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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1385/6 – 2005 මාර්තු 22 වැනි අඟහරුවාදා – 2005.03.22

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(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

Provincial Council Notifications

REGULATIONS UNDER No. 01 OF THE PASSENGER TRANSPORT SERVICE AUTHORITY

BY the virtue of powers vested in me under Section 20, of the Passenger Transport Service Authority Statute No. 1 of 2000, I, Sarath Ekanayake, Chief Minister of the Ministry of Education, Transport, Law and Order, Finance, Planning, Local Government, Tourism, Trade and Commerce, Cultural Affairs, Construction, Environment Affairs, Land, Housing, Human Resources Development and Local and Foreign Investment Co-ordination, Gazetted that Regulation of School Children Carriage Service.

SARATH EKANAYAKE,

Chief Minister and Minister of Education, Transport, Law and Order, Finance, Planning, Local Government, Tourisms, Trade and Commerce, Cultural Affairs, Construction, Environment Affairs, Land, Housing, Human Resources Development and Local and Foreign Investment Co-ordination, Central Province.

Regulations for Regulating School Service Vehicles under the Passenger Transport Service Authority Statute No. 1 of 2000 of the Central Province

Enforcing regulations in respect of school service vehicles within the Central Province according to the provision appearing in Section 45 of the Passenger Transport Authority Statute No. 01 of 2000 and stipulated as “every vehicle transporting passengers along highways levying fees as passenger transport service” and for regulating transport services within the Central Province, for the other matters connected therewith or incidental there to and for achieving such regulatory objectives.

These regulations shall come into operation on a date to be determined by the Minister in charge of the subject under Section 20 and 43 of the Passenger Transport Service Authority Statute No. 1 of year 2000. Date of operation.

01. (a) The owners of omnibuses or vans who use such vehicles for transport of school children shall obtain a permit from the Transport Authority once a Year. Such permit shall be obtained by forwarding an application issued by the Passenger Transport Service Authority with the recommendation of the President/Secretary of the Unions. Issue of permits.

(b) The Transport Authority reserves all the rights and powers of issuing, renewing, amending and cancelling a permit issued empowering to maintain a school service.

(c) The Authority may determine from time to time the requisite qualifications for an omnibus or a van of an owner of a school bus or a van.

02. The Unions shall compulsorily obtain registration from the Authority after commencing the registration of Unions in future by the Transport Service Authority.

Fees.

03. The Transport Service Authority shall determine the amount of school service fees for one year. The Authority reserves the right of amending such fees and enforcing regulations. thereof.

The documents to be kept with the school service vehicle.

04. School children transport service permit issued under these regulations shall be kept in the bus or in the van transporting school children under the administration of the Transport Authority and the Authority shall determine the particulars to be noted in such a permit.

Illegal Transport.

05. An authorized officer has the power to take action under Section 29 of the Passenger Transport service Authority statute regarding complaints received in maintaining a school service within the Central Province without a school service permit for maintaining a school service or regarding the engagement in illegal activities.

Awards.

06. The Authority has the power to make use of the any awards receivable to the Authority in cash or in material for the welfare of the omnibus owners or van owners.

Application for obtaining a permit.

07. A person who intends to engage an omnibus or a van to operate a school service within the Central Province may obtain an application for that purpose from the Passenger Transport Service Authority and shall forward the same to the Authority after filling up the same. Such permit shall be issued to the owner of the vehicle. When such owner of the vehicle does not operate the School service, he may authorize a second party to operate the service and the Authority can transfer the permit to the authorized person.

08. Whenever a person who is not an owner of a vehicle applies for a permit, application of such person can be considered for issue of a permit if such person proves that he has obtained legal authority from the owner of the vehicle.

Power to cancel a permit.

09. As this service is a common public service the minimum number of children to be transported in a van shall be 10 and the maximum number of children to be transported without seating accommodation shall be limited to 30. However in the case of a school bus, number of children shall be limited to the seating accommodation. If a complaint is received regarding a van or a bus transporting school children, beyond the number of children specified, such vehicle shall be inspected by an authorized officer of the Authority and if the complaint is proved, the Authority has the power to cancel the permit of such vehicle after discussing with the recognized Union.

The minimum period maintaining the transport service.

10. The owner of the vehicle shall maintain the school transport service continuously. The period of such service shall be at least one year from the date of the validity of the permit.

11. The transport Authority has the power to take action under the Civil law against the employees of school vehicles if they engage in illegal activities such as child abuse or use of drugs or in any other form of illegal activities ; and the Authority has the power to cancel the transport permit at such an instance. Illegal actions.

12. There shall be a full insurance scheme (through a recognized Insurance Company) for the vehicles engage in the school transport service and also for all children. Insurance.

13. An inter-provincial transport service bus or a van entering the Central Province shall compulsorily obtain a permit from the Passenger Transport Service Authority of the Central Province.

14. The Authority has the power to take legal action against an owner of a bus or a van who maintains a school transport service without permit.

15. The private passenger transport omnibus service and school van service vehicles which have obtained permits from the passenger Transport Service Authority of the Central Province shall operate separately. Whenever there be an amendment and enforcement of anything that contain in these regulations the Passenger Transport Service Authority shall discuss with the legally recognized school transport service unions and shall implement decisions to be taken on joint agreement.

16. This regulation shall not apply for van in permanent Passenger Transport Service and for buses exceeding 32 seats if they are engaged only in the school transport service described in the aforesaid manner.

If there is any discrepancy in the Sinhala and the English context of these regulations the Sinhala context shall prevail.

Interpretations :

- (i) "Authority" means the Passenger Transport Service Authority of the Central Province under the above mentioned Statute.
- (ii) "Unions" mean the Unions registered by the Divisional Secretary in the Central Province and identified as Unions by the Transport Authority.
- (iii) "School Transport Service" means the transport of all school children including the pre-school children.