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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 12/2008.

DRUG DEPENDANT PERSONS (TREATMENT AND REHABILITATION) ACT, No. 54 OF 2007

Order Under Section 2

BY virtue of the powers vested in me by Section 2 of the Drug Dependent Persons (Treatment and Rehabilitation) Act, No. 54 of 2007, read with paragraph 2 of Article 44 of the Constitution I, Mahinda Rajapaksa, President of the Democratic Socialist Republic of Sri Lanka, on the recommendation of the National Dangerous Drug Control Board, do by this Order designate the places specified in the Schedule hereto be Treatment and Rehabilitation Centres for the care and rehabilitation of Drug Dependent persons.

MAHINDA RAJAPAKSA,
President.

Colombo,
May 04, 2010.

SCHEDULE

TREATMENT AND REHABILITATION CENTRES :

1. Palkelele
2. Wataraka
3. Taldena
4. Weeravila
5. Anuradhapura
6. Pallensena
7. Kandhawatta
8. Meethirigala

05-677/1

L.D.B. 12/2008.

DRUG DEPENDANT PERSONS (TREATMENT AND REHABILITATION) ACT, No. 54 OF 2007

REGULATIONS made by the President under Section 3 of the Drug Dependent Persons (Treatment and Rehabilitation) Act, No. 54 of 2007 read with paragraph (2) of Article 44 of the Constitution.

MAHINDA RAJAPAKSA,
President.

Colombo,
May 04, 2010.

Regulations

1. These regulations may be cited as the Drug Dependent Persons (licensing of Private Treatment Centres) Regulations No. 01 of 2010.

2. No persons shall establish a Private Treatment Centre for the purpose of providing care and rehabilitation for drug dependent persons, unless such person has obtained a license for such purpose in terms of these regulations.

3. Any person who intends to establish a Private Treatment Centre for the care and rehabilitation of drug dependent persons may make an application for a license in writing, to the National Dangerous Drug Control Board (hereinafter referred to as the "NDDCB") in the format set out in Form of Schedule 1 hereto, accompanied by an application fee of rupees one thousand :

Provided that, any person who has already established a Private Treatment Centre for the care and rehabilitation of drug dependent persons prior to the coming into operation of this regulation may make an application within six months from the date of operation of these regulations, to the NDDCB in the format set out in Form 1 of Schedule 1 hereto, accompanied by an application fee of Rupees One Thousand for a license to continue to maintain such existing Private Treatment Centre.

4. (1) The NDDCB may after satisfying itself that the applicant has complied with the requirements set out in the application, upon the payment of a license fee of Rupees Five Thousand, issue to such applicant, a license within one month from the date of receipt of an application, authorizing the place specified in the application as a Private Treatment Centre.

(2) A license issued under this regulation shall be valid for a period of two years from the date of issue of such license. A licensee may one month before the date of expiry of a license issued to him under this regulation, make an application in writing to the NDDCB in the format set out in Form 2 of Schedule 1 hereto, for renewal of such license in each two years.

(3) Every application for renewal of a license issued under this regulation shall be accompanied by a fee of Rupees Five Hundred.

(4) The NDDCB may after satisfying itself with the information furnished by a licensee in an application for renewal of a license and upon the payment of a renewal fee of Rupees Two Thousand, may, within one month from the date of such application renew such license for another period of two years.

5. (1) a license issued under regulation 4, may be cancelled by the NDDCB where—

- (a) any conditions subject to which such license has been issued are contravened by the licensee ; or
(b) any information provided in an application to obtain a license under these regulations, is found to be false or inaccurate.

(2) The NDDCB may before the cancellation of a license issued under regulation 4, grant an opportunity to the licensee to show cause as to why such license should not be cancelled. Any cancellation of a license under this regulation shall be informed to the licensee :

Provided that, any person whose license has been cancelled under this regulation may if he proves to the satisfaction of the NDDCB that the contravention due to which the license was cancelled has been rectified, apply for a new license after one year from the date of such cancellation.

SCHEDULE I

FORM I

To—

National Dangerous Drugs Control Board,
No. 383, Kotte Road,
Rajagiriya.

Drug Dependent Persons (Treatment and Rehabilitation) Act, No. 54 of 2007
Application to Obtain a License

Part I Details of Applicant

1. Name of Applicant : _____

2. Address of the Applicant : _____

3. NIC No. : _____
Business Registration No./N(Pvc) No. : _____
4. Tel. : _____
5. Fax : _____
6. E-mail : _____
7. Address of the treatment Centre : _____

4A

8. Maximum number of clients who can be accommodated at the Centre

9. Extent of land used for the Treatment Centre

A

R

P

10. If the following are fulfilled indicate “√” or if not indicate “X” in the given box.

- | | |
|--|----------------------|
| 10.1 Building should cover not more than 70% of the land | <input type="text"/> |
| 10.2 Sports & recreation space should be 20% of the land | <input type="text"/> |
| 10.3 Garden space should be 10% of the land | <input type="text"/> |
| 10.4 Electricity | <input type="text"/> |
| 10.5 Water Supply | <input type="text"/> |
| 10.6 Proper drainage System | <input type="text"/> |
| 10.7 Dormitories for both Male & Female Separately | <input type="text"/> |
| 10.8 Separate Venue for kitchen | <input type="text"/> |
| 10.9 Toilet & bathroom facilities as, not more than 08 persons per one toilet & bathroom | <input type="text"/> |
| 10.10 Separate dinning venue | <input type="text"/> |
| 10.11 Separate venue for group sessions, meetings, seminars & workshop | <input type="text"/> |
| 10.12 Separate venue for individual or group counseling | <input type="text"/> |
| 10.13 Separate room for the office of the Director of the treatment centre | <input type="text"/> |
| 10.14 Office space for the staff | <input type="text"/> |
| 10.15 Accommodation facilities for the staff | <input type="text"/> |
| 10.16 Proper storage areas | <input type="text"/> |
| 10.17 Minimum space of 2 Sq. m. per bed space | <input type="text"/> |
| 10.18 Beds not narrower than 70 cm | <input type="text"/> |
| 10.19 Minimum one locker per person | <input type="text"/> |
| 10.20 Dining tables & chairs | <input type="text"/> |
| 10.21 Office furniture | <input type="text"/> |
| 10.22 Refrigerator | <input type="text"/> |
| 10.23 Cooking / eating utensils | <input type="text"/> |
| 10.24 TV set /Radio | <input type="text"/> |
| 10.25 Basic bedding | <input type="text"/> |
| 10.26 Office stationery | <input type="text"/> |
| 10.27 Reading materials | <input type="text"/> |
| 10.28 Service vehicle | <input type="text"/> |
| 10.29 Basic garden & maintenance tools | <input type="text"/> |

11. Please indicate “√” in the box if whether officers are available for the following posts at the treatment centre and the number of officers. Ex. Counsellor

☒

Director	<input type="text"/>
Counsellor	<input type="text"/>
Assistant Counsellor	<input type="text"/>
Counselling Assistants	<input type="text"/>
Nurse	<input type="text"/>
Vocational Instructors	<input type="text"/>

12. Staff qualifications : Please indicate √ in the front box, if the officers are possessed given qualifications

12.1 Director of the Treatment Centre

A Degree in Social Science/Management from a University recognized by the UGC with 05 years managerial experience.

A Diploma in Drug Abuse Management Studies from a University recognized by the UGC with 08 years experience in Administration and Treatment Programme Management.

03 passes at GCE (A/L) at one sitting with 10 years experience in Administration and Treatment Programme Management.

06 passes at GCE (O/L) at one sitting, including credit passes for Mathematics, Sinhala and English with 15 years experience in Administration and Treatment Programme Management.

12.2 Counsellor

A Degree in Social Science from a University recognized by the UGC with 03 years experience in Counselling Services.

A Diploma in Drug Abuse Management Studies from a University recognized by the UGC with 05 years experience in Counselling.

Social Work Diploma with 8 years experience in Counselling.

03 passes at GCE (A/L) at one sitting with 10 years experience in Counselling.

06 passes at GCE (O/L) at one sitting, including credit passes for Mathematics, Sinhala and English with 15 years experience in Counselling.

12.3 Assistant Counsellor

A Degree in Social Science from a University recognized by the UGC with 01 year experience in Counselling Services.

A Diploma in Drug Abuse Management Studies from a University recognized by the UGC with 03 years experience in Drug treatment field.

Social Work Diploma with 5 years experience in Drug treatment field.

03 passes at GCE (A/L) at one sitting with 08 years experience in Drug treatment field.

06 passes at GCE (O/L) at one sitting, including credit passes for Mathematics, Sinhala and English with 10 years experience in Drug treatment field.

12.4 Counselling Assistants

A Diploma in Drug Abuse Management Studies from a University recognized by the UGC with 01 year experience in Drug treatment field.

Social Work Diploma with 3 years experience in Drug treatment field.

03 passes at GCE (A/L) at one sitting with 05 years experience in Drug treatment field.

06 passes at GCE (O/L) at one sitting, including credit passes for Mathematics, Sinhala and English with 08 years experience in Drug treatment field.

12.5 Nurses

06 passes at GCE (O/L) at one sitting, including credit passes for Mathematics, Sinhala and English.

Nursing Certificate from recognized Government Institution

2 years experience in Nursing in a Government Institute.

12.6 Vocational Instructor

06 passes at GCE (O/L) at one sitting, including credit passes for Mathematics, Sinhala and English.

Certificate from recognized institution on vocational training

2 years experience in relevant field.

13. What are the treatment methodologies followed/to be followed at the treatment centre.

If any other methodology used, please state below.

Psychological Model

Therapeutic Community

Multi-Disciplinary Model

Fath - Based Model

Biophysical Model

Traditional Model

14. Please indicate √ in the box, if the following services are provided / to be provided for clients at the treatment centre.

14.1 Medical / Clinical

Provided the services of a medical /psychiatric professional

When required and being able to determine both the physical & psychological Condition of the client

14.2 Nutrition

A planned diet as part of client needs

17. (a) Have you previously applied for a Licence ?
 (b) Whether applicaton was rejected ?
 (c) If "Yes" for the above, how many times and reasons for rejection.

18. (a) Whether any the Licence issued to the Treatment Centre was ever been cancelled by the NDDCB ?
 (b) If "Yes" for the above, how many times and reasons for such cancellation.

I do hereby declare that all the information furnished by me in this application are true and correct.

..... Date Signature of Applicant Rubber stamp of treatment centre.
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For Office use only

Date received :

Comments of the officer authorized by the Director (Treatment) of the NDDCB, to inspect the Treatment Centre.

.....
Signature

.....
Date.

Recommendation of the Director (Treatment) of the NDDCB.

.....
Signature
Approved/Not Approved.

.....
Date.

.....
Signature of the Chairman, NDDCB

.....
Date.

FORM 2

To—

National Dangerous Drugs Control Board,
No. 383, Kotte Road,
Rajagiriya.

Drug Dependent Persons (Treatment and Rehabilitation) Act, No. 54 of 2007
Application to Obtain a License

Details of Applicant

1. Name of the Applicant : _____
2. Address of the Applicant : _____
3. NIC No. : _____
- Business Registration No./N(Pvc) No. : _____
4. Tel. : _____
5. Fax : _____
6. E-mail : _____

7. The date when the Treatment Centre was first licensed.

D	D	M	M	Y	Y	Y

8. The number of Drug Dependent persons treated at the Treatment Centre during the last period.

--

9. The number of Drug Dependent persons who became free from the drugs during last period

--

10. (a) Was there any occasion that, the license issued to the Treatment Centre was cancelled by the NDDCB

--

- (b) If “Yes” for the above question on how many occasion and reasons :-

--

11. Was there any occasion that, the Treatment Centre was warned by the NDDCB regarding and contravention or violation of any provisions of the Act or any regulation made thereunder, any order / directive prescribed by the NDDCB and term / condition stated in the License.

12. If "Yes" for the above question, how many occasion and reasons :-

13. Are there any differences between the present situation and the situation obtained the license at first time of the Treatment Centre regarding the physical infrastructure, staff, Treatment Programme or Management.

14. If "Yes" for the above question, state the difference.

I do hereby declare that all the information furnished by me in this application are true and correct.

Date	Signature of Applicant	Rubber stamp of treatment centre
<p><i>For Office use only</i></p> <p style="text-align: right;">Date received :</p> <p>Comments of the officer authorized by the Director (Treatment) of the NDDCB, to inspect the Treatment Centre.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>.....</p> <p style="text-align: center;">Signature</p> </div> <div style="width: 45%;"> <p>.....</p> <p style="text-align: center;">Date</p> </div> </div> <p style="text-align: center; margin-top: 20px;">Recommendation of the Director (Treatment) of the NDDCB.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>.....</p> <p style="text-align: center;">Signature</p> <p>Approved/Not Approved.</p> </div> <div style="width: 45%;"> <p>.....</p> <p style="text-align: center;">Date</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>.....</p> <p style="text-align: center;">Signature of the Chairman, NDDCB</p> </div> <div style="width: 45%;"> <p>.....</p> <p style="text-align: center;">Date</p> </div> </div>		

L.D-B. 12/2008

DRUG DEPENDENT PERSONS (TREATMENT AND REHABILITATION) ACT, No. 54 OF 2007

REGULATIONS made by the President under subsection (3) of Section 7 of the Drug Dependent Persons (Treatment and Rehabilitation) Act, No. 54 of 2007 read with paragraph (2) of Article 44 of Constitution.

MAHINDA RAJAPAKSA,
President.

Colombo 07,
04th May, 2010.

Regulations

1. These regulations may be cited as the Treatment Centres (Assessment Panels) Regulations No. 02 of 2010.

2. (1) The Minister shall identify and appoint not more than ten persons possessing appropriate qualifications and experience, in the fields of law or persons having experience or knowledge in the fields of physiological or social problems connected with drug dependence to serve as members of Assessment Panels for the purpose of these regulations.

(2) Whenever it is necessary, the NDDCB shall constitute panels and nominate not more than three persons to function as an Assessment Panel from among the persons appointed by the Minister, for the purpose of these regulations.

3. (1) The functions of any Assessment Panel constituted and nominated under regulation 2, shall be—

- (a) to assess the level of drug dependency of persons who seek admission to any Treatment Centre designated or licensed under the Drug Dependent Persons (Treatment and Rehabilitation) Act, No. 54 of 2007 (hereinafter referred to as the “Treatment Centre”);
- (b) to assess the level of motivation for drugs of persons who seek admission to any Treatment Centre ;
- (c) to assess the physical and mental health status of persons who seek admission to any Treatment Centre ;
- (d) to ascertain the family background of the persons who seek admission to any Treatment Centre ;
- (e) to assess the level of desire for the use of drugs, behavioral changes, improvement of relationship with the other family members and attitude to society, of the persons who receive treatments in Treatment Centre ;
- (f) to recommend to the Director of any Treatment Centre, the admission of any person to the Treatment Centres ;
- (g) to report regularly to the Director of any Treatment Centre of the condition of persons receiving treatments from Treatment Centres ;
- (h) to inspect the reports maintained by the Treatment Centres relating to the follow up programmes conducted by such Treatment Centres and make recommendations to the NDDCB in order to improve the quality of such programmes ;
- (i) to recommend to the NDDCB the discharge of any inmate from any Treatment Centre, if the criteria as formulated by the NDDCB for discharge of such inmates, have been fulfilled.

(2) Any Assessment Panel constituted and nominated by the NDDCB shall after discharging the function assigned to it by the NDDCB, make its observations and recommendations or submit any report on such matter to the NDDCB within three weeks from the date of constitution of such Panel or within such other period of time as may be specified by the NDDCB at the constitution of the Panel.

4. Every member of an Assessment Panel shall have the power to :-

- (a) enter any Treatment Centre at all reasonable hours of the day after prior notice ;
- (b) examine any person who seeks admission to any Treatment Centre or any inmate receiving treatments in any such Centre ;
- (c) interview family members of any person who seeks admission to any Treatment Centre or any inmate receiving treatment in any such centre and to inspect medical reports or any other document of any such person or inmate ;
- (d) inspect any report or other documents maintained by any Treatment Centre.

5. Every member appointed under regulation 2 shall unless he vacates office earlier by death, resignation or removal, hold office for a term of three years from the date of his appointment and shall unless he has been removed, be eligible for reappointment :

Provided that, no member shall be reappointed for more than two terms.

6. The Assessment Panels constituted by the NDDCB shall cease to exist when the particular function assigned to such Panel has been discharged to the satisfaction of the NDDCB.

05-677/3