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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

NORTH CENTRAL PROVINCE PROVINCIAL COUNCIL

North Central Provincial Industrial Development Authority (Amendment) Statute, No. 02 of 2008

THE aforesaid amendment passed by the North Central Provincial Council of Sri Lanka Democratic Socialist Republic, and after the Assent by the Hon. Governor on 08th June, 2009 is hereby, therefore, published by me for Information.

G. D. KEERTHI GAMAGE,

Secretary,

North Central Province Provincial Council.

NORTH CENTRAL PROVINCE PROVINCIAL INDUSTRIAL DEVELOPMENT AUTHORITY (AMENDMENT) STATUTE, No. 02 OF 2008

A statute to amend the North Central Provincial Industrial Development Authority (Amendment) statute No. 02 of 2003.

Be it enacted by the Provincial Council of the North Central Province as follows :-

This statute may be cited as the North Central Provincial Industrial Development Authority (Amendment) Statute No. 02 of 2008, and shall come into operation on such date as the Minister may appoint by order published in *the Gazette*.

Short title and
date of operation

1. The title of Section 2 of the Principal enactment is hereby amended as “Management and Advisory Council of the Authority”.

Management and
Advisory Council

2. Section 2 of the Principal enactment is hereby amended by the repeal of Article 7 and the Sub-stitution therefore of the following Articles.” :-

7. (1) The execution and the administration of the Authority shall be vested in a Board of Management (hereinafter referred to as “the board”) and it shall consist of seven members as follows :-

(a) Secretary to the Ministry of the Minister in charge of the subject of Provincial Industries, or his representative, nominated by the Minister in charge or the subject of Provincial Industries.

(b) Provincial Director of Industrial Development or his representative.

(c) A senior officer from the Provincial Ministry of Finance.

(d) Three (3) members appointed by the Minister from among persons who have wide experience in either most or one of the following areas ; namely , Commerce, Finance, Administration, Industries and community Development.

(e) A representative from Provincial Commerce and Industrial Board

(2) The Minister shall appoint one of the appointed members of the board to be the full-time chairman of the board, and he shall be paid a monthly allowance with the concurrence of the Minister-in-charge of the subject.

Term of office
of appointed
members.

3. Article 8 of the principal enactment which indicates the term of office of appointed members, is hereby amend by the addition of the following articles :—

8. An Appointed member shall, unless he vacated office earlier by death, resignation and removal or otherwise, hold office for a period of three years. When an appointed member vacates his office, and a new member is appointed, the new member shall hold office for the unexpired part of the term of office of the member whom he succeeds.

Appointment of
an acting
chairman.

4. Section 12 of the principal enactment is hereby amended by the addition of Articles 12(3) and 12(4) immediately after the articles 12(1) and 12(2).

12 (3) When the chairman is not in a position to attend the meeting, the members present shall elect one from amongst them to preside at the meetings.

12 (4) The Chairman shall have a casting vote at the committee.

5. Article 23 of the principal enactment is hereby repealed by and therefore the following articles are substituted:—

Staff of the
board etc.,

23 (1) A General Manager for the Authority shall be appointed with the written approval of the Minister.

(2) A General Manager shall be charged with the responsibility of conducting the affairs of the Authority and exercising, performing and discharging of its powers, duties and functions under this statute, subject to the general direction of Authority on policy matters ; and of the administration and disciplinary control of the employees of the Authority, subject to Article 7 and the provisions of any other written law.

(3) The General Manager shall delegate in writing to any employee any of the functions, powers or duties vested in him, that he considers necessary from time to time to be delegated, subject to the provisions in Article 6, with written approval from the Authority, Whenever powers, duties and functions are delegated to an employee, he shall execute and perform them subject to the general or special provisions of the General Manager.

(4) The General Manager shall not be dismissed from his post without prior written approval of the Minister.

- (5) The Authority shall appoint the number of employees deemed necessary to assist the General Manager in the exercise, performance and discharge of the powers, duties and functions vested in him under this statute.
- (6) An employee appointed under sub Article (5) above, shall execute, perform or discharge the powers, duties and functions delegated or assigned to him from time to time by the General Manager.
- (7) Subject to the provisions of any written law and at the request of the Authority any officer in the Public Service may, with the consent of that officer and the consent of the secretary to the Ministry by or under which such an officer was employed, and the consent of the secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the staff of the Authority for such period as may be determined by the Authority, or with like consent be permanently appointed to the staff of the Authority.
- (8) Where the Authority employs any person who has agreed to serve the government for a specified period, by an agreement entered into with the Government, any period of service to the Authority by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such agreement.
- (9) It is lawful for the Board to establish and control a Provident Fund or a scheme for the benefit of the staff and to subscribe to that fund or scheme.

6. Article 24 of the principal enactment is hereby repealed and substituted therefore with the following Article :—

- 24 (1) The Minister shall, when deemed necessary, appoint an advisory council consisting of six members, for the purpose of advising on the affairs of the Authority. This advisory council shall consist of —
 - (a) a senior officer from the North Central Provincial Ministry of Agriculture ;
 - (b) a lawyer who possesses a good knowledge and wide experience in business law;
 - (c) a representative from the area of handicraft in the province ;
 - (d) an industrialist from the private sector in the Province ;
 - (e) a representative from the area of Agricultural industry in the Province ;
 - (f) a representative from the area of tourism industry in the Province.
- (2) The term of office of the Advisory Council shall be three years from the date of appointment.

Advisory council of the Authority.

7. Article 27 of the Principal enactment is hereby repealed and substituted therefore with the following article :—

27. The Accounts of the Authority for every year shall be submitted to the Auditor General for auditing not later than six months after the end of the financial year. In this regard, Article 154 of the Constitution and Articles 23 (1) and 23 (2) of the Provincial Councils Act, No. 42 of 1987 apply.

Audit of accounts of the authority.

8. Article 29 of the principal enactment is hereby repealed and substituted therefore with the following article :—

29. In the event of any land situated in the Province is required for any purpose of this statute, relevant article of the Land Development Statute No. 4 of 1994 of the North Central Provincial Council Shall be followed.

Interpretation

9. Article 34 of the Principal enactment is hereby repealed and substituted therefore with the following article :—

34. In this statute, unless the context otherwise requires —

“industry” shall include rural, micro, small, medium and large scale industries.

“Company” means any company registered under the Company Act, No. 17 of 1982.

“Provincial Council” means the North Central Provincial Council;

“Minister” means the Minister in charge of the subject of Industries in the Cabinet of Ministers of the Provincial Council.

“Province” means, the North Central Province of the Democratic Socialist Republic of Sri Lanka.

“State Corporation” means any Corporation, board or any other institution established by or under any written law other than the Company Act, No. 17 of 1982, and is supplied the total or part of the capital or funds by way of a grant, loan or any other means by the government.

Sinhala text to
Prevail in case of
inconsistence.

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