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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

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THE PUBLIC SECURITY ORDINANCE (CHAPTER 40)

REGULATIONS made by the President under Section 5 of the Public Security Ordinance (Chapter 40).

MAHINDA RAJAPAKSA,
President.

Colombo,
30th May, 2007.

Regulations

1. These regulations may be cited as the Emergency (Fuel Storage High Security Zones) Regulations No. 1 of 2007.
2. The areas described in part A (Kolonnawa), Part B (Muthurajawela) Part C (Sapugaskanda) and Part D (Orugodawatte) respectively, of Schedule I to these regulations shall each be declared to be a “Fuel Storage - High Security Zone” for the purposes of these regulations.
3. The President shall appoint, by name or by office a person to the Competent Authority of the purpose of these regulations, who shall be responsible for the implementation of these regulations.
4. If the Competent Authority is of the opinion, having regard to the prevailing security, situation, that special security measures need to be taken in order to protect the activities being carried on within any building or structure of not less than forty (40) feet in height within any Fuel Storage - High Security Zone declared by Regulation 2, or such identified part of such building or structure, the Competent Authority may by order—
 - (a) Identify the building or structure or part thereof within any Fuel Storage High Security Zone as a “specified building” ;
 - (b) Prohibit the entry of all persons to such specified building, within any Fuel Storage High Security Zone ;

Provided that the Competent Authority may by special authorization permit certain persons to enter or remain within such specified building, within any Fuel Storage High Security Zone, subject to such conditions as may be specified therein.

5. Where an order is made under Regulation 4, the Competent Authority may exercise all or any of the following powers :-

- (a) to inspect or cause the inspection of any specified building, without giving notice of such inspection to the owner, occupier or person in charge of such building ;
- (b) to ensure the placement of sufficient security personnel within and around the specified building ;
- (c) to cause any person or vehicle entering the premises of the specified building to be searched ;
- (d) to prevent any unauthorized person from entering or remaining within the specified building ;
- (e) to direct the owner, occupier or person in charge of any specified building to take such measures as may be necessary to ensure the safety of the specified building and prevent it being used in a manner which may give rise to a security risk or for any unlawful purpose ;
- (f) do such other acts as are necessary for the effective exercise of the any of the powers setout above.

6. The area surrounding the Fuel Storage - High Security Zones shall be categorized into Zones as specified in Column I of Schedule II to these regulations, for the purpose of regulating all planning and building, activity taking place within such Zones. Accordingly the permitted uses which can be carried out within each of these Zones and the conditions, if any, subject to which these permitted uses are to be carried out shall be as specified in the corresponding entries in column II and Column III of the aforesaid Schedule II.

7. Notwithstanding anything to the contrary in any other written law, no indemnity or other payment shall be payable under any policy of insurance, in respect of any death, injury or damage caused within any Fuel Storage - High Security Zone in contravention of the provisions of these regulations.

8. Any person who acts in contravention of the provisions of these regulations shall be guilty of an offence.

9. Any person who has committed an offence under these regulations shall on conviction after trial by the High Court of Sri Lanka holden in Colombo or the High Court established under Article 154P of the Constitution for the Western Province, holden in Colombo, be liable to rigorous imprisonment for a term not less than three months and not exceeding five years and to a fine of not less than five Hundred thousand rupees.

10. The Emergency (Fuel Storage) High Security Zones, Regulations, No. 4 of 2006 published in Gazette Extraordinary No. 1455/37 of July 28, 2006 is hereby rescinded.

SCHEDULE I

(Regulation 2)

PART A

AREA COMPRISING THE KOLONNAWA FUEL STORAGE HIGH SECURITY ZONE

The Kolonnawa Fuel Storage High Security Zone shall comprise the area of land belonging to Lanka Petroleum Storage Terminals Ltd., situated in Kolonnawa used for the storage of fuel, and bounded as follows :-

- North* : by a line drawn approximately 300 metres towards the direction of the Kolonnawa Purana Viharaya and the Kolonnawa Government Factory ;
- North East* : by the Kolonnawa Town Council ;
- East* : from the last mentioned point, by a line drawn approximately 300 metres in the Egoda Kolonnawa area ;
- South* : from the last mentioned point, by a line drawn approximately 300 metres along the marsh land at Obeysekerapura in the Yakbadda area ;
- South East* : by the Salamulla area ;
- South West* : The Thummodera area of the Yakbadda Heen-ela ;
- West* : from a line drawn approximately 300 metres from the Wanathapura Sahasrapura area ; and
- North West* : by the Gnanawimalarama area at Dematagoda.

PART B

AREA COMPRISING THE MUTHURAJAWELA FUEL STORAGE HIGH SECURITY ZONE

The Muthurajawela Fuel Storage High Security Zone shall comprise the Muthurajawela Tank Complex belonging to Lanka Petroleum Storage Terminals Ltd., situated in Kerawalapitiya and bounded as follows :-

- North* : by a line drawn approximately 750 metres from the direction of the Balagala area ;
- North East* : by the Kudugahapitiya area ;
- East* : from the last mentioned point, by a line drawn approximately 750 metres from the Keranga Pokuna area ;
- South* : from the last mentioned point, by a line drawn approximately 750 metres along the Matagoda area ;
- South East* : by the Naidu Watte area ;
- South West* : by the Palliyawatte area ;
- West* : from a line drawn approximately 750 metres from the Elakanda Road area at Dikowita ; and ;
- North West* : by the Thalidiyawatte area.

PART C

AREA COMPRISING THE SAPUGASKANDA FUEL STORAGE HIGH SECURITY ZONE

The Sapugaskanda Fuel Storage High Security Zone shall comprise the area of land situated at Sapugaskanda used for the storage of fuel, and bounded as follows :-

- North* : by a line drawn from Batalanda Junction to Nayagala Junction on the Biyagama Road ;
- East* : by a line drawn from Nayagala Junction to Kurusa Junction on the Mabima Road ;
- South* : by a line drawn from Kurusa Junction to Pattiwila Junction on the Walahena Road ; and
- West* : by a line drawn from Pattiwila Junction to Batalanda Junction on the Pattiwila Road.

PART D

AREA COMPRISING THE ORUGODAWATTE FUEL STORAGE
HIGH SECURITY ZONE

The Orugodawatte Fuel Storage High Security Zone shall comprise the area of land situated at Orugodawatte used for the storage of fuel, and bounded as follows :-

- North* : by a line joining the canal and the railway line to Kelani Nadee Gama in the Wellampitiya Police Division ;
- East* : by a line drawn from Kelani Nadee Gama to Gothami Junction in the Wellampitiya Police Division ;
- South* : by a line drawn from Gothami Junction connecting Gothami Mawatha, the canal and the railway line ; and
- West* : from there along the canal and the railway line to the Grandpass Police Division.

SCHEDULE II

(Regulation 6)

<i>Column I</i> <i>Zones</i>	<i>Column II</i> <i>Permitted Uses</i>	<i>Column III</i> <i>Applicable Conditions</i>
ZONE I extending to an extent of 100 metres from the boundary of the refinery.	No development activity is permitted other than activities relating to the functioning the oil refinery.	All building within this Zone shall not exceed seventeen (17) feet in height. They shall be restricted to a single storey. Existing development activities to remain ; However no extensions, alterations, refurbishments or repairs to the existing building shall be permitted.
ZONE II extending from the limit of the 100 metre boundary to a further 100 metres. The outer boundary of this Zone shall be 200 metres from the boundary of the refinery.	All uses permitted within Residential, Commercial and Industrial Zones as specified in the Zoning Plan of the Biyagama Pradeshiya Sabha as prepared by the Urban Development Authority for such Sabha, and operational within the limits of such Sabha.	All buildings within this Zone shall not exceed seventeen (17) feet in height. They shall be restricted to a single storey. No roof top gardens, concrete slab roofs or any other flat roofs shall be permitted. No openings of these buildings, such as verandas, doors, windows etc., shall be permitted facing the refinery. No vehicles shall be parked on the street within this Zone.
ZONE III extending from the limit of the 200 metre boundary to a further 100 metres. The outer boundary of this Zone shall be 300 metres from the boundary of the refinery.	All uses permitted within Residential, Commercial and Industrial Zones as specified in the Zoning Plan of the Biyagama Pradeshiya Sabha as prepared by the Urban Development Authority for such Sabha, and operational within the limits of such Sabha.	All buildings within this Zone shall not exceed twenty-eight (28) feet in height. They shall be restricted to a two storey. No roof top gardens, concrete slab roofs or any other flat roofs shall be permitted. No openings of these buildings, such as verandas, doors, windows etc., shall be permitted facing the refinery. No vehicles shall be parked on the street within this Zone.

EMERGENCY (FUEL STORAGE) HIGH SECURITY ZONE, REGULATIONS No. 1 OF 2007

Appointment of Competent Authority

BY virtue of the powers vested in me by of Regulation 3 of the Emergency (Fuel Storage High Security Zone) Regulations, No. 1 of 2007, I, Mahinda Rajapaksa, President do hereby appoint Major General Ungamandadige Bernard Lawrance Fernando, RWP., RSP., ndu., Psc., Overall Operations Commander, Colombo and Western Province to be the Competent Authority for the purposes of the aforesaid regulation.

MAHINDA RAJAPAKSA,
President.

Colombo,
30th May, 2007.

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