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SRI LANKA**

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SUPPLEMENT

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APARTMENT OWNERSHIP (SPECIAL PROVISIONS)

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BILL

**to facilitate the registration and disposition of certain Condominium
Properties owned by the State or by a State agency; and to make provision
for matters connected therewith or incidental thereto**

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Apartment Ownership (Special Provisions)

L.D.—O. 50/2013

AN ACT TO FACILITATE THE REGISTRATION AND DISPOSITION OF CERTAIN
CONDOMINIUM PROPERTIES OWNED BY THE STATE OR BY A STATE AGENCY;
AND TO MAKE PROVISION FOR MATTERS CONNECTED THEREWITH OR
INCIDENTAL THERETO.

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

1. This Act may be cited as the Apartment Ownership (Special Provisions) Act, No. of 2018. Short title.
- 5 2. The provisions of this Act shall be in operation for a period of five years from the date of commencement of this Act. Duration of the Act.
- 10 3. (1) The Registrar shall register under section 6 of the Apartment Ownership Law, No 11 of 1973, the plans of all such Condominium Properties as are owned by- Registration of certain Condominium Properties.
- (a) the Commissioner for National Housing;
- (b) the National Housing Development Authority;
- (c) the Urban Development Authority;
- 15 (d) the Sri Lanka Land Reclamation and Development Corporation; or
- (e) the State or any other agency by which a Condominium Property has been constructed on State owned land under the Tsunami Resettlement Programme of the Government,
- 20 and which were constructed prior to December 31, 2009 and the possession of which has been handed over to any person or persons by way of sale, lease, rent or rent purchase, notwithstanding-
- 25 (i) the non-availability of the building plans approved by the local authority;

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- (ii) the non-availability of the Certificate of Conformity issued by the local authority;
- (iii) not having an assessment number or other symbol for each condominium parcel;
- 5 (iv) such Condominium Properties not being in conformity with building plans approved by the local authority;
- (v) the Condominium Property has not been constructed according to prevailing laws; or
- 10 (vi) that a certificate has not been issued by the General Manager of the Condominium Management Authority.

(2) Any registration made under subsection (1) shall be deemed for all purposes to have been registered under the
15 provisions of this Act.

(3) The owner of a Condominium Property referred to in subsection (1) shall submit to the Registrar at the time of registration, a written declaration obtained from the Director-General of the Department of Buildings certifying the safety
20 of occupation of the Condominium Property.

(4) A certificate issued under the hand of the Commissioner for National Housing, General Manager of the National Housing Development Authority, Chairman of the Urban Development Authority, Chairman of the Sri
25 Lanka Land Reclamation and Development Corporation or the Minister assigned the subject of Lands and Land Development or the head of such other State agency responsible for constructing such Condominium Property
30 on State land under the Tsunami Resettlement Programme of the Government, to the effect that a particular Condominium Property is owned by the institutions

specified in paragraphs (a) to (e) (both inclusive) of subsection (1), as the case may be, and was constructed prior to December 31, 2009, and that the possession of such Property has been handed over to any person by way of sale, lease, rent or rent
5 purchase shall be *prima facie* proof of the facts contained therein.

4. In this Act, unless the context otherwise requires- Interpretation.

10 “Commissioner for National Housing” means the Commissioner of National Housing appointed under the National Housing Act (Chapter 401);

15 “Condominium Management Authority” or “Authority” means the Condominium Management Authority established under the Condominium Management Authority Law, No. 10 of 1973;

“Condominium Property” means the Condominium Property within the meaning of the Apartment Ownership Law, No. 11 of 1973;

20 “Minister” means the Minister assigned the subject of Housing under Article 43 of the Constitution;

25 “National Housing Development Authority” means the National Housing Development Authority established under the National Housing Development Authority Act, No. 17 of 1979;

30 “Registrar” means the Registrar of Lands appointed under the Registration of Documents Ordinance (Chapter 117) having jurisdiction over the registration district in which the Condominium Property to be registered is situated;

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5 “Sri Lanka Land Reclamation and Development Corporation” means the Sri Lanka Land Reclamation and Development Corporation established under the Land Reclamation and Development Corporation Act, No. 15 of 1968;

10 “Urban Development Authority” means the Urban Development Authority established under the Urban Development Authority Law, No. 41 of 1978.

5. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

