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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 PROVINCE PROVINCIAL COUNCIL

Charter of Rural Development, Sabaragamuwa Provincial Council

THIS is to announce that the Charter of Sabaragamuwa Provincial Council Rural Development, instituted by the Sabaragamuwa Provincial Council will be presented to the provincial council after 10 days from the date it appears in the Government *Gazette*. If any individual intends to comment on any matter with regards to this charter, should be forwarded the same to me within 10 days from the date it will appear in the *Gazette*.

Y. G. PADMASIRI,

Minister of Sports, Youth Affairs, Women Affairs,
Fisheries Affairs, Rural Development, Rural Industrial,
Housing and Construction.

Ministry of Sports, Youth Affairs, Women Affairs,
Fisheries Affairs, Rural Development,
Rural Industrial, Housing and Construction,
Sabaragamuwa Provincial Council,
Rathnapura,
08th November, 2006.

CHARTER OF RURAL DEVELOPMENT No. 2006

Registration and Supervision of Rural Development Organizations, Training of Community Leader-ship and Conducting Training Centers, Establishment of Rural Zones, Establishment of Rural Authority, Establishment of District and Provincial Authority.

Sabaragamuwa Provincial Council of Sri Lanka Democratic Socialist Republic will enact the followings :

Brief Definition and effective date :

1. This charter will be identified as the charter of Rural Development of Sabaragamuwa Provincial Council No. 2006. The effective date will be the date on which the Provincial Governor approves the Charter by setting his seal.

Purpose and Activity :

2. (a) To assist setting up of rural development centers to promote economical, social, cultural, educational and moral development of community with the assistance of public under the control of the Provincial Council.
- (b) Registration.
- (c) Supervision.
- (d) Training of community leadership.
- (e) To make aware of rules and regulation of rural development of the Provincial Council.
- (f) To advise and to counsel on the approach of Participation Development.

Structure of the Organization :

3. (i) Sole authority of this charter will be the secretary of the Rural Development.
- (ii) Two development officers will have to be appointed one to Kegalle and one to Rathnapura in order to assist the secretary of the ministry.
- (iii) One district rural development officer will have to be appointed to implement training rural development and rural leadership programs and to be in charge of designated centers.
- (iv) In order to assist district officer, representative from each secretarial division will have to be appointed.
4. (i) All the rural development committees and rural development (ladies) committees established under rural development department will have to be reorganized and register again within 3 months after this charter takes in to effect.
- (ii) Setting up of new rural development committees and their registration will have to be done under the new rules and regulations as stipulated above after the effective date of the charter.
- (iii) The rules and regulations for the above mentioned rural development committees will have to be approved by the rural development secretary.

Fund :

- (iv) Two separate district funds can be maintained one for Kegalle and one for Rathnapura. This fund will be categorized as follows :
 - (a) Allocation of funds from the annual budget of provincial council.
 - (b) Foreign aid receive through the government.
 - (c) Donation receive from an organization or from an individual.
 - (d) Revenue earn from building contracts under taken by the rural development committees.
 - (e) Revenue earn from a lottery, from carnivals or from any other legal means.

Control of Funds :

5. (a) Minister will have to appoint a revenue committee with 7 members and the secretary of the ministry as the chairman. The other 6 members will be appointed as follows :
 - (i) One member recommended by the minister of finance.
 - (ii) One member recommended by the minister of local government.
 - (iii) One member recommended by the minister of social affairs.
 - (iv) One member recommended by the minister of health.
 - (v) Two members recommended by the minister of rural development and one of these members will have to be a member of the provincial committee.
- (b) This fund will be audited according to the law under statement 154 of the government constitution.

Allocation of Fund :

6. (i) To support conducting of training on community development.
- (ii) To evaluate annually, productively developed committee leaders of provincial district and leaders of local level, and to donate presents or money to them.

To settle dispute which will strengthen the Civil Society :

- (iii) To introduce and to help to implement new fields which will help for the development.
- (iv) Help to develop and to implement project which will develop economical, social, religious and moral society.

Settlement of Disputes :

7. (i) Settlement and judgment of disputes in rural development committee will be handled by the secretary.
- (ii) If any organization not satisfied by the decision taken as in 7.1 above will have freedom to appeal to the Minister. The decision of the minister will be final.

Orders and Laying down of rules :

8. Subject minister will be authorized to introduce any new rules and regulations for the activities mentioned in the charter and the final approval of the provincial council will have to be obtained.

Movable and immovable properties of the Rural Development Committees :

9. (i) All the buildings built using funds of the provincial council will belongs to the provincial council and the active rural development committees will have the guardianship.
 - (ii) Provincial Council is the sole owner of all the other movable and immovale properties of the Rural Development Committees. The committees will have only the guardianship of those properties.
 - (iii) In order to demolish any building, to change the existing structure belongs to Rural Development Committees or to build a new structure on the premises authority will have to be obtained from the secretary of the ministry prior to carry out such activities.
10. If there is any discrepancy among the Sinhala, Tamil and English version of this charter then the contents in the Sinhala version is accepted as the authentic version.

Brief Introduction :

Definition : “Rural Development Organization” set up by Rural Committee of Sabaragamuwa for the uplift of their Economic, Social, Religious, Cultural, Educational and morality.

“Registered committee” : Organization registered under any charter laid down by Sabaragamuwa Provincial Council.

SABARAGAMUWA PROVINCE PROVINCIAL COUNCIL

Charter of Sport, Sabaragamuwa Provincial Council

THIS is to announce that the Charter of Sabaragamuwa Provincial Council Sport, instituted by the Sabaragamuwa Provincial Council will be presented to the provincial council after 10 days from the date it appears in the *government Gazette*. If any individual intends to comment on any matter with regards to this charter, should be forwarded the same to me within 10 days from the date it will appear in the *Gazette*.

Y. G. PADMASIRI,
Minister of Sports, Youth Affairs, Women Affiars,
Fisheries Affairs, Rural Development, Rural Industrial,
Housing and Construction.

Ministry of Sports, Youth Affairs, Women Affiars,
Fisheries Affairs, Rural Development, Rural Industrial,
Housing and Construction,
Sabaragamuwa Provincial Council,
Rathnapura,
08th November, 2006.

SABARAGAMUWA PROVINCE PROVINCIAL COUNCIL

SPORTS STATUTE NO. OF 2006

APPROVED BY THE HON. GOVERNOR, SABARAGAMUWA ON..... 2006.

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

Short title and date
of operation.

01. This Statute may be cited as the Sports Statute No..... 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 -

- (i) A Provincial Sports Council
- (ii) District Sports Councils
- (iii) Regional Sports Councils
- (iv) Sports Training Institutions to be determined by the Minister and
- (v) An Account named "Sabaragamuwa Sports Account" shall be established.

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.

Appointment of
Provincial Sports
Director and other
officers.

PART II

ESTABLISHMENT OF THE PROVINCIAL SPORTS COUNCIL, DISTRICT SPORTS COUNCIL, REGIONAL SPORTS 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 *gazette* 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 *Government Gazette*.

Powers, Functions
and duties of the
Council.

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 *Gazette* for each of the Districts to advise the Ministry on improvement, development and interest in sports and physical education.
- (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)

Establishment of
District Sports
Councils.

	<p>(c) District Sports Officer</p> <p>(d) District Youth Services Officer ; and</p> <p>(e) A representative for each of the Sports Association in accordance with Section 19.</p> <p>(f) Five members of Regional Sports Associations selected to represent the District Sports Council.</p> <p>(3) The District Sports Officer shall be the Secretary of the District Sports Council.</p>
Powers, functions and duties 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.
Rules	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.
Establishment of Regional Sports Council	<p>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 inter-section them and to make appropriate recommendations within the Divisional Secretary's Division.</p> <p>(2) The Regional Sports Council shall be constituted with the following officers.-</p> <p>(a) The Divisional Secretary of the Region,</p> <p>(b) The Sports Officer of the Region,</p> <p>(c) The Deputy Director of Education of the Region,</p> <p>(d) The Youth Services Officer of the area,</p> <p>(e) Four members to be appointed by the Minister ; and</p> <p>(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.</p> <p>(3) Out 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.</p> <p>(4) The Sports Officer of the Region, shall be the Secretary of the Regional Sports Council.</p>
Powers, functions and duties of the Regional Sports Council	<p>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.</p> <p>(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.</p>
Tenure of office of Council members.	<p>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.</p> <p>(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.</p> <p>(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.</p>

- (4) When a member who is expired his tenure of officer may be eligible to reappoint by the Minister.
- (5) The Minister may appoint an acting member to act in place of a member appointed by the Minister who is temporating incapacitated by reason of illness or some other cause.

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

- (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.
14. (1) A separate account called and known as the Sabaragamuwa Sports account (hereinafter called the "Sports Account") shall be established and maintain with the Provincial Council funds to promote and develop sports activities in the Sabaragamuwa Province. Establishment of the Sabaragamuwa Sports fund.
- (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 or 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 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 assit 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 Administrating 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.

Report of the
Auditor-General

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.
- (2) The auditor-general shall forward his report including all relevant information of the Sports Account he has audited to the Hon. Minister.

Administration
report of the Sports
Account

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.

PART III

Registration and Supervision of Sports Association

Naming of sports or
categorisation of
sport and
establishment of
provincial sports
councils.

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.

Provincial Sports
Associations.

20. In the event of naming a sport or a class of sport under Section 19.
 - (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.

22. The following matters may be regulated by regulations published –	Power of the Minister regarding sports councils, constituent and registration.
(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.	
23. Registration may be refused or suspended for any sports association which does not conform to the provisions of this Statute.	Refusal in registration
24. Any sports or class of sport 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.	Disqualification regarding receipt of facilities.
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.	Suspension the registration of provincial sports associations.

PART IV

Establishment of Sports Scholarships

26. (1) The Minister may establish one or more or a number of sports scholarships for the following objectives.–	Sports Scholarships
(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.	
27. The Minister shall have the power to.–	Power of the Minister to provide facilities.
(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.

Provisions for Funds.

29. The institutions mentioned in Section 27 above shall provide their own funds for the establishment or erection of the individual institutions.

Power of the Minister in providing building.

30. The Minister shall have the power to supply or build, residential buildings and the supply of equipment for such sports complexes.

PART V

Establishment of Sports Academies

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".

- (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.

Authority of the Minister regarding facilities for academies and their discipline control.

32. The Minister shall take appropriate action.-

- (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

General and special provision of the Minister

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.

(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.

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

Regulations.

- (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 repealation of such order made by the Minister should be published in the *Gazette*.

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.

Paymnt of allowances.

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

Interpretation

“Minister” means the person appointed to perform duties of the Minister-in-charge of the subject of sports in be 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.

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

Sinhala text to prevail in the event of inconsistency.