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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

SABARAGAMUWA PROVINCIAL COUNCIL

Sports Statute No. 04 of 2006 of the Sabaragamuwa Provincial Council

Certified on : 21.12.2006

Assented On : 04.04.2007

By Order of the Sabaragamuwa Provincial Council,

SRIYANI PADMALATHA,
Council Secretary,
Council Secretariat,
Sabaragamuwa Provincial Council.

SABARAGAMUWA PROVINCE PROVINCIAL COUNCIL

SPORTS STATUTE No. 04 OF 2006

APPROVED BY THE HON. GOVERNOR, SABARAGAMUWA ON 04.04.2007

A Statute to provide for the establishment of a Provincial Sports Council, District Sports Councils, Regional Sports Councils and the establishment of a Sports Account registration of Sports Societies and the supervision of same, to provide for the creation of Sports Scholarships and Sports Training Institutions, the establishment of welfare facilities for sportsmen and sports women and matters connected where with or incidental there to and is enacted in accordance with the Sports Act, No. 25 of 1973.

Be it enacted by the Sabaragamuwa Provincial Council of the Democratic Socialist Republic of Sri Lanka as follows : -

PART I

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| Short title and date of operation. | 01. This Statute may be cited as the Sports Statute No. 04 of 2006 of the Sabaragamuwa Provincial Council and shall come into effect from the day the Governor of the province, sanctions it. |
| Establishment of Provincial Sports Councils etc. | 02. For the operation of this Statute, and subject to the provisions hereunder -
(1) A Provincial Sports Council
(2) District Sports Councils
(3) Regional Sports Councils
(4) Sports Training Institutions to be determined by the Minister ; and
(5) An Account named “Sabaragamuwa Sports Account” shall be established. |
| Appointment of Provincial Sports Director and other officers. | 03. (1) For the operation of this Statute, the Governor may appoint a Provincial Sports Director.
(2) For the Operation of this Statute, Assistant Sports Directors and other officers may be appointed by the Governor or by an authority empowered by the Governor.
(3) All officers appointed in accordance with subsections (1) and (2) above, shall be treated as public officers within the meaning and interpretations of the Penal Code of Sri Lanka.
(4) No proceeding in a Court of law shall be instituted against a public officer for any lawful act done in good faith , or for not having done any act in good faith under this Statute.
(5) All officers appointed under this section shall carry out their duties and functions under the general or special directions of the Minister. |

PART II

*ESTABLISHMENT OF THE PROVINCIAL SPORTS COUNCIL,
DISTRICT SPORTS COUNCIL, REGIONAL SPORTS COUNCIL*

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| Powers, Functions and duties of the Council. | 04. (1) A council called and known as “Sabaragamuwa Provincial Sports Council” (herein after called and known as “Council”) shall be established by order published in the <i>Gazette</i> to advise the Minister on improvement, development and interest in sports and physical education in the Sabaragamuwa Province.
(2) The Council shall be constituted with the following officers –
(a) Four of the members to be name and appointed by the Minister ; and
(b) Secretary of the Ministry of Sports
(c) The Provincial Director of Sports
(d) The Provincial Director of Education
(e) The Provincial Director of Youth Services
(f) The Provincial Director of Health Services
(g) The District Secretaries of the Province.
(3) (1) The Secretary of the Provincial Sports Ministry shall be the Chairman of the Council.
(2) The Provincial Sports Director shall be the Secretary of the Council. |
| | 05. The powers, functions and duties of the Council subject to the provisions of this Statute, by the Minister shall forward to the Provincial Council of the Province and after made approval, this rules shall be published in the <i>Government Gazette</i> . |

06. Rules may be framed by the Council with approval of the Minister for the procedure, quorum and effective functioning of its meetings.	Rules.
07. (1) Councils called and known as District Sports Councils (herein after called Sports Councils) shall be established by order published in the <i>Gazette</i> for each of the Districts to advise the Ministry on improvement, development and interest in sports and physical education.	Establishment of District Sports Councils.
(2) The Sports Council shall be constituted with the following officers - (a) Three of the members to be appointed by the Minister (one of the members may be named Chairman out of the three members) ; (b) Assistant Director of Education (Physical Education) ; (c) District Sports Officer ; (d) District Youth Services Officer ; and (e) A representative for each of the Sports Association in accordance with Section 19 ; (f) Five members of Regional Sports Associations selected to represent the District Sports Council.	
(3) The District Sports Officer shall be the Secretary of the District Sports Council.	
08. Subject to the provisions of the Statute, the powers, functions and duties of the District Sports Council shall be made regulations ordered by the Minister.	Powers, functions and duties of the District Sports Council.
09. Rules may be framed by the District Sports Council with approval of the Minister to provide for the procedure, quorum and make the regular function of its meetings.	Rules'
10. (1) Councils called and known as Regional Sports Councils shall be established in each of the Divisional Secretary's Divisions in the Sabaragamuwa Province as determined by the Minister to advise the relevant Sports Councils on physical education and intersection them and to make appropriate recommendations within the Divisional Secretary's Division.	Establishment of Regional Sports Council.
(2) The Regional Sports Council shall be constituted with the following officers : - (a) The Divisional Secretary of the Region ; (b) The Sports Officer of the Region ; (c) The Deputy Director of Education of the Region ; (d) The Youth Services Officer of the area ; (e) Four members to be appointed by the Minister ; and (f) Five representatives from each of the Sports Associations within the limits of the Divisional Secretary's Region and duly registered in accordance with the provisions of the Statute.	
(3) Cut of four of the members to be appointed by the Minister, one of the members may be named the Chairman of the Regional Sports Council.	
(4) The Sports Officer of the Region, shall be the Secretary of the Regional Sports Council.	
11. (1) Subject to the provisions of this Statute, the powers functions and duties of the Regional Sports Council shall be made regulations to be ordered by the Minister.	Powers, functions and duties of the Regional Sports Council.
(2) Rules may be framed by the Divisional Sports Council with the approval of the Minister, subject to provide for the procedure, quorum and functioning of its meetings.	

Tenure of office of
Council members.

12. (1) A member appointed to the Provincial Sports Council, District Sports Council or Regional Sports Council by the Minister under Section 4, 7 and 10 of this statute shall hold office for the three consecutive years unless and until such time he vacates such office by reason of his death, resignation or expulsion from such appointment.
- (2) If the Minister deems it necessary to remove any member from the office to be appointed by him, may be removed by the Minister.
- (3) Any vacancy created by reason of death, resignation or expulsion of a member shall be filled by the appointment of a new member and such newly appointed member shall hold office during the remaining period of office.
- (4) When a member who has expired his tenure of office may be eligible to be reappointed by the Minister.
- (5) The Minister may appoint an acting member to act in place of a member appointed by the Minister who is temporarily incapacitated by reason of illness or some other cause.

Disqualification.

13. The following persons are disqualified from being appointed as members under Section 4, 7, 10 of this Statute.

- (1) A person of unsound mind as being so determined under the laws of Sri Lanka.
- (2) A person declared bankrupt or insolvent by a competent court of law.
- (3) A person convicted by a court of law on an offence involving moral turpitude.

Establishment of the
Sabragamuwa
Sports fund.

14. (1) A separate account called and known as the Sabaragamuwa Sports account (hereinafter called the "Sports Account") shall be established and maintained with the Provincial Council funds to promote and develop sports activities in the Sabaragamuwa Province.
- (2) The sports account shall be subject to the provisions of part III of the Provincial Councils Act, No. 43 of 1987.
- (3) The following categories of receipt to the sports account shall in the first instance be credited to the Provincial Council Fund and subsequently be credited to the Sports Account.
 - (a) Monies appropriated from time to time by the Government by way of grant for achieving the objects of this Statute.
 - (b) Monies voted from time to time by the Provincial Council for achieving the objects of this Statute.
 - (c) Monies donated by a person or by an organisation to achieve the objects of this Statute ; and
 - (d) Monies received to the Sports Account from other sources.
- (4) Monies expended for the implementation of the powers, functions and duties under this Statute determined as necessary by the Minister may be reimbursed with monies from the Sports Fund.
- (5) Donations made by way of movable or immovable property for the achievement of the objects provided for in this Statute shall be accepted by the Minister on behalf of the Sports Fund and shall sell them in manner determined by him and credit the proceeds of such sale to the Sports fund.
- (6) The Secretary of the Ministry shall administer the Sports fund subjects to the General or special directions of the Minister.
- (7) The financial year of the Sports Fund shall be the calendar year.

15. It shall be according to the Section 154 of the constitution. Administration of the Sports fund.
16. (1) Auditing should be done in accordance with the regulations laid down by the Section 154 of the constitution of Democratic Socialist Republic of Sri Lanka. Audit of the Sports fund.
- (2) A statement of all receipts and payments of the sports account shall be presented to the auditor-general for audit before the expiry of six months of the end of its financial year. The Auditor-General may engage the services of a qualified auditor or auditors to assist him in the audit of the Sports Account and such auditor or auditors shall function under the direction and administration of the auditor general.
- (3) A sum of money determined by the Minister shall be paid to the Auditor-General to reimburse the expenses incurred by him in the audit of the Sports Account. Any balance money left over after payment to the auditor or auditors engaged by him in such audit shall be credited to the consolidated fund.
- (4) The Auditor-General or any other person assisting him in the audit of the Sports Account, if the Auditor General deems it necessary, shall have the right to inspect all books, deeds, agreements, accounts, vouchers and relevant documents pertaining to the Sports Account and the officer Adminstrating the Sports Account shall make available to the Auditor-General such books, deeds, agreements, accounts, vouchers and relevant documents and such other information.
- (5) In this Section "qualified auditor" shall mean and include -
 - (a) A person who is a member of the Institute of chartered accountants of Sri Lanka or a member of a legally constituted institute of accountants and possesses a certificate from either of the institutes to profess as an accountant ; or
 - (b) A company chartered accountants whose individual resident members shall possess a certificate to profess as auditors obtained from the institute of chartered accountants of Sri Lanka or from a legally constituted institute of accountants.
17. (1) The Auditor-General after inspection and audit of the Sports Account prepare a report indicating whether the Sports Account shows a true and fair state of affairs and include in his report any specific aspect of the Sports Account on which he considers the Provincial Council shall pay its attention. Report of the Auditor-General
- (2) The Auditor-General shall forward his report including all relevant information of the Sports Account he has audited to the Hon. Minister.
18. The Minister shall present before the Provincial Council at the end of a calendar year and as soon as expedient an Administration report of the Sports Account together with a copy of the audit report of the Account and a copy of the general report of the Sports Account prepared by the Auditor-General. Administration report of the Sports Account.

PART III

Registration and Supervision of Sports Association

19. The Minister may by regulations name a sports or a class of Sports as a Provincial Sports or as a class of Sport and a Provincial Sports Association may be established in respect of that Sport or class of Sport. Naming of sports or categorization of sport and establishment of provincial sports councils.
20. In the event of naming a sport or a class of sport under Section 19. Provincial Sports Associations.
- (1) Any Association which existed previous to such naming shall apply for registration under the provisions of this statute, mentioned in that follow.

- (2) Any provincial association formed after the naming by the Minister in respect of sport or class of sport should apply for registration before the expiry of a period of three months under the provisions of this statute mentioned in that follow.
- Appeals against decisions and acts in registration. 21. An appeal by a person or a body of persons dissatisfied with a decision or any act regarding registration may be forwarded to the Minister. The Minister's decision on such appeal shall be final and conclusive.
- Power of the Minister regarding sports councils, constituent and registration. 22. The following matters may be regulated by regulations published :-
- (1) The mode of registration of sports associations and the fees that may be levied in such registration;
 - (2) The composition and the incorporation of such sports associations;
 - (3) The responsibilities, powers and duties of such sports associations;
 - (4) The mode of appeals against the decisions or acts of such sports associations ; and
 - (5) The mode of appointment of trainers, umpires and judges by such sports associations.
- Refusal in registration. 23. Registration may be refused or suspended for any sports association which does not conform to the provisions of this Statute.
- Disqualification regarding receipt of facilities. 24. Any sports or class of sports not registered under the provisions of this Statute shall not be entitled to receive any kind of relief, facilities or other grants receivable under this Statute.
- Suspension the registration of provincial sports associations. 25. The Minister by order may direct any of the officers of a sports associations not registered under Section 19 or a sports association whose registration has been suspended under Section 22 to take steps to hand over the movable or immovable property belonging to such sports association to officers named by the Minister.

PART IV

Establishment of Sports Scholarships

- Sports Scholarships. 26. (1) The Minister may establish one or more or a number of sports scholarships for the following objectives:-
- (a) To enhance knowledge in physical sports training and its education;
 - (b) To make available sufficient opportunities to persons who possess born talents in sports;
- (2) The following matters may be regulated by regulations published:-
- (a) For providing maximum facilities in Sports activities on a scientific training during proper age;
 - (b) Selection of persons for award of scholarships;
 - (c) Determination of the annual value of such scholarship ; and
 - (d) Appointment of co-ordinating officers, lecturers, trainers, teachers, instructors and such other officers for these matters.
- Power of the Minister to provide facilities. 27. The Minister shall have the power to:-
- (1) Provide for and supply implements and buildings as are necessary for residential or other type of training.

- (2) Regularise discipline and welfare activities in training schools and institutions where the training specified in Section (a) above is carried out.
28. (1) The Minister shall have the power for the establishment and for extending patronage for the establishment of sports complexes, hereinafter named and called as sports complexes. Sports Stadiums and Sports Grounds meant for training activities, physical training exercises and the improvement and development of recreational sports. Establishment of sports complexes.
- (2) Regulations may be made by the Minister for –
- (a) Appointment of technical or other officers for the supervision of sports complexes.
- (b) Providing facilities for such sports complexes.
- (c) Fixation of machinery in such sports complexes and on the state of security provided for in the use of such machinery.
29. The institutions mentioned in Section 27 above shall provide their own funds for the establishment or erection of the individual institutions. Provisions for Funds.
30. The Minister shall have the power to supply or build, residential buildings and the supply of equipment for such sports complexes. Power of the Minister in providing building.

PART V

Establishment of Sports Academies

31. (1) The Minister may for functions mentioned below establish one or more sports academic here in after called and known as “Academies”. Establishment of sports academies.
- (a) To provide for importing knowledge and instructions on sports and physical education.
- (b) To hold examinations to ascertain the degree of proficiency attained by pupils in such academies.
- (c) To offer medals of merit and issue certificates to those successful of the examinations conducted by such academies.
- (2) Regulations may be made for the following functions by the Minister.–
- (a) Procedures in admission to academies.
- (b) Procedures regarding education, training and examinations ; and
- (c) Procedures with regard to appointment of Director, Assistant Directors, Teachers, Instructors, and the procedures regarding payment of salaries to them.
32. The Minister shall take appropriate action.– Authority of the Minister regarding facilities for academies and their discipline control.
- (1) To construct buildings and maintenance of same and to supply implements to same to provide facilities for training, residing and other activities.
- (2) To establish effectively discipline and welfare of the pupils and the teaching staff and,
- (3) To provide for the presentation of medals of merit and issue of certificates.

PART VI

General Provisions

33. (1) The Minister may issue in writing general or special orders on institutions, associations or other organisations established or registered under this statute with regard to the exercise of their authority and functions and such institutions, associations and other organisations shall carry out such orders of the Minister. General and special provision of the Minister.

(2) The Minister shall order from time to time on institutions associations or other organisations established or registered under this statute to render into him of periodical reports on their property activities or on any other information as deemed necessary by the Minister and such institutions, associations or other organisations shall comply with such orders.

(3) The Minister shall have the power to order from time to time the investigation of the affairs of institutions associations and other organisations established or registered under this statute by a person determined by him, and all such institutions associations and other organisations shall render all necessary facilities and make available all such information to such person in the event such order is made by the Minister.

Regulations.

34. The Minister may make all such regulations as per necessary for the following. -

- (1) The control and participation of a sportsman or a team of sportsman representing the Sabaragamuwa Province in Sri Lanka or abroad.
- (2) The supply of minimum sports and recreational facilities by a local authority, state-affiliated organisation or employers.
- (3) All other matters and orders incidental to the implementation or giving effect to the provisions and principles contained in this Statute.
- (4) The Regulations made under the Sub-section by the Minister shall be published in the Government *Gazette* and shall take effect on the date of its publication in the Government *Gazette* or on a later date specified in the Minister shall as soon as possible be presented before the Provincial Council for approval after due publication in the *Gazette*. Any Regulation not approved by the Provincial Council shall be deemed to be repealed but shall not effect action taken under such regulations. The date of the reparation of such order made by the Minister should be published in the *Gazette*.

Paymnt of allowances.

35. Allowances may be paid to the members of provincial sports associations and district sports associations established under the provisions of this statute in manner and amounts determined by the Minister with the concurrence of the Minister in charge of the subject of finance in the cabinet of Ministers in the Sabaragamuwa Province.

Interpretation.

36. In this Statute, unless the context otherwise requires "The Governor" denotes "Governor of the Sabaragamuwa Provincial Council".

"Minister" means the person appointed to perform duties of the Minister-in-charge of the subject of sports in the cabinet of Ministers in the Sabaragamuwa Province.

"Secretary" means the person appointed to perform the duties of the Secretary of the Minister-in-charge of the subject of sports in the Cabinet of Ministers in the Sabaragamuwa Province.

Sinhala text to prevail in the event of inconsistency.

37. In the event of any inconsistency between the Sinhala, Tamil and English texts of this Statute the Sinhala text shall prevail.

CORRECTION

IN ACCORDANCE WITH SECTION No. 122 (I) AND 126 (VII) OF PRADESHIYA SABHAS ACT

**Sub Ordinance regarding arranging spaces for parking vehicles and charging from them in the
area of Hali-ela Pradeshiya Sabha**

IN the Notice No. 340, published in the Part IV (A) – Provincial Councils of the *Gazette Extraordinary* of the Democratic Socialist Republic of Sri Lanka No. 1491/8 of 03.04.2007, under the above Headings –

Wherein appears the term “Sub-Ordinance”, should be corrected to read as “By-Law”.

H. M. JAYAWEERA BANDARA,
Chairman.

Pradeshiya Sabha,
Hali-Ela,
24th April, 2007.