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PART IV (A) — PROVINCIAL COUNCILS

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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 19th July, 2019 should reach Government Press on or before 12.00 noon on 05th July, 2019.

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.”

Department of Government Printing,
Colombo 08,
01st January, 2019.

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



GANGANI LIYANAGE,
Government Printer.

By-Laws

BY LAW ON MANAGEMENT OF AREAS WITHIN THE AREA OF AUTHORITY OF PRADESHIYA SABHA KALPITIYA FOR THE PURPOSE OF CONDUCTING KITE SURFING TRAINING

THE by law on management of areas within the area of authority of Pradeshiya Sabha Kalpitiya for the purpose of training on kite surfing set out in the following Schedule which has been compiled by the Pradeshiya Sabha Kalpitiya by virtue of powers vested in the Pradeshiya Sabha under Sub Section (1) of Section 122 of Pradeshiya Sabha Act, No. 15 of 1987 to be read with Section 126 of the said Act has been passed under the motion No. 11(8) at the General Meeting held at the Pradeshiya Sabha Kalpitiya on 09 April 2019.

Accordingly, I, Peshala Jayarathne Bandara the Hon Governor in the North Western Province hereby notify that the said by law has been approved by me by virtue of powers vested in me under Sub Section (1) of Section 123 of aforesaid Pradeshiya Sabha Act to be read with Section 2 of Provincial Council (Incidental Provisions) Act, No. 12 of 1989 and it is further notified that the said by law shall be effective within the said area of authority from the date of publication of this notification in the *Gazette* Paper.

PESHALA JAYARATHNE BANDARA,

The Hon. Governor,

Governor's Office in the North Western Province.

24th May, 2019.

By Law on Management of Areas for the training purpose of windsurfing and Kite surfing

1. This by law is imposed for making provisos in respect of the control and management of lagoon and coastal areas (hereinafter known as areas) around that lagoon which have been named as suitable areas for conducting training services of windsurfing and kite surfing by the Divisional Secretary within the area of authority of Kalpitiya under the control and management of Pradeshiya Sabha Kalpitiya.
2. This By law is enacted under Section 122(1) to be read with Section 126 (vi) of Pradeshiya Sabha Act, No. 15 of 1987.
3. This By law is cited as the By law on management of areas for the purpose of training of windsurfing and kite surfing of the Pradeshiya Sabha Kalpitiya.
4.
 - (i) No person or an institute shall engage in windsurfing and kite surfing training at the areas relevant to this By law unless possessing a permit substantially issued by the Chairman under Schedule I of this By Law.
 - (ii) The maximum number of permits that could be issued for a person in respect of a certain place maintained for the purpose of training shall be decided upon the extent of length meters of the place of relevant coastal belt.
 - (iii) No person shall engage in training of trainees exceeding the permitted number of trainees for himself.
 - (iv) In case trainers are engaged in the training activities every trainee in each institute shall wear different colored coats as advised by the Pradeshiya Sabha so as to recognize each training institute.
5.
 - (i) Every person who applies for a permit under the aforesaid Section 4 shall apply for such permit by obtaining an application substantially prepared under Schedule II of this by law on payment of a fee to the Pradeshiya Sabha Kalpitiya.
 - (ii) Prescribed fees to be paid for an application under this Section shall be decided and declared upon an adoption of resolution moved from time to time by the Pradeshiya Sabha.
 - (iii) Prescribed fees under this Section shall be decided by the Sabha on the basis of an annual permit and considering the number of trainees for each permit.

6. Every permit issued under Section 4 of this By law, shall be ended on 31st December of the particular year in which the permit is issued unless it is cancelled earlier on account of violation of conditions of this By law.
7. Every person who applies for a permit under this By Law shall have completed the following conditions.
 - (i) Should have been registered for the said purpose at the Sri Lanka Tourist Board.
 - (ii) The training should be conducted under qualified trainers who have obtained international training licenses for windsurfing and kite surfing and that should be verified by a valid training license.
 - (iii) In case a training center is maintained at the lagoon and coastal area, the relevant constructions shall be constructed in accordance with a plan approved by the Department of Coastal Conservation and a copy of the approved plan should be annexed.
 - (iv) A report recommended by the Medical Officer of Health to the effect that sanitary facilities including First Aid facilities for the trainees have been properly maintained shall be submitted together with the relevant request.
8. The maximum number of permit to be issued in respect of identifying a coastal and a lagoon belt or for an identified coastal and lagoon belt within this area of authority for training purposes shall be decided by a committee consisting Divisional Secretary, Secretary to the Pradeshiya Sabha, Manager in charge of the Division of Kalpitiya of the Department of Coastal Conservation, Assistant Director Fisheries, Regional Officer of the Tourism Development Authority and Deputy Director of Urban Development Authority upon the consent of District Lagoon Management Committee.
9. The duration of training under a permit shall be conducted from 9.00 to 06.00 hours and no person shall engage in training activities excluding such hours.
10. In case coastal line and lagoon line are utilized for the training purpose the coastal area specifically allocated for fisheries activities shall not be used.
11. Pradeshiya Sabha shall provide facilities for training activities conducted under this bylaw.
12. Issue of a temporary permit substantially with the Schedule III of this by law by the Chairman for a time period decided by the Pradeshiya Sabha Kalpitiya in respect of engaging in windsurfing and kite surfing at a certain part of Lagoon belt maintained by the Pradeshiya Sabha Kalpitiya, under the agreement entered into between the Divisional Secretary Kalpitiya and the Pradeshiya Sabha Kalpitiya, shall be lawful and in order to obtain such permit an application prepared substantially with the Schedule IV of this By Law obtained by the Pradeshiya Sabha Kalpitiya shall be forwarded.
13. Fees to be levied for a permit under Section 12 shall be decided by the Pradeshiya Sabha and subsequently shall be published in the *Gazette* paper.
14. Any person who resided within the area of authority of Pradeshiya Sabha Kalpitiya engages in windsurfing and kite surfing at the coastal belt for entertainment shall not be relevant for the purpose under this by law.
15. Violation of any provision of this by law shall be an offense and a maximum fine may be imposed in case a person is found guilty of that offense by a proper judicial court and if such offense is further continued by the said person notwithstanding the handing over of a written notification by the Chairman or any authorized officer stating the offense, an additional punishment shall be imposed for each day of violation and the maximum of fine or maximum of additional punishment shall be imposed under Sub Section (2) of Section 122 of Pradeshiya Sabha Act, No, 15 of 1987.
16. In the event of any inconsistency between the Sinhala, Tamil and English text in this By law the Sinhala text shall prevail.

17. In this context unless otherwise requires,

“Chairman” means the Chairman of the Pradeshiya Sabha Kalpitiya,

“Sabha” means Pradeshiya Sabha Kalpitiya,

“Divisional Secretary” means the Divisional Secretary of the Divisional Secretariat Kalpitiya,

“a person” means an institute, person, or a board of persons established under Company Act, No. 07 of 2007 implemented in respect of the maintenance of the training service on kite surfing,

“Authorized Officer” means an officer authorized for the said purpose by the Pradeshiya Sabha Kalpitiya.

Schedule I

Permit No. :.....

Pradeshiya Sabha Kalpitiya

Permit for the training school of windsurfing and kite surfing-year20.....

1. (a) Name of the training school :.....
(b) The nature of the training school (single/joined/company) :.....
2. Address of the place where the training school is conducted :
(a) Address :.....
.....
(b) Assessment Number :.....
3. (a) Name of owner of the Industry/ Business :.....
(b) National Identity Card Number:.....

Unless the permit is cancelled earlier, it shall be ended on 31 December in 20.....Further, this permit is issued only for the purpose of using the aforesaid specific places for the maintenance of the aforesaid training school. Similarly, this shall not be considered as a legal right for the said place.

The permit shall be displayed conspicuously at the aforesaid place.

Number of issued permits:.....

Amount paid: Rs..... Receipt No. :..... Date :.....20.....

.....
Chairman,
Pradeshiya Sabha,
(Frank)

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

SCHEDULE II

**Application for obtaining a permit for a training school of windsurfing and kite surfing at
the place of within the area of authority of Pradeshiya Sabha Kalpitiya**

- 1 Name of the training school:
- 2 Address:
- 3 Telephone Number:
- 3 Grama Niladhari Division:
- 4 Nature - Single/joined/company):
- 5 Name of the owner:
- 6 Address of the owner:
- 7 Identity Card Number:
- 8 Number of qualified trainers employed in the business:
(A copy of training license should be annexed)
- 9 Date and Number of the approved plan:
(A copy of the plan should be annexed)
- 10 Date and Number indicated in the certificate of compliance:
(A copy of the certificate should be annexed)

I put my signature and hereby declare that the above details are true and you are kindly requested to issue me a permit fortrainees by levying charges and I promise that I will abide by all the conditions and orders stipulated by the Pradeshiya Sabha Kalpitiya.

.....
(Signature of the Applicant)

Date :

Medical Officer of Health - Kalpitiya

You are kindly requested to issue the report which ensures that health facilities including necessary first aid facilities are provided in proper and suitable manner for the trainees.

.....
Secretary,
Pradeshiya Sabha Kalpitiya.

Date :

The Report of the Inspector of Public Health

.....;
Inspector of Public Health.

Date :

Recommendation of Medical Officer of Health :

I hereby recommend/ do not recommend the issue of permits for the year 20..... according to the report of aforesaid Inspector of Public Health.

.....;
Medical Officer of Health.

Date :.....

Remarks of the Revenue Inspector :

Fee to be levied -

Date-

.....;
Revenue Inspector/ Management Assistant.

Date -

Issue of permits for the relevant business place is hereby approved / not approved. Please issue the permit by levying relevant fees.

.....;
Secretary,
Pradeshiya Sabha Kalpitiya.

Date:.....

Remarks of the Revenue Promotion Officer :

The permit has been issued.

Receipt No.:.....

Permit Number:

Date -

.....;
Revenue Promotion Officer.

Schedule III

Temporary permit No.

**Temporary permit to engage in windsurfing and kite surfing at the place of.....
within the Pradeshiya Sabha Kalpitiya**

1. Name:

2. Identity Card Number /Passport Number

3. Date/days allowed for engage in the sport.....

Fee paid: Rs..... Receipt No.: Date : 20

.....;
Chairman Pradeshiya Sabha
(Official Frank)

Date :.....20

Schedule IV

**Application for obtaining a temporary license for engaging in windsurfing and kite surfing at the place of
.....within the area of authority of Pradeshiya Sabha Kalpitiya**

1. Full Name of the applicant:.....
2. Permanent address :.....
.....
3. National Identity Card Number/ Passport Number :
4. Telephone Number:
5. Citizenship:
6. Expected date/days of performing the sport:

You are kindly requested to issue a temporary permit to engage in windsurfing and kite surfing at the place of.....on the aforementioned days. I hereby certify that I will abide by the terms enacted by the Pradeshiya Sabha Kalpitiya.

.....;
Signature.

Date :.....

Please issue the temporary permit by levying charges.

.....;
Secretary,
Pradeshiya Sabha Kalpitiya

Date :.....

Remarks of the Revenue Promotion Officer

Permit has been issued.

Receipt Number :.....

Temporary Permit Number :.....

Date :.....

.....;
Revenue Promotion Officer.

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