

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය
අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 1465/21 – 2006 ඔක්තෝබර් 05 වැනි බ්‍රහස්පතින්දා – 2006.10.05
No. 1465/21 – THURSDAY, OCTOBER 05, 2006

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

THE FINANCE ACT, No. 11 OF 2006

REGULATIONS made by the President under Section 8 of the Finance Act, No. 11 of 2006 read with Section 6 of the aforesaid Act and with paragraph (2) of Article 44 of the Constitution.

MAHINDA RAJAPAKSA,
President.

Colombo,
05th October, 2006.

Regulations

1. These regulations may be cited as the Finance (Tele-drama, Film and Commercials Levy) Regulations, No. 3 of 2006.

2. The Finance (Tele-drama, Film and Commercials Levy) Regulations No. 1 of 2006 published in *Gazette Extraordinary* No. 1451/16 of June 29, 2006 as amended by the Finance (Tele-drama, Film and Commercials Levy) Regulations No. 2 of 2006 published in *Gazette Extraordinary* No. 1455/6 of July 24, 2006 are hereby further amended as follows :

(1) by the deletion of Regulation 3 of such regulations and the substitution therefore, of the following regulation.

“3. No tele-drama, film or commercial shall be telecast by any licensed institution unless such institution has obtained a Certificate of Clearance issued by the Secretary in accordance with the provisions of regulation 11 of these regulations.

Where the Secretary is of the opinion that telecasting of any tele-drama, film or commercial is likely to be obnoxious to the Sri Lankan values, Sri Lankan identity or Sri Lankan ethics, he may request the Panel referred to in Regulation 9 of these regulations for a determination as regards the suitability or otherwise of telecasting such tele-drama, film or commercial. Where the Panel determines that such tele-drama, film or commercial is so obnoxious, the Secretary shall refuse to issue such Certificate of Clearance and shall, in writing inform such institution accordingly.

Provided that where the Panel requires such institution to comply with such conditions as may be deemed by the Panel to be appropriate, the Secretary shall, if such institution agrees to comply with such requirement, issue such Certificate of Clearance specifying such conditions as an alternative to such refusal and it shall be the duty of such institution to comply with such requirement. ” ;

(2) by the substitution in Regulation 4 of such regulations, for the words, “not more than fifteen persons”, of the words, “not more than thirty persons.” ;

(3) by the deletion of Sub regulation (2) of Regulation 5 of such regulations and the substitution therefore, of the following sub regulation :-

“(2) (a) Every licensed institution shall, before telecasting any commercial, pay the Levy at the appropriate rate specified in Part III of the First Schedule to these regulations.

(b) The Levy paid by any licensed institution - (the first mentioned licensed institution) - shall also be deemed to have been paid by any other licensed institution nominated for the purpose by the first-mentioned licensed institution - (the nominated licensed institution) - and accordingly such nominated licensed institution may proceed in accordance with Regulation 11 of these regulations ; the Secretary shall, as regards the fact of having paid the Levy by such nominated licensed institution, accept the statement furnished by such nominated licensed institution and referred to in that regulation.” ;

(4) in Regulation 6 of such regulations

(a) by the deletion of Sub paragraph (v) of Paragraph (d) and the substitution therefore, of the following sub paragraph :-

“(v) any tele-drama or film which has won the award for the “Best Tele-drama” or “Best Film” or the “Best Director” at a recognized tele-drama or film festival of any country or at any International Tele-drama or Film Festival”.

(b) by the addition, at the end of the that regulation of the following :

“For the purposes of this regulation

(i) “main cast” means the actors, and actresses, who play the main roles including the main actor, main actress, supporting actor and supporting actress.

(ii) the “majority of the production crew of any tele-drama or film shall be deemed to consist of Sri Lankan citizens, if more than one-half of the production crew including the director, the assistant director, the director of music, the main cameraman, the script writer, the main editor, the main background male singer and the main background female singer consists of citizens of Sri Lanka.” ;

(5) by the insertion, immediately after Regulation 10 of such regulations, of the following regulation.

“10A. Any licensed institution aggrieved by the determination of a Panel under Regulation 3 or Regulation 10 may, within fourteen days from the date on which such determination is conveyed to such institution, appeal against such determination to the Board of Appeal. The appeal shall, be in writing and shall state the grounds of appeal. The Board of Appeal shall on receipt of any appeal hear and determine the appeal within fifteen days of its receipt.

For the purposes of this regulation “Board of Appeal” means a Board, the members of which shall be the Secretary and four persons chosen by the Secretary from the Group of Resource Persons referred to in

Regulation 4, so however that no Resource Person who was a member of the Panel which made the determination appealed against, shall be a member of the Board of Appeal, The Secretary shall be the Chairman of the Board of Appeal. The decision of the Board of Appeal which shall be conveyed to such institution by the Secretary, shall be final and conclusive for the purpose of these regulations” ; and

(6) by the deletion of Schedule I to such regulations and the Substitution thereof of the following :-

SCHEDULE I

THE FINANCE ACT, No. 11 OF 2006

TELE-DRAMA, FILM AND COMMERCIALS LEVY

RATES OF LEVY PAYABLE IN RESPECT OF TELE-DRAMAS, FILMS AND COMMERCIALS

Part I

Category	Duration	Rate Rs.
Any tele-drama or film if dubbed in Sinhala, Tamil or English	(a) (i) Period of 30 minutes or less	90,000
	(ii) Every period of 5 minutes succeeding such period of 30 minutes	15,000
Any film if dubbed in Sinhala, Tamil or English	(b) Repeat telecasts of films within 60 days from the date of Certificate of Clearance	
	(i) First repeat telecast –Period of 30 minutes or less	30,000
	–Every period of 5 minutes succeeding such period of 30 minutes	5,000
	(ii) Second repeat telecast –Period of 30 minutes or less	20,000
	–Every period of 5 minutes succeeding such period of 30 minutes	3,000
Any tele-drama originally produced in English	(i) Period of 30 minutes or less	10,000
	(ii) Every period of 5 minutes succeeding such period of 30 minutes	1,500
Any other tele-drama	(i) Period of 30 minutes or less	75,000
	(ii) Every period of 5 minutes succeeding such period of 30 minutes	12,500

Part II

<i>Category</i>	<i>Rate Rs.</i>
Any film originally produced in English and telecast without dubbing	25,000
Repeat telecast within 60 days from the date of the Certificate of Clearance	
(i) First repeat telecast	10,000
(ii) Second repeat telecast	5,000
Other films telecast without dubbing	200,000
Repeat telecast within 60 days form the date of the Certificate of Clearance	
(i) First repeat telecast	100,000
(ii) Second repeat telecast	75,000

Part III

<i>Category</i>	<i>Duration</i>	<i>Rate Rs.</i>
Any commercial for which the time taken for telecasting once is one minute or less	For any number of telecasts by any licensed institution made during — (i) a period of 183 days from the date of Certificate of Clearance (ii) a period of 365 days from the the date of Certificate of Clearance	300,000 500,000
Any other commercial programme	Any number of telecasts by any licensed institution made during a period of 90 days from the date of the Certificate of Clearance	150,000

3. These Regulations shall come into operation on 06th October, 2006.