



PARLIAMENT OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA

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RENT (AMENDMENT)  
ACT, No. 55 OF 1980

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[Certified on 12th December, 1980]

*Printed on the Orders of Government*

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L.D.—O. 91/79.

AN ACT TO AMEND THE RENT ACT, No. 7 OF 1972

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Rent (Amendment) Act, No. 55 of 1980. Short title.

2. Section 2 of the Rent Act, No. 7 of 1972 (hereinafter referred to as “the principal enactment”) is hereby amended by the repeal of subsection (4) of that section and the substitution therefor of the following subsection :— Amendment  
of section  
2 of Act No.  
7 of 1972.

‘ (4) So long as this Act is in operation in any area, the provisions of this Act shall apply to all premises in that area, other than—

- (a) excepted premises ;
- (b) residential premises constructed after January 1, 1980, and let on or after that date ;
- (c) residential premises occupied by the owner on January 1, 1980, and let on or after that date ;
- (d) residential premises in the occupation of—
  - (i) a person who has been issued with a valid *visa* under the Immigrants and Emigrants Act and whose total income exceeds one thousand rupees per month ; or
  - (ii) a non-resident company,and let to such person or company, as the case may be, on or before the coming into operation of this subsection which the Commissioner of National Housing, on application made by the landlord thereof, upon being satisfied of such facts, exempts from the application of this Act ; and
- (e) residential premises let after the coming into operation of this subsection to—
  - (i) a person, who has been issued a valid *visa* under the Immigrants and Emigrants Act and whose total income exceeds one thousand rupees per month ; or

(ii) a non-resident company,

in respect of which the landlord thereof obtains the prior approval therefor of the Commissioner of National Housing who shall grant such approval if he is satisfied that the previous tenant has vacated such premises voluntarily or upon an order of court,

and the word "premises" wherever it occurs in this Act shall, unless the context otherwise requires, be construed as premises to which this Act applies, and the expressions "residential premises" and "business premises" shall be construed accordingly.

In this subsection—

(A) the expression "residential premises constructed after January 1, 1980." means—

(i) a residential premises situated within the administrative limits of a local authority, and in respect of which a certificate of conformity has been granted, after January 1, 1980, under the Housing and Town Improvement Ordinance, to the effect that such premises is as regards construction, drainage and in all other respects, in accordance with the law ; or

(ii) a residential premises situated in an area where the local authority thereof does not issue certificates of conformity, and in respect of which a certificate has been granted in the prescribed form after January 1, 1980, by the Assistant Government Agent of the administrative division within which such premises are situated, to the effect that such premises were ready for occupation on or after January 1, 1980 ; and

(B) the expression "non-resident company" means—

(a) a company to which Part IX of the Companies Ordinance applies ; or

(b) a company exempted under section 3 of the Companies (Special Provisions) Law, No. 19 of 1974 ; or

- (c) a company recognized as an "existing company" under the Companies Ordinance where the majority of the shareholders or the directors of such company are not resident in Sri Lanka; or
- (d) a company registered in Sri Lanka which is controlled and managed by persons outside Sri Lanka and whose principal office is situated outside Sri Lanka.

3. Section 3 of the principal enactment is hereby amended by the repeal of subsections (1) and (2) of that section, and the substitution therefor of the following subsections :—

Amendment  
of section 3  
of the  
principal  
enactment.

"(1) It shall not be lawful for the landlord of any premises—

(a) to demand, receive or recover as the rent of such premises in respect of any period commencing on or after the date of commencement of this Act any amount in excess of the authorized rent of such premises as defined for the purposes of this Act in section 6; or

(b) to increase the rent of such premises in respect of any such period to an amount in excess of such authorized rent.

(2) It shall not be lawful for the tenant of any premises to pay or offer to pay, as the rent of such premises, any amount in excess of the authorized rent of such premises as defined for the purposes of this Act in section 6."

4. Sections 4, 5 and 6 of the principal enactment are hereby repealed and the following sections substituted therefor :—

Replacement  
of sections 4,  
5 and 6  
of the  
principal  
enactment.

"Standard  
rent.

4. (1) The standard rent per annum of any residential premises the first assessment of the annual value of which was made in respect of any period commencing on a day not later than the first day of January, 1969, and the annual value of which does not

exceed the relevant amount, and of any business premises the annual value of which does not exceed the relevant amount, means—

(a) the amount of the annual value of such premises as specified in the assessment in force during the month of January, 1955, or if the assessment of the annual value of such premises is made for the first time after that month, the amount of such annual value as specified in such first assessment; or

(b) if the rates levied in respect of such premises are, under the terms of the tenancy, payable by the landlord, the aggregate of the amount determined under paragraph (a) and of the amount payable per annum by way of rates in respect of such premises for the time being.

(2) The standard rent per annum of any residential premises, other than premises referred to in subsection (1), means the aggregate of—

(a) the amount of the annual value of such premises; and

(b) the amount payable per annum by way of rates in respect of such premises.

(3) In the case of any premises to which the provisions of subsections (1) and (2) do not apply, the standard rent per annum of the premises means such rent as may be fixed by the board on application made either by the landlord or the tenant for the time being of such premises.

(4) The standard rent of any premises per month or per quarter or per half-year shall be determined in proportion to the standard rent of the premises per annum.

Permitted  
increases.

5. (1) Where the landlord of any premises has, since the date by reference to which the standard rent of the premises is determined for the purposes of this Act, incurred, or hereafter incurs, expenditure on the improvement, repair or structural alteration of the premises (not including expenditure on decoration)—

(a) in any case, where such landlord has obtained the prior consent of the tenant to effect such improvement, repair or structural alteration, and such tenant has agreed as to the amount to be expended thereon; or

(b) in any case where the tenant has withheld his consent to effect such improvement, repair or structural alteration and where the landlord has obtained the prior approval of the board to effect such improvement, repair, or structural alteration, at such amount as is authorized by the board,

the standard rent per annum of such premises may be increased for a period of five years by twenty-five *per centum* each year of the amount of the expenditure so incurred:

Provided, however, that the board may on application made by the tenant of such premises, direct that the standard rent shall not be increased as herein before provided, or reduce the amount by which the standard rent may be so increased on the ground that the improvement, repair or structural alteration was not carried out in accordance with the agreement reached with the tenant or the authorization of the board, as the case may be.

(2) An increase of the rent of any premises in accordance with the provisions of subsection (1) shall be a permitted increase for the purposes of this Act.

Authorized  
rent.

6. For the purposes of this Act, the authorized rent of any premises shall be the standard rent of the premises determined

under section 4, or where any increase of rent is permitted by section 5 in the case of such premises, the aggregate of the standard rent and every such permitted increase :

Provided, however, that the authorized rent of any premises shall not be less than the authorized rent or the receivable rent of those premises, as the case may be, under the provisions of this Act as were in force on March 1, 1972. ”.

**Repeal of section 7 of the principal enactment.**

5. Section 7 of the principal enactment is hereby repealed.

**Repeal of section 8 of the principal enactment.**

6. Section 8 of the principal enactment is hereby repealed, and all moneys lying to the credit of the Repairs Fund on the day immediately preceding the date of commencement of this Act shall be transferred to the National Housing Fund of the Department of National Housing.

**Amendment of section 9 of the principal enactment.**

7. Section 9 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for paragraph (a) of that subsection, of the following paragraph :—

“ (a) as an advance of rent, any amount exceeding the authorized rent for a period of three months ; or ”.

**Amendment of section 10 of the principal enactment.**

8. Section 10 of the principal enactment is hereby amended as follows :—

(1) by the repeal of subsection (6) of that section and the substitution therefor of the following subsection :—

“ (6) Where the tenant of any premises who has sublet such premises or any part thereof receives or recovers in respect of the premises or the part of the premises which he has sublet, any amount exceeding the authorized rent or any amount exceeding such amount as the board has fixed as the proportionate rent of the part sublet, or receives or recovers, in addition to the authorized rent or the proportionate rent, any premium, commission, gratuity or other like payment or pecuniary consideration whatsoever, such tenant shall be guilty of an offence under this Act, and the landlord of such premises shall, notwithstanding the provisions of section 22, be entitled to an action instituted in a court of competent jurisdiction to a decree for the ejectment of such tenant from the premises.” ; and

(2) by the repeal of subsections (12) and (13) of that section and the substitution therefor of the following subsections :—

“(12) The board shall give priority over the other proceedings before the board, to the hearing and determination of any application made under subsection (2) (b) (ii) or subsection (9) for the fixing of the proportionate rent, and the board shall fix such rent on the basis of one hundred and twenty *per centum* of the authorized rent.

(13) Where any premises are let, sublet or occupied in separate parts, which are not separately assessed for the purpose of rates, and the aggregate of the amount demanded as the rent for such separate parts exceeds the authorized rent of the premises, the landlord shall be deemed to have contravened the provisions of section 3 of this Act :

Provided, however, that where any such premises are let, sublet or occupied in separate parts on or after the date of commencement of this Act, the landlord shall not be deemed to have contravened such provisions if the aggregate of the amount demanded as the rent for such separate parts does not exceed one hundred and twenty *per centum* of the authorized rent of such premises.”.

9. Section 16 of the principal enactment is hereby repealed and the following section substituted therefor :—

“Use of force on tenants and causing damage to premises.

16. No landlord of any premises or other person shall, either by himself or through any other person, directly or indirectly, make use of, or threaten to make use of, any force, violence, or restraint, or inflict or threaten to inflict, any harm, damage or loss, upon or against the tenant of, or any person in occupation of, such premises, or damage, remove or tamper with, any part of such premises, in order to induce, compel or prevail upon, such tenant or person to vacate such premises, or to make any payment of money in excess of the authorized rent of such premises or the proportionate rent of any part of such premises.”.

Replacement of section 16 of the principal enactment.



Insertion of  
new section  
18A in the  
principal  
enactment.

10. The following new section is hereby inserted immediately after section 18, and shall have effect as section 18A, of the principal enactment:—

“Demolition  
of buildings  
over fifty  
years old.

18A. (1) The Commissioner of National Housing may—

- (a) upon application made in that behalf by the owner of any building used for residential purposes and constructed at least fifty years prior to the date of the application;
- (b) after affording the occupants of such building an opportunity of being heard,

make order authorizing such owner to demolish such building, if the Commissioner is satisfied that the re-development of the land on which such building stands is necessary for the more efficient utilization of such land.

(2) Where the Commissioner of National Housing makes an order under subsection (1) authorizing the owner of a building to demolish such building, the Commissioner shall—

- (a) specify in such order, the number of residential units that shall be constructed by such owner within such period or periods as may be determined by the Commissioner on the land on which the demolished building stood; and
- (b) (i) provide alternate accommodation for the tenant, if any, of such building; or
- (ii) order the owner of such building to pay to the tenant thereof, such compensation as the Commissioner determines to be reasonable, for loss of possession by such tenant; so however

that the amount ordered to be so paid shall in no case be less than three times the authorized rent per annum of the building.

(3) An order made under subsection (1) shall be deemed to have been duly communicated to every occupier of the building in respect of which such order is made, if it is posted by the Commissioner of National Housing on some conspicuous part of such building.

(4) Every occupier of any building in respect of which an order is made under subsection (1) shall vacate such building not later than ninety days after the provisions of subsection (2) (b) (i) or (2) (b) (ii) are complied with.

(5) Where the occupier of any building in respect of which an order is made under subsection (1) fails to comply with the provisions of subsection (4) the owner of such building may, notwithstanding anything in this Act, apply to the District Court of the district in which such building is situated, praying for the recovery of possession of such building and for the ejectment therefor, of such occupier.

The provisions of subsections (3), (4), (5), (6), (7), (8) and (9) of section 23 shall, *mutatis mutandis*, apply to the hearing and disposal of every such application.

(6) A decision of the Commissioner of National Housing under paragraph (b) of subsection (2) shall not be called in question or examined by the court in any proceedings under this section.

(7) Where the owner of a building fails to construct the number of residential units within such period or periods as determined by the Commissioner of National Housing under subsection (2), the relevant area of land shall be acquired by the Government under Part VIII of the National Housing Act. ”

Insertion  
of new  
section 20A  
in the  
principal  
enactment.

11. The following new section is hereby inserted immediately after section 20, and shall have effect as section 20A, of the principal enactment :—

‘ Construction  
of addi -  
tional  
residential  
units in  
appurtenant  
land  
exceeding  
eight  
perches  
in extent.

20A. (1) The Commissioner of National Housing may, on application made in that behalf and notwithstanding anything in this or any other law, make order authorizing the landlord of any premises where there is within the boundaries of such premises appurtenant land exceeding eight perches in extent, to construct any building for residential purposes on such land or to make such extensions to existing buildings as are capable of being used for residential purposes :

Provided that no such order shall be made by the Commissioner unless he is satisfied—

- (a) that the applicant has the financial capacity to construct the number of residential units within such period or periods as may be determined by the Commissioner ; and
- (b) that the building or extension proposed to be constructed or made will not unduly interfere with the amenities and facilities enjoyed by the tenant, or where such amenities or facilities may be interfered with, that the landlord will, before he takes possession of such land, provide to the tenant fresh adequate amenities and facilities.

Every order made under this subsection shall be communicated to the tenant of such premises and it shall be the duty of such tenant to permit the landlord of such premises to construct such building or to make such extensions as is or are referred to in such order.

(2) Where the tenant of any premises in respect of which an order is made under subsection (1) refuses to permit the landlord of such premises to construct such building or to make such extensions as is or are referred to in such order, the Commissioner

of National Housing shall issue a certificate to the Magistrate's Court of the division within which such premises are situated, setting forth the following facts, namely :—

- (a) that he has made order authorizing the landlord of such premises to construct a building for residential purposes on the appurtenant land within such premises or to make such extensions to existing buildings as are capable of being used for residential purposes ;
- (b) that such order was communicated to the tenant of the premises ;
- (c) that such tenant has refused to permit such landlord to construct such building or to make such extensions ; and
- (d) praying for the delivery of possession of such part of the appurtenant land within such premises as is specified in the certificate (hereafter in this section referred to as "the relevant area of land") to the landlord of such premises.

(3) Every certificate issued under subsection (2) shall be *prima facie* evidence of the facts stated therein.

(4) Upon receipt of a certificate issued under subsection (2), a Magistrate's Court shall forthwith issue, and if need be, re-issue, a writ of possession to the Fiscal of the district in which the relevant area of land is situated requiring and authorizing such Fiscal before a date specified in the writ, and not being a date earlier than three or later than seven clear days of the date of the issue of such writ, to deliver possession of the relevant area of land to the person specified in the certificate issued by the Commissioner of National Housing under subsection (2). Such writ shall be sufficient authority for such Fiscal or any police officer authorized by him in that behalf to enter the

relevant area of land with such assistants as the Fiscal or such officer shall deem necessary and to give possession accordingly.

(5) Where the number of residential units determined by the Commissioner of National Housing under subsection (1) is not constructed, without reasonable cause, within the period determined thereunder or such extended period as may be allowed by the Commissioner on application made by the landlord, the relevant area of land shall be acquired by the Government under Part VIII of the National Housing Act.¹.

**Amendment  
of section 22  
of the  
principal  
enactment.**

**12. Section 22 of the principal enactment, as amended by Law No. 10 of 1977, is hereby further amended as follows :—**

(1) by the addition immediately after subsection (1d) of that section of the following new subsection :—

“ (1E) In any proceedings under subsection (1c) the court shall not inquire into the adequacy or the suitability of the alternate accommodation offered by the Commissioner of National Housing.”;

(2) in subsection (2) of that section, by the insertion, immediately after paragraph (b) of that subsection, of the following new paragraph :—

“ (bb) in the case of premises let to a tenant, whether before or after the date of commencement of this Act, and where the landlord is the owner of not more than one residential premises—

(i) such premises are in the opinion of the court reasonably required for occupation as a residence for the landlord or any member of the family of the landlord ; or

(ii) the landlord of such premises has deposited prior to the institution of such action or proceedings a sum equivalent to five years' rent with the Commissioner of National Housing for payment to the tenant ; or ” ;

- (3) by the insertion, immediately after subsection (2) of that section, of the following new subsections:—

“(2A) Where a decree for the ejectment of the tenant of any premises referred to in paragraph (bb) of subsection (2) is entered by any court on any of the grounds referred to in that paragraph, the court shall forthwith issue a writ in execution of the decree to the Fiscal of the court requiring and authorizing him to deliver vacant possession of the premises to the landlord of such premises.

(2B) Notwithstanding anything in any other law, where a writ in execution of a decree for the ejectment of the tenant of any premises referred to in paragraph (bb) of subsection (2) is issued by any court, the execution of such writ shall not be stayed in any manner by reason of any appeal from the judgment of such court.

(2C) Where any action or proceedings for the ejectment of the tenant of any premises referred to in paragraph (bb) of subsection (2) is or are instituted in any court, such action or proceedings shall have priority over all other business of that court and shall in any event be disposed of within twelve months from the date of the institution of such action or proceedings.”;

- (4) in subsection (6) of that section, by the substitution for the proviso thereto, of the following proviso:—

“Provided that the landlord of any premises referred to in paragraph (bb) of subsection (1) or paragraph (bb) of subsection (2) may institute an action or proceedings for the ejectment of the tenant of such premises if such landlord has given to such tenant six months’ notice in writing of the termination of the tenancy.”;

- (5) by the repeal of subsection (7) of that section and the substitution therefor of the following subsection:—

“(7) Notwithstanding anything in the preceding provisions of this section, no action or proceedings for the ejectment of the tenant of any premises referred to in subsection (1) or subsection (2) (i) shall be instituted—

- (a) on the ground that the premises are reasonably required for occupation as a residence for the landlord or any member of the family of the

landlord or for the purposes of the trade, business, profession, vocation or employment of the landlord ; or

(b) where the landlord is the owner of not more than one residential premises, on the ground that—

(i) such premises are reasonably required for occupation as a residence for the landlord or for any member of the family of the landlord ; or

(ii) the landlord of such premises has deposited prior to the institution of such action or proceedings a sum equivalent to five years' rent with the Commissioner of National Housing for payment to the tenant,

where the ownership of such premises was acquired by the landlord, on a date subsequent to the specified date, by purchase or by inheritance or gift other than inheritance or gift from a parent or spouse who had acquired ownership of such premises on a date prior to the specified date :

Provided, however, that the preceding provisions of this subsection shall not apply to the institution of any action or proceedings for the ejectment of the tenant of any premises the annual value of which exceeds one hundred and fifty *per centum* of the relevant amount where such tenant had come into occupation thereof prior to the date of commencement of this Act.

In this subsection, "specified date" means the date on which the tenant for the time being of the premises, or the tenant upon whose death the tenant for the time being succeeded to the tenancy under section 36 of this Act or section 18 of the Rent Restriction Act (Chapter 274), came into occupation of the premises.' ;

- (6) by the repeal of subsection (8) of that section and the substitution therefor of the following subsection :—

“ (8) Where a decree for the ejectment of the tenant of any premises is entered by any court on the ground that the court is of opinion—

(a) that the premises are reasonably required for occupation as a residence for the landlord or any member of his family or for the purposes of the trade, business, profession, vocation, or employment of the landlord ; or

(b) that in the case of premises where the landlord is the owner of not more than one residential premises—

(i) the premises are reasonably required for occupation as a residence for the landlord or any member of the family of the landlord ; or

(ii) the landlord of the premises had deposited a sum equivalent to five years' rent where the standard rent thereof for a month exceeds one hundred rupees, with the Commissioner of National Housing for payment to the tenant,

the court shall in such decree direct that no person, other than the landlord or some member of his family whose name shall be specified in the decree, shall enter into occupation of the premises upon vacation thereof by the tenant or upon the ejectment therefrom of the tenant.” ; and

- (7) in subsection (9) of that section, by the substitution for the words “ entry into such occupation ”, of the words “ entry into such occupation or lets such premises or part thereof, within such period ”.

13. Section 30 of the principal enactment is hereby repealed.

Repeal of  
section 30 of  
the principal  
enactment.



Replacement  
of section  
32 of the  
principal  
enactment.

14. Section 32 of the principal enactment is hereby repealed and the following section substituted therefor:—

“Recovery  
of payments  
in  
excess of  
authorized  
rent.

32. Where any tenant of any premises has paid by way of rent to the landlord, in respect of any period any amount in excess of the authorized rent or the proportionate rent, as the case may be, of the premises or part thereof, such tenant shall be entitled to recover the excess amount from the landlord, and may, without prejudice to any other method of recovery, deduct such excess amount from the rent payable by him to the landlord. ’

Amendment  
of section 33  
of the  
principal  
enactment.

15. Section 33 of the principal enactment is hereby amended by the repeal of subsection (1) of that section, and the substitution therefor of the following subsection:—

“ (1) The landlord of any premises shall, on being requested in writing so to do by the tenant of the premises, supply the tenant with a statement in writing setting out the standard rent of the premises, the amount of any increase of rent which is claimed by the landlord to be a permitted increase and where it is applicable, the proportionate rent of any part of such premises.”

Replacement  
of section 34  
of the  
principal  
enactment.

16. Section 34 of the principal enactment is hereby repealed and the following section substituted therefor:—

“Power of  
board to  
determine  
authorized  
rent”

34. The board may, upon an application made in that behalf by the landlord or the tenant of any such premises, by order determine the amount of the authorized rent of the premises.”

Amendment  
of section 37  
of the  
principal  
enactment.

17. Section 37 of the principal enactment is hereby amended in subsection (1) of that section as follows:—

(1) by the omission of paragraph (h) of that subsection;  
and

(2) by the relettering of paragraphs (i), (j), (k), (l) and (m) of that subsection, as paragraphs (h), (i), (j), (k) and (l) of that subsection.

18. Section 42 of the principal enactment is hereby amended as follows :—

Amendment  
of section  
42 of the  
principal  
enactment.

(1) by the substitution, in subsection (1) of that section, for the figures "7 (2) ; 9 (1) ", of the figures " 9 (1) "; and

(2) by the repeal of subsection (3) of that section.

19. The following new section is hereby inserted immediately after section 44, and shall have effect as section 44A, of the principal enactment :—

Insertion of  
new section  
44A in the  
principal  
enactment.

"Delegation  
of powers of  
the  
Commissioner of  
National  
Housing.

44A. (1) The Commissioner of National Housing may delegate any power, duty or function conferred or imposed on, or assigned to, him by any provision of this Act to the Government Agent for an administrative district or to the Assistant Government Agent of an administrative division.

(2) Where any power, duty or function is delegated, in pursuance of the provisions of subsection (1), to the Government Agent of an administrative district or to an Assistant Government Agent of an administrative division by the Commissioner of National Housing, such Government Agent or Assistant Government Agent may, subject to such general or special directions as may be issued by the Commissioner of National Housing from time to time, exercise, perform and discharge such power, duty or function in respect of any premises within the limits of the administrative district or division to which his appointment relates."

20. Section 48 of the principal enactment is hereby amended by the substitution for the definition of "local authority" of the following definition :—

Amendment  
of section 48  
of the  
principal  
enactment.

"local authority" means—

(a) any Development Council established under the Development Councils Act, No. 35 of 1980, or any other authority, body or institution created and established by or under any law, vested with the exercise, performance and discharge of the powers, duties and functions of any Municipal Council, Urban Council, Town Council and Village Council under the

Municipal Councils Ordinance, Urban Councils Ordinance, Town Councils Ordinance and Village Councils Ordinance respectively, or under any other law ;

- (b) any Municipal Council, Urban Council, Town Council or Village Council and includes any authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by such Council ;'.

**Pending actions.**

21. (1) Where any action or proceedings instituted in any court for the ejection of a tenant from any premises under subsection (2) (b) of section 22 of the principal enactment, is or are pending on the day immediately preceding the date of commencement of this Act, the landlord of such premises may, where he seeks to rely on any new ground specified in subsection (2) (bb) of section 22 of the principal enactment, make application to the court to amend the plaint and the court shall, notwithstanding the provisions of any other law, permit the landlord to amend the plaint in such action or proceedings and make such other orders as may be necessary, where the court is satisfied that the landlord has deposited with the Commissioner of National Housing a sum equivalent to five years' rent of such premises to be payable to the tenant thereof, and proceed to hear and determine the action or proceedings on the new ground adduced, and make order in accordance with section 22 of the principal enactment.

(2) Where any appeal preferred to the Supreme Court or the Court of Appeal from any judgment or decree of a court in any action or proceedings instituted under subsection (2) (b) of section 22 of the principal enactment is or are pending before the Supreme Court or the Court of Appeal, as the case may be, upon an application being made by the landlord of such premises that he seeks to rely on any new ground specified in subsection (2) (bb) of section 22 of the principal enactment, the Supreme Court or the Court of Appeal, as the case may be, may, notwithstanding the provisions of any other law, remit the case to the court of first instance after making such order as it may deem fit.

22. Notwithstanding anything in the principal enactment or any other law, any lease, agreement express or implied or other contract entered into prior to the date of commencement of this Act, in respect of the tenancy or rent of any residential premises in the occupation of and let to—

Cancellation of certain agreements and leases.

(i) a person who has been issued with a valid *visa* under the Immigrants and Emigrants Act and whose total income exceeds one thousand rupees per month ; or

(ii) a non-resident company,

shall with effect from the date of commencement of this Act be deemed to be invalid and cancelled for all purposes.

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