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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS
Provincial Councils Notifications

NORTH WESTERN PROVINCE PROVINCIAL COUNCIL

Local Council Act (Standard by-law) No. 6 of 1952

ACCORDING to statement 2 of Local Council Act (standard by-law), No 06 of 1952 read with the statement 2 of Local Council Act (incidental provision) No. 12 of 1989 powers vested by me as the Minister of Provincial Local Council under said statement of by-laws following drafts prepared by me shall published as follows.

- * By-law of establish committees, maintain meetings of Pradeshiya Sabha
- * By-law of present periodical reports and information
- * By-law of formalize, administrate, collect fees for crematorium.
- * By-law of maintain activities, formalize, inspect, collect fees from funeral service centers.

Pradeshiya Sabha shall has power to impose said by-laws according to 69 and 126 statements of said act read with statement 122 of Local Council Act No.15 of 1987 under statement 3 of Local Council Act (standard by-law) No 6 of 1952 standard by-laws. Pradeshiya Sabha in the North Western Province has power to accept and hold this standard by-law.

Attorney at Law J. P. DAYASIRI PADMAKUMARA JAYASEKARA,
Chief Minister of North western Province and Minister of Finance
and Planning, Law and Peace, Local Council, Local Government,
Human Resources, Education and Cultural activities, Land, Environment,
Tourism, Investment Coordination, Cooperative Development
and Food Supply and Deliver.

On this 10th day of August 2015,
At Kurunegala.



BY LAW RELATING TO CREATING COMMITTEES IN PRADESHIYA SABHAS AND
CONDUCTING MEETINGS IN THOSE COMMITTEES

1. This by Law is cited as by law relating to creating committees and conducting meetings in the said committees.
2. (a) A Pradeshiya Sabha may create committees as set out in Sub section (1) of Section 12 decided from time to time by the Pradeshiya Sabha and appoint members for the said committees.
- (b) It shall be the duty of the Pradeshiya Sabha to create 4 committees for the following Functions set out in Sub section. (2) of Section 12 of Pradeshiya Sabha Act No. 15 of 1987.
 - i. Financial functions and policy formulation.
 - ii. Housing and community development
 - iii. Technical service
 - iv. Environment and facilities.
3. The members appointed for each committee in accordance with the above Section No.2 shall consist of following persons.
 - (a) The number of members shall not be less than 1/3 of the number of members of the Pradeshiya Sabha.
 - (b) Three persons residing within the area of authority of Pradeshiya Sabha proficient on the matter relevant to the committee.
 - (c) The above number stated-of(a) and (b) minimum opportunity should present to the women members who has interested and presented 25% to the above field.
 - (d) Any selected in 3 (c) it can be done by the present members, if it has insufficient number of women members.
4. (a) Members for appointment for the committee as set out in section No 3 shall be selected by an adoption of resolution on or before at the annual general meeting held in December.
- (b) Any vacancy resulting from resignation from the office by any member or from termination of the tenure of office of the member concerned of Pradeshiya Sabha, termination of membership of the committee by means of death or any other cause it shall be the duty of such Pradeshiya Sabha to elect and appoint any member at the next Pradeshiya Sabha General Meeting held subsequent to the date on which such vacancy is created.
5. (a) A chairman for each committee shall be appointed and he shall be elected by the members of the committee at the first committee meeting.
- (b) The person elected for the office of Chairman shall be a member of Pradeshiya Sabha for the time being.
- (c) Tenure of office of the chairman of the committee shall be terminated by means of resignation from the office of membership of the committee or death or termination from the office of chairman of the Pradeshiya Sabha, the committee shall appoint another chairman at the first ensuing committee meeting held subsequent to such incident.
6. Notwithstanding the above Section 5, membership and office of chairman of the committee on finance and policy building should be *ex officio* entitled to the Chairman of the Pradeshiya Sabha.

7. In case the absence of chairman of the Pradeshiya Sabha at any committee meeting
 - (a) a member of Committee meeting from among those how are present or
 - (b) in the absence of any member of committee meeting, a person from among the others who are present shall be elected as the chairman by majority of votes.
8.
 - (a) the quorum of each committee shall be 1/3 of the members elected for the committee and when such 1/3 is a full number and a fraction the quorum shall be the upper full number next to such fraction.
 - (b) Absence of a committee member for 3 consecutive meetings without informing will cause the cancelation of his membership.
9.
 - (a) Every committee shall conduct meeting at least once a month
 - (b) If the chairman of the committee intends to conduct a special committee meeting on a special reason, members may be called within any month after informing the members.
 - (c) It shall be the duty of the chairman of the committee to call a special committee meeting on a request made to the chairman by not less than 1/3 of its members.
 - (d) It shall be duty of the secretary to the committee to inform the members about the committee meeting at least 03 days prior to the scheduled date of conducting the meeting.
10.
 - (a) The office of the Secretary to the committee of finance and policy building shall be held by the Secretary of the Pradeshiya Sabha. In case the Secretary of Pradeshiya Sabha is absent, the duty of the Secretary of the committee shall be held by any other officer who discharges the acting duty of the office of the Secretary of the Pradeshiya Sabha for the time being.
 - (b) The office of Secretary to the Committees other than the Committee of finance and policy formulation shall be assigned to an officer of Pradeshiya Sabha appointed by the Chairman of the Pradeshiya Sabha on the recommendation of the Secretary to the Pradeshiya Sabha.
11.
 - (a) The secretary to each committee shall maintain the attendance register of the members participate in the committee meeting and the agenda of the committee meeting should be parallel to the agenda of the General Meeting of the Pradeshiya Sabha.
 - (b) It shall be the duty of the secretary to each committee to maintain a record of resolutions moved at each committee meeting and it shall be the responsibility of the Secretary to supervise it. It shall be signed by the chairman of the committee after seconding such report at the ensuing meeting.
 - (c) It shall be the duty of the secretary to the committee to refer the final decision taken regarding a specific matter by any committee to the chairman of the Pradeshiya Sabha for the submission of the same at the ensuing general meeting of the Pradeshiya Sabha.
 - (d) Implementation of a decision taken by a committee regarding any matter authorized by the Pradeshiya Sabha, shall be tabled at the Pradeshiya Sabha meeting and approval of the Pradeshiya Sabha shall be obtained for the implementation of the other decisions.
12. The committee shall have the power to call for , documents and books owned by the Pradeshiya Sabha to the said committee meeting for examination as required to take a decision in any committee meeting.
13. The power vested in the Pradeshiya Sabha for taking decisions in regard to matters other than levying assessment tax, levying tax, imposing charges and recovering any amount of money and obtaining a loan shall be devolved on committees from time to time.

14. By laws in this part, unless the context otherwise requires -

“Committee” means committee mentioned in section two and

“Member” means a member of the Pradeshiya Sabha concerned and,

“Chairman” means the Chairman of the Pradeshiya Sabha and

“Sabha” means the Pradeshiya Sabha concerned and

“Secretary” means the Secretary to the Pradeshiya Sabha or a person who discharges the duty of functions of the Secretary.

15. If there is a contradiction between the Sinhala, Tamil and English version of this By-Law, the Sinhala version should be taken as the valid one.

BY-LAW RELATING TO THE SUBMISSION OF PERIODICAL RETURNS AND INFORMATION

1. This by-law is cited as the “by-law relating to submission of information on immovable property located within the area of authority of the Pradeshiya Sabha and returns on industries or enterprises for the purpose of imposing levying and receiving assessment taxes and fees”.
2. (a) Every person who acquires any immovable property located in the area of authority of the Pradeshiya Sabha shall, within a period of three months from the date of such acquisition forward an application substantially prepared in accordance with the specimen form given in this by Law of the Section 1 to the secretary in order to get the information about such immovable property registered at the Pradeshiya Sabha.
- (b) Any person forwarding an application in the manner set out in paragraph (a) shall attach photocopies of the following documents duly certified by a notary public with the application : -
 - i. Title deed of the relevant property;
 - ii. Plan of the relevant deed of property drawn by a licensed surveyor;
- (c) Deed ownership of the relevant property and the certificate of title should be taken within 14 days too shall be submitted with the application.
- (3) Every person who has already acquired any immovable property situated within the limits of Pradeshiya Sabha by the effective date of these by law shall act in the manner prescribed in by law no. 02 before the lapse of one year from the effective date of these by law, in this part.
- (4) (a) In the event of making any change on any immovable property and or the purposes for which any building therein owned by any person registered at the Pradeshiya Sabha in the manner set out in this by law, it shall be the duty of the owner of such immovable property to inform the Secretary in writing before the expiry of one month of such incident.
- (b) Any holder of any immovable property registered at the Pradeshiya Sabha in the manner set out in this by law, shall obtain permission from the Pradeshiya Sabha
 - (i) before any such immovable property is subjected to sub-division;
 - (ii) before any new building is constructed on any land being an immovable property;

- (iii) before making any changes of the profile of the building, in the form of;
- (1) adding any new part of the building, or
 - (2) demolition of any existing part, or
 - (3) adding any new part after demolishing any existing part, or
 - (4) demolishing the entire building and constructing a new one.
- (c) It shall be the duty of any owner of immovable property registered at the Pradeshiya Sabha to inform the Secretary in writing about any change in his permanent address within seven days of such incident. Moreover it shall be the duty of the Secretary to take action to amend the Register of immovable property owners as soon as on receipt of such written notification, and to inform the owner of immovable property in writing about such amendments.
5. It shall be the duty of the Secretary to prepare a register substantially in accordance with the specimen in the second schedule this part a Register of the immovable property owners relevant to every application forwarded under the provisions of this by-law No.2 and of the property held by them, and to maintain such Register.
6. (a) It shall be lawfull for the Secretary to request through a written notice from the owner or manager of any industry or enterprise to confirm
- i . The amount of receipts realized during a period of any year, or
 - ii. The business turnover during a period of any year, or
 - iii. The profits that could be accrued during a period of any year, or
 - iv. The amount of money received from any sale, or
- by a report certified before a Justice of Peace or a, Commissioner for Oaths while carrying out the transactions of the said enterprise or the industry, required for the computation of the tax or license fees to be paid to the Pradeshiya Sabha when levying any tax by the Pradeshiya Sabha under the Pradeshiya Sabha Act No 15 of 1987 or any license issued by the Pradeshiya Sabha on any enterprise or industry or sale carried out in the area of authority of the Pradeshiya Sabha.
- (b) Anybody who received a notice under paragraph (a) by the Secretary shall take action to provide the information expected by the notice to the Secretary within fourteen days of the receipt of such notice.
7. Any person who violates the orders in any Section of this by law shall be guilty of an offence and being convicted by a Magistrate Court of law of proper jurisdiction shall be liable to a fine set out in Sub section 122 (2) of Pradeshiya Sabha Act No 15 of 1987 and in case any person who is subjected to such fine continue to repeat such offence or violation after being convicted by a Magistrate Court of law of proper jurisdiction shall be liable to an additional fine set out in the aforesaid Sub section.
8. In this by-law, unless any other meaning is sought -
- “immovable property” shall mean any land and or building or any condominium building;
- “property owner” means any person who is the sole owner of any immovable property or in the event of there being more than one owner for any particular property, such owners individually and collectively and it shall also include any other person resident in the property or holding guardianship of the property for the time being.

“Secretary” shall mean the secretary to the Pradeshiya Sabha

“Periodical returns” shall mean records relating to a specific period as set out in Section 6 and

“Sabha” shall mean the Pradeshiya Sabha concerned

“Manager” shall mean the lawful owner of any property, business or industry relating to this by law or any representative appears on behalf of the said owner or any person to whom the management has been entrusted to in respect of the said property, business or industry.

9. If there is a contradiction between the Sinhala, Tamil and English version of this By-Law, the Sinhala version should be taken as the valid one.

FIRST SCHEDULE

PARAGRAPH (A) OF SECTION No. 2

**Presenting information on the immovable property located within the limits of the Pradeshiya Sabha
(Separate applications should be submitted for each property)**

1. (a) Name/Names of the owner/owners of property :
 - 1.
 - 2.
 - 3.
- (b) Address/Addresses of the property owner/owners :
 - 1.
 - 2.
 - 3.
- (c) Contact Number :.....
- (d) Number and name of the Grama Niladhari Division where the property is located :-
.....
- (e) Name of the street or village where the property is located :
.....
- (f) Assessment No. :.....
- (g) Number of the Deed :.....
- (h) Extent of the land :AcresRoodsPerches (Hectares.....)
- (i) Name and address of the Notary Public :.....
2. Name of the land registration office/Folio No. :.....
3. (a) If the property is a land, whether any building has been constructed on the property Yes/No.
(b) If the answer is “yes” whether building is a single building or a condominium building
4. Date of acquisition of the property :.....
5. Purpose for which the property is used : Residential/Trading or Commercial activities
6. Building Plan No..... approved by the Pradeshiya Sabha
7. Mention the following information of the Title Certificate
 - a. Date
 - b. Name of the Notary Public
 - c. Address of the Notary Public ;

Signature of the Property Owner.

Date :.....20.....

						Year and date	Date of
						No.	
						Name/Names	Property
						Permanet Address /Addresses	
						Street where property located	
						Assessment Number	
						Grama Niladhari Division Number and Name	
						Extent of land (Hectares)	
						Deed No.	
						Name of the Land Registration Office/ Folio No.	
						Name and address of the Notary Public	
						Whether a land or a building	
						If it is a building, permit Number	
						Date of the title certificate	Title
						Name of the Notary Public	
						Address of the Notary Public	
						Date of acquisition of land	
						The purpose of using the land	
						Signature of the officer in charge of subject	
						Date and Signature of the Secretary	

Pradeshiya Sabha

SECTION 5

SECOND SCHEDULE

BY-LAW ON REGULARIZE AND CONTROL OF CREMATORIUMS CONDUCTIVE TO PUBLIC HEALTH
AND LEVYING FEES FROM CREMATORIUMS

1. This by-law is cited as the by-law on regularize and control of crematoriums conducive to public health and levying fees from crematoriums of the Pradeshiya Sabha.
2. Notwithstanding anything stated in this By Law they should not be inconsistent with the provisions of the Public and private Crematorium Ordinance No. 57 of 1946.
3. (a) No dead body shall be cremated in any crematorium owned by the Council without a license issued by the Chairman or an Authorized Officer.
(b) Unless a Magistrate or an Inquirer into Sudden Deaths has granted permission to cremate a dead body on completion of an inquiry made in respect of it by the said Magistrate or the Inquirer into Sudden Deaths, under the Criminal Procedure Code Act, No. 15 of 1979, the Chairman or the authorized officer shall not accept it for cremation or issue a license to cremate it.
(c) Unless the relevant crematorium of the Pradeshiya Sabha has been named in the 7th Column of the Death Certificate of a deceased, under “cause of Death and the place of the burial or cremation” the Pradeshiya Sabha or the Authorized Officer shall not accept the dead body for cremation or issue a license to cremate it.
(d) Chairman or the Authorized Officer shall annually submit a list of places and addresses of crematoriums situated within the area of Authority of Pradeshiya Sabha to the District Secretary.
4. (a) It is lawful to determine by resolution approved by the Council the charges for the cremation of a dead body it shall be amended from time to time on such approval of a resolution.
(b) While charges levied or amended from time to time under paragraph (a) above shall be published in the Gazette it shall be prominently displayed at the place where applications are received for booking the crematorium and at the crematorium.
(c) The charges for the cremation of a dead body shall be lawful under the classification set out in the first schedule of this part.
5. Any body wishes to obtain a license mentioned in Section 3 (hereinafter referred to as “the applicant”) shall forward an application substantially prepared in accordance with the second schedule in this part together with the documents mentioned below to the Chairman or the Authorized Officer who is not the Crematorium Keeper.

For the confirmation of applicant identify following should be their ;

- (a) (i) the birth certificate of the applicant or,
(ii) The birth certificate of the deceased or,
(iii) The marriage certificate of the applicant or,
(iv) The certificate issued by the Grama Niladhari of the Division where the deceased was living, in order to facilitate the establishment of the relationship between the deceased and the applicant.
- (b) If an inquiry under the Criminal Procedure Code Act No. 15 of 1979 had been made in respect of the death of the deceased, the certificate issued by the Magistrate or the Inquirer-into-Sudden Deaths under paragraph 41(e) of the Registration of Births and Deaths Ordinance giving permission to cremate the dead body or the certificate issued under paragraph 43(b) of the Registration of Births and Deaths Ordinance, in the event of the dead body being of a still born person, and
- (c) The Death Certificate of the deceased

6. In the event of a decision being arrived at to issue a license on an application made for permission to cremate a dead body, it shall be the duty of the Chairman or the Authorized Officer to register the death in the sequence such applications are received in a Register substantially prepared according to the Third Schedule to this part. This Register shall be maintained at the Office of the Pradeshiya Sabha accepting applications.
7. (a) In the event of accepting any dead body other than a dead body for which action to be taken has been decided by the Court for cremation in accordance with the application forwarded, the applicant shall be issued with the license by the Chairman or the Authorized Officer subsequent to levying a fee according to Section 4. According to the license the time and date of handing over the dead body to be cremated to the Crematorium Keeper should be clearly specified in the relevant license.
- (b) In the event of a dead body being not accepted for cremation due to a certain reason, the Chairman or the Authorized Officer shall inform the applicant in writing specifying the reasons for such non-acceptance at the same time where the application is furnished on the fact did not fulfilled 3rd statement.
8. (a) Dead bodies shall be accepted for cremation and cremations shall be done between the periods 7.00 a.m. to 7.00 p.m. on all days of the week.
- (b) A daily time table of carrying out cremations shall be displayed in a prominent at the premises of the crematorium.
9. The dead body shall be handed over to the Crematorium Keeper on or before the time specified in the license issued. The Pradeshiya Sabha, the Chairman or the Authorized Officer shall not be responsible for any inconvenience or loss caused to the applicant or anybody else having rights over the deceased, due to the failure to handover the dead body on time.
10. The Crematorium Keeper shall maintain a Register substantially prepared in accordance with the Fourth Schedule to this part, in regard to each dead body cremated in any crematorium.
11. (a) If the applicant wish to obtain ashes of the dead body cremated, it shall be stated in the application set out in the 2nd schedule and it shall be the duty of the applicant to handover a receptacle sufficient for the collection of ashes to the crematorium keeper at the time of dead body is handed over for cremation. The applicant or any authorized representative of him shall take possession of the ashes of the body before the elapse of seventy two hours after the cremation of any dead body.
- (b) However, on a written request made by the applicant the Chairman or the Authorized Officer shall extend the period during which the ashes are kept with the Crematorium Keeper. The period of such extension shall not be more than seven days from the date of the cremation.
- (c) It is lawful that, the Chairman or the Authorized Officer or the Crematorium Keeper shall have the power to bury or dispose of the ashes that had not been removed even after the expiry of such period allowed for the removal of ashes.
- (d) It shall be the duty of the Crematorium Keeper to take action to bury the ashes those not accepted by any applicant or any authorized representative at the crematorium premises of the crematorium or in any burial ground.
- (f) The ashes of the any dead body shouldn't hand over to other person without applicant of the application form.
12. (a) Nobody other than the Crematorium Keeper or his Assistants shall enter into the covered section of the chamber of the Crematorium after the closure of the security door of the chamber on introducing the dead body into the chamber of any Crematorium.

- (b) Nobody shall enter into the premises of any crematorium without permission from the Chairman, Authorized Officer or the Crematorium Keeper.
 - (c) Notwithstanding anything stated in paragraph (b) ;
 - (i) Any other person or persons who participate in the handing over of a dead body for cremation with the person who had obtained a license to cremate it or with his authorized representative; and
 - (ii) Any other person or persons who arrive at the crematorium on the specified date or earlier to receive ashes, with the person who had obtained the license or with his authorized representative, shall be considered as person who has been allowed to enter the premises of the crematorium.
13. Within the premises of any crematorium nobody shall
- (a) Act in manner disrupting peace ;
 - (b) Damage or try to damage property within the premises of the crematorium belonging to Pradeshiya Sabha ;
 - (c) Obstruct the official functions of the Crematorium Keeper or any of his Assistants ;
 - (d) Decorate or paste notices within the premises of the crematorium ;
14. (a) It shall be the duty of the Chairman to maintain and operate the crematoriums, in conditions suitable for cremation of dead bodies;
- (b) In the event of the closure of any crematorium for the purpose of repairs or maintenance activities, it shall be the duty of the Chairman to display prominently a notice on it in all the three languages at the Office issuing licenses for cremation of dead bodies and at the entrance to the crematorium premises.
 - (c) In case of non operation of the crematorium in the manner that the dead body accepted for cremation is cannot be cremated completely, the decision taken by the Chairman to cremate such dead body with timber or to bury the remaining in the burial ground shall be lawful. It shall be the duty of the Pradeshiya Sabha to make sufficient arrangements in respect of that.
 - (d) It shall be display the quantity notice suitable to cremation of dead bodies.
 - (e) It shall be put a meter to observe the Gas burning rate.
 - (f) It shall be lawful to get the up-dated report from relevance professional about the quality of Crematorium.
15. Certificate of settlement issued by the Provincial Environment Authority should be obtained before the commencement of a new crematorium and Annual Environment Protection license should be obtained for the maintenance of the crematorium and in respect of crematoriums already commenced should obtain the Annual Environment Protection license from the ensuing year after accepting these by laws by the Pradeshiya Sabha.
16. Any person who violates the orders in these Sections shall be guilty of an offence and being convicted by a Magistrate Court of proper jurisdiction shall be liable to a fine set out in Sub section 122(2) of Pradeshiya Sabha Act No. 15 of 1987 and in case any person who is subjected to such fine continue to repeat such offence or violation after being convicted by a Magistrate court of proper jurisdiction shall be liable to an additional fine set out in the aforesaid Sub section.
17. In by-Laws of this, unless any other meaning is sought -
- “Cremation chamber” means the chamber where the dead body is kept and the outer chamber constructed outside the main chamber;

“Crematorium “ means a place consists of two chambers that can be operated by liquid Pressure (L.P.) gas or a space consist of two chambers that a dead body could be totally burnt at a time by a electric bulb.

“Temperature of a Crematorium” means the minimum temperature of 800 Celsius that can be maintained in the cremation chamber and the temperature that should be maintained up to 1000 Celsius at the time of cremation of the dead body.

“Crematorium premise” means the whole crematorium and the land on which it is located.

“Crematorium keeper” means any employee appointed to be in-charge of the crematorium of the Pradeshiya Sabha and its functions;

“Applicant” means any applicant who makes a request to the Chairman of the Pradeshiya Sabha for the cremation of any dead body.

“Authorized Officer” means an officer authorized in writing by the Chairman of the Pradeshiya Sabha to discharge his duties.

“Ashes” means any matter left behind after cremating a dead body, any part of the coffin which was not fully burnt where the dead body was kept;

“Death body” means a dead body of a deceased person or the dead body of a still born person.

18. If there is a contradiction between the Sinhala, Tamil and English version of this By-Law, the Sinhala version should be taken as the valid one.

FIRST SCHEDULE

SECTION No. 4

Schedule on Fees for the use of Crematorium

<i>Batch Number</i>	<i>Classification of levying fees</i>	<i>Value Rs. Cents.</i>
01.	To cremate a dead body of an adult living in the area of authority
02.	To cremate a dead body of a person who is not an adult living in the area of authority
03.	To cremate a dead body of an adult living outside the area of authority
04.	To cremate a dead body of a person who is not an adult living outside the area of authority
05.	To cremate a dead body of an adult of a low income family resided in the area of authority recommended by the Divisional Secretary
06.	To cremate a dead body of a person who is not a adult of a low income family resided in the area of authority recommended by the Divisional Secretary

A Child below the age of 12 years is considered here as a person who is not an adult

SECOND SCHEDULE

SECTION No. 5

(To be forwarded in duplicate)

(Front Page)

APPLICATION FOR A LICENCE TO CREMATE A DEAD BODY AT THE CREMATORIUM
.....PRADESHIYA SABHA

01. Name in full of the applicant :.....

Address :.....

National Identity Card No. :.....

No. and Name of the Grama Niladhari Division :.....

02. Full name of the deceased :.....

Sex :.....

Address of the place of residence :.....

No. and Name of the Grama Niladhari Division :.....

National Identity Card No. :.....

Batch Number for which the applicant belong to.....

If you belong to batch Number 05 or 06 relevant
Documents should be submitted for confirmation

03. Applicant's relationship to the deceased :.....

(Please annex a certificate stated in paragraph (a) of By-law No. 5 in order to establish the relationship)

04. Registration No. and Date of the Death Certificate :.....

(Annex a copy of the Death Certificate)

05. Name and Division of the Registrar of Deaths :.....

06. Cause of Death :.....

07. In the event of an inquiry being held into the Death :.....

(Annex the Certificate stated in paragraph (b) of by-law No. 5)

Name and Designation of the Inquiring Officer :.....

Date of Inquiry :.....

Determination of the Inquiring Officer :

Has the inquiring officer given permission to cremate the dead body :

08. Date and time applied for the cremation (According to the sequence of preference)

Date	Time	Date	Time
i.20.....	Hour's	ii.20.....	Hour's
iii.20.....	Hour's	iv.20.....	Hour's

09. Do you wish to accept ash after the cremation :

(if you wish to accept ash, sufficient receptacles should be handed over at the time of handing over the dead body for cremation)

I hereby certify that the information stated above is true and accurate, I further state that I take the full responsibility for the information given here. Relevant certificates are annexed.

.....
Signature of the Applicant.

Date.....20.....

SECOND SCHEDULE

(Back Page)

Mr/Mrs./Miss :

Sir/Madam/Miss

Refusal to issue a license to cremate a dead body

It is regretted to inform you that the issuing of a license in accordance with the application overleaf forwarded by you have been refused due to the following reasons :-

- (i)
- (ii)
- (iii)
- (iv)
- (v)

.....
Signature of the
Chairman/Authorized Officer.
(Please affix the official frank).

Date :.....20.....

Crematorium Keeper

.....Crematorium

License issued to cremate a dead body

(a) Permission is hereby granted to cremate the dead body of.....at.....

a.m./p. m.....on20.....at theCrematorium.

(b) The information given in the application overleaf has been entered in the Register according to by-law No. 6.

(c) A sum of Rs..... has been charged by Receipt No.dated..... 20.....

(d) Please taken action to cremate the dead body after making necessary entries in the relevant register as stated

In by-law No. 10 with reference to Information given in this license.

(e) The Serial Number of the Permit Register is

.....
Signature of the
Chairman/Authorized Officer.
(Please affix the official frank)

Date.20.....

THIRD SCHEDULE
 SECTION 6

Register License issued to cremate corps at the Crematorium of Pradeshiya Sabha.....

			Serial No.	
			Serial No. of the application	
			Name of the deceased	
			N. I. C. Number	
			Sex	
			Date of Death	
			No.	Death Certificate Registration
			Date	
			Name	Applicant's
			Relationship to the deceased	
			Address	
			N. I. C.	
			Reference No.	Order of the Magistrate/Inquire into Sudden Death
			Date	
			No.	Receipt
			Rs. Cents.	
			Date	Cremation
			Time	

(N. B. Sufficient space shall be provided in the Columns in order to note down the information by using both the left and right pages of the register)

THIRD SCHEDULE
SECTION No. 10

Register License issued to cremate corps at the Crematorium of Pradeshiya Sabha.....

						Serial No.	
						Serial No. of the application	
						Name of the deceased	
						N. I. C. Number	
						Sex	
						Date of Death	
						No.	Death Certificate Registration
						Date	
						Name	
						Relationship to the deceased	
						Address	Applicant's
						N. I. C.	
						Reference No.	Order of the Magistrate/Inquire into Sudden Death
						Date	
						No.	Receipt
						Rs. Cents. Amount	
						Date	Cremation
						Time	
						Date on which ash brought	
						Signature of the Crematorium Keeper	

(N. B. Sufficient space shall be provided in the Columns in order to note down the information by using both the left and right pages of the register)

BY-LAW ON CONTROL REGULARIZE, SUPERVISE AND LEVYING CHARGES FROM FUNERAL SERVICE CENTERS

1. This By-law is cited as “the by-law relating to control, regularize, supervise and levying charges relating to funeral service supply centers within the area of the authority of the Pradeshiya Sabha.”
2. (i) Unless a valid license signed by the Chairman of the Pradeshiya Sabha has been obtained by forwarding an application substantially prepared in accordance with the specimen set out in the first schedule hereto issued by the Pradeshiya Sabha no person shall maintain a Funeral Service Supply Center within the area of authority of the Pradeshiya Sabha.

(ii) Every license issued under the provisions of this Section shall be valid up to 31st December of the year unless it is cancelled earlier under the provisions of this Section and such license shall not be authorized to any body.
3. The Pradeshiya Sabha shall levy a fee decided from time to time by the Pradeshiya Sabha in respect of a license issued for a Funeral Service Supply Center maintained within the area of authority of Pradeshiya Sabha and such amount of fee shall be published in the *Gazette* Paper.
4. In the case of neglecting or violation of an order or orders set out in these by laws, it shall be lawful for the chairman to cancel the license issued for the maintenance of the said funeral service center upon the decision of the General Council.
5. There shall be a separate room for preparing dead bodies in the building where a funeral service centre is maintained and the room shall have at least space not below eighty square feet to prepare one dead body. Moreover, a concrete slab sufficient for the use of such task shall be made available and it shall be tiled and finished well.
6. (i) Certificate of Clearance issued by the Provincial Environment Authority before the Commencement of Funeral Service Center should be obtained and Annual Environment Protection License should be obtained for the maintenance of Funeral Service Centers.

(ii) Funeral Service Centers already commenced should obtain Environment Protection License from the ensuing year after accepting these by laws.
7. The windows allowing fresh air to a degree not less than one seventh of the area of the particular room where the dead bodies are prepared shall be made available and the work connected to it shall not be opened to be seen by any outsider. Moreover the windows shall not be directly opened to residences or office premises where the Funeral Service Center is located.
8. Sufficient receptacles to temporarily dump parts of the dead body removed in the process of preparing them shall be made available, and non translucent and non transparent receptacles that could be securely closed so as to prevent the entry of flies, rats or other animals and receptacles shall also be provided to collect blood flowing out of the dead body while it is being prepared or other-fluids or waste water generated in the event of the body being washed.
9. If an order has not been issued by a Magistrate or an Inquirer into Sudden Deaths in respect of a dead body, parts of the body removed in the process of preparation shall be securely interred in a pit of four feet depth from the ground level before the lapse of six hours after the completion of preparatory activities. If such order has been given the owner of the Funeral Service Center shall act in accordance with that.
10. When there is no sufficient space at the Funeral Service Centre to carry out the activities mentioned in the Section 9 action shall be taken to securely inter the body parts at the aforesaid depth at the public cemetery of the Pradeshiya Sabha on payment of a fee decided by the Pradeshiya Sabha from time to time.

11. The room where the dead bodies are prepared shall always be located separate from the ex-position hall or halls of the Funeral Service Centre and action shall be taken to prevent outsiders other than a employee entering without permission.
12. The room where the dead bodies are prepared shall be maintained cleanly always having applied disinfectants. Moreover, sufficient first aid materials and other instruments for health and sanitation shall be made available for the use of the staff when necessary.
13. It shall be an offence to use any material and equipment possible to record sound or vision or to take photos other than the equipments used for the preparation of dead bodies within the premises where bodies are prepared.
14. It shall be the duty of the licensee to maintain records of the members of the staff employed at the Funeral Service Supply Centre. He shall supply security clothe, face masks and gloves in the manner prescribed by the Pradeshiya Sabha to all the workers employed in the rooms where dead bodies are prepared ensure that these employees wear those clothes and other apparatus when preparing dead bodies as well as any food or beverage shall not be served in those rooms.
15. The interior of the vehicle or vehicles transporting dead bodies shall be constantly cleaned with vacuum cleaners and disinfected.
16. Polythene or any other non-decaying material shall not be used to cover the inside of a coffin or the entire dead body or a part of the dead body unless the dead bodies are in such a condition as impossible to prepare due to excessive injuries caused or due to any other reason.
17. No person other than one who has obtained a license under this by law or any body duly empowered by the licensee shall prepare or transport any dead body.
18. The Manager of the Funeral Service Supply Center shall be responsible for every activity carried out during open hours of the institute and any person authorized should be appointed in writing by him when he is personally absent from the institute.
19. Unless . written permission is granted to the licensee by the Medical Officer of Health . Service under the conditions prescribed by him, no person shall bring or allow any body else to bring a dead body of a person presumed to have died due to cholera, plaque, smallpox, yellow fever or aids to the licensed center.
20. No dead body shall be accepted by the licensee for preparation or organizing funeral arrangements, unless a formal death certificate issued by the Registrar of Deaths on the particular death has been forwarded to him.
21. When such death is a sudden death or when the death is suspicious, if there is any order in regard to final activities of any dead body issued by a Magistrate or an Inquire into the sudden death, the owner of the funeral service center shall carry out such provisions of that order.
22. It shall be the duty of the licensee to obtain information of the client through an application substantially prepared in conformity with the specimen form given in the Second Schedule hereto and maintain a information register substantially prepared in conformity with the specimen form given in the Third Schedule hereto in respect of every preparation of dead body and supply of funeral Services carried out in the licensed premises or in any external premises and to submit it for perusal on demand by the Chairman or . by an Authorized Officer or any Police Officer.
23. In case of a funeral service Center maintaining services in keeping dead bodies for public homage, action shall be taken to exhibit the bodies in a manner preserving the dignity of the dead person as well as the owners of the dead body and action shall be taken to provide a sufficient number of chairs for the convenience of the people

who come to pay last respects to the dead body and to allocate parking facilities for the vehicles of such guests. It shall be the duty of the licensee to maintain the place where a dead body is kept for public homage cleanly and hygienically.

24. The place where the dead-bodies are kept for public homage shall be separate from the exposition hall of the service center and the room where the bodies are prepared.
25. Nobody shall perform any activity within the premises of the funeral services center that would cause harm or inconvenience to residents living close to the funeral service centre, or allow such things to happen.
26. In case natural flowers are displayed or kept for sale in a funeral service center, the waste should be disposed in a manner that satisfies the Chairman.
27. In the event of failing to act in accordance with Section 26 such parts may be disposed into any garbage bin or garbage collecting vehicle of the Pradeshiya Sabha or a manner prescribed by the Pradeshiya Sabha on payment of a fee decided by Pradeshiya Sabha from time to time.
28. Disposal of parts of flowers, plant, wires, synthetic flowers, polythene or any waste set out in Section 26 into any road or a drain situated along a road or any public place shall be an offence.
29. Powers and duties vested in the Chairman by under this By Law may be entrusted to any officer of the Pradeshiya Sabha in writing.
30. The Chairman or any officer authorized by him shall have the power to enter and inspect any Funeral Service Center situated within the area of authority of Pradeshiya Sabha on any day or during the open hours of the funeral Service Center as set out in Schedule one to confirm whether the conditions are properly followed in accordance with the manner set out in this by law.
31. In case it is revealed in an inspection carried out in a Funeral Service Supply Center by Chairman or the officer authorized by him that the said place is maintained in a manner violating the provisions of this by law it shall be lawful to inform the owner of the place by a notice to correct such violation during a specific period.
32. Delivery of the notice set out in Section 31 may be deemed to have been correctly done if such notice is delivered to the owner of the place either personally or by fixing the notice in the place.
33. Every person who has received the notice set out in the Section 31 shall abide by the conditions within the period specified therein.
34. In case of violation of the notice set out in Section 31 by any person, it shall be lawful for the Chairman to cancel such license issued for the maintenance of such Funeral Service Supply Center.
35. This by law and a price notice including the services provided by the relevant service supply center should be displayed in a prominent place to be clearly seen at the Funeral Service Supply Center.
36. Any person who violates the orders in the notice set out in Section 31 shall be guilty of an offence and being convicted by a Magistrate court of proper jurisdiction shall be liable to a fine set out in sub Section 122 (2) of Pradeshiya Sabha Act No 15 of 1987 and in case any person who is subjected to such fine continue to repeat such offence or violation after being convicted by a Magistrate court in the jurisdiction shall be liable to an additional fine set out in the aforesaid Sub section.

37. In this Sections, unless the context otherwise requires -

“Funeral Service Supply Center” means a center where a dead body is prepared so as to pre-serve it for sometime or where a dead body is prepared for last rites or place where a dead body is kept for a fee until it is taken to the cemetery for last rites;

“Medical officer of Health” means the Medical officer of Health appointed by the Department of Health for covering the area of authority of Pradeshiya Sabha.

“Area of Authority” means area of authority of the Pradeshiya Sabha.

“Authorized officer” means any officer authorized in writing by the chairman of the pradeshiya sabha to discharge any duty or responsibility vested by this By- Law.

“Parts of the dead body” means any limb removed from the body of a dead person, or part of a limb or internal organ or blood flowing out of the body or any other fluid or any dress or dresses worn by the person at the time of death or any part of such dress or bandages, gauze or any other thing found in an injured part of the body.

“Chairman” means the Chairman of the Pradeshiya Sabha concerned.

“Sabath” means the Pradeshiya Sabha concerned.

“Preparing of dead bodies” means preparing a dead body of a person so as to preserve it for some time in order to pay last respects, dressing a dead body, placing the body in a coffin and doing any other thing in this regard.

“Owner” means the owner of a Funeral Service Supply Center or the manager of the said place or the office in charge for the time being or any person who maintains the said place

“Public places” are defined as any road, street, lane, foot path, pavement ,common land, road reservation, play ground, public building, public cemetery, a bus stand, a railway station, a river, canal, stream, lake, pond, bay, water hole, water stream, rain water drainage, shore, a land belonged to a pradeshiya sabha, a land of the government reserved for public utility or any other place that is subjected for public utility.

38. If there is a contradiction between the Sinhala, Tamil and English version of this By-Law, the Sinhala version should be taken as the valid one.

SCHEDULE No. 01

Serial No.....

SUB PARAGRAPH (1) OF SECTION 02

APPLICATION FOR A LICENCE TO MAINTAIN A FUNERAL SERVICE SUPPLY CENTER

01. Name of the applicant :.....
02. Address :.....
03. National Identity Card No. :.....
04. The commercial name of the Funeral Service Centre and the Address :.....
05. Assessment Number of the place where Funeral Service Center is being maintained :.....
06. Number of dead bodies that can be kept for preparation at a time
07. Number of hearses owned by the institution registration numbers
08. Number of vehicles available for transport of bodies before preparation
09. Manner in which parts of the body removed are disposed
10. Have you obtained an Environment Protection License
11. Have you fulfilled the requirements of Section 05 and 07
12. Hours opened for Funeral Service Supply
13. In the event of acceptance of dead bodies for display
 - (i) Number of dead bodies that could be displayed at a time
 - (ii) Number of vehicles of the visitors that could be parked at a time
14. Whether natural flowers are kept for sale : Yes/No.
15. The manner in which rejected flowers or plants are expected to be disposed
16. Number of permanent employees of the institution
17. If a Manager has been appointed
 - (i) Name of the Manager
 - (ii) National Identity Card Number
 - (iii) Address
 - (iv) Contact Number

18. On placing my signature below I hereby accept that I agree to fully comply with the provisions in the By-laws in relating to regularize, supervise and control of funeral service centers and to comply with the other sanitary provisions prescribed by thePradeshiya Sabha from time to time.

.....

Signature of the Applicant.

Date. :.....20.....

FOR OFFICE USE

1. I hereby declare that the particulars contained in this application are true and application is recommended for approval for the maintenance of a Funeral Service Supply Center.
2. I do hereby reject the application for maintenance of a Funeral Service Supply Center due to the following grounds.

(i)

(ii)

(iii)

(iv)

(v)

Particulars of the Public Health Inspector

Name :.....

Signature :.....

Date :.....

SCHEDULE No. 02

SECTION 22

SPECIMEN APPLICATION FORM FOR HAND OVER THE DEAD BODY TO THE FUNERAL SERVICE
SUPPLY CENTER

01. Name of the deceased :.....

02. National Identity Card Number :.....

03. Sex :.....

04. Date of Expire :.....

05. Date of Registratin of death :.....

i. Date :.....

ii. Time :.....

06. Handing over of dead body

i. Date :.....

ii. Number :.....

07. Particulars of Guardian of the dead body

i. Name :.....

ii. Relationship to the decased :.....

iii. Address :.....

iv. National Identity Card Number :.....

v. Telephone Number :.....

08. Particulars of Inquire into Death/Magistrate

i. Reference Number :.....

ii. Date :.....

I do hereby certify that the above particulars are true.

.....
Signature of the Guardian.

Date. :.....20.....

SCHEDULE No. 04

SECTION NUMBER 44

Register on death bodies prepared at the Funeral Service Center

[illegible]

(N. B. Sufficient space shall be provided in the Columns in order to note down the information by using both the left and right pages of the register)