



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

GREATER COLOMBO ECONOMIC
COMMISSION (AMENDMENT)
ACT, No. 49 OF 1992

[Certified on 4th November, 1992]

(Printed on the Orders of Government)

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Greater Colombo Economic Commission

(Amendment) Act, No. 49 of 1992

[Certified on 4th November, 1992]

L. D.—O. 74/92

AN ACT TO AMEND THE GREATER COLOMBO ECONOMIC
COMMISSION LAW, No. 4 OF 1978

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

1. This Act may be cited as the Greater Colombo Economic Commission (Amendment) Act, No. 49 of 1992.

Short title.

2. The long title to the Greater Colombo Economic Commission Law, No. 4 of 1978, (hereinafter referred to as "the principal enactment") is hereby amended by the substitution, for the words "Greater Colombo Economic Commission" and "the said Commission", of the words "Board of Investment of Sri Lanka" and "the said Board", respectively.

Amendment of long title to Law No. 4 of 1978.

3. (1) In the principal enactment and in any other written law, there shall be substituted for the words "the Greater Colombo Economic Commission" and "The Commission" denoting the Greater Colombo Economic Commission, the words "The Board of Investment of Sri Lanka" and "The Board", respectively.

Amendment to the principal enactment and written law.

(2) Every reference to "The Greater Colombo Economic Commission" or "the Commission" denoting the Greater Colombo Economic Commission in any notice, contract, communication or other document shall be read and construed as a reference respectively to, "The Board of Investment of Sri Lanka" and "The Board".

4. Section 6 of the principal enactment is hereby amended as follows:—

Amendment of section 6 of the principal enactment.

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

"(1) The Board shall consist of five members to be appointed by the President, one of whom shall be appointed Director-General of the Board and another shall be appointed as Additional Director-General of the Board." ; and

(2) by the substitution, in subsection (7) of that section, for the words "Director-General or any other member", of the words "Director-General, Additional Director-General or any other member".

Amendment
of section
11 of the
principal
enactment.

5. Section 11 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution, of the following subsection therefor:—

“(2) The Director-General shall preside at all meetings of the Board, and in the absence of the Director-General from any meeting of the Board, the Additional Director-General shall preside at such meeting, and in the absence of both the Director-General and the Additional Director-General from any meeting of the Board, any member elected by the members present shall preside at such meeting.”.

Amendment
of section
12 of the
principal
enactment.

6. Section 12 of the principal enactment is hereby amended by the substitution, for the words “the Director-General”, of the words “the Director-General or the Additional Director-General”.

Insertion
of section
20A
in the
principal
enactment.

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

“Board's
powers
in rela-
tion to
licensed
enter-
prises.

20A. (1) It shall be lawful for the Board to exercise, perform and discharge, in relation to any licensed enterprise, all powers, duties and functions conferred or imposed on, or assigned to, any person, body or authority, by any written law, relating to, the approval of plans for buildings required for the business of such licensed enterprise or the issue of any licence, permit or authority required for the setting up, commencement or carrying on, of the business of such licensed enterprise, as though the references in such written law to the person, body or authority empowered to exercise, perform or discharge such powers, duties or functions were references to the Board.

(2) The Board may, in addition to the powers, duties and functions referred to in subsection (1), exercise, perform, and discharge, in relation to a licensed enterprise outside a licensed zone, all powers, duties and functions conferred or imposed on, or assigned to, any person, body or authority by the written law specified in Schedule C and Schedule D hereto as though the

references in such written law to the person, body or authority empowered to exercise, perform and discharge, such powers, duties and functions were references to the Board :

Provided that no power, duty or function under the National Environmental Act shall be exercised, performed or discharged by the Board except in consultation with, and the concurrence of, the Central Environmental Authority established by that Act."

8. The following section is hereby inserted immediately after section 26 and shall have effect as section 26A of the principal enactment :—

Insertion
of section
26A in
the
principal
enactment.

" Board
&c.,
to be
noticed
before the
issue of any
enjoining
order.

26A. No enjoining order shall be issued under section 664 of the Civil Procedure Code (as amended by Act No. 79 of 1988) against—

- (a) the Board, staying or restraining the Board from proceeding with any matter or thing in the exercise, performance or discharge, or the purported exercise, performance or discharge, bonafide, of any power, duty or function conferred or imposed on, or assigned to, the Board, by this Law ; or
- (b) a licensed enterprise, an area enterprise or the proprietor, partner, director, manager, agent, officer or servant of such licensed enterprise or area enterprise or any person or body performing any service or work for such enterprise, staying or restraining such licensed enterprise, area enterprise, proprietor, partner, director, manager, agent, officer, servant, person or body from proceeding with any matter or thing which such licensed enterprise or

area enterprise has been authorized, licensed or permitted to do by the Board in the exercise, performance or discharge, or the purported exercise, performance or discharge, *bona fide*, of any power, duty or function conferred or imposed on, or assigned to, the Board, by this Law,

except after notice to, and hearing, the Board, licensed enterprise, area enterprise, proprietor, partner, director, manager, agent, officer, servant, person or body, as the case may be."

Validation.

9. Any power, or duty exercised or performed by the Additional Director-General, prior to the date of commencement of this Act, in pursuance or supposed pursuance, of any power or duty delegated to him by the Board shall be deemed to have been, and to be, validly exercised and performed.

Sinhala
text to
prevail
in case
of
inconsis-
tency.

10. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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