

- (3) In the exercise, performance and discharge of its powers, duties and functions under subsection (1), when implementing any programmes or development work relating to road planning and improvements within any Development Area, and if that area expands in to a jurisdiction of a Local Government Institution, it is incumbent upon the Provincial Authority to invite the Mayor or Chairman of the Local Authority, or an officer of the Local Authority nominated by the Mayor or Chairman, for meetings relevant to those development programmes.
09. (1) The Minister of the Provincial Council may from time to time give the Provincial Authority general or special directions as to the exercise discharge and performance by the Authority of its powers, functions and duties, and the Authority shall give effect to such directions. Directions of the Provincial Minister.
- (2) The Minister of the Provincial Council may from time to time direct in writing the Authority to furnish to him in such form as he may require returns accounts and other informations with respect to the property and business of the authority shall give effect to such directions.
10. (1) The Provincial Authority may delegate writing to the Chairman or any officer of the authority, any of its powers, duties or functions under this statute. Delegation of powers by the Authority.

### PART III Staff of the Provincial Authority.

11. (1) The Provincial Authority shall with the approval in writing of the Provincial Minister appoint a General Manager for the Authority. General Manager of the Provincial Authority.
- (2) The General Manager shall subject to the general direction of the Provincial Authority on matters of policy be charge with the direction of the business of the Authority, the organization and execution of powers, functions and duties of the Authority and the administrative control of the employees of the Authority.
- (3) The General Manager may, with the approval in writing of the Provincial Authority, delegate in writing to any other employee of the authority such of his powers functions or duties as he may, from time to time consider necessary and any employee to whom any such powers, functions or duties are so delegated shall exercise them subject to the general or special direction of the General Manager.
- (4) The General Manager may not be removed from office without the prior approval of the Provincial Minister who is in charge of the subject roads.
12. (1) The Provincial Authority may in consultation with the Secretary of the Ministry subject to the other provisions of the Statute :- Appointments of the staff and etc., of the statute.
- (a) appoint, dismiss and exercise disciplinary control over such staff as may be deemed necessary by the Provincial Authority to carry out the functions of the Provincial Authority ;
- (b) fix the wages or salary or other remuneration of such staff ;
- (c) determine the terms and conditions of the service of such staff ; and
- (d) establish and regulate provident funds or schemes for the benefits of such and make contributions to any such fund or schemes.
- (2) At the request of the Provincial Authority any officer in the public service may with the consent of that officer the Secretary to the Ministry by or under which that officer is employed and the Secretary to the Ministry of the Minister in charge of the subject of public administration be temporarily appointed to the staff of the Provincial Authority, for such period as may be determined by the Provincial Authority or with like consent, may be appointed permanently to such staff.

- (3) Where the Provincial Authority employees any person who has entered in to a contract with the Government by which he has agreed to serve for a specified period, any period of service with the Provincial Authority, by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

#### PART IV Finance

Fund of the  
Provincial  
Authority.

13. (1) There shall be a Fund for the Provincial Authority.  
(2) The following receipts should be paid to the Fund :  
(a) All such sums of money as may be voted from time to time by the Uva Provincial Council for the use of the Provincial Authority.  
(b) All such sums of money as may be received by the Provincial Authority in the exercise, performance and discharge of its powers, duties and functions.  
(c) All sums of money accruing to the credit of the Authority.  
(3) The General Manager may with the concurrence of the chairman utilize the provincial roads account for the purpose of defraying any expenditure incurred in the exercise of the powers and the performance of the Provincial Authority under this statute, the payments of remuneration to the members of the Authority, the payment of salaries and allowances to the employees of the Authority including the General Manager and the payment of any other expenses under this statute.  
(4) The initial capital of the Provincial Authority shall be One Million Rupees. This capital shall be credited to the fund established under subsection (1), from the provincial fund in installments as may be determined by the Minister in the Board of Ministers charged with the subject of finance, in consultation with the Provincial Minister.

Borrowing  
Powers of  
The Authority.

14. The Provincial Authority may with the consent of the Provincial Minister or in accordance with the terms of any General Authority given by him, borrow temporarily by way of overdraft or otherwise, such sums of money as the Provincial Authority may require for meeting the obligations of the authority in discharging its duties under this statute.

Provided that the aggregate of the amounts outstanding in respect of any temporary loans raised by the Authority under this section shall not exceed such sum as may be determined by the Provincial Minister in consultation with the Minister in charge of the subject of finance in the Board of Ministers.

Financial year of  
the Provincial  
expenditures.

15. The financial year of the Provincial Authority shall be the calendar year.

Authority.  
Auditing,

16. (1) the Authority shall maintain books in regard of all revenues, credits, debits and any other transaction of the Provincial Authority.  
(2) The condition of "the concern shall obtained from the Government and the Auditor General" shall apply to the Provincial Authority, before submitting accounts for auditing, under the act, 154 of the constitution, related for the auditing of state co-operations.

#### PART V General

Power of the  
Authority for  
making Regula-  
tions.

17. (1) The Provincial Authority may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Statute and for all matters which are required by this statute to be prescribed or in respect of which regulations are to be required to be made.  
(2) Any regulations made by the Provincial Authority under this statute, shall not in valid till it approved by the Provincial Minister.

18. (1) In the event of necessary to acquire an immovable property for the purpose of the Provincial Authority, and that proposal of acquisition was approved by the Provincial Minister, that property shall be considered, that property is required for a public purpose, and that shall be acquired under the provisions of land acquisition act or under any other similar provisions of any statute of the Provincial Council. Compensation for such acquisition shall be paid by the Provincial Authority.
- (2) In the event of necessary for a state land situated within the Province of Uva for the Activities of the Provincial Authority, steps shall be taken by the Provincial Minister under section 1:1:2 of chapter 2 of the 13th amendment to the constitution, to administrate the land by the authority and to use that land for the purpose.
19. It shall be lawful for the Chairman of the Provincial Authority or any officer, generally or specially authorized by him in writing after giving at least three days notice in writing to the owner or the occupier of any land or premises situated within the province to enter upon such land or premises and there do such acts as investigation or research, may be reasonable in the opinion of the Chairman or the officer necessary for the purpose of carrying out any powers or the discharge of any function of the Authority.
20. A person who violates a provision in the statute or a regulation made there under or who fails to comply with it shall be guilty of an offence under this statute and when convicted summarily before a magistrate shall be liable for a fine not exceeding One Thousand Rupees or for imprisonment of either description for a period not exceeding two years, or for both fine and imprisonment.
21. In the events of any inconsistency between the Sinhala, Tamil and English texts of this Statute, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

In this Statute unless the context otherwise requires :

Interpretation.

“Minister of the Provincial Council” means, the Minister in charge of the subject Highways in the Provincial Council.

“Government Agency” means, a Government Department, a local Government Institution or a Public Co-operation.

“Improvements of roads” means, widening of any road, leveling of roads, provisions of pavements for the use of pedestrians, treatment of roads for mitigating the nuisance of dust, planting trees and laying turf lines in roads, and doing any other works in respect of roads beyond ordinary repairs essential to placing any existing roads in a proper state or repair.

“Local Authority” means, any Development Councils, a Municipal Council, an Urban council or a Pradeshiya Sabha, and includes any Authority created and established by or under any law to exercise, perform and discharge powers, functions and duties corresponding or similar to the powers, functions, duties and functions exercised performed and discharged by such council.

“State Co-operation” means, any co-operation Board or other body which was or is established by under any written law other than the “Companies Ordinance” with funds or capital wholly or partly provided by the Government by way of grant, loan or any other ways.

“Road” has the same meaning as in the Thoroughfares Ordinance.

“Road Development” means, Construction of a new road, Maintaining or Improving a existing road.

“National Highway” means, Highways declared by the Minister of Highways and published in the *Extraordinary Gazette* No. 561/5 and dated 06th June, 1989.