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The Gazette of the Democratic Socialist Republic of Sri Lanka

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(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

(Separate paging is given to each language of every Part in order that it may be filed separately)

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IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All Notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, Corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after three months from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication i.e. notices for publication in the weekly *Gazette* of 08th August, 2014 should reach Government Press on or before 12.00 noon on 25th July, 2014.

Electronic Transactions Act, No. 19 of 2006 - Section 9

“Where any Act or enactment provides that any Proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the Gazette, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the Gazette.”

P. H. L. V. DE SILVA,
Acting Government Printer.

Department of Government Printing,
Colombo 08,
01st January, 2014.

This Gazette can be downloaded from www.documents.gov.lk



Provincial Councils Notifications

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Provincial Council of the Central Province

DRAFT OF THE PROPOSED RURAL DEVELOPMENT STATUTE OF THE PROVINCIAL COUNCIL OF THE CENTRAL PROVINCE

I, herewith publish the above proposed draft of the statute which will be enforced in the Central Provincial Council for public comments.

The statute will be submitted to the Central Provincial Council for approval after 10 days of this has published. If any comments to be forwarded rewarded related to the contents of this statute should be forwarded to the below address within 10 days after this notice.

PREMITHA BANDARA TENNAKON,
Minister,
Ministry of Sports, Youth Affairs, Women's Affairs,
Rural Development and Industries.

P. O. Box 41
Getambe,
Peradeniya.

Rural Development Statute No..... 2014 of the Central Provincial Council

A Statute to provide for the establishment of a Rural Development Department and registration and maintenance of Rural Development Societies, and establishment, registration and maintenance of Rural Development Divisional Authorities, Provincial Authorities, establishment, maintenance and regularization of Women Development Centers and make provisions for Rural Development in the Central Province and for matters connected there with or incidental there to.

Be it passed by the Provincial Council of the Central Province of the Democratic, Socialist Republic of Sri Lanka as follows:

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| Name in brief and date of implementation. | 1. This Statute may be cited as the Rural Development Department Statute No..... of 2014 of the Provincial Council and shall come into operation from the date of receiving the assent of the Governor of the Central Province. |
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PART - I

Establishment of the Central Provincial Council Rural Development Department.

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| Establishment of Rural Development Department. | 2. There shall be established a Department called and known as the Department of Rural Development of the Central Province (hereinafter referred to as the Department) for the purpose of carrying out the objects and functions connected with the subject of Rural Development in the Central Province. |
| Central Province Rural Development Director. | 3. There shall be appointed a Provincial Director to the Department for the purpose of performing and giving effect to the powers and functions vested by this statute. He shall be the Head of the Department and shall be appointed by the Governor of the Central Province and the Provincial Director shall come under the direction and the general administration of the Secretary to the Ministry. |
| Appointment of other officers required for the Department. | 4. There shall be appointed Deputy Directors, Assistant Directors and number of other officers and staff that may be necessary to assist the Provincial Director of Rural Development, according to provisions of the Provincial Council Act No. 42 of 1987 for the purpose of carrying out powers, duties and functions under this Statute. |

5. The powers and functions of the provincial Director may be delegated to the officers appointed under Section 4 above for the Divisional Secretaries. Delegation of Power.

6. Objectives of the Department. Objectives of the Department.
 - a. Establishment, maintenance and activating the Rural Development Societies, and Authorities that are necessary for the purpose of implementing rural development projects with the rural community participation.
 - b. Development of essential infrastructural facility projects identified by the rural community making use of the community contributions.
 - c. Implementing rural development projects and rural economy generating projects required for the sustainable rural economic development.
 - d. Development of capabilities of rural community and encouraging the Department officers contributing for this process through training and aware programmes which are necessary for development of rural leadership.

7. The Department shall have under mentioned powers for the performance of its functions. Powers and function of the Dept.
 - a. Establishment, registration, administration, supervision, dissolution and auditing of Rural Development Societies, Rural Development Divisional Authorities and Rural Development Provincial Authorities.
 - b. Establishment, administration, management, maintenance and supervision of Rural Women Development Centers.
 - c. Take action to provide vocational training for beneficiaries of Rural Women Development Centers and thereby encouraging self oriented business among them.
 - d. Supervision management, inspection and auditing of Rural Development Societies and Authorities.
 - e. Entertain assistance of eminent individuals of the Government, Provincial Council, Ministries, Departments and other institutions, Local Government Institution or Government or Provincial Council legal boards.
 - f. Implementing maintaining and developing infrastructure facility programmes that promote the living conditions of the people.
 - g. Conducting training programmes for the development of the capacity of the rural mass and as well as the officers of the Department.
 - h. Maintaining co-ordination with Government, non Government Organizations and Local Government Institutions that make contributions for rural development.
 - i. Implementing social, economical and cultural programmes identified for rural development.
 - j. Custody and possession of any movable and immovable property to be vested by transfer, donation, grant, gifts, testimony or by any other manner, according to the No. 42 of the Local Government Act, of 1987 of the Democratic Socialist Republic of Sri Lanka Constitution of 1978.
 - k. Take action in respect of the objectives and functions specially determined in this Statute or all matters connected therewith or incidental thereto.
 - l. Making to audit finance and accounts reports forwarded by the Rural Development Societies, Divisional Authorities and Provincial Authority and taking legal action on finance frauds revealed therein.

PART - II

Rural Development Societies

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| Rural Development Societies. | 8. Rural Development Societies may be established for each Grama Niladari Division or for a part of Grama Niladari Division or for several Grama Niladari Divisions as may be specifically determined by the Director of Rural Development. |
| Objectives of Rural Development Societies. | <p>9. The objectives of a Rural Development Society shall be -</p> <ul style="list-style-type: none"> a. Improving cultural systems that pave the way for attitudinal changes and continuously manage them preserving the indigenous identity. b. Creation of a leadership that can lead the united co-existing and self-relying rural community, that is the basis of rural development. c. Creation of a resource management that will be a basis for rural development giving priority for environment equalization and for ascertaining unidentified rural energetic forces. d. Development of infra-structure facilities required for rural population. e. Strengthening the family unit, creation of unity and co-existence, and also women and child care development. |
| Powers and functions of Rural Development Society. | <p>10. The powers and functions of a Rural Development Society, subject to directions and supervision of the development shall be;</p> <ul style="list-style-type: none"> a. Lawfully obtaining lands, funds, goods and instruments as gifts for requirements of development. b. Purchasing take on lease and rent out land/ property and entering into contracts in respect of same. c. Leasing, renting and vesting of land or property for requirements of development and entering into contracts in respect of same. d. Procure contracts from Government and non-Governmental institutions according to Finance circulars for the purpose of performing development services and entering into contracts regarding same. e. Other powers related to implement the targets of the Rural Development Societies. f. Every Rural Development Society shall submit the reports, mentioning the finance situation for the previous year, before the end of 31st March of the current year. |
| Constitution of a Rural Development Society. | <p>11. a. The Secretary to the Ministry with the recommendation of the Provincial Director shall from time to time approve the provisions that shall contain regarding the contents, fund of the Rural Development Societies in the constitution of a Rural Development Society.</p> <p>b. A Society shall have the right to draft a constitution to its own, subject to the general provisions, mentioned in the Statute.</p> |
| R. D. S. Fund. | 12. A Rural development society shall maintain a Fund subject to provisions shown in a constitution of a Rural Development Society, and the said fund shall be maintained in a State Bank. |
| Other Provisions. | 13. Composition and formations of a Rural Development Society, directions and procedure in maintaining a fund of a Rural Development Society shall be included in the constitution of a Rural Development Society. |

PART - III

Rural Development Divisional Authorities

14. There shall be single Divisional Rural Development Authority for every Divisional Secretary area of the Central Province with the combination of all Rural Development Societies functioning within a Divisional Secretary area. The Divisional Authority shall consist of selected members representing registered Rural Development Societies in the Divisional Secretary area. For this purpose one representative from every registered Rural Development Society shall be nominated. Divisional Rural Development Authority.

15. The objectives of a Divisional Rural Development Authority shall be - Objectives of Divisional R.D Authority.
 - a. Obtaining the active-participation of civil society for provincial development.
 - b. Promotion of inter-relationship among community organizations at rural level.
 - c. By the request of one or more Rural Development Societies of the Division,
 - (i) Planning a Co-ordinated development programme for the Divisional Authority area.
 - (ii) Maintaining social welfare services.
 - d. Maintaining social welfare services by the Authority.
 - e. Building up funds for capital and other requirements of the member societies.

16. Functions of a Divisional Rural Development Authority shall be - Powers and functions of a Rural Development Authority.
 - a. Provide necessary instructions for the member societies to build up and maintain their activities.
 - b. Build up funds to meet the capital and financial requirements of member societies.
 - c. Provide low interest loan and credit assistance for member societies.
 - d. Assisting to establish new rural development societies and to reorganize- societies and to initiate action according to the constitution.
 - e. Extension of women and child care activities within the Divisional Secretary area and maintain social and welfare services.
 - f. Every Divisional Authority shall submit the reports, mentioning the finance situation for the previous year, before the end of 31st March of the current year.
 - g. Take any other actions necessary and relevant for the purpose of achieving above objectives mentioned in the Section No. 15 of the Statute.

17. The Assistant Director of District Rural Development Authority or the District Rural Development Officer shall tender meetings and make supervisions of the Divisional Rural Development Authorities. Calling meeting and Supervision.

18.
 - a. Other provisions required for maintaining a Rural Development Divisional Authority shall be subject to provisions of the constitution of the Rural Development Divisional Authority as determined time to time by the Secretary to the Ministry, by the recommendation of the Provincial Director. Constitution of a Rural Development Authority.
 - b. Rural Development Divisional Authority shall have the rights to draft a constitution to its own for the requirements of the Division, subject to the general provisions of the Statute.

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| Rural Development Authority fund. | 19. Subject to the provisions of the Rural Development Divisional Authority have the rights to maintain a fund. The fund shall be maintained in a State Bank. |
| Other Provision. | 20. Other provisions required for the contents, functions and fund of the Rural Development Divisional Authority, shall mentioned in the constitution of the Rural Development Divisional Authority. |

PART - IV

Rural Development Provincial Authority.

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| Establishing Rural Development Provincial Authority. | 21. A Rural Development Provincial Authority shall be established for the Central Province. |
| Composition of the Provincial Authority. | 22. Every Divisional Authority shall be a member of the Provincial Authority and such authority shall be composed of one representative from each Divisional Authority. |
| Objective of the Provincial Authority. | <p>23. The objectives of the Provincial Authority shall be –</p> <ul style="list-style-type: none"> a. Providing necessary leadership and assistance for planning development programmes to fulfill the goals prescribed in the constitution of Rural Development Regional Authority and Rural Development Society Statute. b. Supervising, Monitoring and Evaluating rural development programmes implemented in the Central Province. c. Conforming the co-operation of the Government and non Governmental organizations relating the rural development in Central Province. d. Coordinating the programmes of Rural Development Divisional Authorities in the Central Province. e. Coordinating and assisting for the development of Rural Women Development Centers, established in the Central Province. |
| Powers and Function of the R.D. Provincial Authority. | <p>24. Powers and Functions of the Rural Development Provincial Authority shall be,</p> <ul style="list-style-type: none"> a. Carry out studies in respect of rural development programmes and projects in the Central Province. b. Maintain co-ordination with other Government and non Government organizations for obtaining necessary assistance in implementing any rural development programmes. c. Considering and directing the proposals and suggestions to the Department submitted to implement the rural development programmes efficiently by the Rural Development Divisional Authorities in Central Province. d. Tendering progress review meetings thrice in a year and preparation of feed back reports. e. Every Provincial Authority shall submit the reports, mentioning the finance situation for the previous year, before the end of 31st March of the current year. |

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| 25. | a. | There shall be a constitution for Rural Development Provincial Authority, its composition, fund and activities make provisions to implement them and the Secretary to the Ministry, with the recommendation of the Provincial Director shall form them time to time. | Constitution of the R.D. Provincial Authority |
| | b. | The Rural Development Provincial Authority have the rights to draft a constitution, subject to the general provisions of the Statute. | |
| 26. | | A fund shall be maintained for the Rural Development Provincial Authority, subject to the directions and provisions of the constitution of the Rural Development Provincial Authority . The said fund shall be maintained in a State Bank. | Fund of the R.D. Provincial Authority |
| 27. | | The composition, fund and other provisions to implement by the Rural Development Provincial Authority shall mentioned in its constitution. | Other Provisions |
| 28. | | The Provincial Director or the Deputy Director or the Assistant Director, authorized by the Director shall tender Rural Development Provincial Authority meetings and do inspections. | Calling meeting and supervision |

PART- V

Registration of Rural Development Societies and Authorities.

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| 29. | Every Rural Development Society and every Divisional, District and Provincial Authority shall be registered with the Provincial Director. | Registration of Rural Development Societies and authorities |
| 30. | Regulations under Section 29, required for the purpose of registration shall be determined by the Minister. | Registration, Regulations |
| 31. | Applications for registration shall be forwarded to the Provincial Director by the Divisional and Provincial Authorities according to provisions mentioned under Section 30. | Forwarding of Application for Registration |
| 32. | If the Provincial Director is satisfied, that the applications forwarded by Rural Development Society, Divisional, and Provincial Authorities for registration have fulfilled the registration requirements, such Society or Authority may be registered. | Issuing Registration Certificates |
| 33. | Where the Provincial Director is not satisfied, as to the applications for registration forwarded by a Rural Development Society, Divisional and Provincial Authority have not fulfilled the requirements, then such registration may be refused. The reason for the refusal of registration shall be notified in a written form to the respective Society within 14 days of refusal. | Rejection of Registration |
| 34. | An appeal may be forwarded to the Secretary to the Ministry regarding the refusal of the registration of the application, and the decision of the Secretary to the Ministry is final. | Powers for Appeal |
| 35. | A Rural Development Society or an Authority by the reason of registration and by the name assigned to it be a body corporate, and shall have perpetual succession and a common seal, hold property and enter into agreements and may sue and be sued in such name. | Corporate Bodies Rural Development Societies and Authorities Registered should be Corporations |

PART - VI

Establishment of Rural Women Development Centers

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| Establishment of Rural Women Development Centers. | 36. There shall be established a Rural Women Development Centers at Divisional Secretary area level for the purpose of improving the economic conditions and capabilities of rural women living within the Central Province. These centers shall be supervised by the Department. |
| Vocational Training. | 37. Provide vocational training and competencies in sewing and handicrafts for rural women through Rural Women Development Centers and training courses may also be conducted required for the progress of rural women folk. |
| Selection of Trainees and selecting programmes. | 38. Provincial Director or the officer authorized by him, will be able to select trainees for Women Development Centers and decide on the training courses to be conducted at these centers. |

PART - VII

General Provisions

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| Imposing regulations relevant to draft statute. | <p>39. District Rural Development offices shall be established in Kandy, Matale and Nuwara Eliya Districts to carry out the activities of the Department, more widely and effectively.</p> <p>40. The Minister has the power to,</p> <ol style="list-style-type: none"> a. Implement necessary regulations under Section 7 and, b. Implement necessary regulations for the purpose of carrying out regulations and directions for achieving the objectives under Section 30 of the above Statute; c. Auditing powers of Rural Development Societies, Divisional Authorities and Provincial Authority shall be vested on the Provincial Director of Rural Development. The Director shall also have the powers to take legal action on any financial misdeed or fraud revealed by such auditing process. The certificate issued by the Director on such misdeeds, shall be treated as an important witness on the amount charged from such persons. <p>41. Every regulation to be formed under Sections 40 shall published in the <i>Gazette</i> by the Minister and shall be adopted by the Provincial Council, within 03 months duration.</p> <p>42. <ol style="list-style-type: none"> a. Establishment , registration, and auditing of the Rural Development Societies within the Divisional Secretary area shall come under the Rural Development Officer with the recommendation of Divisional Secretary. b. If any misdeed or fraud revealed when performing matters of Rural Development Societies and Divisional Authorities within the Divisional Secretary area, the Minister shall have the power to dissolve such Societies and Authorities, with the recommendation of the Provincial Director of the Rural Development. </p> |
| Guilty of an offense and punishments. | <p>43. <ol style="list-style-type: none"> (i) Any person who acts in contravening and violating provisions of any rural or regulation enforced under this statute or any provision of this Statute shall be guilty of an offence under this Statute and shall be subject to trial in a Court of Law and subject to a penalty not exceeding Rupees two thousand five hundred or an imprisonment not exceeding 06 month or liable to the two penalties. (ii) If any finance fraud or less utilized money matters performed by any Rural Development Society, Divisional Authority or a Provincial Authority, reported to a Court of Law, such financial fraud and less utilized amount of money shall be treated as penalty, imposed on such Rural Development Societies, Divisional Authorities and Provincial Authority and the amount charged as penalty shall be credited to the accounts of the Rural Development Societies, Divisional Authorities and the Provincial Authority. All amount imposed as penalties under this Statute, shall be credited to the Central Provincial Fund. </p> |

44. In the event of any discrepancy found among the Sinhala, Tamil, and English texts, the text in Sinhala shall be treated final. The Sinhala Language text shall be valid.

Interim Provisions

45. The person who are serving as Provincial Director before the determined date shall be treated as the Director appointed under Section 3 and the officers who was serving before the determined date shall be treated as the officers appointed under Section 4 of the said Statute. Post holding Directors and officers.
46. a. All assets, liabilities, loan bonds, legal matters of the Department and entered agreements with the Department before the determined date shall be treated as the assets, liabilities, loan bonds, legal matters and agreements entered under the said Statute. Assets, liabilities, bonds maintenance.
- b. All assets, liabilities, loan bonds, legal matters and entered agreements on contracts by Rural Development Societies and Divisional Authorities, before the determined date shall be treated as the assets, liabilities, loan bonds, legal matters and agreements entered by the Rural Development Societies and Divisional Authorities, established under the said Statute.
47. District Development Officers shall maintain District Rural Development offices, till the recruitment of officers to the District Offices in Kandy, Matale and Nuwara Eliya Districts.

Interpretation

48. The “Governor” means the Governor of the Central Province. Interpretation.

“Minister” means the Minister in charge of the subject of rural development in the Central Provincial Council.

“Secretary to the Ministry” means the Secretary of the ministry in charge of the subject of rural development in the Central Provincial Council.

“Divisional Secretary” means the Secretary of the Division in the Central Province or a person authorized by him.

“Provincial Director” means the Director of the Rural Development in the Central Province or a person authorized by him.

“Deputy Director” means the Deputy Director authorized by the Director of the Rural Development in the Central Province.

“Assistant Director” means the Assistant Director authorized by the Director of the Rural Development in the Central Province.

“Rural Development District Officer” means the officer authorized by the Provincial Director of Rural Development of Central Province to execute the duties of Rural Development.

“Rural Development Officer” means the officer authorized by the Provincial Director of Rural Development of Central Province to execute duties in the Divisional Secretary Division.

“Society” means a Rural Development Society functioning within the Central Province.

“Authority” means the rural Development Divisional Authorities and the Rural Development Provincial Authority functioning within the Central Province.

“Property” means are property such as books, documents and records; cash in hand and in bank, furniture and equipments, land and buildings, projects and immovable and immovable property own by the rural developments societies, or Rural Development Authorities.

“Constitution” means constitutions drawn up for rural development societies, Rural Development Divisional Authorities, the Rural Development Provincial Authority and approved by the Board of Ministers of the control provincial council.

“State Bank” means the state bank established under Finance Regulation Act.

“Non Government Organizations” mean the voluntary organizations registered under Voluntary and Social Institutions (Registration and Supervision) Act.

“Provincial Finance Regulations” mean the Finance Regulations imposed by the Hon. Governor of Central Province under Sections 19 (5) and 23 of the Provincial Councils Act, No. 42 of 1987, with effect from 01st of January, 2008.

“Determined Date” means the effective date of this Statute.

“Rural Women Development center” means the centers established to improve the rural women for provide vocational skills training to the rural women.

07-450

By-Laws

STANDARD BY-LAWS

IT is hereby notified that the Southern Provincial Council has, at its meeting held on 23.07.2013 unanimously approved the draft by-laws referred to hereunder, made by the minister in charge of the subject of Local Government of the Southern Provincial Council, under the powers vested in him under Section 2, sub-section (I) of the Local Government Authorities (Standard By-Laws) Act, No. 06 of 1952 (Chapter 261) read with Section 2, sub-section (I) (a) of the Provincial Councils (Ancillary Provisions) Act, No. 12 of 1989 and published in Part IV (a) of *Gazette* No. 1811 dated 17.05.2013 of the Democratic Socialist Republic of Sri Lanka.

- * By-laws regarding the interpretation of all standard by-laws of the Municipal Councils within the Southern Province;\
- * By-laws relating to general provisions applicable to all standard by-laws;
- * By-laws regarding penalties for breach of any provision or directive laid down in any standard by-law;
- * By-laws relating to the conduct of affairs of the council meetings;
- * By-laws relating to the sale of fish;
- * By-laws relating to the sale of meat;
- * By-laws applicable to factories making soft drinks;
- * By-laws applicable to hair dressing salons, barbers' shops or saloons and beauty parlours;
- * By-laws relating to bakeries;
- * By-laws relating to dairies;
- * By-laws relating to swimming pools;
- * By-laws relating to ice making factories;
- * By-laws relating to eateries, restaurants and tea or coffee shops;

- * By-laws pertaining to hotels;
- * By-laws pertaining to lodging houses;
- * By-laws pertaining to laundries;
- * By-laws pertaining to factories;
- * By-laws applicable to establishments providing funeral undertakers services;
- * By-laws relating to the sale of fast foods or other ready to eat food items by itinerant traders;
- * By-laws relating to pedestrian crossings;
- * By-laws on regulation, supervision and control of industrial premises used for the production or storage of building materials and allied products;
- * By-laws regarding the parking of motor vehicles and regulation of vehicular traffic;
- * By-laws on prevention of damages to roads and obstructions to road traffic;
- * By-laws on regulation, administration and the levying of fees on crematoriums;
- * By-laws on the maintenance of public fairs;
- * By-laws on the maintenance of playgrounds;
- * By-laws on community centres;
- * By-laws relating to advertising posters;
- * By-laws on the registration of mortgages and mortgagees;

SAMAN DARSHANA PANDIKORALA,
Secretary,
Ministry of Local Government,
Southern Provincial Council.

30th March, 2014

07-530