The Minister shall appoint a member appointed under paragraph (a) of subsection (2) to be the Chairman of the Board.”.

Amendment of section 7 of the principal enactment.

3. Section 7 of the principal enactment is hereby amended by the substitution, for the words “The Board may from time to time”, of the words “ The Minister may from time to time”.

Amendment of section 8 of the principal enactment.

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

“Constitution of branch boards. 8. (1) Every branch board shall consist of a chairman and such number of other members appointed by the Minister, not exceeding four and not less than two, as the Minister may determine.

(2) The Chairman of each branch board shall be a member of the Board and be -

- (a) a person who holds or has held a post as a Judge of the High Court or as a District Judge; or
- (b) a person who has not less than fifteen years' professional experience as an attorney-at-law.

(3) Other members of each branch board shall consist of persons-

- (a) who have not less than ten years' professional experience as an attorney-at-law; or
- (b) who hold or have held a post of Class I officer in the Sri Lanka Administrative Service or in an All Island Service.

(4) Any member of the branch board may at any time-

- (a) resign from his office on the branch board;
- (b) be removed from office by the Minister for reasons assigned.

4 *Debt Conciliation (Amendment) Act, No. 4 of 2019*

(5) Any person ceasing to be a member of a branch board other than a person who has been removed from office shall be eligible for reappointment thereto.”.

Sinhala text to prevail in case of any inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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**JUDICATURE (AMENDMENT)
ACT, No. 5 OF 2019**

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Judicature (Amendment) Act, No. 5 of 2019

[Certified on 05th of April, 2019]

L. D.—O. 33/ 2017

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

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

1. This Act may be cited as the Judicature (Amendment) Act, No. 5 of 2019. Short title.
2. Section 45 of the Judicature Act, No. 2 of 1978 is hereby amended as follows:— Amendment of section 45 of Act, No. 2 of 1978.
 - (i) by the repeal of subsection (2) of that section and the substitution therefor of the following new subsection:—

“(2)The Minister may, from time to time by notice published in the *Gazette*, appoint such persons as shall be named in such notice to be Justices of the Peace for the Republic of Sri Lanka or for any administrative district as to the Minister shall seem expedient:

Provided however, where any appointment of any Justice of the Peace has been made prior to the date of coming into operation of this proviso for any zone, district or division, such appointment shall be deemed to have been made for the relevant administrative district containing the Divisional Secretary’s Division within which the residence of such Justice of the Peace was situated at the time of appointment for such zone, district or division.”;

2 *Judicature (Amendment) Act, No. 5 of 2019*

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

“(2A) For the purposes of this section “administrative district” shall mean an administrative district established under the Administrative Districts Act (Chapter 392).”;

- (iii) by the insertion of the following subsection immediately after subsection (5):—

“(6) The Minister may make regulations for the suspension, cancellation and termination of office of a Justice of the Peace.”.

Sinhala text to prevail in case of inconsistency.

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

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**PARLIAMENT OF THE DEMOCRATIC
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APPROPRIATION ACT, No. 6 OF 2019

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Appropriation Act, No. 6 of 2019

[Certified on 05th of April, 2019]

L.D.—O. 50/2018

AN ACT TO PROVIDE FOR THE SERVICE OF THE FINANCIAL YEAR 2019 ; TO AUTHORIZE THE RAISING OF LOANS IN OR OUTSIDE SRI LANKA, FOR THE PURPOSE OF SUCH SERVICE ; TO MAKE FINANCIAL PROVISION IN RESPECT OF CERTAIN ACTIVITIES OF THE GOVERNMENT DURING THAT FINANCIAL YEAR; TO ENABLE THE PAYMENT BY WAY OF ADVANCES OUT OF THE CONSOLIDATED FUND OR ANY OTHER FUND OR MONEYS OF, OR AT THE DISPOSAL OF THE GOVERNMENT, OF MONEYS REQUIRED DURING THAT FINANCIAL YEAR FOR EXPENDITURE ON SUCH ACTIVITIES; TO PROVIDE FOR THE REFUND OF SUCH MONEYS TO THE CONSOLIDATED FUND AND TO MAKE PROVISION FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Appropriation Act, No. 6 of 2019. Short title.

2. (1) Without prejudice to anything in 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 twenty billion sixty one million for the service of the period beginning on January 01, 2019 and ending on December 31, 2019 (in this Act referred to as the “financial year 2019”), shall be met – Appropriation for financial year, 2019.

- (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 2019 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 2019 or at the end of the financial year 2019 shall not exceed rupees two thousand seventy nine billion and the details of such loans shall be incorporated in the Final Budget Position Report which is required to be tabled in Parliament under section 13 of the Fiscal Management (Responsibility) Act, No. 3 of 2003:

Provided that, the difference between the total short-term borrowing raised during the financial year 2019 and the total settlement of short-term borrowing made during the financial year 2019 shall only be considered in deciding the volume of short-term borrowing for the purposes of calculating the borrowing made during the financial year 2019 as specified in this section.

(2) The sum of rupees two thousand one hundred twenty billion sixty one million 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, shall be rupees two thousand two hundred thirty two billion for the service of the period beginning on January 01, 2019 and ending on December 31, 2019. 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.

3. (1) The receipts of the Government during the financial year 2019, 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 2019.

Financial provisions in respect of certain activities of the Government for the financial year 2019.

(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 2019 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 2019 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.

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 2019.

4. Whenever at any time during the financial year 2019, 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.

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.

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.

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

(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.

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

8. (1) The Minister with the approval of the Government may, on or before May 31, 2020, by Order, vary or alter-

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

of the Third Schedule to this Act.

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

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

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 -

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

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

10. Notwithstanding anything contained in the Resolution passed by Parliament under paragraph (2) of Article 150 of the Constitution on December 21, 2018, making financial provision for expenditure for the period commencing on January 01, 2019 and ending on April 30, 2019-

- (a) all sums of money which have been expended during that period, and any moneys which have not been expended on the day immediately preceding

the date of expiry of the Resolution, out of the moneys allocated by such Resolution to any Programme appearing under any Head specified in the First Schedule to that Resolution, shall for all purposes be deemed to be included in the moneys allocated to the corresponding Programme appearing under the corresponding Head, as specified in the First Schedule to this Act;

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

11. Notwithstanding anything contained in the Resolution passed by Parliament under paragraph (2) of Article 150 of the Constitution on December 21, 2018, making provision for loans to be raised in terms of relevant laws whether in or outside Sri Lanka, for and on behalf of the Government, in respect of which provision for expenditure for providing the services specified in the Schedules to such Resolution for the period commencing on January 01, 2019 and ending on April 30, 2019, such loans shall be deemed to be raised under section 2 (1) (b) of this Act.

Borrowings made in terms of the Resolution passed under Article 150 (2) of the Constitution deemed to be raised under section 2 (1) (b) of this Act.

Sinhala text to
prevail in case of
inconsistency.

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

FIRST SCHEDULE
ESTIMATE — 2019
Sums Payable for General Services

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 1 - 25	Special Spending Units		
	Recurrent	15,001,965,000	
	Capital	12,994,095,000	
Made up as follows:-			
Head 1	His Excellency the President		
	Programme 01 Operational Activities	2,829,880,000	2,517,300,000
	Programme 02 Development Activities	100,000,000	8,110,000,000
Head 2	Office of the Prime Minister		
	Programme 01 Operational Activities	901,970,000	719,000,000
Head 4	Judges of the Superior Courts		
	Programme 01 Operational Activities	209,830,000	67,900,000
Head 5	Office of the Cabinet of Ministers		
	Programme 01 Operational Activities	109,670,000	29,000,000
Head 6	Public Service Commission		
	Programme 01 Operational Activities	212,970,000	38,600,000
Head 7	Judicial Service Commission		
	Programme 01 Operational Activities	73,980,000	9,600,000
Head 8	National Police Commission		
	Programme 01 Operational Activities	120,670,000	3,700,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 9	Administrative Appeals Tribunal Programme 01 Operational Activities	27,900,000	1,075,000
Head 10	Commission to Investigate Allegations of Bribery or Corruption Programme 01 Operational Activities	428,800,000	86,000,000
Head 11	Office of the Finance Commission Programme 01 Operational Activities	74,100,000	118,500,000
Head 12	National Education Commission Programme 01 Operational Activities	41,370,000	9,350,000
Head 13	Human Rights Commission of Sri Lanka Programme 01 Operational Activities	213,400,000	14,400,000
Head 16	Parliament Programme 01 Operational Activities	2,776,250,000	813,050,000
Head 17	Office of the Leader of the House of Parliament Programme 01 Operational Activities	43,890,000	1,600,000
Head 18	Office of the Chief Govt. Whip of Parliament Programme 01 Operational Activities	77,160,000	2,850,000
Head 19	Office of the Leader of the Opposition of Parliament Programme 01 Operational Activities	86,915,000	8,800,000
Head 20	Election Commission Programme 01 Operational Activities	4,717,800,000	122,350,000

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Head 21	National Audit Office			
	Programme 01	Operational Activities	1,785,470,000	291,500,000
Head 22	Office of the Parliamentary Commissioner for Administration			
	Programme 01	Operational Activities	24,485,000	650,000
Head 23	Audit Service Commission			
	Programme 01	Operational Activities	56,070,000	4,500,000
Head 24	National Procurement Commission			
	Programme 01	Operational Activities	74,330,000	23,550,000
Head 25	Delimitation Commission			
	Programme 01	Operational Activities	15,055,000	820,000
	Non Cabinet Ministry of Digital Infrastructure and Information Technology			
		Recurrent	723,790,000	
		Capital	2,966,700,000	

Made up as follows:-

Head 51	Non Cabinet Minister of Digital Infrastructure and Information Technology			
	Programme 01	Operational Activities	228,010,000	11,700,000
	Programme 02	Development Activities	495,780,000	2,955,000,000
	Non Cabinet Ministry of Science, Technology & Research			
		Recurrent	1,867,250,000	
		Capital	3,275,850,000	

Made up as follows:-

Head 52	Non Cabinet Minister of Science, Technology & Research			
	Programme 01	Operational Activities	193,300,000	45,000,000
	Programme 02	Development Activities	1,637,950,000	3,230,850,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 299	National Intellectual Property Office of Sri Lanka		
	Programme 01 Operational Activities	36,000,000	—
	Non Cabinet Ministry of Economic Reforms and Public Distribution		
	Recurrent	1,314,100,000	
	Capital	2,477,962,000	
	Made up as follows:-		
Head 53	Non Cabinet Minister of Economic Reforms and Public Distribution		
	Programme 01 Operational Activities	116,100,000	2,069,000,000
Head 252	Department of Census and Statistics		
	Programme 01 Operational Activities	900,000,000	107,000,000
Head 300	Department of Food Commissioner		
	Programme 01 Operational Activities	298,000,000	301,962,000
	Non Cabinet Ministry of Labour and Trade Union Relations		
	Recurrent	2,826,000,000	
	Capital	858,000,000	
	Made up as follows:-		
Head 54	Non Cabinet Minister of Labour and Trade Union Relations		
	Programme 01 Operational Activities	115,845,000	32,780,000
	Programme 02 Development Activities	116,155,000	14,220,000

Head 221	Department of Labour		
	Programme 01	Operational Activities	1,133,250,000
	Programme 02	Development Activities	1,073,750,000
Head 328	Department of Manpower and Employment		
	Programme 01	Operational Activities	387,000,000
			718,610,000
			57,390,000
	Non Cabinet Ministry of Mass Media		
	Recurrent		839,000,000
	Capital		845,600,000

Made up as follows:-

Head 55	Non Cabinet Minister of Mass Media		
	Programme 01	Operational Activities	175,350,000
	Programme 02	Development Activities	437,000,000
Head 210	Department of Information		
	Programme 01	Operational Activities	226,650,000
			57,150,000
	Non Cabinet Ministry of Special Areas Development		
	Recurrent		72,100,000
	Capital		18,900,000

Made up as follows:-

Head 56	Non Cabinet Minister of Special Areas Development		
	Programme 01	Operational Activities	72,100,000
			18,900,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Buddhasasana & Wayamba Development		
	Recurrent	1,650,000,000	
	Capital	1,550,000,000	
	Made up as follows:-		
Head 101	Minister of Buddhasasana & Wayamba Development		
	Programme 01 Operational Activities	146,700,000	11,500,000
	Programme 02 Development Activities	126,300,000	1,454,000,000
Head 201	Department of Buddhist Affairs		
	Programme 01 Operational Activities	62,000,000	10,500,000
	Programme 02 Development Activities	1,315,000,000	74,000,000
	Ministry of Finance		
	Recurrent	142,933,108,000	
	Capital	135,110,930,000	
	Made up as follows:-		
Head 102	Minister of Finance		
	Programme 01 Operational Activities	3,010,815,000	416,330,000
	Programme 02 Development Activities	—	1,712,700,000
Head 238	Department of Fiscal Policy		
	Programme 01 Operational Activities	1,754,770,000	2,650,000
Head 239	Department of External Resources		
	Programme 01 Operational Activities	506,100,000	162,150,000

Head 240	Department of National Budget		
	Programme 01	Operational Activities	708,000,000 5,307,000,000
	Programme 02	Development Activities	86,704,513,000 89,402,300,000
Head 241	Department of Public Enterprises		
	Programme 01	Operational Activities	87,000,000 22,076,500,000
Head 242	Department of Management Services		
	Programme 01	Operational Activities	88,830,000 7,300,000
Head 243	Department of Development Finance		
	Programme 01	Operational Activities	16,525,500,000 1,300,000
	Programme 02	Development Activities	— 11,388,100,000
Head 244	Department of Trade and Investment Policy		
	Programme 01	Operational Activities	51,800,000 800,000
Head 245	Department of Public Finance		
	Programme 01	Operational Activities	72,660,000 13,400,000
Head 246	Department of Inland Revenue		
	Programme 01	Operational Activities	3,999,650,000 2,907,000,000
Head 247	Sri Lanka Customs		
	Programme 01	Operational Activities	2,814,100,000 326,850,000
Head 248	Department of Excise		
	Programme 01	Operational Activities	1,182,500,000 311,000,000
Head 249	Department of Treasury Operations		
	Programme 01	Operational Activities	24,501,585,000 1,010,300,000
Head 250	Department of State Accounts		
	Programme 01	Operational Activities	57,850,000 3,500,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 251	Department of Valuation Programme 01 Operational Activities	412,620,000	29,200,000
Head 280	Department of Project Management and Monitoring Programme 02 Development Activities	94,580,000	6,500,000
Head 323	Department of Legal Affairs Programme 01 Operational Activities	12,320,000	900,000
Head 324	Department of Management Audit Programme 01 Operational Activities	54,140,000	3,300,000
Head 329	Department of Information Technology Management Programme 01 Operational Activities	264,305,000	3,200,000
Head 333	Comptroller General's Office Programme 01 Operational Activities	29,470,000	18,650,000
	Ministry of Defence		
	Recurrent	356,384,800,000	
	Capital	36,684,230,000	
Made up as follows:-			
Head 103	Minister of Defence		
	Programme 01 Operational Activities	13,803,800,000	5,859,350,000
	Programme 02 Development Activities	6,471,000,000	809,250,000
Head 211	Department of Government Printer Programme 01 Operational Activities	2,851,950,000	142,250,000

Head 222	Sri Lanka Army Programme 01 Operational Activities	153,771,000,000	9,724,000,000
Head 223	Sri Lanka Navy Programme 01 Operational Activities	53,005,000,000	7,935,380,000
Head 224	Sri Lanka Air Force Programme 01 Operational Activities	38,214,000,000	7,760,000,000
Head 225	Department of Police Programme 01 Operational Activities	69,826,000,000	3,850,000,000
Head 320	Department of Civil Security Programme 01 Operational Activities	18,367,050,000	244,000,000
Head 325	Department of Sri Lanka Coast Guard Programme 01 Operational Activities	75,000,000	360,000,000
	Ministry of National Policies, Economic Affairs, Resettlement and Rehabilitation, Northern Province Development, Vocational Training and Skills Development and Youth Affairs		
	Recurrent	15,641,302,000	
	Capital	81,661,350,000	

Made up as follows:-

Head 104	Minister of National Policies, Economic Affairs, Resettlement and Rehabilitation, Northern Province Development, Vocational Training and Skills Development and Youth Affairs		
	Programme 01 Operational Activities	10,683,285,000	2,288,000,000
	Programme 02 Development Activities	2,953,577,000	78,674,350,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 215	Department of Technical Education and Training		
	Programme 01 Operational Activities	246,080,000	18,000,000
	Programme 02 Development Activities	1,660,920,000	345,000,000
Head 237	Department of National Planning		
	Programme 01 Operational Activities	97,440,000	336,000,000
	Ministry of Postal Services and Muslim Religious Affairs		
	Recurrent	13,106,750,000	
	Capital	465,200,000	
	Made up as follows:-		
Head 108	Minister of Postal Services and Muslim Religious Affairs		
	Programme 01 Operational Activities	107,850,000	10,550,000
Head 202	Department of Muslim Religious and Cultural Affairs		
	Programme 02 Development Activities	125,700,000	49,650,000
Head 308	Department of Posts		
	Programme 02 Development Activites	12,873,200,000	405,000,000
	Ministry of Justice & Prison Reforms		
	Recurrent	16,241,815,000	
	Capital	2,901,000,000	
	Made up as follows:-		
Head 110	Minister of Justice & Prison Reforms		
	Programme 01 Operational Activities	973,805,000	161,110,000

Head 205	Department of Public Trustee Programme 01 Operational Activities	65,050,000	7,500,000
Head 228	Courts Administration Programme 01 Operational Activities	7,112,150,000	2,021,670,000
Head 229	Attorney-General's Department Programme 01 Operational Activities	1,433,100,000	208,400,000
Head 230	Legal Draftsman's Department Programme 01 Operational Activities	132,670,000	37,500,000
Head 231	Department of Debt Conciliation Board Programme 01 Operational Activities	22,410,000	1,150,000
Head 232	Department of Prisons Programme 01 Operational Activities	5,614,500,000	323,000,000
Head 233	Department of Government Analyst Programme 01 Operational Activities	391,300,000	108,500,000
Head 234	Registrar of the Supreme Court Programme 01 Operational Activities	182,320,000	13,270,000
Head 235	Law Commission Programme 01 Operational Activities	17,640,000	2,450,000
Head 326	Department of Community Based Corrections Programme 01 Operational Activities	296,870,000	16,450,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Health, Nutrition and Indigenous Medicine		
	Recurrent	143,625,998,000	
	Capital	41,856,400,000	
	Made up as follows:-		
Head 111	Minister of Health, Nutrition and Indigenous Medicine		
	Programme 01 Operational Activities	125,920,048,000	11,822,200,000
	Programme 02 Development Activities	16,038,950,000	29,557,200,000
Head 220	Department of Ayurveda		
	Programme 01 Operational Activities	119,300,000	13,100,000
	Programme 02 Development Activities	1,547,700,000	463,900,000
	Ministry of Foreign Affairs		
	Recurrent	11,804,800,000	
	Capital	754,000,000	
	Made up as follows:-		
Head 112	Minister of Foreign Affairs		
	Programme 01 Operational Activities	80,800,000	2,500,000
	Programme 02 Development Activities	11,724,000,000	751,500,000
	Ministry of Transport and Civil Aviation		
	Recurrent	32,919,950,000	
	Capital	36,261,000,000	
	Made up as follows:-		
Head 114	Minister of Transport and Civil Aviation		
	Programme 01 Operational Activities	298,350,000	11,000,000
	Programme 02 Development Activities	14,236,150,000	13,306,800,000

Head 306	Department of Sri Lanka Railways		
	Programme 02 Development Activities	16,070,450,000	21,129,200,000

Head 307	Department of Motor Traffic		
	Programme 02 Development Activities	2,315,000,000	1,814,000,000

	Ministry of Highways & Road Development and Petroleum Resources Development		
	Recurrent	469,000,000	
	Capital	175,065,000,000	

Made up as follows:-

Head 117	Minister of Highways & Road Development and Petroleum Resources Development		
	Programme 01 Operational Activities	379,000,000	22,300,000
	Programme 02 Development Activities	90,000,000	175,042,700,000

	Ministry of Agriculture, Rural Economic Affairs, Livestock Development, Irrigation and Fisheries & Aquatic Resources Development		
	Recurrent	58,575,456,000	
	Capital	51,994,390,000	

Made up as follows:-

Head 118	Minister of Agriculture, Rural Economic Affairs, Livestock Development, Irrigation and Fisheries & Aquatic Resources Development		
	Programme 01 Operational Activities	1,329,579,000	509,550,000
	Programme 02 Development Activities	41,384,154,000	32,211,640,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 281	Department of Agrarian Development		
	Programme 01 Operational Activities	509,100,000	98,000,000
	Programme 02 Development Activities	6,422,100,000	3,881,000,000
Head 282	Department of Irrigation		
	Programme 01 Operational Activities	733,090,000	50,850,000
	Programme 02 Development Activities	2,345,850,000	13,017,800,000
Head 285	Department of Agriculture		
	Programme 01 Operational Activities	482,279,000	81,150,000
	Programme 02 Development Activities	4,278,904,000	1,282,000,000
Head 290	Department of Fisheries and Aquatic Resources		
	Programme 01 Operational Activities	516,400,000	138,400,000
Head 292	Department of Animal Production and Health		
	Programme 01 Operational Activities	574,000,000	70,000,000
	Programme 02 Development Activities	—	654,000,000
	Ministry of Power, Energy and Business Development		
	Recurrent	562,465,000	
	Capital	584,100,000	

Made up as follows:-

Head 119	Minister of Power, Energy and Business Development		
	Programme 01 Operational Activities	292,465,000	8,500,000
	Programme 02 Development Activities	270,000,000	575,600,000

Ministry of Women & Child Affairs and Dry Zone Development
Recurrent 7,388,104,000
Capital 1,665,090,000

Made up as follows:-

Head 120	Minister of Women & Child Affairs and Dry Zone Development		
	Programme 01 Operational Activities	585,090,000	72,550,000
	Programme 02 Development Activities	6,508,904,000	1,513,140,000
Head 217	Department of Probation and Childcare Services		
	Programme 01 Operational Activities	37,800,000	1,350,000
	Programme 02 Development Activities	256,310,000	78,050,000

Ministry of Lands and Parliamentary Reforms
Recurrent 5,991,000,000
Capital 3,451,000,000

Made up as follows:-

Head 122	Minister of Lands and Parliamentary Reforms		
	Programme 01 Operational Activities	1,088,000,000	52,000,000
	Programme 02 Development Activities	—	2,955,000,000
Head 286	Department of Land Commissioner General		
	Programme 02 Development Activities	405,700,000	79,300,000
Head 287	Department of Land Settlement		
	Programme 02 Development Activities	421,000,000	5,500,000
Head 288	Department of Surveyor General		
	Programme 01 Operational Activities	250,800,000	77,000,000
	Programme 02 Development Activities	3,441,500,000	246,200,000
Head 327	Department of Land Use Policy Planning		
	Programme 02 Development Activities	384,000,000	36,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
	Ministry of Housing, Construction and Cultural Affairs		
	Recurrent	3,981,000,000	
	Capital	12,650,300,000	
Made up as follows:-			
Head 123	Minister of Housing, Construction and Cultural Affairs		
	Programme 01 Operational Activities	528,000,000	97,700,000
	Programme 02 Development Activities	968,000,000	11,496,600,000
Head 206	Department of Cultural Affairs		
	Programme 01 Operational Activities	135,000,000	21,000,000
	Programme 02 Development Activities	563,000,000	56,000,000
Head 207	Department of Archaeology		
	Programme 01 Operational Activities	200,500,000	11,300,000
	Programme 02 Development Activities	764,500,000	100,700,000
Head 208	Department of National Museums		
	Programme 01 Operational Activities	44,450,000	6,300,000
	Programme 02 Development Activities	165,550,000	129,700,000
Head 209	Department of National Archives		
	Programme 01 Operational Activities	55,225,000	8,200,000
	Programme 02 Development Activities	59,775,000	436,800,000
Head 309	Department of Buildings		
	Programme 01 Operational Activities	113,000,000	13,800,000
	Programme 02 Development Activities	267,000,000	77,200,000

Head 310	Government Factory		
	Programme 02	Development Activities	117,000,000 195,000,000
	Ministry of Primary Industries and Social Empowerment		
	Recurrent		82,357,660,000
	Capital		3,887,300,000

Made up as follows:-

Head 124	Minister of Primary Industries and Social Empowerment		
	Programme 01	Operational Activities	688,480,000 93,700,000
	Programme 02	Development Activities	16,250,180,000 2,169,600,000
Head 216	Department of Social Services		
	Programme 01	Operational Activities	42,270,000 3,700,000
	Programme 02	Development Activities	539,730,000 167,300,000
Head 289	Department of Export Agriculture		
	Programme 02	Development Activities	677,000,000 666,000,000
Head 331	Department of Samurdhi Development		
	Programme 01	Operational Activities	354,300,000 10,200,000
	Programme 02	Development Activities	63,805,700,000 776,800,000
	Ministry of Education		
	Recurrent		60,500,000,000
	Capital		44,500,000,000

Made up as follows:-

Head 126	Minister of Education		
	Programme 01	Operational Activities	19,346,000,000 1,040,000,000
	Programme 02	Development Activities	36,829,000,000 42,690,000,000
Head 212	Department Examinations		
	Programme 02	Development Activities	4,265,000,000 730,000,000

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<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 213	Department of Educational Publications Programme 02 Development Activities	60,000,000	40,000,000
	Ministry of Public Administration and Disaster Management		
	Recurrent	211,306,480,000	
	Capital	5,211,600,000	
	Made up as follows:-		
Head 130	Minister of Public Administration and Disaster Management		
	Programme 01 Operational Activities	1,334,740,000	1,897,000,000
	Programme 02 Development Activities	851,220,000	3,060,600,000
Head 253	Department of Pensions		
	Programme 01 Operational Activities	208,834,000,000	64,000,000
Head 304	Department of Meteorology		
	Programme 01 Operational Activities	286,520,000	190,000,000
	Ministry of Plantation Industries		
	Recurrent	3,550,000,000	
	Capital	5,012,000,000	
	Made up as follows:-		
Head 135	Minister of Plantation Industries		
	Programme 01 Operational Activities	505,000,000	27,500,000
	Programme 02 Development Activities	2,717,000,000	4,138,500,000

Head 293	Department of Rubber Development		
	Programme 02 Development Activities	328,000,000	846,000,000

Ministry of Hill Country New Villages, Infrastructure and Community Development
Recurrent 368,000,000
Capital 3,515,000,000

Made up as follows:-

Head 140	Minister of Hill Country New Villages, Infrastructure and Community Development		
	Programme 01 Operational Activities	368,000,000	15,000,000
	Programme 02 Development Activities	—	3,500,000,000

Ministry of Industry and Commerce, Resettlement of Protracted Displaced Persons and Co-operative Development
Recurrent 2,759,000,000
Capital 10,135,000,000

Made up as follows:-

Head 149	Minister of Industry and Commerce, Resettlement of Protracted Displaced Persons and Co-operative Development		
	Programme 01 Operational Activities	691,650,000	3,727,000,000
	Programme 02 Development Activities	1,716,350,000	6,304,000,000

Head 297	Department of the Registrar of Companies		
	Programme 01 Operational Activities	68,000,000	—

Head 298	Department of Measurement Units, Standards and Services		
	Programme 01 Operational Activities	111,000,000	10,000,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 301	Department of Co-operative Development (Registrar of Co-operative Societies)		
	Programme 01 Operational Activities	75,000,000	34,000,000
Head 302	Co-operative Employees Commission		
	Programme 01 Operational Activities	17,000,000	2,000,000
Head 303	Department of Textile Industries		
	Programme 02 Development Activities	80,000,000	58,000,000
	Ministry of Internal & Home Affairs and Provincial Councils & Local Government		
	Recurrent	19,518,800,000	
	Capital	34,923,205,000	

Made up as follows:-

Head 155	Minister of Internal & Home Affairs and Provincial Councils & Local Government		
	Programme 01 Operational Activities	9,332,200,000	1,609,205,000
	Programme 02 Development Activities	1,200,000,000	28,900,000,000
Head 226	Department of Immigration and Emigration		
	Programme 01 Operational Activities	1,746,600,000	633,000,000
Head 227	Department of Registration of Persons		
	Programme 01 Operational Activities	1,030,000,000	134,000,000
Head 254	Department of Registrar General		
	Programme 01 Operational Activities	1,468,000,000	100,000,000

Head 255	District Secretariat - Colombo Programme 01 Operational Activities	824,000,000	1,493,000,000
Head 256	District Secretariat - Gampaha Programme 01 Operational Activities	1,105,000,000	1,244,000,000
Head 257	District Secretariat - Kalutara Programme 01 Operational Activities	945,000,000	215,000,000
Head 258	District Secretariat - Kandy Programme 01 Operational Activities	1,223,000,000	157,000,000
Head 259	District Secretariat - Matale Programme 01 Operational Activities	645,000,000	438,000,000
Head 260	District Secretariat - Nuwara-Eliya Programme 01 Operational Activities	0	0
Head 261	District Secretariat - Galle Programme 01 Operational Activities	0	0
Head 262	District Secretariat - Matara Programme 01 Operational Activities	0	0
Head 263	District Secretariat - Hambantota Programme 01 Operational Activities	0	0
Head 264	District Secretariat/ Kachcheri - Jaffna Programme 01 Operational Activities	0	0

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 265	District Secretariat/ Kachcheri - Mannar Programme 01 Operational Activities	0	0
Head 266	District Secretariat/ Kachcheri - Vavuniya Programme 01 Operational Activities	0	0
Head 267	District Secretariat/ Kachcheri - Mullaitivu Programme 01 Operational Activities	0	0
Head 268	District Secretariat/ Kachcheri - Killinochchi Programme 01 Operational Activities	0	0
Head 269	District Secretariat/ Kachcheri - Batticaloa Programme 01 Operational Activities	0	0
Head 270	District Secretariat, Ampara Programme 01 Operational Activities	0	0
Head 271	District Secretariat/ Kachcheri - Trincomalee Programme 01 Operational Activities	0	0
Head 272	District Secretariat, Kurunegala Programme 01 Operational Activities	0	0
Head 273	District Secretariat, Puttalam Programme 01 Operational Activities	0	0

Head 274	District Secretariat, Anuradhapura Programme 01 Operational Activities	0	0
Head 275	District Secretariat - Polonnaruwa Programme 01 Operational Activities	0	0
Head 276	District Secretariat - Badulla Programme 01 Operational Activities	0	0
Head 277	District Secretariat, Monaragala Programme 01 Operational Activities	0	0
Head 278	District Secretariat, Rathnapura Programme 01 Operational Activities	0	0
Head 279	District Secretariat, Kegalle Programme 01 Operational Activities	0	0
Head 312	Western Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	0 —	— 0
Head 313	Central Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	0 —	— 0
Head 314	Southern Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	0 —	— 0
Head 315	Northern Provincial Council Programme 01 Operational Activities Programme 02 Development Activities	0 —	— 0

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 316	North Western Provincial Council		
	Programme 01 Operational Activities	0	—
	Programme 02 Development Activities	—	0
Head 317	North Central Provincial Council		
	Programme 01 Operational Activities	0	—
	Programme 02 Development Activities	—	0
Head 318	Uva Provincial Council		
	Programme 01 Operational Activities	0	—
	Programme 02 Development Activities	—	0
Head 319	Sabaragamuwa Provincial Council		
	Programme 01 Operational Activities	0	—
	Programme 02 Development Activities	—	0
Head 321	Eastern Provincial Council		
	Programme 01 Operational Activities	0	—
	Programme 02 Development Activities	—	0
	Ministry of National Integration and Official Languages		
	Social Progress and Hindu Religious Affairs		
	Recurrent	1,480,310,000	
	Capital	2,982,050,000	

Made up as follows:-

Head 157	Minister of National Integration, Official Languages Social Progress and Hindu Religious Affairs		
	Programme 01 Operational Activities	1,141,210,000	2,872,250,000

Head 204	Department of Hindu Religious and Cultural Affairs		
	Programme 02 Development Activities	194,960,000	94,800,000

Head 236	Department of Official Languages		
	Programme 01 Operational Activities	144,140,000	15,000,000

Ministry of Public Enterprise & Kandyan Heritage and Kandy Development

Recurrent	250,700,000
Capital	204,600,000

Made up as follows:-

Head 158	Minister of Public Enterprise, Kandyan Heritage and Kandy Development		
	Programme 01 Operational Activities	250,700,000	204,600,000

Ministry of Tourism Development, Wildlife and Christian Religious Affairs

Recurrent	2,494,470,000
Capital	2,766,335,000

Made up as follows:-

Head 159	Minister of Tourism Development, Wildlife and Christian Religious Affairs		
	Programme 01 Operational Activities	268,310,000	417,050,000
	Programme 02 Development Activities	—	483,000,000

Head 203	Department of Christian Religious Affairs		
	Programme 02 Development Activities	183,960,000	51,885,000

<i>Head No.</i>		<i>Recurrent Expenditure Rs.</i>	<i>Capital Expenditure Rs.</i>
Head 284	Department of Wildlife Conservation Programme 01 Operational Activities	1,190,600,000	701,200,000
Head 294	Department of National Zoological Gardens Programme 02 Development Activities	434,000,000	681,500,000
Head 322	Department of National Botanical Gardens Programme 02 Development Activities	417,600,000	431,700,000
	Ministry of Mahaweli Development and Environment		
	Recurrent	5,886,380,000	
	Capital	37,113,330,000	
Made up as follows:-			
Head 160	Minister of Mahaweli Development and Environment		
	Programme 01 Operational Activities	430,835,000	288,550,000
	Programme 02 Development Activities	3,845,000,000	35,236,380,000
Head 283	Department of Forest Conservation Programme 01 Operational Activities	1,376,500,000	827,500,000
Head 291	Department of Coast Conservation and Coastal Resource Management Programme 01 Operational Activities	234,045,000	760,900,000

Ministry of Megapolis and Western Development

Recurrent 0

Capital 0

Made up as follows:-

Head 162 **Minister of Megapolis and Western Development**

Programme 01 Operational Activities 0 0

Programme 02 Development Activities — 0

Head 311 **Department of National Physical Planning**

Programme 01 Operational Activities 0 0

Ministry of City Planning, Water Supply and Higher Education

Recurrent 47,203,000,000

Capital 79,339,000,000

Made up as follows:-

Head 166 **Minister of City Planning, Water Supply and Higher Education**

Programme 01 Operational Activities 607,000,000 39,390,000,000

Programme 02 Development Activities 823,000,000 23,643,000,000

Head 214 **University Grants Commission**

Programme 02 Development Activities 45,625,000,000 16,100,000,000

Head 332 **Department of National Community Water Supply**

Programme 01 Operational Activities 148,000,000 206,000,000

Appropriation Act, No. 6 of 2019

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Head
No.

Recurrent
Expenditure
Rs.

Capital
Expenditure
Rs.

36

Ministry of Ports & Shipping and Southern Development

Recurrent 859,000,000

Capital 3,004,600,000

Made up as follows:-

Head 176 **Minister of Ports & Shipping and Southern Development**

Programme 01 Operational Activities

311,000,000

1,266,000,000

Programme 02 Development Activities

548,000,000

1,738,600,000

Ministry of Telecommunications , Foreign Employment and Sports

Recurrent 2,537,185,000

Capital 3,798,475,000

Made up as follows:-

Head 194 **Minister of Telecommunication, Foreign Employment and Sports**

Programme 01 Operational Activities

1,178,735,000

1,010,550,000

Programme 02 Development Activities

101,425,000

1,291,925,000

Head 219 **Department of Sports Development**

Programme 01 Operational Activities

79,275,000

6,000,000

Programme 02 Development Activities

1,177,750,000

1,490,000,000

Appropriation Act, No. 6 of 2019

Ministry of Development Strategies and International Trade	
Recurrent	783,420,000
Capital	1,803,250,000

Made up as follows:-

Head 195	Minister of Development Strategies and International Trade		
	Programme 01	Operational Activities	235,420,000
	Programme 02	Development Activities	342,000,000
			86,250,000
			1,701,000,000
Head 295	Department of Commerce		
	Programme 01	Operational Activities	142,000,000
			14,000,000
Head 296	Department of Import and Export Control		
	Programme 01	Operational Activities	64,000,000
			2,000,000

Appropriation Act, No. 6 of 2019

SECOND SCHEDULE

ESTIMATE — 2019

Expenditure of the Government, Authorized by Law and to be charged on the Consolidated Fund

<i>Head No.</i>	<i>Unit/Ministry/Department/ Institution by whom expenditure is incurred</i>	<i>Law under which expenditure is authorized</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	50,500,000	—	50,500,000
6	Public Service Commission	Chapter IX of the Constitution	Programme 01- Operational Activities	10,260,000	—	10,260,000
7	Judicial Service Commission	Chapter XVA of the Constitution	Programme 01- Operational Activities	2,600,000	—	2,600,000
8	National Police Commission	Chapter XVIII A of the Constitution	Programme 01- Operational Activities	8,100,000	—	8,100,000

10	Commission to Investigate Allegations of Bribery or Corruption	The Commission to Investigate Allegations of Bribery or Corruption 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	3,000,000	—	3,000,000
20	Elections Commission	Article 103 of the Constitution	Programme 01-Operational Activities	3,780,000	—	3,780,000
21	National Audit Office	Article 153 of the Constitution	Programme 01-Operational Activities	1,500,000	—	1,500,000
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

Appropriation Act, No. 6 of 2019

<i>Head No.</i>	<i>Unit/Ministry/Department/ Institution by whom expenditure is incurred</i>	<i>Law under which expenditure is authorized</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	Asian Infrastructure Investment Bank Agreement (Ratification) Act, No. 7 of 2016	Programme 01-Operational Activities	—	1,830,000,000	1,830,000,000
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	885,052,468,000	1,299,030,000,000	2,184,082,468,000
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

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Appropriation Act, No. 6 of 2019

THIRD SCHEDULE

ESTIMATE — 2019

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	50,000,000	19,000,000	160,000,000	—
2	Office of the Prime Minister	00201	Advances to Public Officers	23,000,000	11,000,000	77,000,000	—
3	Judges of the Superior Courts	00401	Advances to Public Officers	2,000,000	400,000	3,500,000	—
4	Office of the Cabinet of Ministers	00501	Advances to Public Officers	4,000,000	2,600,000	27,000,000	—
5	Public Service Commission	00601	Advances to Public Officers	13,000,000	5,000,000	38,000,000	—
6	Judicial Service Commission	00701	Advances to Public Officers	3,600,000	2,100,000	20,000,000	—
7	National Police Commission	00801	Advances to Public Officers	3,500,000	1,600,000	11,000,000	—
8	Administrative Appeals Tribunal	00901	Advances to Public Officers	1,300,000	500,000	3,500,000	—
9	Commission to Investigate Allegations of Bribery or Corruption	01001	Advances to Public Officers	10,000,000	4,000,000	30,000,000	—
10	Commission to Investigate Allegations of Bribery or Corruption	01002	Advancing monies to be used in bribery detection as bribes	100,000,000	1,000,000	275,000,000	—

Appropriation Act, No. 6 of 2019

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	1,400,000	13,000,000	—
12	National Education Commission	01201	Advances to Public Officers	1,800,000	900,000	6,000,000	—
13	Parliament	01601	Advances to Public Officers	40,000,000	32,000,000	200,000,000	—
14	Office of the Leader of the House of Parliament	01701	Advances to Public Officers	2,200,000	1,200,000	6,000,000	—
15	Office of the Chief Government Whip of Parliament	01801	Advances to Public Officers	3,000,000	1,500,000	8,000,000	—
16	Office of the Leader of the Opposition of Parliament	01901	Advances to Public Officers	3,000,000	1,600,000	10,000,000	—
17	Elections Commission	02001	Advances to Public Officers	38,000,000	18,000,000	85,000,000	—
18	National Audit Office	02101	Advances to Public Officers	78,000,000	52,000,000	307,000,000	—
19	Office of the Parliamentary Commissioner for Administration	02201	Advances to Public Officers	1,600,000	450,000	5,200,000	—
20	Audit Service Commission	02301	Advances to Public Officers	2,000,000	500,000	11,000,000	—
21	National Procurement Commission	02401	Advances to Public Officers	1,200,000	200,000	3,000,000	—

22	Delimitation Commission	02501	Advances to Public Officers	1,000,000	100,000	3,000,000	—
23	Non Cabinet Minister of Digital Infrastructure and Information Technology	05101	Advances to Public Officers	4,400,000	2,500,000	20,000,000	—
24	Non Cabinet Minister of Science, Technology and Research	05201	Advances to Public Officers	45,900,000	22,300,000	137,000,000	—
25	Non Cabinet Minister of Economic Reforms and Public Distribution	05301	Advances to Public Officers	4,500,000	2,500,000	20,000,000	—
26	Non Cabinet Minister of Labour and Trade Union Relations	05401	Advances to Public Officers	12,000,000	4,400,000	32,000,000	—
27	Non Cabinet Minister of Mass Media	05501	Advances to Public Officers	1,000,000	200,000	6,000,000	—
28	Non Cabinet Minister of Special Areas Development	05601	Advances to Public Officers	3,000,000	300,000	7,000,000	—
29	Minister of Buddhasasana and Wayamba Development	10101	Advances to Public Officers	10,600,000	3,900,000	36,000,000	—
30	Minister of Finance	10201	Advances to Public Officers	35,000,000	16,300,000	150,000,000	—
31	Minister of Defence	10301	Advances to Public Officers	245,000,000	161,400,000	692,000,000	—
32	Minister of National Policies, Economic Affairs, Resettlement and Rehabilitation, Northern Province Development, Vocational Training and Skills Development and Youth Affairs	10401	Advances to Public Officers	74,750,000	23,300,000	214,000,000	—

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.
33	Minister of Postal services and Muslim Religious Affairs	10801	Advances to Public Officers	8,000,000	2,200,000	60,000,000	—
34	Minister of Justice and Prison Reforms	11001	Advances to Public Officers	30,000,000	11,000,000	110,000,000	—
35	Minister of Health, Nutrition and Indigenous Medicine	11101	Advances to Public Officers	1,558,000,000	1,100,000,000	3,000,000,000	—
36	Minister of Foreign Affairs	11201	Advances to Public Officers	40,000,000	26,000,000	150,000,000	—
37	Minister of Transport and Civil Aviation	11401	Advances to Public Officers	11,500,000	6,000,000	48,000,000	—
38	Minister of Highways & Road Development and Petroleum Resources Development	11701	Advances to Public Officers	24,000,000	9,000,000	75,000,000	—
39	Minister of Agriculture, Rural Economic Affairs, Livestock Development, Irrigation and Fisheries and Aquatic Resource Development	11801	Advances to Public Officers	120,000,000	50,300,000	350,000,000	—

40	Minister of Power, Energy and Business Development	11901	Advances to Public Officers	7,000,000	2,700,000	23,000,000	—
41	Minister of Women and Child Affairs and Dry Zone Development	12001	Advances to Public Officers	34,000,000	23,000,000	105,000,000	—
42	Minister of Lands and Parliamentary Reforms	12201	Advances to Public Officers	30,000,000	11,000,000	95,000,000	—
43	Minister of Housing, Construction and Cultural Affairs	12301	Advances to Public Officers	59,800,000	27,725,000	217,000,000	—
44	Minister of Primary Industries and Social Empowerment	12401	Advances to Public Officers	32,000,000	13,200,000	93,000,000	—
45	Minister of Education	12601	Advances to Public Officers	1,700,000,000	1,070,000,000	3,700,000,000	—
46	Minister of Public Administration and Disaster Management	13001	Advances to Public Officers	40,000,000	23,200,000	85,000,000	—
47	Minister of Plantation Industries	13501	Advances to Public Officers	20,000,000	8,000,000	60,000,000	—
48	Minister of Hill Country New Villages, Infrastructure and Community Development	14001	Advances to Public Officers	16,000,000	7,000,000	45,000,000	—
49	Minister of Industry & Commerce and Resettlement of Protracted Displaced Persons and Co-operative Development	14901	Advances to Public Officers	45,000,000	15,000,000	150,000,000	—

<i>SRL No.</i>	<i>Ministries / Departments</i>	<i>Item No.</i>	<i>I Activities of the Government</i>	<i>II Maximum Limits of Expenditure of Activities of the Government Rs.</i>	<i>III Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government Rs.</i>	<i>IV Maximum Limits of Debit Balance of Activities of the Government Rs.</i>	<i>V Maximum Limits of Liabilities of Activities of the Government Rs.</i>
50	Minister of Internal & Home Affairs and Provincial Councils & Local Government	15501	Advances to Public Officers	703,000,000	310,700,000	2,396,000,000	—
51	Minister of National Integration, Official Languages, Social Progress and Hindu Religious Affairs	15701	Advances to Public Officers	23,000,000	9,300,000	75,000,000	—
52	Minister of Public Enterprise, Kandyan Heritage and Kandy Development	15801	Advances to Public Officers	4,200,000	2,000,000	14,000,000	—
53	Minister of Tourism Development, Wild life and Christian Religious Affairs	15901	Advances to Public Officers	12,350,000	4,400,000	41,000,000	—
54	Minister of Mahaweli Development and Environment	16001	Advances to Public Officers	20,000,000	10,000,000	58,000,000	—
55	Minister of Megapolis & Western Development	16201	Advances to Public Officers	10,000,000	4,000,000	32,000,000	—
56	Minister of City Planning, Water Supply and Higher Education	16601	Advances to Public Officers	16,300,000	7,775,000	53,000,000	—

57	Minister of Ports & Shipping and Southern Development	17601	Advances to Public Officers	7,000,000	4,000,000	22,000,000	—
58	Minister of Telecommunications, Foreign Employment and Sports	19401	Advances to Public Officers	44,000,000	18,260,000	136,000,000	—
59	Minister of Development Strategies and International Trade	19501	Advances to Public Officers	14,000,000	3,400,000	50,000,000	—
60	Department of Buddhist Affairs	20101	Advances to Public Officers	33,000,000	21,000,000	84,000,000	—
61	Department of Muslim Religious and Cultural Affairs	20201	Advances to Public Officers	4,500,000	1,500,000	14,000,000	—
62	Department of Christian Religious Affairs	20301	Advances to Public Officers	3,000,000	800,000	12,000,000	—
63	Department of Hindu Religious and Cultural Affairs	20401	Advances to Public Officers	9,000,000	3,500,000	25,000,000	—
64	Department of Public Trustee	20501	Advances to Public Officers	4,500,000	2,000,000	14,000,000	—
65	Department of Cultural Affairs	20601	Advances to Public Officers	37,000,000	15,000,000	100,000,000	—
66	Department of Archaeology	20701	Advances to Public Officers	54,000,000	33,000,000	155,000,000	—
67	Department of National Museums	20801	Advances to Public Officers	19,000,000	9,500,000	72,000,000	—
68	Department of National Archives	20901	Advances to Public Officers	8,000,000	3,400,000	30,000,000	—
69	Department of Information	21001	Advances to Public Officers	14,000,000	7,500,000	50,000,000	—
70	Department of Government Printer	21101	Advances to Public Officers	85,000,000	60,000,000	350,000,000	—
71	Department of Examinations	21201	Advances to Public Officers	37,000,000	19,000,000	110,000,000	—

<i>SRL No.</i>	<i>Ministries / Departments</i>	<i>Item No.</i>	<i>I Activities of the Government</i>	<i>II Maximum Limits of Expenditure of Activities of the Government Rs.</i>	<i>III Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government Rs.</i>	<i>IV Maximum Limits of Debit Balance of Activities of the Government Rs.</i>	<i>V Maximum Limits of Liabilities of Activities of the Government Rs.</i>
72	Department of Educational Publications	21301	Advances to Public Officers	18,000,000	6,500,000	44,000,000	—
73	Department of Educational Publications	21302	Printing, Publicity and Sales of Publications	4,600,000,000	4,650,000,000	12,000,000,000	1,600,000,000
74	Department of Technical Education and Training	21501	Advances to Public Officers	60,000,000	50,000,000	200,000,000	—
75	Department of Social Services	21601	Advances to Public Officers	26,000,000	15,500,000	90,000,000	—
76	Department of Probation and Child Care Services	21701	Advances to Public Officers	20,000,000	10,500,000	80,000,000	—
77	Department of Sports Development	21901	Advances to Public Officers	16,000,000	7,500,000	50,000,000	—
78	Department of Ayurveda	22001	Advances to Public Officers	55,000,000	33,000,000	190,000,000	—
79	Department of Labour	22101	Advances to Public Officers	78,000,000	65,000,000	280,000,000	—
80	Sri Lanka Army	22201	Advances to Public Officers	3,766,950,000	2,575,140,000	5,965,000,000	—
81	Sri Lanka Navy	22301	Advances to Public Officers	560,000,000	510,000,000	900,000,000	—

82	Sri Lanka Navy	22302	Stores Advance Account (Explosive items)	570,000,000	640,000,000	200,000,000	—
83	Sri Lanka Air Force	22401	Advances to Public Officers	510,000,000	418,000,000	1,000,000,000	—
84	Sri Lanka Police	22501	Advances to Public Officers	1,150,000,000	1,080,000,000	2,300,000,000	—
85	Department of Immigration and Emigration	22601	Advances to Public Officers	42,000,000	32,000,000	160,000,000	—
86	Department of Registration of Persons	22701	Advances to Public Officers	46,000,000	23,000,000	150,000,000	—
87	Courts Administration	22801	Advances to Public Officers	485,000,000	310,000,000	1,650,000,000	—
88	Department of Attorney General	22901	Advances to Public Officers	25,000,000	17,000,000	80,000,000	—
89	Department of Legal Draftsman	23001	Advances to Public Officers	7,000,000	3,200,000	20,000,000	—
90	Department of Debt Conciliation Board	23101	Advances to Public Officers	1,500,000	500,000	4,500,000	—
91	Department of Prisons	23201	Advances to Public Officers	180,000,000	135,000,000	435,000,000	—
92	Department of Prisons	23202	Prisons Industrial and Agricultural Undertakings	100,000,000	130,000,000	65,000,000	12,000,000
93	Department of Government Analyst	23301	Advances to Public Officers	9,000,000	5,500,000	35,000,000	—
94	Registrar of the Supreme Court	23401	Advances to Public Officers	18,000,000	10,000,000	46,000,000	—
95	Law Commission	23501	Advances to Public Officers	1,500,000	400,000	5,000,000	—
96	Department of Official Languages	23601	Advances to Public Officers	7,500,000	4,000,000	29,000,000	—

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.
97	Department of National Planning	23701	Advances to Public Officers	5,000,000	3,500,000	30,000,000	—
98	Department of Fiscal Policy	23801	Advances to Public Officers	4,000,000	1,700,000	16,000,000	—
99	Department of External Resources	23901	Advances to Public Officers	8,000,000	4,000,000	30,000,000	—
100	Department of National Budget	24001	Advances to Public Officers	11,000,000	5,500,000	38,000,000	—
101	Department of Public Enterprises	24101	Advances to Public Officers	4,400,000	2,500,000	18,000,000	—
102	Department of Management Services	24201	Advances to Public Officers	6,500,000	3,000,000	26,000,000	—
103	Department of Development Finance	24301	Advances to Public Officers	4,000,000	1,200,000	14,000,000	—
104	Department of Trade and Investment Policy	24401	Advances to Public Officers	4,000,000	2,000,000	14,000,000	—
105	Department of Public Finance	24501	Advances to Public Officers	5,000,000	2,700,000	15,000,000	—
106	Department of Inland Revenue	24601	Advances to Public Officers	105,000,000	92,000,000	415,000,000	—
107	Sri Lanka Customs	24701	Advances to Public Officers	62,000,000	48,000,000	330,000,000	—
108	Sri Lanka Customs	24702	Seized and forfeited goods Advance Account	16,000,000	4,000,000	85,000,000	—

109	Department of Excise	24801	Advances to Public Officers	60,000,000	40,000,000	220,000,000	—
110	Department of Treasury Operations	24901	Advances to Public Officers	10,000,000	4,000,000	28,000,000	—
111	Department of State Accounts	25001	Advances to Public Officers	5,000,000	2,000,000	16,000,000	—
112	Department of State Accounts	25002	Advances for Payments on behalf of other Governments	4,000,000	2,000,000	2,800,000	—
113	Department of State Accounts	25003	Miscellaneous Advances	10,000,000	2,000,000	200,000,000	—
114	Department of Valuation	25101	Advances to Public Officers	31,000,000	18,000,000	100,000,000	—
115	Department of Census and Statistics	25201	Advances to Public Officers	50,000,000	35,000,000	210,000,000	—
116	Department of Pensions	25301	Advances to Public Officers	51,000,000	32,000,000	225,000,000	—
117	Department of Registrar General	25401	Advances to Public Officers	85,000,000	60,000,000	290,000,000	—
118	District Secretariat, Colombo	25501	Advances to Public Officers	67,000,000	43,000,000	242,000,000	—
119	District Secretariat, Gampaha	25601	Advances to Public Officers	105,000,000	70,000,000	330,000,000	—
120	District Secretariat, Kalutara	25701	Advances to Public Officers	95,000,000	64,000,000	400,000,000	—
121	District Secretariat, Kandy	25801	Advances to Public Officers	78,000,000	65,000,000	255,000,000	—
122	District Secretariat, Matale	25901	Advances to Public Officers	66,000,000	33,000,000	200,000,000	—
123	District Secretariat, Nuwara-Eliya	26001	Advances to Public Officers	40,000,000	26,000,000	110,000,000	—
124	District Secretariat, Galle	26101	Advances to Public Officers	72,000,000	64,000,000	251,000,000	—
125	District Secretariat, Matara	26201	Advances to Public Officers	70,000,000	67,000,000	275,000,000	—
126	District Secretariat, Hambantota	26301	Advances to Public Officers	78,000,000	42,000,000	225,000,000	—

<i>SRL No.</i>	<i>Ministries / Departments</i>	<i>Item No.</i>	<i>I Activities of the Government</i>	<i>II Maximum Limits of Expenditure of Activities of the Government Rs.</i>	<i>III Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government Rs.</i>	<i>IV Maximum Limits of Debit Balance of Activities of the Government Rs.</i>	<i>V Maximum Limits of Liabilities of Activities of the Government Rs.</i>
127	District Secretariat/ Kachcheri, Jaffna	26401	Advances to Public Officers	75,000,000	49,000,000	200,000,000	—
128	District Secretariat/ Kachcheri, Mannar	26501	Advances to Public Officers	18,000,000	11,000,000	60,000,000	—
129	District Secretariat/ Kachcheri, Vavuniya	26601	Advances to Public Officers	16,000,000	11,000,000	60,000,000	—
130	District Secretariat/ Kachcheri, Mullaitivu	26701	Advances to Public Officers	18,000,000	11,000,000	55,000,000	—
131	District Secretariat/ Kachcheri, Killinochchi	26801	Advances to Public Officers	17,000,000	11,500,000	50,000,000	—
132	District Secretariat/ Kachcheri, Batticaloa	26901	Advances to Public Officers	46,000,000	28,000,000	140,000,000	—
133	District Secretariat, Ampara	27001	Advances to Public Officers	75,000,000	46,000,000	240,000,000	—
134	District Secretariat/ Kachcheri, Trincomalee	27101	Advances to Public Officers	40,000,000	23,000,000	120,000,000	—
135	District Secretariat, Kurunegala	27201	Advances to Public Officers	112,000,000	85,000,000	365,000,000	—

136	District Secretariat, Puttalam	27301	Advances to Public Officers	60,000,000	41,000,000	195,000,000	—
137	District Secretariat, Anuradhapura	27401	Advances to Public Officers	80,000,000	51,000,000	270,000,000	—
138	District Secretariat, Polonnaruwa	27501	Advances to Public Officers	33,000,000	20,000,000	120,000,000	—
139	District Secretariat, Badulla	27601	Advances to Public Officers	69,000,000	41,000,000	216,000,000	—
140	District Secretariat, Monaragala	27701	Advances to Public Officers	37,000,000	29,000,000	125,000,000	—
141	District Secretariat, Ratnapura	27801	Advances to Public Officers	68,000,000	50,000,000	285,000,000	—
142	District Secretariat, Kegalle	27901	Advances to Public Officers	63,000,000	40,000,000	185,000,000	—
143	Department of Project Management and Monitoring	28001	Advances to Public Officers	5,000,000	3,300,000	20,000,000	—
144	Department of Agrarian Development	28101	Advances to Public Officers	305,000,000	242,000,000	650,000,000	—
145	Department of Irrigation	28201	Advances to Public Officers	260,000,000	160,000,000	800,000,000	—
146	Department of Forest Conservation	28301	Advances to Public Officers	79,000,000	71,000,000	316,000,000	—
147	Department of Wildlife Conservation	28401	Advances to Public Officers	69,000,000	40,000,000	240,000,000	—
148	Department of Agriculture	28501	Advances to Public Officers	335,000,000	185,000,000	1,000,000,000	—
149	Department of Agriculture	28502	Maintenance of Agricultural Farms and Seed Sales	590,000,000	610,000,000	70,000,000	—
150	Department of Land Commissioner General	28601	Advances to Public Officers	25,000,000	15,200,000	90,000,000	—
151	Department of Land Settlement	28701	Advances to Public Officers	22,000,000	16,500,000	105,000,000	—

<i>SRL No.</i>	<i>Ministries / Departments</i>	<i>Item No.</i>	<i>I Activities of the Government</i>	<i>II Maximum Limits of Expenditure of Activities of the Government Rs.</i>	<i>III Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government Rs.</i>	<i>IV Maximum Limits of Debit Balance of Activities of the Government Rs.</i>	<i>V Maximum Limits of Liabilities of Activities of the Government Rs.</i>
152	Department of Surveyor General	28801	Advances to Public Officers	151,000,000	122,000,000	450,000,000	—
153	Department of Export Agriculture	28901	Advances to Public Officers	47,000,000	29,000,000	130,000,000	—
154	Department of Fisheries and Aquatic Resources	29001	Advances to Public Officers	30,000,000	20,500,000	110,000,000	—
155	Department of Coast Conservation and Coastal Resource Management	29101	Advances to Public Officers	15,000,000	9,500,000	48,000,000	—
156	Department of Animal Production and Health	29201	Advances to Public Officers	40,000,000	23,000,000	120,000,000	—
157	Department of Rubber Development	29301	Advances to Public Officers	21,000,000	15,000,000	60,000,000	—
158	Department of National Zoological Gardens	29401	Advances to Public Officers	38,000,000	15,000,000	105,000,000	—
159	Department of Commerce	29501	Advances to Public Officers	6,500,000	3,500,000	22,000,000	—
160	Department of Import and Export Control	29601	Advances to Public Officers	5,100,000	2,500,000	20,000,000	—
161	Department of the Registrar of Companies	29701	Advances to Public Officers	8,600,000	3,700,000	25,000,000	—

162	Department of Measurement Units, Standards and Services	29801	Advances to Public Officers	8,000,000	4,500,000	33,000,000	—
163	National Intellectual Property Office of Sri Lanka	29901	Advances to Public Officers	5,500,000	2,000,000	17,000,000	—
164	Department of Food Commissioner	30001	Advances to Public Officers	7,000,000	3,800,000	42,000,000	—
165	Department of Co-operative Development (Registrar of Co-operative Societies)	30101	Advances to Public Officers	7,500,000	3,000,000	30,000,000	—
166	Co-operative Employees Commission	30201	Advances to Public Officers	1,800,000	400,000	6,000,000	—
167	Department of Textile Industries	30301	Advances to Public Officers	6,000,000	3,200,000	30,000,000	—
168	Department of Meteorology	30401	Advances to Public Officers	12,000,000	8,000,000	55,000,000	—
169	Department of Sri Lanka Railways	30601	Advances to Public Officers	830,000,000	435,000,000	2,000,000,000	—
170	Department of Sri Lanka Railways	30602	Railway Stores Advance Account	1,800,000,000	1,800,000,000	7,200,000,000	1,500,000,000
171	Department of Motor Traffic	30701	Advances to Public Officers	35,000,000	22,500,000	158,000,000	—
172	Department of Posts	30801	Advances to Public Officers	840,000,000	735,000,000	2,400,000,000	—
173	Department of Buildings	30901	Advances to Public Officers	27,000,000	13,800,000	95,000,000	—
174	Government Factory	31001	Advances to Public Officers	32,000,000	25,000,000	125,000,000	—

<i>SRL No.</i>	<i>Ministries / Departments</i>	<i>Item No.</i>	<i>I Activities of the Government</i>	<i>II Maximum Limits of Expenditure of Activities of the Government Rs.</i>	<i>III Minimum Limits of Receipts to be credited to the Accounts of Activities of the Government Rs.</i>	<i>IV Maximum Limits of Debit Balance of Activities of the Government Rs.</i>	<i>V Maximum Limits of Liabilities of Activities of the Government Rs.</i>
175	Government Factory	31002	Government Factory Stores Advance Account	120,000,000	120,000,000	40,000,000	30,000,000
176	Government Factory	31003	Government Factory Work Done Advance Account	370,000,000	440,000,000	190,000,000	1,000,000
177	Department of National Physical Planning	31101	Advances to Public Officers	15,000,000	8,300,000	50,000,000	—
178	Department of Civil Security	32001	Advances to Public Officers	600,000,000	350,000,000	950,000,000	—
179	Department of National Botanical Gardens	32201	Advances to Public Officers	33,000,000	18,500,000	100,000,000	—
180	Department of Legal Affairs	32301	Advances to Public Officers	1,000,000	200,000	3,000,000	—
181	Department of Management Audit	32401	Advances to Public Officers	4,800,000	2,000,000	11,000,000	—
182	Department of Community Based Corrections	32601	Advances to Public Officers	25,000,000	8,000,000	60,000,000	—
183	Department of Land Use Policy Planning	32701	Advances to Public Officers	24,000,000	16,000,000	80,000,000	—

184	Department of Manpower and Employment	32801	Advances to Public Officers	15,000,000	11,000,000	70,000,000	—
185	Department of Information Technology Management	32901	Advances to Public Officers	2,500,000	700,000	8,000,000	—
186	Department of Samurdhi Development	33101	Advances to Public Officers	325,000,000	275,000,000	350,000,000	—
187	Department of National Community Water Supply	33201	Advances to Public Officers	13,000,000	3,000,000	30,000,000	—
188	Comptroller General's Office	33301	Advances to Public Officers	2,000,000	900,000	7,000,000	—
Total				27,364,350,000	21,364,350,000	66,671,500,000	3,143,000,000

Appropriation Act, No. 6 of 2019

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GOVERNMENT PRINTING, No. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



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

**COCONUT DEVELOPMENT (AMENDMENT)
ACT, No. 7 OF 2019**

[Certified on 14th of May, 2019]

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*Coconut Development (Amendment)
Act, No. 7 of 2019*

[Certified on 14th of May, 2019]

L.D.—O. 28/2017

AN ACT TO AMEND THE COCONUT DEVELOPMENT
ACT, No. 46 OF 1971

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

- 1.** This Act may be cited as the Coconut Development (Amendment) Act, No. 7 of 2019. Short title.
- 2.** Section 2 of the Coconut Development Act, No. 46 of 1971 (hereinafter referred to as the “principal enactment”) is hereby amended in subsection (1) of that section as follows:- Amendment of Section 2 of Act, No. 46 of 1971.

 - (1) by the substitution in paragraph (ix), for the words “the Board; and” of the words “the Board;”; and
 - (2) by the insertion immediately after paragraph (ix) of that subsection, of the following new paragraph:-

“(ix*a*) appoint a Working Director, in accordance with the provisions of section 2*A*, who shall not be a member of the Board; and”.
- 3.** The following new section is hereby inserted immediately after section 2 of the principal enactment and shall have effect as section 2*A* of that enactment:- Insertion of new section 2*A* in the principal enactment.

“Working Director of a Board. 2*A*. (1) The Minister may appoint to any Board established under the provisions of section 2 of this Act, a Working Director from among persons who possess an agriculture degree or any other recognized qualification, and knowledge in the field of coconut development.”

*Coconut Development (Amendment)
Act, No. 7 of 2019*

(2) The Working Director shall-

- (a) be a full time officer;
- (b) assist the Chairman in the promotion of the development of coconut cultivation and marketing; and
- (c) assist the Chairman in the administration, management and operation of the affairs of the Board including the co-ordination of the activities of the Board.

(3) The Minister may remove the Working Director from office after assigning reasons therefore.

(4) The term of office of the Working Director shall be for a period of three years from the date of appointment and he shall be eligible for reappointment unless has been removed from office as referred to in subsection (3). Such reappointment shall be for not more than one further term, whether consequent or not.

(5) The office of the Working Director shall become vacant upon the death, removal from office under subsection (3) or resignation by letter in that behalf addressed to the Minister.

(6) Where the Working Director by reason of ill health, infirmity or absence from Sri Lanka is temporarily unable to perform the duties of his office, the Minister shall appoint another member of the Board to act in his place.

Coconut Development (Amendment) 3
Act, No. 7 of 2019

(7) The Working Director shall be paid such remuneration as may be specified in the relevant Public Enterprise Circulars issued by the Ministry of Finance.” .

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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
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**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**TEA RESEARCH BOARD (AMENDMENT)
ACT, No. 8 OF 2019**

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Tea Research Board (Amendment)
Act, No. 8 of 2019

[Certified on 18th of June, 2019]

L.D.—O. 22/2014

AN ACT TO AMEND THE TEA RESEARCH BOARD
ACT, NO. 52 OF 1993

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

1. This Act may be cited as the Tea Research Board (Amendment) Act, No. 8 of 2019. Short title.

2. Section 5 of the Tea Research Board Act, No. 52 of 1993 (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for paragraph (a), of the following paragraph:— Amendment of section 5 of the Act, No. 52 of 1993.

“(a) to conduct, assist and encourage scientific and technological research in, and investigations of, all matters pertaining to the production and manufacture of tea, including the prevention and control of diseases and pests affecting tea, conservation of soil in tea lands, quality of fertilizer used, maintaining the quality of tea planting material, assessing and dealing with the impact of climate change and diversification of tea products; and to disseminate and publish at its discretion, the results of such research to the Tea Small Holdings Development Authority established by the Tea Small Holdings Development Law, No.35 of 1975, to tea small holders, large scale estate sector and to other stakeholders;”.

2 *Tea Research Board (Amendment)*
Act, No. 8 of 2019

Amendment of section 6 of the principal enactment.

3. Section 6 of the principal enactment is hereby amended as follows:-

(1) by the insertion, immediately after paragraph (j) thereof, of the following new paragraph:-

“(k) (i) to prevent the import of any tea planting material except under the authority of a Plant Importation Permit issued to the Director of the Tea Research Institute by the Director General of the Department of Agriculture under the Plant Protection Act, No. 35 of 1999 and in the case of export, to issue a phytosanitary certificate on the request of the country of import;

(ii) For the purpose of this paragraph “ tea planting material” includes any kind of planting material that may be capable of being used directly as propagules including cuttings, shoots, scions, stumps, seeds, in vitro cultures (micro propagules) or any kind of plant material that can be regenerated to produce plants indirectly, including any form of somatic or reproductive tissue, organ and also germplasm, improved variety, cultivar, wild form of tea from any living portion of any tea plant capable of being used for propagation;” and

(2) by renumbering paragraphs (k), (l), (m), (n) and (o) as paragraphs (l), (m), (n), (o) and (p) of that section.

4. Section 7 of the principal enactment is hereby amended by the repeal of paragraph (b) of subsection (1) of that section and the substitution therefor of the following:-

Amendment of section 7 of the principal enactment.

“(b) the following nominated members appointed by the Minister, namely –

- (i) a representative of the Ministry of the Minister in charge of the subject of Plantation Industries, nominated by that Minister;
- (ii) a representative of the Ministry of the Minister in charge of the subject of Finance not below the rank of a Senior Assistant Secretary, nominated by that Minister;
- (iii) a representative of the Sri Lanka Tea Board established by the Sri Lanka Tea Board Law, No.14 of 1975, nominated by such Board;
- (iv) a representative of the Tea Small Holdings Development Authority established by the Tea Small Holdings Development Law, No. 35 of 1975, nominated by such Authority;
- (v) two members nominated by the Minister in charge of the subject of Plantation Industries from amongst persons having sufficient knowledge and experience in research and development in the Agricultural Sector;

*Tea Research Board (Amendment)
Act, No. 8 of 2019*

- (vi) a representative of the Planters' Association of Ceylon established by the Planters' Association of Ceylon Ordinance (Chapter 291), nominated by such Association;
- (vii) two members representing the Trade Unions, who shall be selected on such criteria as may be determined by the Minister in charge of the subject of Plantation Industries;

For the purpose of this sub-paragraph "Trade Unions" shall have the same meaning as in the Trade Unions Ordinance (Chapter 138);

- (viii) a representative of the Sri Lanka Federation of Tea Small Holdings Development Societies established under the Tea Small Holdings Development Law, No. 35 of 1975, nominated by that Federation; and
- (ix) a representative of the Sri Lanka Tea Factory Owners' Association, nominated by that Association."

Sinhala text to prevail in case of inconsistency.

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

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GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



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

**INSTITUTE OF VALUERS OF SRI LANKA
(AMENDMENT) ACT, No. 9 OF 2019**

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Institute of Valuers of Sri Lanka (Amendment)
Act, No. 9 of 2019

[Certified on 18th of June, 2019]

L.D.—O. 50/2009

AN ACT TO AMEND THE INSTITUTE OF VALUERS OF SRI LANKA
LAW, No. 33 OF 1975

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

1. This Act may be cited as the Institute of Valuers of Sri Lanka (Amendment) Act, No. 9 of 2019. Short title.

2. The Long Title to the Institute of Valuers of Sri Lanka Law, No. 33 of 1975 (hereinafter referred to as “the principal enactment”) is hereby repealed and the following Long Title substituted therefor:- Amendment of the Long Title of Law, No. 33 of 1975.

“A LAW TO PROVIDE FOR THE ESTABLISHMENT OF AN INSTITUTE KNOWN AS THE INSTITUTE OF VALUERS OF SRI LANKA AND A COUNCIL OF THE INSTITUTE WHICH SHALL BE RESPONSIBLE FOR THE MANAGEMENT OF THE AFFAIRS OF THE INSTITUTE AND FOR THE MAINTENANCE OF PROFESSIONAL STANDARDS AND DISCIPLINE OF MEMBERS OF THE INSTITUTE; AND FOR THE PROTECTION AND PROMOTION OF THE INTERESTS OF THE PUBLIC IN RELATION TO THE PROFESSION OF VALUERS AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.”.

3. Section 2 of the principal enactment is hereby amended by the repeal of subsection (2) thereof and the substitution therefor of the following subsection:- Amendment of section 2 of the principal enactment.

“(2) The members of the Institute shall consist of Corporate and Non-Corporate members.”.

2 *Institute of Valuers of Sri Lanka (Amendment)*
Act, No. 9 of 2019

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 in the principal enactment:-

“Grading of members. 2A. The grading of members of the Institute shall be as specified in Schedule A to this Act.”.

Amendment of section 5 of the principal enactment.

5. Section 5 of the principal enactment is hereby amended by the insertion immediately after paragraph (k) thereof, of the following new paragraphs:-

“(kk) to determine, from time to time, the valuation standards, as the Corporation may deem appropriate;

(kkk) to determine a scheme of assessment of professional competence or any other requirement for continuous professional development;”.

Amendment of section 7 of the principal enactment.

6. Section 7 of the principal enactment is hereby repealed and the following section substituted therefor:-

“Application for membership of the Institute. 7. (1) Any person who satisfies the qualifications and experience specified in Schedule B to this Act may apply for the membership of the Institute in such form and manner as provided in Schedule C to this Act.

(2) Any person who has duly applied under subsection (1) may be enrolled as a member of the Institute on the payment of the prescribed entrance fee and membership fee.”.

Institute of Valuers of Sri Lanka (Amendment) 3
Act, No. 9 of 2019

7. The following new sections are hereby inserted immediately after section 7 of the principal enactment and shall have effect as sections 7A, 7B, 7C and 7D in the principal enactment:-

Insertion of new sections 7A, 7B, 7C and 7D in the principal enactment.

“Period of membership and renewal. 7A. (1) The period of membership of the Institute shall be one year ending on the thirty first day of December and subject to the provisions of section 22, be renewable annually.

(2) Any member who intends to renew the membership shall apply for renewal not less than thirty days before the expiry of the membership.

(3) The membership may be renewed on the payment of the prescribed renewal fee.

Application fee etc. 7B. The Minister may by regulations prescribe the application fee, entrance fee, membership fee and renewal fee payable in respect of any type of membership.

Registers. 7C. (1) (a) There shall be a register each for the persons enrolled as corporate members and for the persons enrolled as non-corporate members.

(b) Each register shall be divided into separate parts and each part shall be in respect of a different grade in the class of members to which the register relates and shall contain the names, addresses and qualifications of persons enrolled in that grade.

(2) The registers shall be maintained by the Honorary General Secretary of the Council for and on behalf of the Council.

4 *Institute of Valuers of Sri Lanka (Amendment)*
Act, No. 9 of 2019

Cessation of membership. 7D. Any member of the Institute who fails to satisfy the Council of his continuous professional development in accordance with any scheme or requirement determined under paragraph (*kkk*) of section 5, shall cease to be a member from such date as may be decided by the Council.”.

Amendment of section 8 of the principal enactment.

8. Section 8 of the principal enactment is hereby amended in subsection (2) thereof as follows:-

(1) by the repeal of paragraph (*b*) thereof and the substitution therefor of the following paragraph:-

“(b) five members elected from the grade of Fellow, four members elected from the grade of Professional Associate and one member elected from the grade of Licentiate;”;

(2) by the repeal of paragraph (*f*) thereof and the substitution therefor of the following paragraph:-

“(f) the person who last held the post of President.”; and

(3) by the repeal of the proviso to that section.

Amendment of section 9 of the principal enactment.

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

(1) in subsection (2) thereof-

(a) in paragraph (*e*) by the substitution for the word “Minister.” of the words “Minister; or”;

(b) by the insertion immediately after paragraph (*e*), of the following new paragraph:-

“(f) upon ceasing to be a member of a particular grade from which he is elected;”; and

- (c) by the insertion immediately after subsection (2) of the following:-

“(3) Notwithstanding anything to the contrary in any other provisions of this Law, where an elected member of the Council vacates office earlier by death, resignation or otherwise, the Council may at a meeting held in that behalf appoint, a corporate member to fill such vacancy, taking into consideration the provisions of section 8(2) (a) and (b) and section 11.”;

- (2) by the renumbering of subsections (3) and (4) as subsections (4) and (5) thereof.

10. Section 11 of the principal enactment is hereby amended in subsection (1) thereof as follows:-

Amendment of section 11 of the principal enactment.

- (1) by the repeal of paragraphs (b) and (c) thereof and the substitution therefor of the following:-

“(b) Honorary General Secretary, Honorary General Treasurer or Honorary Assistant General Secretary unless he is enrolled in a grade not below that of a Professional Associate;”;

- (2) by the re-lettering of paragraph (d) as paragraph (c) thereof.

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

Amendment of section 17 of the principal enactment.

- (1) by the repeal of paragraphs (b), (c), (d), (e) and (f) thereof; and

- (2) by the re-lettering of paragraphs (g) to (r) as paragraphs (b) to (m).

6 *Institute of Valuers of Sri Lanka (Amendment)*
Act, No. 9 of 2019

Amendment
of section
18 of the
principal
enactment.

12. Section 18 of the principal enactment is hereby amended by the repeal of subsection (2) thereof and the substitution therefor of the following subsection:-

“(2) The quorum for a session of the Institute shall be two-fifths or two hundred, whichever is less, of the Corporate Members of the Institute eligible to vote at such session.”.

Amendment
of section
19 of the
principal
enactment.

13. Section 19 of the principal enactment is hereby amended as follows:-

(1) by the repeal of subsection (4) thereof and the substitution therefor of the following:-

“(4) The quorum for any conference of the Institute shall be one hundred and fifty or one-fourth of the Corporate Members of the Institute whichever is less.”;

(2) by the insertion immediately after subsection (4) thereof, of the following subsection:-

“(5) The types of business of the conference shall include *inter alia* –

- (a) the reading of the mid-term report;
- (b) the adoption of the mid-term report;
- (c) tabling of mid-term statement of accounts;
- (d) the adoption of mid-term statement of accounts;
- (e) the proposals of resolutions by the Council;
- (f) the adoption of resolutions of the Council;
- (g) the considerations of any technical matter related to the practice of valuation as decided by the Council.”.

Institute of Valuers of Sri Lanka (Amendment) 7
Act, No. 9 of 2019

14. Section 20 of the principal enactment is hereby amended by the repeal of subsection (1) thereof and the substitution therefor of the following :-

Amendment of section 20 of the principal enactment.

“(1) The President of the Council may on his own motion or shall, on a requisition in writing made in that behalf by not less than five members of the Council or by not less than fifty Corporate Members of the Institute who are eligible to vote, cause a special general meeting of the Corporate Members to be summoned.”.

15. Section 21 of the principal enactment is hereby amended by the repeal of subsection (4) thereof and the substitution therefor of the following:-

Amendment of section 21 of the principal enactment.

“(4) The Council may invite such other persons as it may deem necessary to attend any ordinary meeting of the Institute.”.

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

Amendment of section 22 of the principal enactment.

(1) by the repeal of subsection (4) thereof and the substitution therefor of the following subsections:-

“(4) The Council shall not accept any resignation tendered by a member who is subject to an inquiry under subsection (1)(c) of this section.

(5) For the purposes of this Law, professional misconduct shall be any act or omission specified in Schedule D to this Act.”;

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

“Disenrollment or suspension of members by the Council.”.

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Amendment
of section 23
of the
principal
enactment.

17. Section 23 of the principal enactment is hereby amended as follows:-

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

“(1) Every member of the Institute who is enrolled as a Fellow Member of the Institute shall-

- (a) have the right to use the abbreviated designation “F.I.V.” after his name to indicate that he is a Fellow Member;
- (b) be entitled to use the title “Chartered Valuer.”;

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

“(2) Every member of the Institute who is enrolled as a Professional Associate of the Institute, shall have the right to use the abbreviated designation “A.I.V” after his name, to indicate that he is a Professional Associate.”;

- (3) by the repeal of subsection (3) thereof;

- (4) by the renumbering of subsections (4) and (5) as subsections (3) and (4) of that section respectively;

- (5) by the insertion immediately after renumbered subsection (4), of the following new subsection :-

“(5) Every member registered under subsections (1) and (2) shall be entitled to use the prefix “Valuer” before his name and use the abbreviation “Vlr” therefor.”.

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18. Section 24 of the principal enactment is hereby amended in paragraph (b) of subsection (1) of that section by the substitution for the words and figures “subsection (5) of section 23” of the words and figures “subsection (4) of section 23”.

Amendment of section 24 of the principal enactment.

19. The following new section is hereby inserted immediately after section 25 of the principal enactment and shall have effect as section 25A of the principal enactment :-

Insertion of new section 25A in the principal enactment.

“Valuation of movable property and intangible assets. 25A. Any Corporate Member of the Institute may carry out any valuation of a movable property and intangible assets, provided he possesses such expertise as may be determined by the Council, to carry out such valuation.”.

20. The following new section is hereby inserted immediately after section 31 of the principal enactment and shall have effect as section 32 thereof:-

Insertion of new section 32 in the principal enactment.

“Interpretation. 32. In this Act unless the context otherwise requires-

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

 “soliciting” includes-

 (a) engaging in any manner, for any commission, payment or consideration, the services of any person to solicit clientele; or

 (b) advertising in any manner for the purpose of unfairly attracting clientele for him.”.

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Replacement
of
Schedule A
of the
principal
enactment.

21. Schedule A of the principal enactment is hereby repealed and the following Schedule substituted therefor:-

“ SCHEDULE A [Section 2A]

The grading of Corporate and Non-Corporate Members of the Institute shall be as follows:-

- (a) a Corporate Member of the Institute shall be graded as a Fellow Member or a Professional Associate Member or a Licentiate Member; and
- (b) a Non-Corporate Member of the Institute shall be graded as an Honorary Member, or a Student Member, or a Probationary Member.”.

Replacement
of Schedule
B of the
principal
enactment.

22. Schedule B of the principal enactment is hereby repealed and the following Schedule substituted therefor:-

“ SCHEDULE B [Section 7]

(1) A person shall be eligible to be enrolled as a Fellow Member:-

- (a) if he has served a minimum of fifteen years in the grade of Professional Associate Member and is in the profession of valuation in accordance the scheme of assessment of professional competence or any other requirement for continuous professional development determined under section 5:

Provided that the members who were Corporate Members on the fourteenth day of February, Two Thousand and Three are exempted from the scheme of assessment of professional competence or any other requirement for continuous professional development as aforesaid; or

- (b) if he has acquired such knowledge of valuation and eminence in the profession that, in the opinion of the Council, his admission as a Fellow Member would promote the interests of the profession.

(2) A person shall be eligible to be enrolled as a Professional Associate Member:-

- (a) if he has passed the Final or the Direct Final Examination of the Institute or the B.Sc Degree in Estate Management of the

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University of London or the University of Reading or any University of Sri Lanka recognized by the Council or has passed the B.A Degree in Land Economy of the University of Cambridge or has passed the Final Examination of the Royal Institution of Chartered Surveyors in the General Practice Division, or has obtained the Higher National Diploma in Valuation of the Sri Lanka Technical College or has obtained any other relevant qualification recognized by the Council as equivalent to these examinations; and

- (b) if he is a Probationary Member with a minimum of two years post qualifying full time experience in the profession of valuation practice monitored as directed by and acceptable to the Council; or
- (c) if he is a Probationary Member with post qualifying experience in the profession of valuation, monitored as directed by and acceptable to the Council, for a minimum number of years of part time experience considered as equivalent to two years full time experience and further is in the profession of valuation in accordance the scheme of assessment of professional competence or any other requirement for continuous professional development determined under section 5; or
- (d) if he has minimum of four years full time experience in teaching the subject of valuation in a Course recognized by the Council, in any University.

(3) A person shall be eligible to be enrolled as a Licentiate Member:—

- (a) if he is over 30 years of age; and
- (b) if he has practiced as a Valuer for not less than seven years prior to January 3, 1977 and possesses a certificate of competence awarded by the Council.

(4) A person shall be eligible to be enrolled as a Probationary Member:—

- (a) if he has successfully completed a Degree or Diploma Course recognized for admission to the grade of Professional Associate Member as specified in paragraph (2)(a) of this Schedule; and
- (b) if he is in the profession of valuation in accordance with the scheme of assessment of professional competence or any

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other requirement for continuous professional development, determined under section 5.

The maximum period during which a person may remain a Probationary Member shall be ten years.

(5) A person shall be eligible to be enrolled as a Student Member—

- (a) if he is over eighteen years of age; and
- (b) if he is registered in an educational institution recognized by the Council, as a Student following an internal or external, full time or part time, Degree or Diploma Course as the case may be, leading to qualifications recognized for admission to the grade of Professional Associate Member as specified in paragraph (2) (a) of this Schedule.

The maximum period during which a person may remain a Student Member shall be ten years.”.

Addition of new Schedules C and D in the principal enactment.

23. The principal enactment is hereby amended by the addition immediately after Schedule B thereof of the following new Schedules which shall have effect as Schedule C and Schedule D of that enactment:-

“ SCHEDULE C [Section 7]

(1) Every application for enrolment in any grade of Corporate Members shall:-

- (a) be made to the Honorary General Secretary of the Council;
- (b) be in such form as may be provided for the purpose by the Honorary General Secretary of the Council;
- (c) state the qualifications by virtue of which the applicant is eligible for enrolment in that grade and be supported by an affidavit as to such qualifications;
- (d) be signed by the applicant;
- (e) be accompanied by the amount of the appropriate application fee, entrance fee and membership fee; and
- (f) be recommended by two members of the Council or by four members of the Institute of whom one shall be a Fellow, one

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shall be Professional Associate Member and not less than two shall be members enrolled in the grade in which the applicant seeks enrolment.

(2) Every application for enrolment in any grade of Non-Corporate Members shall:-

- (a) be made in such form as may be provided for the purpose by the Council;
- (b) state the qualifications by virtue of which the applicant is eligible for enrolment in that grade and where the application is for enrolment in any grade other than that of Honorary Member, be supported by an affidavit as to such qualifications;
- (c) be signed by the applicant;
- (d) where such application is for enrolment in any grade other than that of Honorary Member, be accompanied by the amount of the appropriate application fee, entrance fee and membership fee, or where the application is for enrolment as an Honorary Member, be accompanied by the appropriate membership fee; and
- (e) be recommended by atleast two Corporate Members.

SCHEDULE D [Section 22]

Each of the following acts or omissions shall constitute professional misconduct on the part of a valuer:-

- (a) unbefitting his status as a member;
- (b) discrediting or attempting to discredit the profession of valuation or the Institute;
- (c) involving in any act detrimental to the profession of valuation or undermining the interests of the Institute;
- (d) discrediting or attempting to discredit the professional reputation or skill of any other member;

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- (e) when acting for a client or when in contemplation of acting for a prospective client, whose interests conflict or may conflict with his own, or those of any of his business associates, not disclosing the relevant facts forthwith to the client or prospective client and to the business associates and where such disclosure is oral, not confirming the same in writing at the earliest opportunity and not informing the client that he will be unable to act or continue to act unless the client requests him to do so;
- (f) failure to ensure that neither he personally, nor any firm or company in the profession of valuation, of which he is a Partner or Director, acts for two or more parties with conflicting interests, without disclosing the relevant facts to each of these parties forthwith and if there is a disclosure without confirming such disclosure in writing at the earliest opportunity;
- (g) failure to obtain sufficient information to warrant the expression of an opinion;
- (h) quoting a fee in competition for professional services without having received an invitation to do so and without sufficient information to enable the member to assess the nature and scope of the services required;
- (i) having once quoted a fee for professional services, revising that quotation taking into account the fee quoted by another member for the same service;
- (j) quoting a fee for professional services which is to be calculated by reference to the fee quoted or charged by another member;
- (k) accepting any professional matter which may embarrass him by reason of his holding any office or appointment or where there is a loss of confidence between a member and his client;
- (l) not giving reasonable notice to a client on behalf of whom the member ceases to act:

Provided that it shall not be a professional misconduct if a member ceases to act for his client being requested to do so, or where the client declines or neglects to give further instructions where the member would be left with no authority of his client in any professional matter or proceeding;

- (m) disclosing personal or confidential information acquired in the performance of any professional work except when required to do so by the person who entrusted him with that work or

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his agent or by a Court of Law, or by a Board or an arbitration appointed by this Law or by any other written Law:

Provided that the duty on the part of the member to refrain from disclosing such personal or confidential information lies not only during the existence of his professional relationship with the client but indefinitely thereafter, even after the said member has ceased to act for the said client and after the demise of the client as well;

- (n) resorting by himself or through another, directly or indirectly, to the practice of soliciting work;
- (o) using any advertisement, stationery, card or announcement by a member containing-
 - (a) an inaccurate statement of fact;
 - (b) an explicit solicitation of instructions;
 - (c) an explicit comparison between the services offered by the member and the services offered by other members or firms;
 - (d) a claim by a member or his firm, to have been "Specialized in" or "Expert in" any particular aspect of the profession of valuation;
- (p) appearing in any other name or designation different to that by which he is registered in the Institute when he performs any professional functions such as issuing valuation reports and advice on matters relating to valuation unless such name or designation is recognized by the Institute;
- (q) displaying gross negligence in the performance of his professional work;
- (r) knowingly, negligently or fraudulently expressing an incorrect opinion on valuation or furnishing an incorrect valuation, to a client;
- (s) deviating from or failure to comply with any valuation standards determined under section 5, without a reason acceptable to the Council;
- (t) tampering with the membership seal or any other form of identity issued to the members by the Institute."

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Transitional provisions.

24. (1) All persons who are in the grades of Graduate Member and Associate Member on the date of commencement of this Act, shall from and after date of the commencement of this Act, be deemed to be admitted and enrolled to the Professional Associate Grade:

Provided however that for the purpose of computing the period of membership in the grade of Professional Associate Member, the full period of membership in the Graduate Grade and two-thirds of the period of membership in the Associate Grade, shall be computed.

(2) (a) The Council of the Institute holding office on the day immediately preceding the date of commencement of this Act, shall continue to hold office until a new Council is elected in accordance with the provisions of section 8 as amended by this Act.

(b) The new Council shall be elected at a special general meeting of the Corporate Members, convened for such purpose within a period of six months from the date of commencement of this Act.

(c) If a session of the Institute has been fixed by the Council of the Institute holding office on the day immediately preceding the date of commencement of this Act, to be held within the six month period referred to above, such session shall not be held as fixed.

(d) The special general meeting held under subsection (2) shall be deemed to be a session of the Institute for the purpose of section 18.

Savings.

25. (1) Where the period of validity of any enrolment made under the provisions of the principal enactment on or before the date of commencement of this Act, has not expired on the date of the commencement of this Act,

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such enrolment shall for all purposes be deemed to be an enrolment made under section 7.

(2) Any Register maintained under the provisions of the principal enactment on or before the date of commencement of this Act shall be deemed to have been maintained under section 7C as inserted by this Act.

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

Sinhala text
to prevail in
case of
inconsistency.

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

**MOTOR TRAFFIC (AMENDMENT)
ACT, No. 10 OF 2019**

[Certified on 20th of June, 2019]

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*Motor Traffic (Amendment)
Act, No. 10 of 2019*

[Certified on 20th of June, 2019]

L.D.—O. 53/2017

AN ACT TO AMEND THE MOTOR TRAFFIC ACT (CHAPTER 203)

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

- 1.** This Act may be cited as the Motor Traffic (Amendment) Act, No. 10 of 2019. Short title.
- 2.** Section 123 of the Motor Traffic Act (Chapter 203) (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 123 of Chapter 203.
- (1) in subsection (1) of that section-
- (a) in paragraph (a) thereof, by the deletion of the word “and”, appearing at the end of that paragraph;
 - (b) in paragraph (b) thereof, by the insertion of the word “and”, at the end of that paragraph;
 - (c) by the addition immediately after paragraph (b) thereof, of the following new paragraph:-

“(c) no person shall drive a light vehicle on a road unless he has completed the age of eighteen years and shall not drive a heavy vehicle on a road unless he has completed the age of twenty-one years.”.
- (2) in subsection (5) of that section-
- (a) by the repeal, in paragraph (a) thereof, of all the words from “to a fine not less than three

thousand rupees” to the end of that paragraph and the substitution therefor of the following words:—

“to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees and on a second or subsequent conviction to a fine not less than thirty thousand rupees and not exceeding fifty thousand rupees.”;

- (b) by the repeal, in paragraph (b) thereof, of all the words from “to a fine not less than four thousand rupees” to the end of that paragraph and the substitution therefor of the following words:—

“to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees and on a second or subsequent conviction to a fine not less than thirty thousand rupees and not exceeding fifty thousand rupees.”;

- (c) by the addition immediately after paragraph (b) thereof, of the following new paragraph which shall have the effect as paragraph (c) thereof:-

“(c) A person who contravenes the provisions of paragraph (c) of subsection (1) shall be guilty of an offence and shall on conviction be liable to a fine not less than thirty thousand rupees and not exceeding forty thousand rupees and on a second or subsequent conviction to a fine not less than forty thousand rupees and not exceeding fifty thousand rupees.”.

3. The following new section is hereby inserted immediately after section 141 of the principal enactment and shall have effect as section 141A of the that enactment:—

Insertion of new section 141A in the principal enactment.

“Penalty for driving at an excessive speed.

141A. (1) Any person who contravenes the provisions of sections 140, 141 and 142 or any regulation made thereunder shall be guilty of an offence and shall on conviction be liable, where the speed is -

- (a) in excess of the prescribed speed limit up to twenty *per centum*, to a fine not less than three thousand rupees and not exceeding five thousand rupees;
- (b) in excess of twenty *per centum* and less than thirty *per centum* of the prescribed speed limit, to a fine not less than five thousand rupees and not exceeding ten thousand rupees;
- (c) in excess of thirty *per centum* and less than fifty *per centum* of the prescribed speed limit, to a fine not less than ten thousand rupees and not exceeding fifteen thousand rupees; and
- (d) in excess of fifty *per centum* of the prescribed speed limit, to a fine not less than fifteen thousand rupees and not exceeding twenty five thousand rupees.

(2) Notwithstanding the provisions of subsection (1), any person who contravenes the provisions of sections 140, 141 and 142 shall also be liable to on the spot fines as may be prescribed under section 215A.”.

Insertion of new section 148A of the principal enactment.

4. The following new section is hereby inserted immediately after section 148 of the principal enactment and shall have effect as section 148A of that enactment:-

“Precautions in crossing a railway.

148A. (1) No person shall drive a motor vehicle on or across a railway crossing—

- (i) when the railway gate is closed;
- (ii) disregarding the railway signal system; or
- (iii) without obeying directions of an authorized officer,

to likely endanger one’s own safety or that of any other person.

(2) A person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall on conviction be liable to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees and on a second conviction to a fine not less than thirty thousand rupees and not exceeding forty thousand rupees and the suspension of his driving licence for a period of not exceeding six months, and on a third or subsequent conviction to a fine not less than forty thousand rupees and not exceeding fifty thousand rupees and the suspension of his driving licence for a period not exceeding twelve months.”.

Insertion of new section 152A in the principal enactment.

5. The following new section is hereby inserted immediately after section 152 of the principal enactment and shall have effect as section 152A of that enactment:—

“Prohibit the use of mobile phone etc. while driving.

152A. (1) No person shall use a telephone, mobile phone or any other movable communication equipment when driving a motor vehicle on a road.

(2) A person who contravenes subsection (1) shall be guilty of an offence and shall on conviction be liable to the penalty specified in section 224 and also be liable to the amount prescribed for on the spot fines under section 215A.”.

6. Section 196 of the principal enactment is hereby amended in subsection (5) thereof by the addition, immediately after the proviso to paragraph (b) of that subsection of the following paragraph:-

Amendment of section 196 of the principal enactment.

“(c) a person who contravenes the provisions of this subsection shall be guilty of an offence and shall on conviction be liable to the penalty specified in section 224 and also be liable to the amount prescribed for on the spot fines under section 215A.”.

7. Section 216 of the principal enactment is hereby amended by the repeal of all the words from “to a fine not less than three thousand five hundred rupees” to the end of that section and the substitution of the words “to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment and to the suspension of his driving licence for a period not exceeding twelve months.”.

Amendment of section 216 of the principal enactment.

8. Section 216A of the principal enactment is hereby amended by the repeal of all the words from “to a fine not less than four thousand rupees” to the end of that section and the substitution of the words “to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment and the cancellation of his driving licence.”.

Amendment of section 216A of the principal enactment.

9. Section 216B of the principal enactment is hereby amended as follows:-

Amendment of section 216B of the principal enactment.

“(a) by the repeal, in paragraph (a) thereof, of all the words from “to imprisonment of either description

for a term not less than two years” to the end of that paragraph and the substitution of the words “to a fine not less than one hundred thousand rupees and not exceeding one hundred and fifty thousand rupees or to imprisonment of either description for a term not less than two years and not exceeding ten years or to both such fine and imprisonment and to the cancellation of the diving licence”; and

(b) by the repeal of paragraph (b) thereof and the substitution therefor of the following paragraphs:—

“(b) where he causes—

- (i) hurt to any person, to a fine not less than thirty thousand rupees and not exceeding fifty thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment and to the cancellation of his driving licence; or
- (ii) grievous injury to any person, to a fine not less than fifty thousand rupees and 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 and to the cancellation of his driving licence.”.

Amendment of section 217 of the principal enactment.

10. Section 217 of the principal enactment is hereby amended as follows:—

- (1) in subsection (1) of that section by the repeal of all the words from “to a fine not less than one thousand five hundred rupees” to the end of that subsection

and the substitution of the words “to a fine not less than ten thousand rupees and not exceeding twenty five thousand rupees, and on a second conviction to a fine not less than fifteen thousand rupees and not exceeding thirty thousand rupees, and the suspension of his driving licence, and on a third or subsequent conviction, to a fine not less than twenty thousand rupees and not exceeding forty thousand rupees or to rigorous imprisonment for a term not exceeding six months or to both such fine and imprisonment and the cancellation of his driving licence.”; and

- (2) in subsection (2) of that section by the repeal of all the words from “to a fine not less than one thousand five hundred rupees” to the end of that subsection and the substitution of the words “to a fine not less than ten thousand rupees and not exceeding twenty five thousand rupees, and on a second conviction to a fine not less than fifteen thousand rupees and not exceeding thirty thousand rupees and on a third or subsequent conviction, to a fine not less than twenty thousand rupees and not exceeding forty thousand rupees and the suspension of his driving licence for a period of six months”.

11. Section 218 of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of section 218 of the principal enactment.

“Penalty for driving without certificate of insurance.

218. A person who contravenes the provisions of section 99 shall be guilty of an offence and shall on conviction be liable to a fine not less than twenty five thousand rupees and not exceeding fifty thousand rupees or to imprisonment for a term not exceeding one month or to both such fine and imprisonment.”.

Amendment of section 224 of the principal enactment.

12. Section 224 of the principal enactment is hereby amended by the repeal of all the words from “to a fine not less than two thousand five hundred rupees” to the end of that section and the substitution of the words “to a fine not less than two thousand five hundred rupees and not exceeding seven thousand five hundred rupees, and on a second conviction to a fine not less than seven thousand five hundred rupees and not exceeding fifteen thousand rupees, and on a third or subsequent conviction to a fine not less than fifteen thousand rupees and not exceeding twenty five thousand rupees.”.

Amendment of the Second Schedule to the principal enactment.

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

- (1) by the repeal of item 10 thereof and the substitution therefor of the following item:—

“

	Section	Provision
10.	140, 141 and 142	- <i>Non-compliance with speed limits</i>
	141A(1)(a)	- <i>In excess of the speed limit prescribed up to twenty per centum</i>
	141A(1)(b)	- <i>In excess of twenty per centum and less than thirty per centum of the speed limit prescribed</i>
	141A(1)(c)	- <i>In excess of thirty per centum and less than fifty per centum of the speed limit prescribed</i>
	141A(1)(d)	- <i>In excess of fifty per centum of the speed limit prescribed</i>

”;

- (2) by the addition immediately after item 12 thereof, of the following new item which shall have the effect as item 12(a):—

“

	Section	Provision
12a	152A	Use of mobile phones while driving

”.

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

Sinhala text to prevail in case of inconsistency.

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

**SRI LANKA LAND RECLAMATION AND
DEVELOPMENT CORPORATION (AMENDMENT)
ACT, No. 11 OF 2019**

[Certified on 28th of June, 2019]

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*Sri Lanka Land Reclamation and
Development Corporation (Amendment)
Act, No. 11 of 2019*

[Certified on 28th of June, 2019]

L.D.—O. 54/2018

AN ACT TO AMEND THE SRI LANKA LAND RECLAMATION AND
DEVELOPMENT CORPORATION ACT, NO. 15 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 Sri Lanka Land Reclamation and Development Corporation (Amendment) Act, No. 11 of 2019.

Short title.
- 2.** The Long title to the Sri Lanka Land Reclamation and Development Corporation Act, No. 15 of 1968 (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for the words “Sri Lanka Land Reclamation and Development Corporation” wherever such words appear in the Long title of the words “Sri Lanka Land Development Corporation” .

Amendment of the Long title to Act, No. 15 of 1968.
- 3.** (1) In the principal enactment and any other written law there shall be substituted for the words “Sri Lanka Land Reclamation and Development Corporation” wherever such words appear in the principal enactment and other written law of the words “Sri Lanka Land Development Corporation”.

General amendment to the principal enactment and other written laws.

(2) Every reference to the “Sri Lanka Land Reclamation and Development Corporation” in any notice, notification, contract, communication or other document, shall be read and construed as a reference to the “Sri Lanka Land Development Corporation”.
- 4.** For the avoidance of doubts it is hereby declared that the “Sri Lanka Land Development Corporation” shall for all purposes be deemed to be the successor to the “Sri Lanka Land Reclamation and Development Corporation”.

Avoidance of doubts.

2

*Sri Lanka Land Reclamation and
Development Corporation (Amendment)
Act, No. 11 of 2019*

Sinhala text to
prevail in case
of
inconsistency.

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

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

**REVIVAL OF UNDERPERFORMING ENTERPRISES
OR UNDERUTILIZED ASSETS (REPEAL)
ACT, No. 12 OF 2019**

[Certified on 28th of June, 2019]

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*Revival of Underperforming Enterprises or
Underutilized Assets (Repeal) Act, No. 12 of 2019*

[Certified on 28th of June, 2019]

L. D.—O. 14/2018

AN ACT TO REPEAL THE REVIVAL OF UNDERPERFORMING
ENTERPRISES OR UNDERUTILIZED ASSETS ACT, NO. 43 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 Revival of Underperforming Enterprises or Underutilized Assets (Repeal) Act, No. 12 of 2019.

Short title.
- 2.** The Revival of Underperforming Enterprises or Underutilized Assets Act, No. 43 of 2011 (hereinafter referred to as the “repealed Act”) is hereby repealed.

Repeal of Act, No. 43 of 2011.
- 3.** For the avoidance of doubt it is hereby declared that, with effect from the date of commencement of this Act, the Underperforming Enterprises or Underutilized Assets, specified in Schedule I and Schedule II of the repealed Act vested in the Secretary to the Treasury for and on behalf of the State under section 2 of the repealed Act, and subsisting on the day immediately preceding the date of commencement of this Act, shall continue to be so vested in the Secretary to the Treasury for and on behalf of the State.

Avoidance of doubt.
- 4.** Notwithstanding the repeal of the Revival of Underperforming Enterprises or Underutilized Assets Act, No. 43 of 2011—

Savings.

 - (a) all acts done under or pursuant to the repealed Act for the purpose of control, administration, management and revival as the case may be, of Underperforming Enterprises or Underutilized Assets including the issuing of shares and the execution of all contracts, deeds, bonds, agreements, memorandums of understanding, guarantees,

2 *Revival of Underperforming Enterprises or
Underutilized Assets (Repeal) Act, No. 12 of 2019*

powers of attorney, grants of legal representation and other instruments of whatever nature and all licences, permits and approvals obtained in relation or in pursuance thereto, shall continue to be valid and in force in accordance with the terms thereof;

(b) unless otherwise determined by the Minister in charge of the subject of Finance with the concurrence of the Cabinet of Ministers—

(i) all property movable or immovable including any building and any fixtures or fittings which are part of such building and any building appurtenant thereto or treated as part and parcel thereof;

(ii) all liabilities incurred;

(iii) all rights, powers, privileges, authorities, obligations, duties and interests;

(iv) all books, accounts and documents,

pertaining to such Underperforming Enterprises or Underutilized Assets, subsisting on the day immediately preceding the date of commencement of this Act, shall be deemed to be the property movable or immovable, liabilities, rights, powers, privileges, authorities, obligations, duties, interest, books, accounts and documents of the person on whom it had been conferred or vested under or pursuant to the provisions of the repealed Act, as at the day immediately preceding the date of commencement of this Act;

(c) any claim or inquiry initiated under the repealed Act for compensation or an award made for compensation, pending settlement on the day

Revival of Underperforming Enterprises or 3
Underutilized Assets (Repeal) Act, No. 12 of 2019

immediately prior to the date of commencement of this Act shall be carried on and completed as if there had been no such repeal.

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

Sinhala text to prevail in case of any inconsistency.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



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

**COMPANIES (AMENDMENT)
ACT, No. 13 OF 2019**

[Certified on 06th of August, 2019]

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Companies (Amendment)
Act, No. 13 of 2019

[Certified on 06th of August, 2019]

L.D.—O. 70/2017

AN ACT TO AMEND THE COMPANIES ACT, NO. 07 OF 2007

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

1. This Act may be cited as the Companies (Amendment) Act, No. 13 of 2019. Short title.

2. Section 5 of the Companies Act, No. 07 of 2007 (hereinafter referred to as the “principal enactment”) is hereby amended in subsection (1) by the repeal of paragraphs (b) and (c) thereof and the substitution therefor, of the following:- Amendment of section 5 of Act, No. 07 of 2007.

- “(b) assign a unique number to that company as its company number;
- (c) issue a certificate of incorporation in the prescribed form to the applicant company; and
- (d) notify the general public, within sixty working days of the incorporation of a company, by a notice published in a daily newspaper which has circulation in Sinhala, English and Tamil languages which shall specify –
- (i) name of the company;
 - (ii) the company registration number; and
 - (iii) the address of the registered office of the company.”.

Amendment of section 9 of the principal enactment.

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

- (1) by the repeal of subsection (1) thereof; and
- (2) in subsection (3) thereof, by the substitution for the words “subsection (1) or (2)” of the words, “subsection (2)”.

Amendment of section 10 of the principal enactment.

4. Section 10 of the principal enactment is hereby amended by the repeal of paragraph (b) of subsection (1) thereof, and the substitution therefor, of the following paragraph:-

- “(b) a request is made to the Registrar to do so within three months of public notice of the name being given under section 5 (1) (d) and section 9 (2) by another company or by a registered overseas company, where –
- (i) the name of the first mentioned company is so similar to the name of the requesting company that it is likely to cause confusion; and
 - (ii) the requesting company was registered with its current name before the first mentioned company was registered with the name objected to; or”.

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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



**PARLIAMENT OF THE DEMOCRATIC
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SRI LANKA**

**WAGES BOARDS (AMENDMENT)
ACT, No. 14 OF 2019**

[Certified on 24th of September, 2019]

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Wages Boards (Amendment)
Act, No. 14 of 2019

[Certified on 24th of September, 2019]

L.D.—O. 55/2009

AN ACT TO AMEND THE WAGES BOARDS ORDINANCE

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

1. This Act may be cited as the Wages Boards (Amendment) Act, No. 14 of 2019. Short title.

2. Section 4 of the Wages Boards Ordinance (Chapter 136) (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 4 of Chapter 136.
 - (1) by the repeal of subsection (1) of that section and the substitution therefor of the following:—

“(1) Every employer who fails to comply with any provisions of this section of this Part shall be guilty of an offence and shall be liable to a fine not less than five thousand rupees and not exceeding ten thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.”;

 - (2) in subsection (2A) of that section—
 - (a) in paragraph (d) of that section by the substitution for the words “of such sum.” of the words “of such sum;”;

 - (b) by the addition immediately after paragraph (d) of that section of the following new paragraph:—

“(e) where such sum is in arrears for a period exceeding twenty four

months a surcharge of ten *per centum* thereafter for each period of twelve months.”.

Amendment of section 41 of the principal enactment.

3. Section 41 of the principal enactment is hereby amended in subsection (2) thereof by the substitution for the words “four years commencing” of the words “six years commencing”.

Amendment of section 44 of the principal enactment.

4. Section 44 of the principal enactment is hereby amended by the repeal of subsections (1) and (2) of that section and the substitution therefor of the following:—

“(1) Every employer who fails to pay wages to any worker in accordance with the provisions of section 21, shall be guilty of an offence and shall be liable to a fine not less than five thousand rupees and not exceeding ten thousand rupees or to imprisonment of either description of a term not exceeding one year or to both such fine and imprisonment, and shall in addition, be liable to a fine not exceeding five hundred rupees for each day on which the offence is continued after conviction.

(2) Every employer, other than an employer referred to in subsection (1), who fails to make to any worker, any payment in accordance with any provision of this Part of this Ordinance or of any decision of a Wages Board, shall be guilty of an offence and shall be liable to a fine not less than five thousand rupees and not exceeding ten thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment, and to a fine not exceeding five hundred rupees for each day on which the offence is continued after conviction.”.

Amendment of section 46 of the principal enactment.

5. Section 46 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the words “during the four years”, of the words “during the six years”.

- 6.** Section 48 of the principal enactment is hereby amended in subseciton (1) of that section by the substitution for the words “to a fine not exceeding five hundred rupees”, of the words “to a fine not exceeding five thousand rupees”.
Amendment of section 48 of the principal enactment.
- 7.** Section 50 of the principal enactment is hereby amended in subseciton (1) of that section by the substitution for the words “not exceeding two hundred rupees” and the words “not exceeding three months”, of the words “not less than five thousand rupees” and the words “not exceeding twelve months” respectively.
Amendment of section 50 of the principal enactment.
- 8.** Section 51 of the principal enactment is hereby amended by the substitution for the words “not exceeding two hundred rupees” and the words “not exceeding three months” of the words “not less than five thousand rupees” and the words “not exceeding twelve months” respectively.
Amendment of section 51 of the principal enactment.
- 9.** Section 56 of the principal enactment is hereby amended in paragraph (c) of that section by the substitution for the words “within four years” of the words “within six years”.
Amendment of section 56 of the principal enactment.
- 10.** Section 58 of the principal enactment is hereby amended in the succeeding paragraph to paragraph (g) of that section by the substitution for the words “not exceeding one thousand rupees” and the words “not exceeding six months” of the words “not less than twenty thousand rupees” and the words “not exceeding twelve months” respectively.
Amendment of section 58 of the principal enactment.
- 11.** Section 59A of the principal enactment is hereby repealed and the following section substituted therefor:—
Replacement of section 59A of the principal enactment.
- “Special provisions applicable where persons are employed to do work under any arrangement made by way of trade or any commercial purpose.
- 59A. (1) Where any person enters into a contract or work arrangement expressed or implied, for trade or commercial purposes, with any other person who employs workers to perform work on a regular basis which is an integral part of the business activities of the first-mentioned person, and such person employs workers pursuant to the said contract or work arrangement, such contract or work arrangement shall be deemed to amount to a disguised employment relationship.

(2) Where the Commissioner is of opinion, after due inquiries, that such contract or work arrangement is in fact a disguised employment relationship, he shall in writing direct the first-mentioned person referred to in subsection (1) to refrain from having such work executed under such contract or arrangement in respect of such workers.

(3) A person who has been aggrieved by a directive made in respect of him under subsection (2) shall have a right to appeal to the Special Employment Relations Tribunal established under section 59B of this Act within thirty days of the making of such directive. The Special Employment Relations Tribunal shall thereafter summon all parties concerned and make a determination affirming or rejecting the directive of the Commissioner.”.

Insertion of sections 59B, 59C, and 59D in the principal enactment.

12. The following new sections are hereby inserted immediately after section 59A of the principal enactment and shall have effect as sections 59B, 59C, and 59D of that enactment:—

“Establishment of a Special Employment Relations Tribunal.

59B. (1) There shall be established a Special Employment Relations Tribunal (hereinafter referred to as the “Tribunal”) for the determination of appeals made to the Tribunal by any aggrieved person in terms of subsection (3) of section 59A.

(2) The Tribunal shall consist of three members to be appointed by the Minister. The three members shall be persons who have a wide knowledge and experience in the field of labour laws and one of whom shall be a retired Judge of the Supreme Court or Court of Appeal of Sri Lanka who shall be the Chairman of the Tribunal.

(3) A member of the Tribunal shall hold office for a period of three years and shall be eligible for reappointment.

(4) Any member may at any time resign his office by a letter to that effect addressed to the Minister and such resignation shall take effect upon it being accepted by the Minister.

(5) Where any member vacates office by resignation, removal, death or of his inability to hold office on account of ill health or absence from Sri Lanka or any other cause, the Minister may appoint another person in his place in terms of subsection (2) and the person so appointed may hold office for the unexpired period of term of office of the member whom he succeeds.

(6) The Minister may remove any member of the Tribunal for reasons assigned.

(7) There shall be a Secretary to the Tribunal appointed by the Commissioner who shall maintain records of the Tribunal and attend to any such other work assigned to him by the Tribunal and the Commissioner relating to functions of the Tribunal.

(8) The Commissioner may appoint such officers and servants as are necessary to facilitate the functions of the Tribunal.

(9) The members of the Tribunal may be paid such remuneration as the Minister may determine in consultation with the Minister in charge of the subject of Finance.

Power and functions of the Tribunal.

59c. (1) The Tribunal shall hear and determine the appeals made to it under subsection (3) of section 59A in accordance with the principles of natural justice. On making a decision, the Chairman shall forthwith inform the Commissioner and the parties of the decision.

(2) The Commissioner shall upon receipt of the decision of the Tribunal, cause the same to be published in the *Gazette*.

(3) The decision shall be effective as between the parties with effect from the date of publication in the *Gazette* or from such date as may be specified therein.

Power of Commissioner to institute action.

59d. Any person who fails to comply with any directive of the Commissioner under section 59A, or does any act in violation of the decision of the Tribunal under section 59c shall be guilty of an offence and the Commissioner or any person duly authorized by him in writing may institute action in the appropriate Magistrate's Court against such person."

Sinhala text to prevail in case of inconsistency.

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

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, No. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
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**SHRAMA VASANA FUND (AMENDMENT)
ACT, No. 15 OF 2019**

[Certified on 30th of September, 2019]

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Shrama Vasana Fund (Amendment)
Act, No. 15 of 2019

[Certified on 30th of September, 2019]

L.D.—O. 42/2013

AN ACT TO AMEND THE SHRAMA VASANA FUND
ACT, NO. 12 OF 1998

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

- 1.** This Act may be cited as the Shrama Vasana Fund (Amendment) Act, No. 15 of 2019. Short title.
- 2.** Section 4 of the Shrama Vasana Fund Act, No. 12 of 1998 (hereinafter referred to as the “principal enactment”) is hereby amended— Amendment of section 4 of Act, No. 12 of 1998.
- (1) by the repeal of subsection (1) thereof and the substitution therefor of the following subsection:—
- “(1) The Board shall consist of—
- (a) the following *ex-officio* members, namely—
- (i) the Secretary to the Ministry of the Minister who shall be the Chairman of the Board (hereinafter referred to as the “Chairman”);
- (ii) Commissioner General of Labour;
- (iii) General Manager of the National Lotteries Board;
- (b) one representative of the Ministry of Finance, nominated by the Minister to

2 *Shrama Vasana Fund (Amendment)*
 Act, No. 15 of 2019

whom the subject of Finance is assigned; and

(c) four persons appointed by the Minister (hereinafter referred to as the “appointed members”).”.

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

“(1A) Every *ex-officio* member of the Board shall hold office in the Board as long as such member holds the office by virtue of which he has been appointed to the Board.”; and

(3) in paragraph (b) of subsection (3) thereof, by the substitution for the words, “three members.” of the words, “five members.”.

Amendment of section 6 of the principal enactment.

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

(1) in paragraph (a) thereof by the substitution for the word, “employees;” of the words, “employees and their dependents;”;

(2) in paragraph (c) thereof by the substitution for the word, “employees” of the words, “employees and their dependents”; and

(3) by the addition immediately after paragraph (f) thereof of the following new paragraph:—

“(g) (i) to provide financial relief to obtain legal assistance to employees where proceedings in respect of termination of employment of an employee or of an industrial dispute, is initiated or pending under the provisions of any written law, before the Commissioner General of

Shrama Vasana Fund (Amendment) 3
Act, No. 15 of 2019

Labour, a Labour Tribunal, an Arbitrator
or an Industrial Court or any court of law;

(ii) the financial relief provided under this
paragraph shall be subject to such
amount as the Board may determine by
rules made in that behalf under this Act.”.

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

Amendment of
section 7 of the
principal
enactment.

(1) by the repeal of paragraph (a) of subsection (2)
thereof and the substitution therefor of the following
paragraph:—

“(a) to arrange for the conduct of a Lottery by
the National Lotteries Board with the
inclusion of the expression “Shrama
Vasana” on the face of each such lottery
ticket;” and

(2) by the addition immediately after paragraph (i) of
subsection (2) of that section of the following
paragraph:—

“(ia) to promote and propagate the lotteries
conducted for the purpose of the Fund;
and”.

5. Section 13 of the principal enactment is hereby
amended—

Amendment of
section 13 of the
principal
enactment.

(1) by the repeal of subsection (2) thereof and the
substitution therefor of the following subsection:—

“(2) Every such Lottery shall have the
expression “Shrama Vasana” on the face of each
Lottery ticket and shall be conducted in such
manner as may be agreed between the Fund and
the Lotteries Board.”; and

4 *Shrama Vasana Fund (Amendment)*
 Act, No. 15 of 2019

- (2) by the insertion immediately after subsection (2) thereof of the following subsection:—

“(2A) The agreement between the Fund and the Lotteries Board shall include provisions, *inter alia* pertaining to –

- (a) the prizes to be awarded in the Lotteries so conducted;
- (b) the manner in which unclaimed prizes at such Lotteries are to be dealt with; and
- (c) the amount to be allocated from the proceeds of the Lotteries to the Fund.”.

Amendment of section 14 of the principal enactment.

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

- (1) by the renumbering of that section as subsection (1) of section 14;
- (2) in the renumbered subsection (1) by the substitution for the words, “performance of its powers, duties and functions.” of the words, “performance of its powers, duties and functions or any matter for which rules are authorized or required by this Act to be made.”; and
- (3) by the addition immediately after subsection (1) of that section of the following subsections:—

“(2) Every rule made by the Board shall be approved by the Minister, and 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.

(3) Every rule made under subsection (1) shall, not later than six months after its publication in the *Gazette*, be brought before Parliament for approval. Any rule which is not so approved shall be deemed to be rescinded as from the date of such disapproval but without prejudice to anything previously done thereunder.

(4) A notification of the date of such disapproval shall be published in the *Gazette*.”.

7. Section 21 of the principal enactment is hereby amended by the insertion immediately after the definition of the expression “Local Authority” of the following definition:—

Amendment of section 21 of the principal enactment.

“ “Minister” means, the Minister to whom the implementation of the provisions of this Act is assigned;”.

8. 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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



**PARLIAMENT OF THE DEMOCRATIC
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SRI LANKA**

**PEOPLE'S BANK (AMENDMENT)
ACT, No. 16 OF 2019**

[Certified on 30th of September, 2019]

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People's Bank (Amendment)
Act, No. 16 of 2019

[Certified on 30th of September, 2019]

L.D.—O. 46/2013

AN ACT TO AMEND THE PEOPLE'S BANK ACT, NO. 29 OF 1961

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

1. This Act may be cited as the People's Bank (Amendment) Act, No. 16 of 2019. Short title.

2. Section 12 of the People's Bank Act, No. 29 of 1961 (hereinafter referred to as the "principal enactment") is hereby repealed and the following section is substituted therefor:- Replacement of section 12 of Act, No. 29 of 1961.

“Capital. 12. (1) The authorised capital of the Bank shall be rupees fifty billion divided into one billion shares of rupees fifty each.

(2) (a) The Minister may, in the interest of the national economy, where he deems it necessary, determine from time to time the paid-up capital of the Bank, by Order published in the *Gezette*.

(b) No Order made by the Minister under this section shall take effect unless such Order is approved by Parliament within ninety days from the date of its publication in the *Gazette*.”.

3. Section 20 of the principal enactment is hereby repealed and the following section is substituted therefor:- Replacement of section 20 of the principal enactment.

“The Bank to raise money by the issue of debentures for granting medium term and long term loans. 20. (1) The Bank may, in addition to the sums lent by the Government to the Bank under section 15(1)(b) for the purpose of granting long term or medium term loans, raise with the approval of the Minister any sums by the issue of debentures.

(2) For the purpose of subsection (1) “Minister” means, the Minister assigned the subject of Finance.”.

Amendment of section 21 of the principal enactment.

4. Section 21 of the principal enactment is hereby amended, as follows:-

- (1) by the repeal of paragraph (b) of subsection (1) of that section; and
- (2) by the repeal of subsection (3) of that section.

Amendment of section 43 of the principal enactment.

5. Section 43 of the principal enactment is hereby amended, by the repeal of paragraph (c) of subsection (2) of that section.

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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
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**PARLIAMENT OF THE DEMOCRATIC
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**MERCHANT SHIPPING (AMENDMENT)
ACT, No. 17 OF 2019**

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*Merchant Shipping (Amendment)
Act, No. 17 of 2019*

[Certified on 02nd of October, 2019]

L.D.—O 31/2015

AN ACT TO AMEND THE MERCHANT SHIPPING
ACT, No. 52 OF 1971

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

- 1.** This Act may be cited as the Merchant Shipping (Amendment) Act, No. 17 of 2019. Short title.
- 2.** Section 138 of the Merchant Shipping Act, No. 52 of 1971 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:- Amendment of section 138 of the Act, No. 52 of 1971.

 - (1) by the repeal of the definition of the expression “certificate”, and the substitution therefor, of the following new definitions:-

““certificate” means, unless the context otherwise requires, the appropriate certificate as may be prescribed by regulations made under sections 143(1)(b), 144(1)(b), 144(2)(a) and 144(2)(b) as the case may be;

“Code” means, an instrument made mandatory under the Convention;”;
 - (2) by the repeal of the definition of the expression “Convention”, and the substitution therefor, of the following new definition:-

““Convention” means, the International Convention for the Safety of Life at Sea 1974, Protocol of 1988 as amended from time to time and any subsequent amendment made to such Protocol;”;

*Merchant Shipping (Amendment)
Act, No. 17 of 2019*

- (3) by the repeal of the definition of the expression “country to which the Convention applies”, and the substitution therefor, of the following new definition:-

“ “country to which the Convention applies” means, a country which is a contracting Government to the Convention;”;

- (4) by the repeal of the definition of the expression “international voyage”, and the substitution therefor, of the following new definition:-

“ “international voyage” means, a voyage between-

- (a) a port or place in Sri Lanka and a port or place outside Sri Lanka; or
- (b) a port or place in a country to which the Convention applies (other than Sri Lanka) and a port or place in any other country or territory which is outside Sri Lanka.”.

Amendment of section 139 of the principal enactment.

3. Section 139 of the principal enactment is hereby amended as follows:-

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

“(1) The Minister may make such regulations as he considers necessary or expedient to give effect to and for the better carrying out of the objectives and purposes of this Part and to provide generally for safety at sea and for carrying out the Convention, Codes, any Annexes thereto and any amendments or replacements of such Convention, Codes and Annexes and for ships which the

Convention does not apply and without prejudice to the generality of such powers, may make regulations making provision for-

- (a) inspection and survey of ships, surveys of life-saving appliances and other equipment of ships, surveys of radio installation of ships, surveys of structure, machinery, equipment and other installations of ships;
- (b) maintenance of condition after survey;
- (c) issue or endorsement of certificates and their availability, acceptance and qualification;
- (d) forms of certificates and records of equipment;
- (e) duration and validity of certificates issued by Sri Lanka or issued by countries to which the Convention applies;
- (f) control of ships when in a port or place in Sri Lanka;
- (g) safety investigation of marine casualties and marine incidents;
- (h) the construction-structure, subdivision and stability of ships, their equipment, machinery and electrical installations, fire protection, fire detection and fire extinction in passenger and cargo ships, the general fire precautions to be taken on such ships and special fire safety measures for passenger ships;

*Merchant Shipping (Amendment)
Act, No. 17 of 2019*

- (i) life-saving appliances and arrangements;
- (j) radio communications;
- (k) safety of navigation;
- (l) carriage of cargoes and oil fuels;
- (m) carriage of dangerous goods;
- (n) nuclear ships;
- (o) management of safe operation of ships;
- (p) safety measures for high-speed craft;
- (q) special measures to enhance maritime safety;
- (r) special measures to enhance maritime security;
- (s) additional safety measures for bulk carriers;
- (t) safety measures for ships operating in Polar waters;
- (v) such other matters as are to be prescribed under this part;
- (w) any other matters generally giving effect to the provisions of the Convention, Codes, any Annex thereto and any amendments of such Convention, Codes and Annexes.”.

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- (2) in subsection (2) thereof, by the substitution for the words “fine not exceeding one thousand rupees.”, of the words “a fine not exceeding five million rupees.”.

4. Section 143 of the principal enactment is hereby amended as follows:-

Amendment of section 143 of the principal enactment.

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

“(1) (a) A passenger ship shall not go to sea on a voyage to or from any port or place in Sri Lanka, or a Sri Lanka passenger ship shall not perform an international voyage, unless there are in force Convention certificates prescribed by regulations.

(b) A passenger ship shall not perform a voyage from one port or place in Sri Lanka to another such port or place in Sri Lanka, unless there are in force certificates as may be prescribed by regulations.”;

- (2) in subsection (2) thereof, by the substitution for the words “a fine not exceeding two hundred rupees”, of the words “a fine not exceeding one million rupees”.

5. Section 144 of the principal enactment is hereby amended as follows:-

Amendment of section 144 of the principal enactment.

- (1) by the repeal of subsections (1) and (2) thereof and the substitution therefor, of the following:-

“(1)(a) A cargo ship to which the Convention applies shall not go to sea on a voyage to or from any port or place in Sri Lanka, or a Sri Lanka cargo ship which the Convention applies shall not perform an international voyage, unless there are in force Convention certificates as may be prescribed by regulations.

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(b) A cargo ship of five hundred tons gross or more shall not perform a voyage from one port or place in Sri Lanka to another such port or place in Sri Lanka, unless there are in force certificates as may be prescribed by regulations.

(2)(a) A cargo ship to which the Convention does not apply shall not go to sea on a voyage to or from any port or place in Sri Lanka, or a Sri Lanka cargo ship which the Convention does not apply shall not perform an international voyage, unless there are in force valid certificates as may be prescribed by regulations and in the case of foreign ships, such equivalent certificates as are acceptable to the Director -General of Merchant Shipping.

(b) A cargo ship of less than five hundred tons gross shall not perform a voyage from one port or place in Sri Lanka to another such port or place in Sri Lanka, unless there are in force certificates as may be prescribed by regulations.”;

- (2) in subsection (3) thereof, by the substitution for the words “a fine not exceeding one thousand rupees.”, of the words “a fine not exceeding five million rupees.”.

Amendment of section 152 of the principal enactment.

6. Section 152 of the principal enactment is hereby amended, in subsection (2) thereof, by the substitution for the words “a fine not exceeding five hundred rupees.”, of the words “a fine not exceeding three million rupees.”.

Amendment of section 155 of the principal enactment.

7. Section 155 of the principal enactment is hereby amended, by the substitution for the words “a fine not exceeding three thousand rupees.”, of the words “a fine not exceeding ten million rupees.”.

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8. Section 156 of the principal enactment is hereby amended, by the substitution for the words “a fine not exceeding three thousand rupees,” of the words “a fine not exceeding ten million rupees.”

Amendment of section 156 of the principal enactment.

9. Section 157 of the principal enactment is hereby amended as follows:-

Amendment of section 157 of the principal enactment.

- (1) by the repeal of subsections (1) and (2) thereof and the substitution therefor, of the following:-

“(1) Every ship shall be supplied with such information as prescribed by regulations as is necessary for the accurate guidance as to the stability of the ship under varying conditions of service.

(2) The information required by subsection (1) shall be in such form as may be prescribed.”;

- (2) in subsection (4) thereof, by the substitution for the words “a fine not exceeding one thousand rupees.”, of the words “a fine not exceeding five million rupees.”.

10. Section 158 of the principal enactment is hereby amended, in subsection (2) thereof, by the substitution for the words “a fine not exceeding two hundred rupees.”, of the words “a fine not exceeding one million rupees.”.

Amendment of section 158 of the principal enactment.

11. Section 159 of the principal enactment is hereby amended by the repeal of the definitions of the expressions “Convention certificate”, “Convention of 1966” and “Convention country”, and the substitution therefor, of the following new definitions:—

Amendment of section 159 of the principal enactment.

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““Convention” means, the International Convention on Load Lines, 1966 as modified by the Protocol of 1988 and any subsequent amendment made to such Protocol;

“Convention certificate” means, a certificate issued in accordance with the Convention;

“Convention country” means, a country which is a contracting Government to the Convention;”.

Amendment of section 160 of the principal enactment.

12. Section 160 of the principal enactment is hereby amended by the repeal of paragraph (b) thereof and the substitution therefor, of the following:-

“(b) new ships of less than 24 metres in length;”.

Replacement of sections 161 and 162 of the principal enactment.

13. Sections 161 and 162 of the principal enactment are hereby repealed and the following substituted therefor:-

“Definition of “international voyage”.

161. In this part, “international voyage” means a voyage between-

- (a) a port or place in Sri Lanka and a port or place outside Sri Lanka; or
- (b) a port or place in a country to which the Convention applies (other than Sri Lanka) and a port or place in any other country or territory which is outside Sri Lanka:

Provided, however, that in determining the ports between which a voyage is made no account shall be taken of any deviation by a ship from her intended voyage which is due solely to such stress of weather or such other circumstance that neither the master nor owner

nor the charterers (if any) of the ship could have prevented or forestalled.

Definition of “new ship”. 162. In this part, “new ship” means, a ship the keel of which is laid, or which is at a similar stage of construction, on or after—

- (a) in the case of a ship registered in or flying the flag of a country which is a Convention country (other than Sri Lanka), the date from which the present Convention has entered into force; and
- (b) in the case of any other ship, the 25th day of January, 1972.”.

14. Section 164 of the principal enactment is hereby amended as follows:-

Amendment of section 164 of the principal enactment.

(1) in subsection (1) thereof-

- (a) by the substitution for the words and figures “Convention of 1966,”, of the word “Convention,”.
- (b) by the repeal of paragraphs (h), (i), and (j) thereof and the substitution therefor of the following:-

- “(h) control of ships when in a port of Sri Lanka;
- (i) safety investigation of marine casualties and marine incidents;
- (j) forms of certificates;
- (k) verification of compliance;

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- (l) zones, areas and seasonal periods;
- (m) repairs, alterations and modification;
- (n) maintenance of condition after survey;
- (o) the validity of certificates issued under the Convention by Governments, other than the Government of Sri Lanka;
- (p) such other matters as are to be prescribed under this Part; and
- (q) any other matters generally for giving effect to the provisions of the Convention and any amendments of such Convention.”.

- (2) in subsection (2) thereof, by the substitution for the words “a fine not exceeding one thousand rupees.”, of the words “a fine not exceeding five million rupees.”.

Amendment of section 166 of the principal enactment.

15. Section 166 of the principal enactment is hereby amended, in subsection (2) thereof, by the substitution for the words “a fine not exceeding two hundred rupees.”, of the words “a fine not exceeding one million rupees.”.

Amendment of section 167 of the principal enactment.

16. Section 167 of the principal enactment is hereby amended, in subsection (2) thereof, by the substitution for the words “a fine not exceeding five hundred rupees, and to an additional fine (not exceeding ten rupees for each centimeter by which the load line is submerged) as the court may think fit to impose.”, of the words “a fine not exceeding three million rupees, and to an additional fine (not exceeding one hundred thousand rupees for each centimeter by which the load line is submerged) as the court may think fit to impose.”.

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- 17.** Section 168 of the principal enactment is hereby amended, by the substitution for the words “a fine not exceeding two hundred rupees.”, of the words “a fine not exceeding one hundred thousand rupees.”. Amendment of section 168 of the principal enactment.
- 18.** Section 169 of the principal enactment is hereby amended, in paragraph (a) of subsection (2) thereof, by the substitution for the words and figures “International Load Line Certificate (1966);”, of the words “International Load Line Certificate;”. Amendment of section 169 of the principal enactment.
- 19.** Section 171 of the principal enactment is hereby amended, in subsection (3) thereof, by the substitution for the words “a fine not exceeding two hundred rupees.”, of the words “a fine not exceeding one hundred thousand rupees.”. Amendment of section 171 of the principal enactment.
- 20.** Section 172 of the principal enactment is hereby amended, in subsection (2) thereof, by the substitution for the words “a fine not exceeding fifty rupees.”, of the words “a fine not exceeding fifty thousand rupees.”. Amendment of section 172 of the principal enactment.
- 21.** Section 173 of the principal enactment is hereby amended, by the substitution for the words and figures “International Load Line Certificate (1966);”, of the words “International Load Line Certificate;”. Amendment of section 173 of the principal enactment.
- 22.** Section 174 of the principal enactment is hereby amended, in subsection (3) thereof, by the substitution for the words “a fine not exceeding two hundred rupees.”, of the words “a fine not exceeding one hundred thousand rupees.”. Amendment of section 174 of the principal enactment.
- 23.** Section 175 of the principal enactment is hereby amended, in subsection (2) thereof, by the substitution for the words “fine not exceeding five hundred rupees, and to an additional fine (not exceeding ten rupees for each complete centimeter whereby the load line is submerged) as the court may think fit to impose.”, of the words “fine not Amendment of section 175 of the principal enactment.

exceeding three million rupees, and to an additional fine (not exceeding one hundred thousand rupees for each complete centimeter whereby the load line is submerged) as the court may think fit to impose.”.

Amendment of section 205 of the principal enactment.

24. Section 205 of the principal enactment is hereby amended as follows:-

- (1) in subsection (1) thereof, by the substitution for the words “any port in Sri Lanka”, of the words “any port or place in Sri Lanka”;
- (2) in subsection (2) thereof, by the substitution for the words “any port in Sri Lanka”, of the words “any port or place in Sri Lanka”; and
- (3) in subsection (4) thereof, by the substitution for the words “a fine not exceeding three thousand ”, of the words “a fine not exceeding five million”.

Amendment of section 207 of the principal enactment.

25. Section 207 of the principal enactment is hereby amended, by the repeal of subsection (1) thereof and the substitution therefor, of the following:-

“(1) Where any ship, being in any port or place in Sri Lanka, is found to be an unsafe ship, is, by reason of the defective condition of such ship’s hull, equipment, machinery, under manning, overloading or improper loading or any other condition that is not consistent with the Conventions as may be provided in this Act, unfit to proceed to sea without serious damage to human life having regard to the nature of the service for which such ship is intended, such ship may be provisionally detained for the purpose of being surveyed or rectifying the defective condition and either finally detained or released under section 208.”.

Insertion of Part VIIA to the principal enactment.

26. The following new Part is hereby inserted immediately after PART VII of the principal enactment, and shall have effect as PART VIIA of that enactment :-

“PART VII A

PREVENTION OF POLLUTION FROM SHIPS

Chapter 1

PRELIMINARY

- Interpretation. 215A. In this Part–
- “certificate” means a certificate issued in accordance with the Convention;
- “Convention” means International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 and the Protocol of 1997 and any subsequent amendment made to such Protocols;
- “country to which the Convention applies” means a country which is a contracting Government to the Convention;
- “International voyage” means a voyage between–
- (a) a port or place in Sri Lanka and a port or place outside Sri Lanka; or
 - (b) a port or place in a country to which the Convention applies (other than Sri Lanka) and a port or place in any other country or territory which is outside Sri Lanka; and
- “ship” means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms.

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Regulations. 215B. The Minister may make regulations in respect of—

- (a) any matter relating to the issuance of certificates and, recognition of certificates issued under the authority of a country to which the Convention applies;
- (b) the form of certificates to be issued under this Part; and
- (c) such other matters as are to be prescribed under this Part.

Chapter 2

CERTIFICATE

Prohibition on ships sailing without certificate issued under this Part.

215c. (1) A ship shall not go to sea on a voyage to or from any port or place in Sri Lanka or any Sri Lanka ship shall not perform an international voyage, unless there is in force in respect of the ship a certificate issued under this Part.

(2) If any ship goes or attempts to go to sea in contravention of subsection (1), the owner or the master of the ship shall be guilty of an offence and on conviction thereof, shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred thousand rupees or to both such imprisonment and fine.

Variation of certificate on amendment of Convention.

215D. In the event of any amendment or replacement of any provisions of the Convention affecting the nature of the certificate referred to in subsection (1) of section 215c, the Minister may by Order direct that such subsection shall have effect as if there were substituted therefor references to such other certificate, appropriate to the Convention as so amended, as the Minister may by such Order prescribe.

Production of certificate. 215E. The master of every ship shall produce to the relevant officer, at the time a clearance for the ship is demanded for voyage, the certificate referred to in subsection (1) of section 215c, to be in force when the ship goes to sea and, a clearance shall not be granted and the ship may be detained, until the said certificate is so produced.

Survey, examination or investigation. 215 F. (1) The owner, the master or the agent of a ship requiring the issue of a certificate referred to in subsection (1) of section 215c shall apply for the ship to be surveyed, examined or investigated by the relevant authority to the effect that the condition of the ship and its equipment are in good order.

(2) The relevant authority conducting the survey, examination or investigation shall, if he is satisfied that the condition of the ship and its equipment are in good order, complete a declaration of survey, examination or investigation in a form prescribed by regulation.

(3) The declaration of survey, examination or investigation shall be sent forthwith by the relevant authority to the Director-General of Merchant Shipping.

Issue of certificate. 215G. Upon receipt of the declaration of survey, examination or investigation of a ship referred to in section 215F, the Director-General of Merchant Shipping shall, if satisfied that the relevant provisions of this Part and the regulations made thereunder have been complied with, issue such certificate to such ship.

Period of validity of certificate. 215H. A certificate shall not remain in force—
(a) for longer than such period as may be specified in the certificate, or as may be prescribed; or

- (b) after notice has been given to the owner, master or agent that the Director-General of Merchant Shipping has cancelled the certificate under section 215i and shall not remain in force during the period of any suspension made under such section.

Cancellation or suspension of certificate.

215i. (1) The Director-General of Merchant Shipping may cancel or suspend a certificate relating to any ship where he has reason to believe that—

- (a) any declaration of survey, examination or investigation on which the certificate was founded has been made fraudulently or erroneously;
- (b) the certificate has been issued on false or erroneous information; or
- (c) since the making of the declaration of survey, examination or investigation, the condition of the ship or its equipment has sustained any damage, or is otherwise insufficient.

(2) In every such case, the Director-General of Merchant Shipping may require the owner to have the ship again surveyed, examined or investigated and to obtain a further declaration of survey, examination or investigation before the reissue of the certificate or the grant of a fresh certificate in lieu thereof.

Information relating to cancellation or suspension.

215j. The Director-General of Merchant Shipping shall inform the owner, master or agent of the ship that the certificate has been cancelled or suspended.

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Recognition
of certificate
issued
outside
Sri Lanka.

215κ. (1) A certificate issued under the authority of a country to which the Convention applies to the effect that the condition of the ship and its equipment are in good order, shall be accepted by the Director-General of Merchant Shipping and, regarded for all purposes covered by the Convention as having the same validity as a certificate issued by such country.

(2) Every ship shall be required to hold the certificate referred to in subsection (1), while in the ports or offshore terminals under the jurisdiction of Sri Lanka.

(3) Where the ship does not carry a valid certificate, the Director-General of Merchant Shipping shall take such steps to ensure that the ship shall not sail until it may proceed to sea without presenting an unreasonable threat of harm to the marine environment:

Provided, the Director-General of Merchant Shipping may grant such a ship permission to leave the port or offshore terminal for the purpose of proceeding to the nearest appropriate repair yard available.”.

27. The following new sections are hereby inserted immediately after section 321 of the principal enactment, and shall have effect as sections 321A, 321B and 321C of that enactment:—

Insertion of new sections 321A, 321B and 321C in the principal enactment.

“Implementing standards.

321A. (1) The Director-General of Merchant Shipping may, with the concurrence of the Minister issue such implementing standards for the compliance with the minimum technical standards of the provisions of any Convention or Protocol as provided in this Act, as may be

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required for the implementation of the provisions of this Act or regulations made thereunder.

(2) It shall be the duty of all persons in respect of whom any implementation standards are issued under subsection (1) to comply with the same.

Imposition of
a penalty.

321B. (1) Where the Director- General of Merchant Shipping has sufficient evidence to believe that any person has acted in contravention of the provisions of this Act or any regulation, rule, order or direction made thereunder, he may—

- (a) on the recommendation of the panel appointed under section 321D of this Act; and
- (b) in the case of a first offender, having regard to the circumstances in which the offence was committed,

if it is appropriate to impose a penalty, cause a notice to be served in a form prescribed by regulation on such person, requiring him to appear within a period of 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 this Act or any regulation, rule, Order or direction made thereunder within a period of one month of the date of receipt of such notice, the Director-General of Merchant Shipping 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 a period of 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 of Merchant Shipping may proceed forthwith to hear and decide the matter.

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

(4) Where the Director-General of Merchant Shipping imposes a monetary penalty on any person under this section for any contravention of the provisions of this Act or any regulation made thereunder, he shall cause the decision to be served on such person, in a form prescribed by regulation.

(5) Any person aggrieved by the decision of the Director-General of Merchant Shipping, may appeal to the Secretary of the Ministry of the Minister to whom implementation of the provisions of this Act is assigned, (hereinafter referred to as the “Secretary”) within a period of 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 of Merchant Shipping and the circumstances in which the offence was committed, and may either—

- (a) allow, alter or vary the decision of the Director-General of Merchant Shipping and direct the Director-General of Merchant Shipping to act accordingly; or

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(b) disallow the appeal for reasons stated therein.

(7) The Director-General of Merchant Shipping shall comply with any direction issued to him by the Secretary within a period of 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.

(10) 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.

Recovery of
penalty.

321c. (1) Upon the lapse of one month of the decision made under subsections (4) or (10) of section 321b, where the person on whom such decision is made makes default in the payment of penalty, the Director-General of Merchant Shipping shall issue a Certificate in a form determined by the Director-General of Merchant Shipping together with certified copy of the notice and decision served on such person to the Magistrate having jurisdiction in the division in which the violation occurred.

(2) The Magistrate shall, thereupon, summon such person who makes default in the payment of penalty under subsection (1) 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 in default of sufficient cause being shown, such sum shall be deemed to be a fine imposed by a sentence of the Magistrate on such person for an offence punishable with imprisonment and the provisions of section 291 (except paragraphs (a), (d) and (i) of subsection (1) thereof) 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.

Panel of Experts.

321D. (1) There shall be appointed by the Director-General of Merchant Shipping in consultation with the Secretary a panel of experts consisting of five persons who have the knowledge and experience in the fields of marine navigation, marine engineering, administration, law or accountancy.

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

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

Insertion of new section 323A in the principal enactment.

28. The following new section is hereby inserted immediately after section 323 of the principal enactment, and shall have effect as section 323A of that enactment:—

“Power of exemption.

323A. The Director General of Merchant shipping may exempt such ship or class or description of ship from any specified requirement contained in or prescribed in regulations made under this Act, if he is satisfied that such exemption is within the scope of the relevant Convention.”.

Replacement of section 330 of the principal enactment.

29. Section 330 of the principal enactment is hereby repealed and the following substituted therefor:—

“Application of international conventions.

330. Until other provision is made therefor by regulations made under this Act—

(a) the provisions of the International Convention for the Safety of Life at Sea 1974, Protocol of 1988 as amended from time to time and any subsequent amendment made to such Protocol shall have effect as regulations made under section 139, and shall take effect with such modification as may be necessary to adapt them to the circumstances of Sri Lanka; and any reference therein to the “Administration” shall be construed as a reference to the Director General of Merchant Shipping, or to such other person or officer as the Director-General of Merchant Shipping may for such purposes appoint;

(b) the provisions of the International Convention on Load Lines, 1966 as modified by the Protocol of 1988 and any subsequent amendment made to

such Protocol, shall have effect as regulations made under Part VI of this Act, and shall take effect with such modification as may be necessary to adapt them to the circumstances of Sri Lanka;

- (c) the provisions of the International Convention on Tonnage Measurement of Ships, 1969 shall have effect as regulations made under section 44, and shall take effect with such modification as may be necessary to adapt them to the circumstances of Sri Lanka; and
- (d) the provisions of the International Convention for the prevention of pollution from ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 and any subsequent amendment made to such Protocols shall have effect as regulations made under section 215B, and shall take effect with such modification as may be necessary to adapt them to the circumstances of Sri Lanka.”.

30. Notwithstanding the repeal of the definition of the expression “Convention” in sections 138 and 159 of the principal enactment, every regulation made in relation to the repealed Conventions in force on the date of commencement of this Act, in so far as such regulation is not inconsistent with the provisions of this Act, shall be deemed to have been made under this Act. Savings.

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

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

**EXCISE (AMENDMENT)
ACT, No. 18 OF 2019**

[Certified on 31st of October, 2019]

Printed on the Order of Government

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Excise (Amendment) Act, No. 18 of 2019

[Certified on 31st of October, 2019]

L.D.—O. 46/2018

AN ACT TO AMEND THE EXCISE ORDINANCE (CHAPTER 52)

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

1. This Act may be cited as the Excise (Amendment) Act, No. 18 of 2019. Short title.

2. Section 35 of the Excise Ordinance (Chapter 52) (hereinafter referred to as the “principal enactment”) is hereby amended in subsection (1) thereof by the substitution for the words and figures, “section 46 or section 47;” of the words and figures, “section 46, section 47 or paragraph (a) of section 48;”. Amendment of section 35 of the Excise Ordinance (Chapter 52).

3. Section 52 of the principal enactment is hereby amended in subsection (1) thereof as follows:- Amendment of section 52 of the principal enactment.
 - (1) by the repeal of paragraph (a) thereof and the substitution therefor of the following:-
 - “(a) under section 46, section 47 or paragraph (a) of section 48, except on his own knowledge or suspicion or on the complaint or report of an excise officer or a police officer:

Provided however, where a police officer makes a complaint or produces a report under paragraph (a) of section 48, such officer shall be an officer not below the rank of a sub inspector and shall obtain the written sanction of the Commissioner-General of Excise or any other officer authorised by the Commissioner-General of Excise;”;

(2) in paragraph (b) thereof,-

(a) by the substitution for the words and figure, “under section 48” of the words and figure “under paragraph (b) or (c) of section 48”; and

(b) by the substitution for the words, “on that behalf.” of the words “on that behalf; or”; and

(3) by the insertion immediately after paragraph (b) thereof of the following:-

“(c) under section 50, except on his own knowledge or suspicion or on the complaint or report of an excise officer.”.

Sinhala text to prevail in case of inconsistency.

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

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

**VALUE ADDED TAX (AMENDMENT)
ACT, No. 19 OF 2019**

[Certified on 31st of October, 2019]

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*Value Added Tax (Amendment)
Act, No. 19 of 2019*

[Certified on 31st of October, 2019]

L.D.—O. 5/2019

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. 19 of 2019. Short title.

2. Section 6 of the Value Added Tax Act, No.14 of 2002 (hereinafter referred to as the “principal enactment”) is hereby repealed and the following section is substituted therefor:- Amendment of section 6 of Act, No.14 of 2002.

“The value of goods imported. **6.** (1) The value of goods imported, other than the goods as prescribed by regulation shall be the aggregate of –

(a) the value of the goods determined for the purpose of custom duty increased by ten *per centum*; and

(b) the amount of any custom duty payable in respect of such goods with the addition of any surcharge, cess, any Ports and Airports Development Levy payable under the Finance Act, No. 11 of 2002, and any excise duty payable under the Excise (Special Provisions) Act, No. 13 of 1989 on such goods.

(2) The Minister may, from time to time, prescribe by regulation, the manner by which the value of goods specified in the regulation made under subsection (1) is to be determined. Any such regulation made by the Minister shall be approved by the Cabinet of Ministers and

published in the *Gazette*. Such regulation shall be placed before the Parliament for approval and shall be effective only upon it being approved by the Parliament.”.

Amendment of section 7 of the principal enactment.

3. Section 7 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:-

“(a) goods shall be zero rated where the supplier of such goods has exported such goods;

For the purpose of this paragraph, any goods supplied by any construction contractor to be utilized on a construction project carried out by such contractor outside Sri Lanka, shall be deemed to be goods exported by such contractor; and”.

Amendment of section 22 of the principal enactment.

4. Section 22 of the principal enactment is hereby amended as follows:—

(1) in paragraph (a) of the first proviso to subsection (1) thereof, by the repeal of subparagraphs (iii) and (iv) and the substitution therefor of the following:-

“(iii) rupees seventy five for any period commencing on or after August 16, 2018 but prior to November 1, 2019 and rupees hundred for any period commencing on or after November 1, 2019, for each such garment other than panties, socks, briefs and boxer shorts identified under the Harmonized Commodity Description and Coding System Numbers for custom purposes;

(iv) rupees seventy five for any period commencing on or after August 16, 2018 but prior to November 1, 2019 and rupees hundred for any period commencing on or

*Value Added Tax (Amendment)
Act, No. 19 of 2019* 3

after November 1, 2019, for six pieces of panties, socks, briefs and boxer shorts, identified under the Harmonized Commodity Description and Coding System Numbers for custom purposes,”.

- (2) in the fourth proviso to subsection (3) thereof, by the substitution for the words “goods so manufactured.” of the following:—

“goods so manufactured:

Provided further, that any person, who supplies condominium housing units and accounts for the output tax at the rate of six *per centum*, shall be entitled to deduct as input tax in relation to such supplies as is allowable under this Act only at the rate of five *per centum* even where such person has paid the input tax at a higher rate than the rate of five *per centum* on the value of such supplies received by him.”.

5. Section 26 of the principal enactment is hereby amended in subsection (1A) thereof by the substitution for the words and figures “January 1, 2013” of the words and figures “January 1, 2013, but prior to October 1, 2019”.

Amendment of section 26 of the principal enactment.

6. 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 item (xi) of paragraph (b) of that PART—

(a) by the substitution in sub-item (b) for the words and figures “on or after November 1, 2016 but prior to the date of commencement of this (Amendment) Act by any person” of the words and figures “on or after November 1, 2016 but prior to April 1, 2019, by any person”;

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- (b) by the substitution in sub-item (c) for the words “rupees fifteen million.” of the following:-

“rupees twenty five million; or

(iii) is relating to a sale of any condominium housing unit and where there is an agreement to sell in respect of such supply which is executed in terms of the Notaries Ordinance (Chapter 107) prior to the date of commencement of this (Amendment) Act; or

(iv) is a supply of a condominium housing unit of a condominium housing project in respect of which a certificate of conformity has been issued by the relevant Local Authority prior to the date of commencement of this (Amendment) Act in respect of such supply,

with effect from April 1, 2019.”;

- (2) by the repeal of item (xxvi) of paragraph (b) 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 and, with effect from November 1, 2019 locally produced rice bran oil made out of locally produced rice;”.

Sinhala text to prevail in case of inconsistency.

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

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



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

**NATION BUILDING TAX (AMENDMENT)
ACT, No. 20 OF 2019**

[Certified on 31st of October, 2019]

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*Nation Building Tax (Amendment)
Act, No. 20 of 2019*

[Certified on 31st of October, 2019]

L.D.—O. 9/2019

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. 20 of 2019, and shall be deemed to have come into operation on November 1, 2019, 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. 20 of 2018, is hereby further amended in subparagraph (12) of paragraph (iv) of subsection (2), by the substitution for the words “importer himself; and”, of the words and figures “importer himself, prior to November 1, 2019 ; and”.

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

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

Replacement of section 8 of the principal enactment.

“Certain provisions of the Inland Revenue Act to apply.

8. (1) The provisions in sections 106, 107, 108 and 112 of Chapter XII relating to Returns etc, Chapter XXII relating to Assessments, Chapter XXIII relating to Appeals, Chapter XXIV relating to Finalty of Assessments and Penalty for Incorrect Returns, Chapter XXV relating to Tax in Default and Sums Added Thereto, Chapter XXVI relating to Recovery of Tax, Chapter XXVII relating to Miscellaneous, Chapter XXIX relating to Penalties and Offences, Section 209 of Chapter

*Nation Building Tax (Amendment)
Act, No. 20 of 2019*

XXX relating to Administration and Chapter XXXI on General matters, of the Inland Revenue Act, No. 10 of 2006, shall *mutatis muandis* apply to the furnishing of returns, assessments, appeal against assessments, finality of assessments and penalty for incorrect returns, tax in default and sums added thereto, recovery of tax, miscellaneous, penalties and offences, administration and general matters under this Act, for the period prior to April 1, 2018.

(2) The provisions in Chapter IX, X, XI, XII, XIII, XV, XVI, XVII, XVIII and XIX of the Inland Revenue Act, No. 24 of 2017 relating to Administration, Record Keeping and Information Collection, Tax Returns, Assessments, Objection and Appeals, Interest, recovery of Tax, Penalties, Criminal Proceedings and Regulations, respectively shall *mutatis mutandis* apply to administration, record keeping and information collection, tax returns assessments, objection and appeals, interest, recovery of tax, penalties, criminal proceedings and regulations, respectively under this Act, for any period commencing on or after April 1, 2018, subject to provisions of subsection (3).

(3) Provisions of preceding subsections (1) and (2) shall apply subject to following modifications:—

- (a) every reference to the year of assessment in any such provision of the Inland Revenue Act, shall be deemed to be a reference to the “relevant quarter” in this Act;
- (b) every reference to assessable income or taxable income in any such provision

of the Inland Revenue Act, shall be deemed to be a reference to the “liable turnover” in this Act;

- (c) every reference to income tax in any such provision of the Inland Revenue Act, shall be deemed to be a reference to the tax charged and levied in terms of the provisions of this Act;
- (d) return for any relevant quarter under this Act shall be furnished on or before the twentieth day of the month commencing immediately after the expiry of such quarter; and
- (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 subsection, after the expiry of eighteen months for any period prior to April 1, 2018 and after the expiry of thirty months for any period commencing on or after April 1, 2018 from the thirtieth day of November of the year of assessment immediately succeeding the year of assessment in which such relevant quarter falls; or
 - (ii) who has failed to furnish a return on or before such date as is referred to in paragraph (d) of this subsection, after the expiry

4 *Nation Building Tax (Amendment)*
Act, No. 20 of 2019

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 section 10 of the principal enactment.

4. Section 10 of the principal enactment as last amended by Act, No. 12 of 2015 is further amended by the repeal of the definition of expression “Inland Revenue Act” and substitute therefor of the following new definition:—

“ “Inland Revenue Act” means—

- (i) for any period prior to April 1, 2018, the Inland Revenue Act, No. 10 of 2006; and
- (ii) for any period on or after April 1, 2018, the Inland Revenue Act, No. 24 of 2017;”.

Amendment of the First Schedule to the principal enactment.

5. The First Schedule to the principal enactment as last amended by Act, No. 20 of 2018 is hereby further amended as follows:—

(1) in PART I of that Schedule—

- (a) in item (XLIX) thereof, by the substitution for the words “cigarettes identified”, of the words and figures “for any period commencing prior to November 1, 2019, cigarettes identified”;
- (b) by the substitution for item (LIV) thereof, of the following item:—

“(LIV) importation of gem stones by a person registered with the National Gem and Jewellery Authority, for the purpose of

re-exporting such gems upon being cut and polished and if the payment for such service of cut and polish is made in foreign currency and remitted to Sri Lanka through a bank;”;

- (c) in item (LV) thereof, by the substitution for the words “the subject of Agriculture.”, of the words “the subject of Agriculture;”;
- (d) by the insertion immediately after item (LV) thereof, of the following new items:-

“(LVI) palm oil manufactured locally out of imported crude palm oil or imported palm olein subjected to the Special Commodity Levy charged under the Special Commodity Levy Act, No. 48 of 2007;

(LVII) importation of Lucerne (alfalfa) meal and pellets;

(LVIII) importation of yachts and other vessels for pleasure or sports, rowing boats and canvas as classified under the Harmonized Commodity Description and Coding Numbers 8903.91.00; and

(LIX) importation of any project related article by an enterprise which has entered into an agreement with the Board of Investment of Sri Lanka under section 17 of the Board of

*Nation Building Tax (Amendment)
Act, No. 20 of 2019*

Investment of Sri Lanka Law, No. 4 of 1978, for the use in any project of such enterprise having a capital investment of not less than fifty million United States Dollars during the project implementation period and prior to the commencement of commercial operations.”.

(2) in PART II of that Schedule—

(a) in item (vii) thereof—

(i) in paragraph (c), by the substitution for the words “a construction contractor or a sub-contractor”, of the following:—

“a construction contractor or a sub-contractor; or”;

(ii) by the insertion immediately after paragraph (c) thereof, of the following:—

“(d) on or after November 1, 2019, of a construction contractor or a sub-contractor;” and

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

“(xii) services provided by a hotel, guest house, restaurant or other similar business—

(a) prior to January 1, 2011;
or

(b) on or after November 1, 2019, where the payment for such service is received in foreign currency through a bank in Sri Lanka,

where such hotel, guest house, restaurant or other similar business is registered with the Ceylon Tourist Board;”.

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

Sinhala text to prevail in case of inconsistency.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
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**PARLIAMENT OF THE DEMOCRATIC
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FINANCE ACT, No. 21 OF 2019

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Finance Act, No. 21 of 2019

[Certified on 31st of October, 2019]

L.D.—O. 15/2019

AN ACT TO AMEND THE FINANCE ACT, NO. 35 OF 2018; TO PROVIDE FOR THE IMPOSITION OF A FOREIGN COMMERCIAL TRANSACTIONS LEVY; AND TO PROVIDE FOR THE MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

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

1. This Act may be cited as the Finance Act, No. 21 of 2019. Short title.

PART I

AMENDMENT OF PART VII OF THE FINANCE ACT, NO. 35 OF 2018

2. Section 23 of the Finance Act, No. 35 of 2018 is hereby amended by the substitution for the definition of the expression “specified motor vehicle” of the following definition:— Amendment of section 23 of Act, No. 35 of 2018.

“ “specified motor vehicle”—

- (a) in relation to a vehicle of which the first registration falls prior to November 1, 2019, means any assembled or unassembled diesel motor vehicle of which the cylinder capacity exceeds 2,300 CC or a petrol motor vehicle of which the cylinder capacity exceeds 1,800 CC or an electric vehicle of which motor power of the engine exceeds 200 Kw, but shall not include a dual purpose petrol motor vehicle of which the cylinder capacity does not exceed 2,200 CC, a dual purpose electric motor vehicle, a van, a single cab or a wagon;

- (b) in relation to a vehicle of which the first registration falls on or after November 1, 2019, means any assembled or unassembled motor vehicle, but does not include a van, a single cab, a double cab, a motor cycle, a motor tricycle, a motor ambulance, a motor hearse, a lorry, a tractor, a hand tractor, a trailer or any motor vehicle for transport of goods, as identified under the harmonized commodity description and coding system numbers provided in terms of the Customs Ordinance (Chapter 235).”

PART II

AMENDMENT OF PART XI OF THE FINANCE ACT, NO. 35 OF 2018

Amendment of section 40 of Act, No. 35 of 2018.

- 3.** Section 40 of the Finance Act, No. 35 of 2018 (hereinafter in this Part referred to as the “principal enactment”) is hereby amended by the repeal of subsection (1) thereof and the substitution therefor of the following subsection:—

“(1) There shall be levied a tax to be called the “Carbon Tax” (hereinafter in this Part referred to as “the tax”) for the period commencing from January 1, 2019 and ending on November 30, 2019, from the registered owner of every motor vehicle specified in the Third Schedule hereto, at the rates specified in that Schedule:

Provided however, the tax payable under this subsection shall not be levied in respect of any motor vehicle registered for the first time within the period commencing from January 1, 2019 and ending on November 30, 2019, in terms of the Motor Traffic Act (Chapter 203).”

Amendment of section 41 of the principal enactment.

- 4.** Section 41 of the principal enactment is hereby amended by the repeal of subsection (1) thereof and the substitution therefor of the following new subsection:—

“(1) The tax payable under subsection (1) of section 40, shall be paid by the registered owner of any relevant motor vehicle, to the Divisional Secretary, on or before the due date of renewal of annual registration.”

PART III

AMENDMENT OF PART XII OF THE FINANCE ACT, NO. 35 OF 2018

5. Section 46 of the Finance Act, No. 35 of 2018 is hereby repealed and the following new section is substituted therefor:—

Replacement of section 46 of Act, No. 35 of 2018.

“Recovery of the levy in default.

46. (1) Where the amount of the levy or part thereof is in default, the defaulter shall be liable to pay to the Commission, in addition to the levy in default, a surcharge calculated—

- (a) at the rate of ten *per centum* of the amount of such levy as is in default for the subsequent period of one month or part thereof, from the due date for the payment of the levy under section 44; and
- (b) at the rate of two *per centum* of the amount of such levy as is in default for the subsequent period of one month or part thereof, from the due date for the payment specified in paragraph (a),

which surcharge shall be collected by the Commission.

(2) The Commission shall take action to recover any levy which is in default for a period of more than three months, along with the amount of the surcharge accrued thereon, in the manner as is specified hereafter.

(3) The Commission shall cause to be issued on the defaulter, a Notice, informing the defaulter of the intention of the Commission to institute proceedings for the recovery of the amount of the levy in default and the surcharge accrued thereon in terms of the provisions of this section unless such levy and the surcharge thereon is paid within a period of three weeks of the date of issue of such Notice.

(4) Where the Commission issues Notice on the defaulter in terms of subsection (3) but the amount of the levy in default along with the surcharge thereon remains unpaid even though the period of three weeks specified in such Notice has elapsed, the Commission shall under the hand of the Chairman, issue to the Magistrate having jurisdiction over the division in which the defaulter resides or is carrying on business, a Certificate containing the name and address of the defaulter and the total sum in default along with a statement to the effect that the person so named has defaulted in making the payment as required by this section. Where the defaulter is a body corporate, a firm or a body unincorporated other than a firm, the certificate shall contain the names of every director and officer responsible with the management and control of such body corporate or, of every partner of such firm or, of every officer responsible with the management and control of such body unincorporate.

(5) The Magistrate shall on receipt of the Certificate issued under subsection (4), issue summons on the defaulter requiring such defaulter to appear before him on a date to be specified and show cause as to why the amount specified in such certificate should not be recovered from such defaulter. Where the cause shown appears to the Magistrate to be insufficient so as to explain the reason for the nonpayment, the Magistrate shall after recording the same, make order for the recovery of the amount specified in such certificate, from the defaulter as if it were a fine imposed by the Magistrate. The money so recovered shall be remitted to the Commission, which shall credit the same to the Consolidated Fund.”.

PART IV

IMPOSITION OF A LEVY ON FOREIGN COMMERCIAL TRANSACTIONS

6. (1) This Part of this Act shall come into operation on such date as the Minister may by Order published in the *Gazette* appoint (hereinafter in this Part referred to as the “appointed date”).

Date of operation of this Part.

(2) The Order under subsection (1) shall, not later than three months from the date of publication in the *Gazette*, be placed before Parliament for its approval.

(3) Notification of the date of the approval under subsection (2) shall be published in the *Gezette*.

7. (1) From and after the appointed date, there shall be charged, a levy to be called the “Levy on Foreign Commercial Transactions” (hereinafter in this Part referred to as the “Levy”) from every person who has completed a transaction through a payment card with a person outside Sri Lanka, to purchase any goods or services from such person outside Sri Lanka.

Imposition of a Levy on foreign commercial transactions.

(2) The rate of the Levy shall be 3.5 *per centum* on the sum remitted outside Sri Lanka for any transaction under subsection (1).

(3) The levy shall be collected at the time of the remittance of the sum outside Sri Lanka for a transaction referred to in subsection (1), by every financial institution which transfers any such sum.

(4) The aggregate of the sums so collected under subsection (3), by any financial institution within any month shall be remitted to the Commissioner-General on or before the twentieth day of the month succeeding the relevant month.

(5) A financial institution shall in respect of each financial year of such financial institution, furnish a return to the Commissioner-General within a period of six months from the end of that financial year, in such form, manner and containing such information together with such attachments, as may be specified by the Commissioner-General.

(6) The provisions which may be necessary for the implementation of the provisions of this Part and collection of the levy shall be prescribed by regulations made under this Act.

Exemption from the payment of the Levy.

8. The Minister may, having regard to the economic development of the country, by Order published in the *Gazette*, exempt any transaction specified in such Order, subject to such conditions as may be specified in such Order, from the application of the provisions of section 7.

Default in payment of the Levy.

9. (1) Where any financial institution, which is liable to pay the levy under this Part fails to pay the levy as provided for in section 7, such financial institution shall be deemed to be a defaulter under this Act.

(2) The provisions of Chapter IX, Chapter XI, Chapter XII, Chapter XIII, Chapter XIV, Chapter XV, Chapter XVI, Chapter XVII and Chapter XVIII of the Inland Revenue Act, No. 24 of 2017 shall, *mutatis mutandis*, apply to and in relation to any such defaulter.

Interpretation.

10. In this part of this Act, unless the context otherwise requires—

“Commissioner-General” means, the Commissioner-General of Inland Revenue appointed or deemed to be appointed under the Inland Revenue Act, No. 24 of 2017;

“charge card” means, a payment card which involves a line of credit granted by the issuer to the cardholder where the credit utilized by the

cardholder must be settled fully on or before a date specified by the issuer, without any extended credit;

“credit card” means, a payment card which involves a line of credit granted by the issuer to the cardholder where the credit utilized can be settled in full or in part on or before a specified date. The issuer may charge interest or other charges on any amount not settled on the specified date;

“debit card” means, a payment card that may be used to withdraw cash or execute payments for purchase of goods and services, or for both such purposes, by directly debiting from the cardholder’s account;

“finance company” means, a finance company licensed under the Finance Business Act, No. 42 of 2011;

“financial institution” means, a licensed commercial bank, a licensed specialized bank, or a finance company engaged in the business as an issuer of payment cards or financial acquirer of payment cards under the authority of a licence issued by Central Bank of Sri Lanka;

“financial acquirer” means, any person who makes arrangements with third parties to accept payment cards of cardholders as a means of payment and reimburses those third parties with the value of the goods or services purchased by the cardholder, or who reimburses such third parties for cash advances obtained by the card holders or performs both such functions;

“issuer” means, an entity that issues a payment card and thereby enters into a contractual relationship with the cardholder;

“licensed commercial bank” means, a commercial bank licensed under the Banking Act, No. 30 of 1988;

“licensed specialized bank” means, a specialized bank licensed under the Banking Act, No. 30 of 1988;

“payment card” means, a debit card, credit card, charge card or stored-value card;

“person” shall have the same meaning assigned to such expression under the Inland Revenue Act, No. 24 of 2017;

“stored-value card” means, a payment card or any other device with access to a stored value that can be used as a means of payment and does not include a card that can be used only to settle payment obligations to the issuer of such card.

PART V

GENERAL

Regulations.

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

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

(3) Every regulation made by the Minister shall within three months from its publication in the *Gazette*, be brought before Parliament for approval. Every regulation which is not so approved shall be deemed to be rescinded from the date of disapproval but without prejudice to anything duly done thereunder.

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

12. 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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
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**PARLIAMENT OF THE DEMOCRATIC
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**NATIONAL INNOVATION AGENCY
ACT, No. 22 OF 2019**

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*National Innovation Agency
Act, No. 22 of 2019*

[Certified on 15th of November, 2019]

L.D. — O. 33/2019

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
INNOVATION AGENCY 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 National Innovation Agency Act, No. 22 of 2019, and shall come into operation on such date as the President may appoint (hereinafter referred to as “the appointed date”) by Order published in the *Gazette*.

Short title and
the date of
operation.

PART I

NATIONAL INNOVATION AGENCY

2. (1) There shall be established an Agency called and known as the “National Innovation Agency” (hereinafter referred to as the “Agency”).

Establishment
of the National
Innovation
Agency.

(2) The Agency 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.

3. The objects of the Agency shall be to –

Objects of the
Agency.

- (a) promote better understanding on social innovation, science and technology innovation, defence innovation, eco innovation and service innovation, and their impact on the economy;
- (b) make recommendations to the Government in order to formulate national policies in respect of innovation;

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*National Innovation Agency
Act, No. 22 of 2019*

- (c) ensure that national research is aligned with and contributes to the economy and national economic goals;
- (d) coordinate innovators and initiatives to foster impact;
- (e) identify any obstacles in the public and private sector that hamper innovation;
- (f) support and facilitate innovation in private sector to establish a vibrant national innovation eco system.

Powers,
functions and
duties of the
Agency.

4. The powers, functions and duties of the Agency shall be to: –

- (a) liaise with the public and private sector institutions relevant to important aspects of the objects of the Agency;
- (b) make recommendations to the government to initiate and fund National Innovation Programmes in order to support a creative economy;
- (c) to develop and sustain a national innovation eco system in keeping with the Sri Lanka Innovation and Entrepreneurship Strategy as approved by the Cabinet of Ministers;
- (d) support the National Innovation and Entrepreneurship Strategy objectives through the facilitation of hi-tech enterprises stemming from research and technology transfer;
- (e) monitor and evaluate the effectiveness of investment, policies and strategies on innovation and entrepreneurship;
- (f) coordinate and harmonize international activities in innovation with the relevant

Ministries, Departments and other innovation institutions in Sri Lanka and with international institutions to encourage commercialization of the outputs of innovation activities;

- (g) drive the progress of Sri Lanka upward through the ranking of global innovation indices to ensure a resilient economic standing, subject to the Sri Lanka Innovation and Entrepreneurship Strategy as approved by the Cabinet of Ministers;
- (h) receive, collate, evaluate and publish the Sri Lankan Annual Innovation and entrepreneurship reports covering the eco system taking into consideration the international linkage and presence;
- (i) to purchase any movable or immovable property which may be required for the Agency, hold, take or give on lease or hire, mortgage, pledge or sell or otherwise dispose of, any movable or immovable property belonging to the Agency as may be deemed expedient with a view to promote the objects of the Agency;
- (j) subject to any applicable written law, to open and maintain current, savings or other deposit accounts in any State bank or banks and to close such accounts;
- (k) subject to any applicable written law, to accept and receive, gifts, grants, loans, donations and bequests both movable and immovable, from sources in or outside Sri Lanka for the use of the Agency:

Provided that, the Agency shall obtain prior written approval of the Ministry of Finance in respect of all foreign grants, donations or bequests made to the Agency;

- (l) deposit in any bank account or accounts of the Agency, the funds of the Agency which are not required immediately for the purposes of the Agency;
- (m) make rules in respect of matters pertaining to the administration of affairs of the Agency;
- (n) outsource for appropriate payments in compliance with the relevant financial regulations, research, data collating or any other activities necessary for the smooth and efficient discharge of the duties and functions of the Agency. The Agency shall have the ownership of all research, any material or data collected by any person for the purposes of this Act, and be responsible for the protection of such research, material or data;
- (o) with the approval of the Cabinet of Ministers to enter into agreements, with any local or foreign persons or institutions in respect of the objects of the Agency;
- (p) coordinate and facilitate joint ventures with the private sector with the approval of the Minister in order to achieve the objects of the Agency; and
- (q) generally do such acts and things for the achievement of the objects of the Agency.

PART II

ADMINISTRATION AND MANAGEMENT OF THE AGENCY

Administration of
the Agency.

5. (1) The administration and management of the affairs of the Agency shall be vested in a Steering Council (hereinafter referred to as the "Council").

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

6. (1) The Council shall consist of-

Constitution of the
Council.

(a) The following *ex-officio* members,
namely,—

- (i) the Secretary to the President who shall be the Chairperson of the Council;
- (ii) an officer of the Ministry of the Minister assigned the subject of Development Strategies not below the rank of an Additional Secretary nominated by that Minister;
- (iii) an officer of the Ministry of the Minister assigned the subject of Finance not below the rank of an Additional Secretary nominated by that Minister;
- (iv) the Director-General of National Planning Department or his nominee not below the rank of a Director;
- (v) the Director-General of the National Intellectual Property Office of Sri Lanka appointed under section 2 of the Intellectual Property Act, No.36 of 2003;
- (vi) an officer of the Ministry of the Minister assigned the subject of Science not below the rank of an Additional Secretary nominated by that Minister;
- (vii) an officer of the Ministry of the Minister assigned the subject of Technology and Research not below the rank of an Additional Secretary nominated by that Minister;

- (viii) an officer of the Ministry of the Minister assigned the subject of International Trade not below the rank of an Additional Secretary nominated by that Minister;
 - (ix) an officer of the Ministry of the Minister assigned the subject of Education not below the rank of an Additional Secretary nominated by that Minister;
 - (x) an officer of the Ministry of the Minister assigned the subject of Higher Education not below the rank of an Additional Secretary nominated by that Minister;
 - (xi) the director-General of the Department of Commerce or an officer not below the rank of a Director of that Department nominated by the Director-General;
 - (xii) the Commissioner of the Sri Lanka Inventors Commission established under the Sri Lanka inventors Incentives Act, No. 53 of 1979 or any Assistant Commissioner of that Commission nominated by the Commissioner of the Sri Lanka Inventors Commission; and
 - (xiii) the Chairperson or his nominee of the Sri Lanka Institute of Nanotechnology; and
- (b) (i) one person who has gained eminence relating to innovation, entrepreneurship, social innovation, business, venture capital, education or finance, nominated by the Minister and appointed by the President; and

- (ii) not more than six persons who have gained eminence relating to innovation, entrepreneurship, social innovation, business, venture capital, law, education or finance, both from public and private sectors, appointed by the President.

(hereinafter referred to as the “appointed members”).

(2) In the event the subjects referred to in subsection (1) fall within one or more Ministries, then an officer of each such Ministry not below the rank of an Additional Secretary nominated by the Minister shall be a member of the Council.

7. Any person-

- (a) if such person is not or ceases to be a citizen of Sri Lanka;
- (b) if such person is or becomes a member of Parliament or a Provincial Council or any Local Authority;
- (c) if such person has any financial or other interest as is likely to affect the discharge by him of his functions as a member of the Council;
- (d) 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;
- (e) if such person is an undischarged bankrupt; 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,

Disqualification
for being
a member of the
Council.

such person shall be disqualified from being appointed or continue to be a member of the Council.

Term of office of the appointed members.

8. Every appointed member of the Council shall, unless he vacates office earlier by death, resignation or removal, hold office for a period of three years, and unless removed from office shall be eligible for re-appointment, for not more than one further term, whether consecutive or otherwise.

Removal resignation etc. of appointed members.

9. (1) Any appointed member of the Council may at any time, resign his office by letter in that behalf addressed to the President, and such resignation shall take effect from the date on which the resignation is accepted in writing by the President .

(2) The President may, for reasons assigned therefor remove any appointed member from office. An appointed member who has been removed from office shall not be eligible for re-appointment as a member of the Council or to serve the Council in any other capacity.

(3) In the event of the vacation of office by death, resignation or removal of any appointed member, the President shall, subject to paragraph (b) of subsection (1) of section 6, appoint another person to fill such vacancy and such person shall hold office for the un-expired period of the term of office of the member whom he succeeds.

(4) Where any appointed member of the Council is temporarily unable to perform the duties of his office on account of ill health or any other cause or if he is absent from Sri Lanka for a period of not less than three months, the President shall having regard to the provisions of paragraph (b) of subsection (1) of section 6, appoint any other person to act in place of such member during his absence.

(5) Where any appointed member of the Council fails to attend three consecutive meetings of the Council without obtaining prior excuse for absence from the Chairperson such member shall deemed to have vacated his office at the conclusion of the third meeting and the President shall appoint another person to fill such vacancy in the manner provided in subsection (3).

Meetings of the Council.

10. (1) The Chief Innovation Officer of the Agency appointed under section 14 shall summon all meetings of the Council.

(2) The Council members may attend meetings of the Council in person or through electronic means.

For the purposes of this subsection “electronic means” mean, video conferencing and web conferencing.

(3) No act or proceeding of the Council shall be invalid by reason only of the existence of a vacancy in the Council or any defect in the appointment of a member of the Council.

(4) The Chairperson or in his absence any member elected by the members present shall preside at such meeting of the Council.

(5) The quorum for any meeting of the Council shall be five members. Where there is an equality of votes, the Chairperson of the Council shall in addition to his vote have a casting vote.

11. (1) The Council may whenever it considers necessary invite experts to any meeting of the Council who have expertise on any subject which will be dealt with by the Council at such meeting for the purpose of obtaining their views on such subject matter for the effective discharge of the functions of the Council so however, the Council shall have the absolute discretion of accepting or rejecting the views of the experts.

Council to invite experts to meetings.

(2) The experts shall be paid such remuneration as may be determined by the Council and shall have no voting rights.

12. The members of the Council may be paid such remuneration as may be determined by the President in consultation with the Minister assigned the subject of Finance.

Remuneration for attending meetings of the Council.

13. (1) The seal of the Agency—

The seal of the Agency.

- (a) shall be determined by the Council and may be altered in such manner as may be determined by the Council;
- (b) shall be in the custody of such person as the Council may determine, from time to time; and
- (c) shall not be affixed to any instrument or document except with the sanction of the Council and in the presence of two members of the Council who shall sign the instrument or document in token of their presence.

(2) The Council shall maintain a register in respect of the instruments and documents to which the seal of the Agency is affixed.

PART III

THE CHIEF INNOVATION OFFICER OF THE AGENCY

The Chief
Innovation Officer
of the Agency.

14. (1) There shall be appointed by the President in consultation with the Council, subject to such terms and conditions determined by the Council, a person possessing a postgraduate degree in science, technology or business management with innovation as a subject, from a recognized University, with proven management experience to be the Chief Innovation Officer of the Agency. He may attend any meeting of the Council but shall not be entitled to vote at any such meeting.

(2) The Chief Innovation Officer shall subject to the general directions of the Council be responsible for the administration of the Agency.

(3) The Chief Innovation Officer shall be paid such remuneration as may be determined by the President with the concurrence of the Minister assigned the subject of Finance.

(4) The President may on the recommendation of the Council and for reasons assigned therefor remove from office the Chief Innovation Officer appointed under this section.

Appointment of the
staff of the Agency.

15. (1) The Agency may appoint such number of officers and employees as it may consider necessary for the efficient discharge of its functions.

(2) The Agency may in respect of the officers and employees appointed under subsection (1)-

(a) exercise disciplinary control over or dismiss such officers and employees;

(b) determine the terms and conditions of employment of such officers and employees;

- (c) fix as may be determined by the Council in consultation with the Minister to whom the subject of Finance is assigned, the rates at which the officers and employees shall be remunerated; and
- (d) establish a staff welfare and social security scheme for the benefit of such officers and employees and make contributions to any such scheme.

16. (1) At the request of the Council, any officer in the public service may, with the consent of that officer and of the Public Service Commission be temporarily appointed to the staff of the Agency for such period as may be determined by the Council, or with like consent, be permanently appointed to such staff.

Appointment of Public Officers to the staff of the Agency.

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

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

17. (1) At the request of the Council, any officer or other employee of any Higher Educational Institution established under the Universities Act, No. 16 of 1978 may, with the consent of that officer or the employee and the principal executive officer of that Higher Educational Institution, be temporarily appointed to the staff of the Agency. Such appointment shall be for a period as may be determined by the Council or with like consent be permanently appointed to such staff, on such terms and conditions, including those relating to pension or provident fund rights, as may be agreed upon by the Council and such principal executive officer.

Appointment of officers from Higher educational institutions to the staff of the Agency.

(2) Where any person is temporarily appointed to the staff of the Agency under subsection (1) such person shall be subject to the same disciplinary control as any other member of the staff of the Agency.

PART IV

FINANCE

Fund of the Agency.

18. (1) The Agency shall have its own Fund.

(2) There shall be credited to the Fund –

- (a) all such sums of money as may be voted by Parliament, from time to time, for the use of the Agency;
- (b) all such sums of money as may be received by the Agency for the exercise, performance and discharge of its powers, duties and functions and for the promotion of the objects of the Agency, by way of gifts, grants, loans donations and bequests from any source within or outside Sri Lanka subject to the provisions of the proviso to section 4(k);
- (c) all such sums of money as may be received by the Agency by way of fees, royalties or charges under this Act.

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

Financial year and audit of accounts of the Agency.

19. (1) The financial year of the Agency shall be the calendar year.

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

(3) The provisions of Article 154 of the Constitution relating to the audit of accounts of public corporations shall apply to the audit of accounts of the Agency.

PART V

GENERAL

20. (1) The Agency shall within six months of the end of each financial year submit to the President an annual report on the activities carried out by the Agency. The following documents shall be attached to such report:- Annual Reports.

- (a) the audited accounts of the Agency 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 relate; and
- (c) a report on the effectiveness of investment, policies and strategies on innovation and entrepreneurship.

(2) The President shall within three months from the date of receipt of the annual report, table such report along with the documents specified in subsection (1) in Parliament for its consideration.

21. The Members of the Councils, and officers and employees of the Agency shall before entering upon his duties sign a declaration pledging himself to observe strict secrecy respecting all matters connected with the working of the Agency and shall by such declaration pledge himself not to disclose any matter which may come to his knowledge in the discharge of his functions, except- Declaration of
secrecy.

- (a) when required to do so by a court of law; or
- (b) in order to comply with any of the provisions of this Act.

Directions of the President.

22. The President may, from time to time, issue such general or special directions to the Council relating to the exercise, performance and discharge of the powers, functions and duties under this Act and it shall be the duty of the Council to comply with such directions.

Officers and employees of the Agency deemed to be public servants.

23. All officers and Employees of the Agency shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

Agency deemed to be a scheduled institution.

24. The Agency shall be deemed to be a scheduled institution within the meaning of the Bribery Act and the provisions of that Act shall accordingly apply.

Rules.

25. (1) The Council may subject to the provisions of this Act make rules in respect of any matter specified in subsection (2) of section 15 and generally for the administration of the affairs of the Agency.

(2) Every rule made under this section shall be published in the *Gazette*.

Regulations.

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

(2) Every regulation made by the President under this section shall be published in the *Gazette* and shall come into operation upon such publication or on such later date as may be specified in the regulation.

(3) Every Regulation made by the President under this section shall within three months from its publication in the *Gazette*, be brought before Parliament for approval. Any regulation 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.

(4) Notice of the date from which a regulation is deemed to be rescinded shall be published in the *Gazette*.

27. In this Act, unless the context otherwise requires— Interpretation.

“innovation” includes—

- (a) a novel technological model, utility model or industrial design;
- (b) a product, process, service or idea which is novel;
- (c) an improved use of a new product, service or method in industry, business or society;
- (d) indigenous or traditional knowledge gained by people by making use of natural resources, including plants, animals and the environment; and
- (e) subject to the provisions of the Intellectual Property Act, No.36 of 2003, any other non-patentable creations or improvements which may be deemed as deserving promotion and protection or *sui generis* intellectual property rights,

in the fields of social innovation, science and technology innovation, defence innovation, eco innovation and service innovation, and “innovator” shall be construed accordingly;

“Minister” means, the Minister assigned the National Innovation Agency under Article 43 or 44 of the Constitution;

“National Innovation Eco system” means, the diverse nature of participants and resources including organizations, institutions and people in the country that coexist and function as a unit which is necessary for innovation;

“Social Innovation Lab” means, a place that uses foresight and innovation tools to prototype and test development solutions for social problems, through citizen-centric engagements to ensure they are agile and holistic before nation-wide implementation;

“Technology” means the application of knowledge to meet the goals, goods and services for sustainable development;

“Traditional knowledge” means, the wisdom developed over generations of holistic traditional scientific utilization of the lands, natural resources, and environment;

“recognized University” means, a University established or deem to be established under the provisions of the Universities Act, No. 16 of 1978 or any other written law.

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.

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



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

**CHAMBER OF CONSTRUCTION INDUSTRY OF
SRI LANKA (INCORPORATION)
ACT, No. 23 OF 2019**

[Certified on 18th of November, 2019]

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*Chamber of Construction Industry of
Sri Lanka (Incorporation) Act, No. 23 of 2019*

[Certified on 18th of November, 2019]

L.D.—O. (Inc.) 01/2015

AN ACT TO INCORPORATE THE CHAMBER OF CONSTRUCTION
INDUSTRY OF SRI LANKA

WHEREAS a Chamber called and known as the “Chamber of Construction Industry of Sri Lanka” has heretofore been registered under the Companies Act, No. 7 of 2007 for the purpose of effectually carrying out its objects and transacting all matters connected with the said Chamber according to the rules agreed to by its members:

Preamble.

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

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

1. This Act may be cited as the Chamber of Construction Industry of Sri Lanka (Incorporation) Act, No. 23 of 2019.

Short title.

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

Incorporation of
the Chamber of
Construction
Industry of
Sri Lanka.

2 *Chamber of Construction Industry of
Sri Lanka (Incorporation) Act, No. 23 of 2019*

General objects
of the body
Corporate.

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

- (a) to act as a representative body, to promote and protect the interests of those engaged in construction activities;
- (b) to assist the relevant authorities to stimulate the development of national construction industry;
- (c) to study issues of national significance and to make recommendations;
- (d) to establish panels of professionals in such areas in projects relating to its members and to evaluate and issue reports and certificates on such projects;
- (e) to act as a centre for recruitment of staff for member firms in the national construction industry on the request of such firms;
- (f) to secure contracts within and outside Sri Lanka for the members of the body corporate upon receipt of the registration of the Construction Industry Development Authority and subject to the provisions of the Construction Industry Development Authority Act, No. 33 of 2014 and standards and guidelines of the Construction Industry Development Authority;
- (g) to award scholarships and fellowships for the furtherance and development of the local construction industry;
- (h) to conduct training courses and issue certificates with the approval of the Tertiary and Vocational Education Commission established under section 2 of the Tertiary and Vocational Education Act, No. 20 of 1990; and

- (i) to act as trustees, custodians or managers to funds subscribed or donated for the upliftment of the construction industry.

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

Body corporate to ensure no conflict with work of Ministry or Department of the Government or Provincial Council.

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

Management of affairs of the body corporate.

(2) (a) The members of the Board of Management of the Chamber that holds office on the day immediately preceding the date of commencement of this Act shall function as an Interim Committee of the body corporate until the first Board of Management is appointed or elected in the manner provided for by rules made under section 7.

(b) The Interim Committee shall have the power to make rules for the interim administration of the body corporate and for election or appointment of the members of the first Board of Management of the body corporate.

(c) Any decision of the Interim Committee shall be taken by the majority of its members present at such Committee meeting.

(d) The first Board of Management of the body corporate shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Board of Management including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer,

4 *Chamber of Construction Industry of
Sri Lanka (Incorporation) Act, No. 23 of 2019*

patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

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

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

Powers of the
body corporate.

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

- (a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the body corporate and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects of the body corporate;
- (b) enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the body corporate, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the body corporate;
- (c) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind:

Provided that, the Board of Management shall obtain the prior written approval of the Department

of Externeal Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations made to the body corporate;

- (d) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close accounts in any bank;
- (e) to invest any funds that are not immediately required for the purposes of the body corporate, in such manner as the Board of Management may determine;
- (f) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the body corporate;
- (g) to appoint, employ, dismiss or terminate the services of officers and servants of the body corporate and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the body corporate;
- (h) to organize lectures, seminars and conferences with a view to promoting the objectives of the body corporate;
- (i) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the body corporate;
- (j) to train personnel within and outside Sri Lanka for the purposes of the body corporate;
- (k) to establish, print and publish newspapers, trade directories, journals, magazines or periodicals relating to the activities of the body corporate or

6 *Chamber of Construction Industry of
Sri Lanka (Incorporation) Act, No. 23 of 2019*

matters pertaining to the construction industry and to disseminate such information in any manner as the Board of Management may decide; and

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

Rules of the
body corporate.

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

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members;
- (b) the election of office bearers of the Board of Management or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the body corporate;
- (d) the procedure to be followed for the summoning and holding of meetings of the Board of Management or any sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to become a member of the Board of Management and the body corporate;

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

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

(3) The rules made under subsection (1) shall be published in the *Gazette*.

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

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

Register of members.

9. (1) The body corporate shall have its own Fund.

Fund of the body corporate.

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

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

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

Accounts and Auditing.

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

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

(4) For the purpose of this section “qualified auditor” means—

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

Annual Report.

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

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

12. All debts and liabilities of the Chamber existing on the day immediately preceding the date of commencement of this Act, shall be paid by the body corporate hereby constituted and all debts due to and subscriptions and contributions payable to the Chamber on that day shall be paid to the body corporate for the purposes of this Act.

Debts due by and payable to the Chamber.

13. All movable and immovable properties of the Chamber existing on the day preceding the date of commencement of this Act for all purposes shall be vested in the body corporate hereby constituted, subject to any trust, condition or provision of any written law affecting such properties.

Property vested in the Chamber.

14. Subject to the provisions of this Act, the body corporate shall be able and capable in law to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and all such property shall be held by the body corporate for the purpose of this Act and subject to the rules of the body corporate made under section 7, with power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Body corporate may hold property movable and immovable.

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

Application of moneys and property.

16. (1) The seal of the body corporate shall not be affixed to any instrument whatsoever, except in the presence of two members of the Board of Management who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the body corporate.

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

Property
remaining on
dissolution.

17. (1) If upon the dissolution of the body corporate there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the body corporate, but shall be given or transferred to any other institution having objects similar to those of the body corporate, and which is by the rules thereof, prohibited from distributing any income or property among its members.

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

Saving of the
rights of the
Republic.

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

Sinhala text to
prevail in case
of inconsistency.

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

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, No. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.



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

**PREVENTION OF OFFENCES RELATING TO SPORTS
ACT, No. 24 OF 2019**

[Certified on 18th of November, 2019]

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*Prevention of Offences relating to Sports
Act, No. 24 of 2019*

[Certified on 18th of November, 2019]

L.D.—O. 17/2014

AN ACT TO PROVIDE FOR THE PREVENTION OF MATCH FIXING, CORRUPTION, ILLEGAL MANIPULATION AND ILLEGAL BETTING IN SPORTS AND FOR THE APPOINTMENT OF A SPECIAL INVESTIGATIONS UNIT FOR INVESTIGATION OF OFFENCES 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 Prevention of Offences relating to Sports Act, No. 24 of 2019. Short title.

PART I

OBJECTS AND THE APPLICATION OF THE PROVISIONS OF THE ACT

2. The objects of the Act shall be— Objects of the Act.
- (a) to prevent match fixing, corruption, illegal manipulation and illegal betting in sports;
 - (b) to strengthen national and international co-operation among sports organizations, law enforcement agencies and betting operators to exchange information relating to match fixing, corruption, illegal manipulation and illegal betting in sports and promote best practices in sports;
 - (c) to conduct programs in order to promote awareness on issues relating to match fixing, corruption, illegal manipulation and illegal betting in sports and improve coordination amongst stake holders;

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- (d) to protect and maintain the integrity of national sports;
- (e) to introduce and promote preventive measures in collaboration with law enforcement agencies against match fixing, corruption, illegal manipulation and illegal betting in sports;
- (f) to protect the goodwill and livelihood of professional sports personnel; and
- (g) to appoint an independent, impartial Special Investigations Unit to carry out investigations into offences of match fixing, corruption, illegal manipulation and illegal betting in sports.

Secretary to enter into agreements, &c.

3. For the purpose of achieving the objects of this Act, the Secretary may, with the concurrence of the Minister-

- (a) enter into any agreement or memorandum of understanding under this Act with any sports organization or law enforcement agency, whether national or international, to promote best practices in sports and maintaining and upgrading professional standards of sports; and
- (b) exchange information relating to match fixing, corruption, illegal manipulation and illegal betting in sports with any national or international sports organization or law enforcement agency.

PART II

CHAPTER I

**OFFENCES OF MATCH FIXING, CORRUPTION, ILLEGAL
MANIPULATION AND ILLEGAL BETTING IN SPORTS**

Offence of match fixing in sports.

4. (1) Any person or any person connected to a sport who, directly or indirectly, alone or in conjunction with another or others gets involved in any arrangement on an

irregular alteration of the course or the result of any sport or sporting event for money or any other reward or benefit, including any arrangement where—

- (a) any person or any person connected to a sport—
 - (i) engages in betting, gambling or any other activity involving financial or any other advantage to himself or another person, or causes a financial disadvantage or loss to another person knowing that it would corrupt any sport or sporting event;
 - (ii) acts in a manner that ensures the occurrence of any improper performance, act, omission or an outcome, which is the subject of an illegal bet relating to a sport or any sporting event;
 - (iii) provides for financial or any other advantage, reward or benefit, any inside information relating to a sport, any sporting event or any person, to any person including a betting operator, other than in connection with *bona fide* media interviews and commitments;
 - (iv) provides or receives any gift, payment, reward or benefit, financial or otherwise, that might reasonably be expected to bring such person or any sport or sporting event into disrepute; or
 - (v) engages in any act or omission that is directly or indirectly related to any of the conduct specified in the preceding paragraphs and is prejudicial to the interests of any sport or sporting event;

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- (b) any individual player or a group of players—
 - (i) receives money or any other reward or benefit individually or collectively to underperform or to withdraw from such sport or sporting event for non-genuine reasons; or
 - (ii) bets on such sport or sporting event in which such player or group of players plays undermining the performance;
- (c) any umpire, match adjudicator or match referee deliberately misapplies the rules of the sport or sporting event for money or any other reward or benefit;
- (d) any curator or any member of any venue staff, ground staff or support staff receives money or any other reward or benefit—
 - (i) to prepare any turf, ground or playing surface of any sport or sporting event in a way agreeable to any person including a betting operator; or
 - (ii) to disclose information of the preparation and condition of the turf, ground or playing surface of any sport or sporting event; or
- (e) any person including a retired player or any person connected to a sport is utilized by any other person to gain access to local or foreign players in order to influence their performance for money or any other reward or benefit,

commits the offence of match fixing in sports.

(2) Any person or any person connected to a sport who directly or indirectly, alone or in conjunction with another

or others gets involved in any arrangement on an irregular alteration of the course or the result of any sporting tournament by any of the acts specified in paragraphs (a) to (e) of subsection (1) commits the offence of tournament fixing in sports.

- 5.** Any person or any person connected to a sport who—
- (a) solicits or accepts or agrees to accept or offers money or any other reward or benefit;
 - (b) controls any other person or thing for such person's own advantage or to the advantage of another dishonestly or fraudulently; or
 - (c) solicits, entices, persuades, induces or instructs any person directly or indirectly to perform or refrain from performing an act,

Offence of corruption in sports.

to influence the result, progress, conduct or any other aspect of any sport or sporting event commits the offence of corruption in sports.

- 6.** Any person or any person connected to a sport who influences improperly, unfairly or dishonestly the result, progress, conduct or any other aspect of any sport or sporting event commits the offence of illegal manipulation in sports.

Offence of illegal manipulation in sports.

- 7.** Any person or any person connected to a sport who possesses information in connection with any sport or sporting event knowing such information to be inside information or information on illegal, corrupt conduct and—

Offence of illegal betting in sports.

- (a) bets on that sport or sporting event;
- (b) encourages another person to bet on that sport or sporting event in a particular way; or
- (c) communicates such information to another person who the first person knows, or ought reasonably to

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know, would or would be likely to bet on that sport or sporting event,

commits the offence of illegal betting in sports.

Aiding, abetting, attempting, &c., to be an offence.

8. Any person who—

- (a) aids, abets, attempts or conspires in the commission of any offence specified in section 4, 5, 6 or 7; or
- (b) approaches, induces, influences, encourages, enables or facilitates any person connected to a sport to commit any offence specified in section 4, 5, 6 or 7,

commits an offence.

Penalty for an offence under section 4, 5, 6, 7 or 8.

9. Any person who commits an offence specified in section 4, 5, 6, 7 or 8 shall on conviction be liable to a fine not exceeding rupees one hundred million or to imprisonment for a period not exceeding ten years or to both such fine and imprisonment.

CHAPTER II

OTHER OFFENCES

Failure to disclose information to be an offence.

10. Any person or any person connected to a sport who fails to comply with the provisions of section 16 or 18 commits an offence under this Act and shall, on conviction by a Magistrate, be liable to a fine not exceeding rupees two hundred thousand or to imprisonment for a period not exceeding three years or to both such fine and imprisonment.

Failure to co-operate etc., in relation to an investigation to be an offence.

11. Any person who—

- (a) willfully obstructs, hinders or fails to co-operate with the Secretary, the Director of Sports, the Unit or any person authorized by the Unit in the investigation of any offence under this Act;

- (b) fails, without reasonable cause, to appear before the Unit when such person is required to do so by the Unit for the purpose of any investigation conducted under this Act;
- (c) refuses or fails without reasonable cause, to answer any question put to him by the Unit in relation to any matter under investigation by the Unit;
- (d) refuses or fails without reasonable cause, to comply with the requirements of a notice issued to such person by the Unit under this Act;
- (e) fails to provide any information, report or document when requested to do so by the Unit for the purpose of any investigation conducted under this Act;
- (f) provides any information, report or document or makes any statement when required to do so by the Unit for the purpose of any investigation conducted under this Act, knowing it to be false, incomplete or misleading; or
- (g) conceals, falsifies, destroys or otherwise disposes of, or causes or permits the concealment, falsification, destruction or disposal of, any information, report, document or material knowing or having reasons to believe that such information, report, document or material is relevant to an investigation conducted under this Act,

commits an offence under this Act and shall on conviction by a Magistrate, be liable to a fine not exceeding rupees two hundred thousand or to imprisonment for a period not exceeding three years or to both such fine and imprisonment.

Failure to maintain confidentiality by a service provider to be an offence.

12. Any person who acts in contravention of the duty imposed on such person by section 32 to maintain confidentiality, commits an offence under this Act and shall, on conviction by a Magistrate, be liable to a fine not exceeding rupees five hundred thousand or to imprisonment for a period not exceeding ten years or to both such fine and imprisonment.

Making false allegations to be an offence.

13. Any person who makes any false allegation in any information disclosed by such person under section 16 of this Act, knowing the content of such allegation to be false or having reasons to believe that such allegation is not true, commits an offence under this Act and shall, on conviction by a Magistrate, be liable to a fine not exceeding rupees one hundred thousand or to imprisonment for a period not exceeding three years or to both such fine and imprisonment.

Offences by a body of persons.

14. Where an offence under this Act is committed by a body of persons, then, if that body of persons is—

- (a) a body corporate, then every person who, at the time of the commission of the offence, was a director, manager, officer or servant of such body corporate;
- (b) a firm, then every person who, at the time of the commission of the offence, was a partner of that firm; or
- (c) an unincorporated body other than a firm, every individual who was a member of such body and every officer who was responsible for the management and control of such body, at the time of the commission of the offence,

shall be deemed to have committed that offence, unless such person, individual or officer, as the case may be, proves that the offence was committed without his knowledge or that such person exercised all due diligence to prevent the commission of that offence.

- 15.** For the purposes of this Part— Interpretation.
- (a) “information on corrupt conduct” means information relating to conduct or proposed conduct that corrupts an outcome of any sport or sporting event;
 - (b) “inside information” means information which is not generally available and which, if it were generally available, would or would be likely to influence any person who commonly bets on any sport or sporting event in deciding whether or not to bet on such sport or sporting event or making any other betting decision; and
 - (c) “aiding”, “abetting”, “attempting” and “conspiring” shall have the same meaning as in the Penal Code (Chapter 19).

PART III

DISCLOSURE OF INFORMATION

- 16.** (1) Where any person or any person connected to a sport— Disclosing information to the Secretary, &c.
- (a) is approached, induced or threatened by any person to engage in or perform any act or omission that constitutes an offence under section 4, 5, 6, 7 or 8; or
 - (b) becomes aware of, or has reasons to believe, or reasonably suspects that any person or any person connected to a sport has—
 - (i) been engaged in or performed;
 - (ii) been approached, induced or threatened to engage in or perform; or

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(iii) received, direct or indirect threats to engage in or perform,

any act or omission which constitutes an offence under section 4, 5, 6, 7 or 8,

such person or person connected to a sport shall forthwith disclose such information in writing, in person or by electronic means to the Secretary or the Director of Sports or the Unit appointed under section 21 of this Act.

(2) Where any betting operator becomes aware of, or reasonably suspects any unusual betting patterns in any betting carried out by any person, such betting operator shall forthwith disclose such information in writing, in person or by electronic means to the Secretary or the Director of Sports or to the Unit.

Secretary or Director of Sports to refer information to the Unit.

17. (1) The Secretary or the Director of Sports, as the case may be, shall, upon receipt of any information under section 16, refer such information to the Unit, for investigation:

Provided however, that where such information discloses the commission of an offence under section 70 of the Bribery Act (Chapter 26), the Secretary or the Director of Sports, as the case may be, shall refer such information to the Commission to Investigate Allegations of Bribery or Corruption, for investigation and prosecution.

(2) Notwithstanding the provisions of subsection (1), the Secretary or the Director of Sports may, on his own motion refer any information relating to any offence under this Act to the Unit, for investigation.

Disclosing connections with betting operators to the Secretary or Director of Sports.

18. (1) Any person connected to a sport shall disclose to the Secretary or the Director of Sports all information relating to such person's personal or business interests, or any other connections with any betting operator, or any personal or business interests such person has relating to sports.

(2) The Secretary or the Director of Sports, as the case may be, shall, on a request made by the Unit, make available to that Unit any information received by such Secretary or Director of Sports under subsection (1), for the purpose of any investigation of any offence under this Act.

PART IV

INVESTIGATION AND PROSECUTION OF OFFENCES

19. (1) Except as otherwise provided for by this Act, all offences under this Act shall be investigated, tried or otherwise dealt with in accordance with the provisions of the Code of Criminal Procedure Act.

Offences under this Act to be investigated under the provisions of the Code of Criminal Procedure Act.

(2) All investigations carried out by the Unit under this Act shall be discreet except where the circumstances require otherwise.

20. An offence under Chapter I of Part II of this Act shall be a cognizable and non-bailable offence within the meaning, and for the purposes, of the Code of Criminal Procedure Act.

An offence under Chapter I of Part II to be a cognizable and non-bailable offence.

21. (1) The Minister shall, in consultation with the Minister assigned the Department of Police, appoint by Order published in the *Gazette*, an independent, impartial Special Investigations Unit (in this Act referred to as the "Unit") consisting of such number of police officers not below the rank of an Assistant Superintendent of Police, as may be determined by the Minister, for conducting investigations in relation to an offence under this Act.

Appointment of the Special Investigations Unit.

(2) The police officers to be appointed under subsection (1) shall be nominated by the Inspector General of Police.

(3) The Minister shall appoint the seniormost member from among the members of the Unit to be the Head of the Unit.

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(4) The term of office of any member of the Unit shall be three years and a member of the Unit shall be eligible for reappointment.

(5) A member of the Unit may at any time, resign his office by letter addressed to the Minister, and such resignation shall be effective from the date on which it is accepted by the Minister.

(6) The Minister may, if he considers it expedient to do so, with reasons assigned therefor, remove any member of the Unit from office.

(7) In the event of a vacancy occurring in the membership of the Unit as a result of the death, resignation, removal from office or otherwise of any member of the Unit, the Minister shall, having regard to the provisions of subsection (1), appoint another person to fill such vacancy.

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

(9) Every member of the Unit shall be paid such remuneration as may be determined by the Minister in consultation with the Minister assigned the subject of Finance.

(10) The members of the Unit, in the exercise and performance of their powers and functions under this Act—

- (a) shall be subject to such conditions of appointment as may be prescribed; and
- (b) in relation to any investigation under this Act, shall not be under the direction, control, or supervision of the Inspector General of Police:

Provided however, the Inspector General of Police shall have power to exercise disciplinary control over, or to transfer the members of the Unit.

(11) The Unit shall at all times act independently and impartially.

22. (1) The Minister shall, prior to appointing any police officer as a member to the Unit under section 21, satisfy himself that such officer has no financial, personal or other interest or relationship in relation to any matter which is under investigation under this Act, as is likely to affect prejudicially the discharging of such officer's duties as a member of the Unit.

Disclosure of conflict of interest.

(2) A member of the Unit shall disclose to the Minister and the Inspector General of Police of any instance of conflict of interest or relationship—

- (a) prevailing at the time of such member's appointment as a member of the Unit; or
- (b) arising or likely to arise in the course of any investigation, in relation to any matter or person subject to an investigation by the Unit under this Act.

23. (1) The Unit shall—

- (a) upon receipt of any information under section 16 or 17, if it is satisfied that such information is credible and that such information discloses material upon which an investigation ought to be conducted; or
- (b) on its motion, if the Head of the Unit is satisfied that there is *prima facie* evidence of the commission of an offence under this Act,

Investigation of offences by the Unit.

conduct investigations as may be necessary for the purpose of institution of criminal proceedings in respect of any offence under this Act:

Provided however, that where such information or evidence discloses the commission of an offence under section 70 of the Bribery Act (Chapter 26), the Unit shall refer such information or evidence to the Commission to Investigate Allegations of Bribery or Corruption, for investigation and prosecution.

(2) Upon completion of an investigation under subsection (1), the Head of the Unit shall—

- (a) prepare a report containing the findings of such investigation; and
- (b) where the Unit finds that it has reasonable grounds to suspect that an offence under this Act has been committed, refer such report along with any other documents available with the Unit in relation to such alleged offence, to the Attorney General for consideration and prosecution; or
- (c) where the investigation discloses the commission of an offence under the Bribery Act, refer such report to the Commission to Investigate Allegations of Bribery or Corruption, for investigation and prosecution.

Powers of the
Unit.

24. For the purpose of conducting any investigation of an offence under this Act, the Unit shall have power to—

- (a) procure and receive all such evidence, written or oral, and to examine all such persons as the Unit may think necessary or desirable to procure, receive or examine;

- (b) require any person to attend before the Unit for the purposes of being examined by the Unit and to submit answers to questions raised by the Unit, relevant in the opinion of the Unit to the matters under investigation by way of an affidavit or, if necessary administer oath or affirmation in accordance with the Oaths or Affirmations Ordinance (Chapter 17);
- (c) summon any person to produce any data, information, document or other thing in his possession or control;
- (d) require any service provider to produce any subscriber information or traffic data in the possession or control of such service provider;
- (e) direct by notice in writing the manager of any bank to produce, within such time as may be specified in the notice, any book, document or cheque of the bank containing entries relating to any account of—
 - (i) any person in respect of whom an investigation of an offence under this Act is conducted;
 - (ii) the spouse or any child of such person;
 - (iii) a company of which such person is a director;
 - (iv) a trust in which such person has a beneficial interest;
 - (v) a firm of which such person is a partner,

or to produce as specified in that notice, certified copies of such book, document, cheque or of any entry therein;

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(f) notwithstanding the provisions relating to confidentiality of information contained in the Inland Revenue Act, No. 24 of 2017, direct by notice in writing the Commissioner-General of Inland Revenue to produce, as specified in the notice, all information available to such Commissioner-General relating to the affairs of—

(i) any person in respect of whom an investigation of an offence under this Act is conducted; or

(ii) the spouse or any child of such person,

and to produce, as specified in the notice, any document or a certified copy of any document relating to such person, spouse or child which is in the possession or under the control of such Commissioner-General;

(g) direct any person in respect of whom an investigation of an offence under this Act is conducted, to furnish an affidavit—

(i) enumerating all movable or immovable property owned or possessed at any time, or at such time as may be specified by the Unit by such person, or the spouse or any child of such person and specifying the date on which each of the properties so set out was acquired, whether by way of purchase, gift, bequest, inheritance or otherwise; and

(ii) containing particulars of such other matters which in the opinion of the Unit are relevant to the investigation;

- (h) direct any other person to furnish an affidavit—
- (i) enumerating all movable or immovable property owned or possessed at any time, or at such time as may be specified by the Unit, by such person, where the Unit has reasonable grounds to believe that such information can assist an investigation conducted by the Unit; and
 - (ii) containing particulars of such other matters which in the opinion of the Unit are relevant to an investigation conducted by the Unit;
- (i) prohibit, under the authority of an Order issued in that behalf by a Magistrate, on application made for such purpose by the Unit—
- (i) any person in respect of whom an investigation of an offence under this Act is conducted;
 - (ii) the spouse or any child of such person;
 - (iii) any other person holding any property in trust for such first-mentioned person;
 - (iv) a company of which such person is a director; or
 - (v) a firm in which such person is a partner,
- from transferring the ownership of, or any interest in, any movable or immovable property specified in such Order, until such time the Order is revoked by the Court;

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- (j) require, under the authority of an Order issued in that behalf by a Magistrate, on application made for such purpose by the Unit—
 - (i) the Controller of Immigration and Emigration to impound the passport and other travel documents of any person in respect of whom an investigation of an offence under this Act is conducted, for such period not exceeding three months, as may be specified in such Order;
 - (ii) any police officer as shall be specified in that Order, whether by name or by office, to take all such steps as may be necessary to prevent the departure from Sri Lanka of any person in respect of whom an investigation of an offence under this Act is conducted, for such period not exceeding three months, as may be specified in such Order; and
- (k) call or receive any data, information, document or evidence from any person, government or non-government institution or from any foreign agency.

Institution of criminal proceedings.

25. Notwithstanding anything to the contrary in the Code of Criminal Procedure Act or any other law, the Attorney General may institute criminal proceedings in the High Court of Sri Lanka in respect of an offence under Chapters I and II of Part II of this Act based on the material collected in the course of an investigation conducted by the Unit under section 23.

Unit to enter and search premises or persons.

26. (1) Where the Unit has reasonable grounds to suspect that—

- (a) an offence under this Act is being committed or has been committed at any premises, and evidence of

the commission of such offence is to be found at any premises or with any person; or

- (b) any data, information, document or device connected to the commission of any offence under this Act is to be found at any premises or with any person,

a member of the Unit or any person authorised by the Head of the Unit may enter and search such premises or any person found on such premises in accordance with the provisions of the Code of Criminal Procedure Act. Such member or person may obtain the assistance of police officers outside the Unit to carry out such search.

(2) A member of the Unit or any person authorised by the Head of the Unit who enters and search any premises or person under subsection (1) may, in the manner provided for by the Code of Criminal Procedure Act—

- (a) seize any device which is found on such premises or with such person and which such member or authorised person has reasons to believe to be evidence of the commission of an offence under this Act;
- (b) seize data, information or document which is found on such premises or with such person and which such member or authorised person has reasons to believe to be evidence of the commission of an offence under this Act, or obtain any copy thereof; or
- (c) arrest any person found on such premises who such member or authorised person has reasons to believe to be connected with the commission of an offence under this Act.

(3) A member of the Unit or any person authorised by the Head of the Unit making an arrest without a warrant of any person suspected of committing an offence under this Act, shall, without unnecessary delay and within twenty four hours of such arrest, exclusive of the time taken for the journey from the place of arrest to the presence of the Magistrate, produce such person before the Magistrate of the Court nearest to the place such person is arrested.

(4) Where, by virtue of this section, a person has any power to enter into any premises such person may use such force as is reasonably necessary for the purpose of exercising such power.

(5) Whenever it is necessary to cause a woman to be searched the search shall be made by another woman with strict regard to decency.

Preservation of
information.

27. (1) Where a member of the Unit or any person authorised by the Head of the Unit is satisfied—

- (a) that any information or data stored in any electronic device is reasonably required for the purposes of an investigation under this Act; and
- (b) that there is a risk that such information or data may be lost, destroyed, modified or rendered inaccessible,

such member or the authorized person may by written notice require the person in control of such electronic device to ensure that the information or data be preserved for such period not exceeding thirty days as may be specified in such notice.

(2) On an application made to a Magistrate having jurisdiction, the period for which the information or data is to be preserved may be extended for such further period, which in the aggregate shall not exceed ninety days.

28. A member of the Unit or any person authorised by the Head of the Unit who conducts any search, inspection or does any other thing in the course of an investigation of an offence under this Act-

Seizure of any device not to hamper its ordinary use.

- (a) shall make every endeavor to ensure that the ordinary course of legitimate business for which any device which is being searched or inspected may be used is not hampered by such search, inspection or investigation; and
- (b) shall not seize such device if such seizure will prejudice the conduct of such ordinary course of business, unless-
 - (i) it is not possible to conduct the search or inspection on the premises where such device is located; or
 - (ii) seizure of such device is essential to prevent the commission or continuance of the offence or to obtain custody of any information or data which would otherwise be lost, destroyed, modified or rendered inaccessible.

29. Where any data, information, documents, or devices have been seized or rendered inaccessible during any search or inspection in the course of an investigation of an offence under this Act, the member of the Unit or the person authorised by the Unit conducting such search or inspection shall issue a complete list of such data, information, documents or devices including the date and time of such seizure or of rendering it inaccessible to the owner or the person in charge of such data, information, documents or devices.

Issuing a list of seized documents, &c.

30. (1) Every offence under Chapter I of Part II of this Act shall be triable by the High Court of Sri Lanka established under Article 154P of the Constitution.

High Court to try offences under Chapter I of Part II.

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(2) Where an offence under Chapter I of Part II of this Act is committed outside Sri Lanka, such High Court shall have the jurisdiction to try such offence as if such offence is committed in Sri Lanka if –

- (a) the person who committed such offence is present in Sri Lanka;
- (b) the person who committed such offence is a citizen of Sri Lanka;
- (c) the person in relation to whom the offence is alleged to have been committed is a citizen of Sri Lanka; or
- (d) such offence is committed on board an aircraft or vessel while in the air space of Sri Lanka or the territorial waters of Sri Lanka.

(3) Where in any proceedings in relation to any offence under this Act, any question including the exercise of any power arises in respect of which no provision or adequate provision has been made by or under this Act or any other enactment, the High Court shall have power to make such Orders and give such directions in so far as the same shall not conflict or be inconsistent with any provision of this Act.

PART V

GENERAL

Duty to maintain
secrecy.

31. The Secretary, Director of Sports, every member of the Unit or every officer, employee or other person appointed to assist the Secretary or Director of Sports or the Unit under this Act shall, before entering upon the duties of such Secretary, Director of Sports, member, officer, employee or person, sign a declaration pledging not to disclose any information received by him or coming to his possession or knowledge in the exercise and discharge of his powers and functions under this Act, except-

- (a) for the purpose of giving effect to the provisions of this Act;
- (b) when required under any provision of any other written law; or
- (c) when required to do so by a court of law.

32. (1) Every service provider from whom any information or data has been requested or obtained under this Act or any person to whom a written notice has been issued for the preservation of any information or data under section 27 shall maintain strict confidentiality in relation to such information or data and the fact that such information or data has been requested, obtained or required to be preserved, and shall not make any disclosure in regard to such matters other than with lawful authority.

Service providers to maintain confidentiality.

(2) A service provider shall not be held liable under the civil or criminal law for the disclosure of any information or data for the purposes of an investigation under this Act.

33. (1) The secretary of the Board of Management of every National Association of Sports recognized under this Act shall maintain a code of ethics, subject to the directions of the Secretary, governing the conduct of persons connected to such sport for the purpose of ensuring the maintenance of discipline and prevention of match fixing, corruption, illegal manipulation and illegal betting in such sport.

Maintenance of code of ethics.

(2) Every person connected to a sport shall be bound by the provisions of the code of ethics of the respective sport.

(3) Any person connected to a sport who acts in contravention of the provisions of the code of ethics of such sport shall also be liable to such sanctions as may be provided for in such code of ethics.

Reward Fund.

34. (1) There shall be established a Reward Fund under the control and administration of the Secretary for the purpose of rewarding persons who provide information that results in the detection of any offence committed by any person under this Act and the prosecution of such offence. The members of the Unit shall not be entitled to any reward from the Reward Fund.

(2) There shall be paid into the Reward Fund all such sums of money as may be voted upon from time to time by Parliament for the purpose.

(3) The Minister may prescribe the manner in which rewards shall be paid to persons who provide information. The amount of reward shall be determined on the basis of detection, institution of proceedings and successful prosecution, of an offence.

(4) The Secretary shall cause proper books of accounts to be kept of the income and expenditure of the Reward Fund and all other financial transactions in relation to the Reward Fund.

(5) The provisions of Article 154 of the Constitution shall apply to, and in relation to, the audit of the accounts of the Reward Fund.

Protection for
acts done in
good faith.

35. No member of the Unit or any officer, employee or other person appointed to assist the Unit for the purposes of this Act, shall be liable in any suit or other legal proceedings for any lawful act which is done or purported to be done in good faith by such member, officer, employee or person as the case may be, in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act.

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36. Where there is an extradition arrangement in force between the Government of Sri Lanka and the Government of any other State, such arrangement shall be deemed, for the purpose of the Extradition Law, No. 8 of 1977, to include provisions for the extradition in respect of an offence under Chapter I of Part II of this Act.

Provisions relating to extradition arrangements.

37. The Extradition Law, No. 8 of 1977 is hereby amended by the insertion immediately before Part B of the Schedule to that Law, of the following:-

Amendment of the Extradition Law, No. 8 of 1977.

“() An offence within the meaning of the Prevention of Offences relating to Sports Act, No. 24 of 2019.”.

38. Notwithstanding anything contained in the Extradition Law, No. 8 of 1977, an offence under Chapter I of Part II of this Act shall, for the purposes only of extradition under that Law, be deemed not to be a fiscal offence, or an offence of a political nature, or an offence connected with a political offence or an offence inspired by political motives.

Interpretation in relation to the Extradition Law.

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

Regulations.

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations in respect of the measures to be taken for the purpose of preventing, detecting and investigating offences under this Act.

(3) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of publication, or on such later date as may be specified therein.

(4) (a) Every regulation made by the Minister shall, within three months after its publication in the *Gazette*, be brought before Parliament for approval.

(b) Any regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

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

Interpretation.

40. In this Act, unless the context otherwise requires -

“betting operator” means any company or undertaking that promotes, brokers, arranges or conducts any form of betting activity in relation to any sport or sporting event and includes any director, partner, officer, employee, servant and agent of such company or undertaking;

“Board of Management” means the body which is in charge of the management and administration of the affairs of any National Association of Sports;

“child” means a male or a female under the age of eighteen;

“Code of Criminal Procedure Act” means the Code of Criminal Procedure Act, No. 15 of 1979;

“Commissioner-General of Inland Revenue” means the Commissioner-General of Inland Revenue appointed under section 97 of the Inland Revenue Act, No. 24 of 2017;

“Commission to Investigate Allegations of Bribery or Corruption” means the Commission to Investigate Allegations of Bribery or Corruption established by section 2 of the Commission to Investigate Allegations of Bribery or Corruption Act, No. 19 of 1994;

“computer system” means a computer or group of inter-connected computers, including the internet;

“Controller of Immigration and Emigration” means the Controller of Immigration and Emigration appointed under section 4 of the Immigrants and Emigrants Act (Chapter 351);

“Director of Sports” means the Director of Sports appointed under section 3 of the Sports Law, No. 25 of 1973;

“device” includes an electronic device;

“document” includes an electronic record;

“electronic device” means any device used for communication or for processing or transmission of information or data;

“electronic means” includes e-mail, fax, short message service (sms), fixed telephone, mobile phone and any online method;

“electronic record” means information, record or data generated, stored, received or sent in an electronic form or microfilm, or by any other similar means;

“information” includes data, text, images, sound, codes, database or microfilm;

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“Minister” means the Minister assigned the subject of Sports under Article 43 or 44 of the Constitution;

“National Association of Sports” means any National Association of Sports established in terms of the Sports Law, No. 25 of 1973;

“person connected to a sport” means-

- (a) any member or an employee of the National Olympic Committee of Sri Lanka established by section 18 of the Sports Law, No. 25 of 1973;
- (b) any person who is a member or an employee of any National Association of Sports;
- (c) any person or body of persons being an affiliated member, club, team, association or league of any National Association of Sports;
- (d) any player who participates in any sport, sporting event, international game, tournament or championship organized, held, convened or authorized by any National Association of Sports nationally or internationally;
- (e) in the case of a minor player who is a member of any National Association of Sports, such player’s parents, guardians or agents; and
- (f) any person who is an official, selector, sports manager, committee member, coach, trainer, masseur,

physiotherapist, medical official, paramedic, umpire, match adjudicator, match referee, curator, member of support staff, venue staff or ground staff, sports associate and a sponsor associated with any sport or sporting event;

“player” means any person who participates in any sport or sporting event at school, club, provincial, national or international level;

“premises” includes any vehicle, vessel or aircraft;

“prescribed” means prescribed by regulations made under this Act;

“Secretary” means the Secretary to the Ministry of the Minister assigned the subject of Sports under Article 43 or 44 of the Constitution;

“service provider” means-

(a) a public or private entity which provides the ability for its subscribers to communicate by means of a computer system or electronic system or by any other means; and

(b) any other entity that processes or stores computer data or information on behalf of that entity or its customers;

“sport” includes any form of sport, game, pastime, physical training, body building and exercise which is recognized by the Secretary as a sport for the purposes of the Sports Law, No. 25 of 1973;

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“sporting event” includes a match, game, competition, race or any event connected with any sport, whether at national or international level;

“subscriber information” means any information contained in the form of computer data or any other form that is held by a service provider, relating to subscribers of its services; and

“traffic data” means data—

- (a) that relates to the attributes of a communication by means of a computer system;
- (b) which is generated by a computer system that is part of a service provider; and
- (c) which shows communications origin, destination, route, time, data, size, duration or details of subscriber information.

Sinhala text to prevail in case of inconsistency.

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

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