



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

AYURVEDA (AMENDMENT)

**A
BILL**

to amend the Ayurveda Act, No. 31 of 1961

Presented by the Minister of Health on 05th of July, 2023

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Ayurveda (Amendment)

L.D.-O. 39/2022

AN ACT TO AMEND THE AYURVEDA ACT, NO. 31 OF 1961

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

1. This Act may be cited as the Ayurveda (Amendment) Act, No. of 2023. Short title

5 **2.** The long title of the Ayurveda Act, No. 31 of 1961 (hereinafter referred to as the “principal enactment”) is hereby repealed and the following long title is substituted therefor: - Replacement of
the Long Title
to Act, No. 31
of 1961

10 “AN ACT TO PROVIDE FOR THE ESTABLISHMENT
OF A DEPARTMENT OF AYURVEDA; FOR THE
REGISTRATION OF AYURVEDA HOSPITALS,
15 AYURVEDA PHARMACIES, AYURVEDA
DISPENSARIES, AYURVEDA STORES, HERBAL
CULTIVATIONS AND HERBAL GARDENS FOR
RESEARCH AND EXTENTION; FOR THE
ESTABLISHMENT OF AN AYURVEDA MEDICAL
20 COUNCIL TO REGISTER AYURVEDA PRACTITIONERS,
AYURVEDA PHARMACISTS, AYURVEDA NURSES AND
AYURVEDA MASSEURS AND MASSEUSES AND TO
DEAL WITH MATTERS RELATING TO THEIR
PROFESSIONAL CONDUCT; FOR THE ESTABLISHMENT
25 OF AN AYURVEDA EDUCATION AND HOSPITAL
BOARD TO DISCHARGE CERTAIN FUNCTIONS IN
RELATION TO THE AWARD OF DIPLOMAS,
CERTIFICATES, DEGREES AND POSTGRATUATE
DEGREES, IN RELATION TO THE EDUCATION AND
30 TRAINING IN AYURVEDA; AND TO DEAL WITH
MATTERS RELATING TO THE AYURVEDA NATIONAL
HOSPITAL, AYURVEDA TEACHING HOSPITALS,
AYURVEDA RESEARCH HOSPITALS AND THE
PHARMACIES, HERBARIA AND DISPENSARIES
35 ATTACHED THERETO; FOR THE ESTABLISHMENT OF
AN AYURVEDA RESEARCH COMMITTEE TO
DISCHARGE CERTAIN FUNCTIONS IN RELATION TO
RESEARCH IN AYURVEDA; TO REPEAL THE
INDIGENOUS MEDICINE ORDINANCE (CHAPTER 106)
AND THE AYURVEDA MEDICAL COUNCIL
ORDINANCE (CHAPTER 279); TO MAKE

CONSEQUENTIAL AMENDMENTS IN THE MEDICAL ORDINANCE (CHAPTER 105), THE POISONS, OPIUM AND DANGEROUS DRUGS ORDINANCE (CHAPTER 218), AND THE FOOD AND DRUGS ACT (CHAPTER 216); AND TO
 5 PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.”.

3. (1) In the principal enactment and in any other written law, there shall be substituted for the words the
 “Commissioner for Ayurveda”, “Ayurvedic Medical
 10 Council”, “Ayurvedic hospitals”, “Ayurvedic pharmacy”, “Ayurvedic pharmacies”, “ayurvedic dispensary”, “ayurvedic dispensaries”, “ayurvedic store” , “ayurvedic stores”, “ayurvedic practitioners”, “ayurvedic pharmacists”, “ayurvedic nurses”, “the Central Hospital of Ayurveda” and
 15 the “Ayurvedic Research Committee” of the words “Commissioner-General for Ayurveda”, “Ayurveda Medical Council”, “Ayurveda hospitals”, “Ayurveda pharmacy”, “Ayurveda pharmacies”, “Ayurveda dispensary”, “Ayurveda dispensaries”, “Ayurveda store” , “Ayurveda stores”,
 20 “Ayurveda practitioners”, “Ayurveda pharmacists”, “Ayurveda nurses”, “the Ayurveda National Hospital” and the “Ayurveda Research Committee”, respectively.

General
 Amendments

(2) Every reference to the “Commissioner for Ayurveda”, “Ayurvedic Medical Council”, “Ayurvedic hospitals”,
 25 “Ayurvedic pharmacy”, “Ayurvedic pharmacies”, “ayurvedic dispensary”, “ayurvedic dispensaries”, “ayurvedic store” , “ayurvedic stores”, “ayurvedic practitioners”, “ayurvedic pharmacists”, “ayurvedic nurses”, “the Central Hospital of Ayurveda” and the “Ayurvedic
 30 Research Committee” , appearing in any notice, notification or other document shall be read and construed as a reference to the “Commissioner-General for Ayurveda”, “Ayurveda Medical Council”, “Ayurveda hospitals”, “Ayurveda pharmacy”, “Ayurveda pharmacies”, “Ayurveda
 35 dispensary”, “Ayurveda dispensaries”, “Ayurveda store” , “Ayurveda stores”, “Ayurveda practitioners”, “Ayurveda

pharmacists”, “Ayurveda nurses”, “the Ayurveda National Hospital” and the “Ayurveda Research Committee”, respectively.

5 (3) Every reference to the “Commissioner” in sections 3, 4, 6,8, 9,10, 11, 13, 15, 22, 23, 24, 26, 33, 34, 35, 37, and 75 in the principal enactment shall be read and construed as a reference to “the Commissioner-General of Ayurveda”.

10 (4) Every reference to the “Council” in sections 11 to 21, 42, 50 to 63, 71 and 81 in the principal enactment shall be read and construed as a reference to “the Ayurveda Medical Council”.

15 **4.** Section 3 of the principal enactment is hereby amended in subsection (2) thereof, by the substitution for the words, “Deputy Commissioners for Ayurveda,” of the words “Additional Commissioner-Generals for Ayurveda, Commissioners for Ayurveda, Deputy Commissioners for Ayurveda,”.

Amendment of section 3 of the principal enactment

20 **5.** Section 4 of the principal enactment is hereby amended by the substitution for the words, “Deputy Commissioners for Ayurveda,” of the words “Additional Commissioner-Generals for Ayurveda, Commissioners for Ayurveda, Deputy Commissioners for Ayurveda,”.

Amendment of section 4 of the principal enactment

25 **6.** Section 5 of the principal enactment is hereby amended by the substitution for the words, “Deputy Commissioners for Ayurveda,” of the words “Additional Commissioner-Generals for Ayurveda, Commissioners for Ayurveda, Deputy Commissioners for Ayurveda,”.

Amendment of section 5 of the principal enactment

30 **7.** Section 7 of the principal enactment is hereby repealed and the following section is substituted therefor: -

“Objects of the Act

7. The objects of the Act shall be -

Replacement of section 7 of the principal enactment

(a) the provision of establishments and services necessary for the treatment of

diseases, and generally for the preservation and promotion of the health of people according to ayurveda;

- 5 (b) the encouragement of the study of, and research in, ayurveda by the grant of scholarships and other facilities to persons employed or proposed to be employed in the Department and by the grant of financial aid and other assistance to
- 10 institutions providing courses of study or engaged in research in ayurveda;
- 15 (c) the taking, development or encouragement of measures for the investigation of diseases, and for the improvement of public health, according to ayurveda;
- (d) the management of any herbarium established under section 8;
- 20 (e) the provision for the wellbeing of people by creating and maintaining orderly and efficient practices of Ayurveda medicine and surgery;
- 25 (f) the assurance of high professional standards by regulating performance and activities of registered Ayurveda professionals;
- 30 (g) the provision of quality Ayurveda articles, substances, and drugs and the management of any Herbal Gardens for Research and Extension or herbal cultivation by implementing provisions of the Code referred to in section 77 by the Department

or through any Body established under Part VI of the Act for that purpose.”.

- 5 **8.** The following new section is hereby inserted immediately after section 7 of the principal enactment and shall have effect as section 7A:-

Insertion of new section 7A in the principal enactment

“Utilization of moneys granted from the Consolidated Fund and crediting of moneys to the Consolidated Fund

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7A. (1) The moneys granted from the Consolidated Fund from time to time shall be utilized in carrying out the objects of the Act.

(2) All such sums of money as may be received, levied, or collected under this Act by way of fees or otherwise in carrying out the objects specified in the Act and in the discharge of the functions of the Department shall be credited to the Consolidated Fund.”.

- 15 **9.** Section 8 of the principal enactment is hereby amended, by the substitution for the words, “Ayurvedic hospitals” of the words “Ayurveda hospitals, Herbal Gardens for Research and Extension”.

Amendment of section 8 of the principal enactment

- 20 **10.** Section 10 of the principal enactment is hereby amended, by the substitution for the words, “Ayurvedic hospitals”, wherever those words appear, of the words “Ayurveda hospitals, herbal cultivation,”.

Amendment of section 10 of the principal enactment

- 11.** Section 11 of the principal enactment is hereby amended in subsection (1) thereof, as follows: -

Amendment of section 11 of the principal enactment

- 25 (1) by the substitution for paragraph (b), of the following:-

“(b) the Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, and the Head of the faculty of Indigenous Medicine of Gampaha

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5 Wickramarachchi University of
Indigenous Medicine, Sri Lanka, and the
Head of the Unit of Siddha Medicine of
University of Jaffna, Sri Lanka and the
Head of the Unit of Siddha Medicine of
Eastern University, Sri Lanka;”;

(2) by the substitution for paragraph (c), of the
following:-

10 “(c) five members including one Senior
Lecturer elected by each unit or Institution
of the Faculty of Indigenous Medicine of
the Divisions of Ayurveda and Unani of
University of Colombo, Sri Lanka, and the
Faculty of Indigenous Medicine of
15 Gampaha Wickramarachchi University of
Indigenous Medicine, Sri Lanka, and the
Unit of Siddha Medicine of University of
Jaffna, Sri Lanka and the Unit of Siddha
Medicine of Eastern University, Sri Lanka,
20 from among themselves;”;

(3) by the substitution for subparagraph (i) of paragraph
(f) of the following:-

25 “(i) not more than three shall be so appointed
from among persons representing the fields
of legal, administrative and accountancy
who are not registered ayurveda
practitioners; and”;

(4) by the addition, immediately after paragraph (f), the
following new paragraph:-

30 “(g) one member shall be so appointed as
nominated by the Secretary to the Ministry

of the Minister assigned the subject of Finance or Treasury, as the case may be .”.

5 **12.** Section 12 of the principal enactment is hereby amended by the substitution for the words, commencing from “Each member of the Council” to “or reappointment:” of the following:-

Amendment of section 12 of the principal enactment

10 “Each member of the Council other than the Commissioner-General and the Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, and the Head of the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, and the Head of the Unit of Siddha Medicine of University of Jaffna, Sri Lanka and

15 the Head of the Unit of Siddha Medicine of Eastern University, Sri Lanka, shall, unless he vacates office earlier, hold office for a term of three years and shall be eligible for re-election or reappointment, as the case may be:”.

20 **13.** Section 13 of the principal enactment is hereby repealed and the following section is substituted therefor: -

Replacement of section 13 of the principal enactment

“Vacation of office by members of the Council

25 13. (1) A member of the Council, other than the Commissioner-General, the Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the Head of the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, the Head of the Unit of Siddha Medicine of University of Jaffna, Sri Lanka and the Head of the Unit of Siddha Medicine of Eastern University, Sri Lanka, shall be deemed to have vacated office-

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(a) where he is not a public officer,
on sending his resignation in
writing to the President of the
Council; and

5 (b) where he is not a public officer,
on being absent without excuse
sufficient in the opinion of the
Council, from three consecutive
meetings of the Council.

10 (2) The Commissioner-General shall be
deemed to have vacated office as a member of
the Council on his ceasing to hold office as the
Commissioner-General.

15 (3) The Head of the Faculty of Indigenous
Medicine of the University of Colombo, Sri
Lanka, the Head of the Faculty of Indigenous
Medicine of Gampaha Wickramarachchi
University of Indigenous Medicine, Sri Lanka,
20 the Head of the Unit of Siddha Medicine of
University of Jaffna, Sri Lanka or the Head of
the Unit of Siddha Medicine of Eastern
University, Sri Lanka, as the case may be, shall
be deemed to have vacated office as a member
of the Council on him ceasing to hold office as
25 the Head of any of the aforesaid respective
Institutions as the case may be.”.

14. Section 16 of the principal enactment is hereby amended, by the substitution for the words, “shall be six.”, of the words “shall be thirteen.”.

Amendment of
section 16 of
the principal
enactment

15. Section 18 of the principal enactment is hereby amended as follows:-

Amendment of section 18 of the principal enactment

- (1) by the insertion immediately after paragraph (d) thereof, the following new paragraph:-

5 “(da) the registration of persons as Ayurveda Masseurs or Masseuses.”;

- (2) in paragraph (e) thereof, by the substitution for the words, “registration; and” of the words, “registration;”;

- 10 (3) in paragraph (f) thereof, in subparagraph (i), by the substitution for the words “and ayurvedic nurses; and” of the words “and Ayurveda nurses, and Ayurveda masseurs or masseuses; and”.

16. Section 22 of the principal enactment is hereby amended in subsection (1) thereof, as follows:-

Amendment of section 22 of the principal enactment

- (1) by the insertion, immediately after paragraph (a), the following new paragraph:-

20 “(aa) a representative of the Secretary to the Ministry of Finance or Secretary to the Treasury;”;

- (2) by the substitution for paragraph (b), of the following:-

25 “(b) the Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the Head of the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous

Medicine, Sri Lanka, the Head of the Unit of Siddha Medicine of University of Jaffna, Sri Lanka and the Head of the Unit of Siddha Medicine of Eastern University, Sri Lanka;”;

- 5 (3) by the insertion, immediately after paragraph (b), the following new paragraph:-

“(ba) the Head of the National Institute of Traditional Medicine;”;

- 10 (4) by the substitution for paragraph (c), of the following:-

“(c) the Head of the Ayurveda National Hospital;”;

- (5) by the substitution for paragraph (d), of the following:-

- 15 “(d) an officer of the rank of a Senior Assistant Secretary or of a higher rank of the Ministry of Higher Education appointed by the Minister on recommendation of the Minister assigned the subject of Higher Education;”;

- 20 (6) by the substitution for paragraph (e), of the following:-

- 25 “(e) five members appointed by the Minister from among the lecturers of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, the Unit of Siddha

5 Medicine of University of Jaffna, Sri Lanka and the Unit of Siddha Medicine of Eastern University, Sri Lanka, on the recommendation of the Minister assigned the subject of Higher Education;”;

(7) by the substitution for paragraph (f) of the following:-

10 “(f) five members, other than the members appointed under paragraph (e), elected by the lecturers of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, the Unit
15 of Siddha Medicine of University of Jaffna, Sri Lanka and Unit of Siddha Medicine of Eastern University, Sri Lanka, from among themselves;”;

20 (8) in paragraph (i), by the substitution for the words “Congress; and” of the words “Congress;”;

(9) in paragraph (j), by the substitution for the words “Ayurvedic practitioners.” of the words “Ayurveda practitioners; and”;

25 (10) by the addition, immediately after paragraph (j) thereof, the following new paragraph:-

“(k) one member not below the rank of a Senior Assistant Secretary appointed by the Secretary to the Ministry of the Minister to whom the subject of Finance is assigned.”.

30 **17.** Section 23 of the principal enactment is hereby amended by the substitution for the words from “Each member of the Board” to “or reappointment:” of the following: - Amendment of section 23 of the principal enactment

“Each member of the Board, other than the Commissioner-General, the Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the Head of the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, the Head of the Unit of Siddha Medicine of University of Jaffna, Sri Lanka, the Head of the Unit of Siddha Medicine of Eastern University, Sri Lanka, the Head of the Ayurveda National Hospital and the Head of the National Institute of Traditional Medicine, shall, unless such member vacates his office earlier, hold office for a term of three years and shall be eligible for re-election or reappointment, as the case may be:”.

15 **18.** Section 24 of the principal enactment is hereby amended as follows:-

Amendment of section 24 of the principal enactment

- (1) in subsection (1) thereof, by the substitution for the words from “A member of the Board” to “Hospital of Ayurveda” of the words “A member of the Board, other than the Commissioner-General, the Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka and the Heads of the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, the Unit of Siddha Medicine of University of Jaffna, Sri Lanka, the Unit of Siddha Medicine of Eastern University, Sri Lanka, and the Ayurveda National Hospital and the Head of the National Institute of Traditional Medicine;”;
- (2) by the substitution for subsection (3) thereof, of the following:-

“(3) The Head of the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the Head of the Faculty of Indigenous

5 Medicine of Gampaha Wickramarachchi
University of Indigenous Medicine, Sri Lanka,
the Head of the Unit of Siddha Medicine of
University of Jaffna, Sri Lanka or the Head of
the Unit of Siddha Medicine of Eastern
University, Sri Lanka, shall be deemed to have
vacated office as a member of the Board on his
ceasing to hold the office of the Head of the
Faculty of Indigenous Medicine of the
10 University of Colombo, Sri Lanka, the Head of
the Faculty of Indigenous Medicine of Gampaha
Wickramarachchi University of Indigenous
Medicine, Sri Lanka, the Head of the Unit of
Siddha Medicine of University of Jaffna, Sri
15 Lanka or the Head of the Unit of Siddha
Medicine of Eastern University, Sri Lanka, as
the case may be.”;

(3) by the substitution for subsection (4) thereof, of the following:-

20 “(4) The Head of the Ayurveda National Hospital shall be deemed to have vacated office as a member of the Board on his ceasing to hold the office of the Head of the Ayurveda National Hospital.” .

25 **19.** Section 27 of the principal enactment is hereby amended, by the substitution for the words, “shall be six.”, of the words “shall be fourteen.”. Amendment of section 27 of the principal enactment

20. Section 30 of the principal enactment is hereby amended as follows:- Amendment of section 30 of the principal enactment

30 (1) by the substitution for paragraph (a), of the following paragraph: -

“(a) to determine-

- (i) the qualifications required for the award of post graduate degrees, basic degrees, diplomas, and certificates under this Act;
- 5 (ii) the standards of the courses conferring basic degrees, diplomas and certificates, conducted by local or foreign universities or degree awarding institutions, to be considered for registration under the Act;
- 10 (iii) and to hold examinations for the holders of basic degrees, diplomas and certificates conferred by local or foreign universities or degree awarding institutions, to be considered for registration under the Act;
- 15 (iv) the standards and period of internship or training required by holders of basic degrees, diplomas and certificates conferred by local or foreign universities or degree awarding institutions, to be
- 20 considered for registration under the Act;”;
- (2) in paragraph (b) by the substitution for the words “enable persons to obtain” of the words “enable persons to obtain post graduate degrees or basic degrees or”;
- 25 (3) in paragraph (c) by the substitution for the words “enable persons to obtain” of the words “enable persons to obtain post graduate degrees or basic degrees or”;
- 30 (4) by the insertion, immediately after paragraph (c) of the following new paragraph:-

5 “(ca) to make recommendations to the Minister in respect of any fees to be prescribed, where necessary, for the award of post graduate degrees, basic degrees, diplomas, and certificates under this Act;”.

21. Section 33 of the principal enactment is hereby amended by the repeal of subsection (1) thereof, and the substitution therefor of the following:-

Amendment of section 33 of the principal enactment

10 “(1) There shall be a Committee which shall be called the Ayurveda Research Committee, (hereinafter in this Part referred to as “the Committee”) which shall consist of twelve members, namely-

- 15 (a) the Commissioner-General;
- (b) the Head of the Ayurveda National Hospital;
- 20 (c) the Head of the Bandaranayake Memorial Ayurveda Research Institute;
- (d) four Professors each representing the University of Colombo, the Gampaha Wickramarachchi University of Indigenous Medicine, the University of Jaffna, and the Unit of Siddha Medicine of Eastern University;
- 25 (e) one member duly appointed by the National Science Foundation established under the Science and Technology Development Act, No. 11 of 1994;
- 30 (f) one member duly appointed by the National Intellectual Property office of Sri Lanka established under the Intellectual Property Act, No. 36 of 2003;

- (g) one member nominated by the Secretary to the Ministry of the Minister assigned the subject of Science;
- 5 (h) one member appointed by the Minister from among persons who possess ten or more years of experience in the field of law; and
- 10 (i) one member not below the rank of Senior Assistant Secretary appointed by the Secretary to the Ministry of the Minister to whom the subject of Finance is assigned.”.

22. Section 38 of the principal enactment is hereby amended, by the substitution for the words, “shall be three.”, of the words “shall be five.”.

Amendment of section 38 of the principal enactment

15 **23.** Section 41 of the principal enactment is hereby amended as follows:-

Amendment of section 41 of the principal enactment

- (1) in paragraph (c) of subsection (1) thereof, by the substitution for the words “ayurvedic clinical treatment” of the words “Ayurveda clinical treatment and Ayurveda primary health care”;
- 20 (2) in subsection (2) thereof, by the insertion immediately after paragraph (d), the following new paragraph: -
- 25 “(da) the charging of any prescribed fees in respect of any matters referred to in paragraphs (a) to (d);”;
- (3) by the addition, immediately after subsection (2) thereof, of the following new subsection:-

“(3) Formulating one or more sub committees to carryout duties and responsibilities specified in sub sections (1) and (2).”.

5 **24.** Section 51 of the principal enactment is hereby amended as follows:-

Amendment of section 51 of the principal enactment

(1) in subsection (1) thereof-

10 (a) in paragraph (a) by the substitution for the words “and a special register” of the words “and a special register and Consultant Physician register”;

(b) by the addition, immediately after paragraph (c), the following new paragraph:-

“(d) a register for the registration of Ayurveda masseurs or masseuses.”.

15 (2) by the addition , immediately after subsection (2) thereof, of the following new subsection:-

20 “(3) There shall be a register for Consultant Physicians maintained by the Council under this Act, for the purpose of registering Consultant Physicians.”.

25. Section 52 of the principal enactment is hereby amended as follows:-

Amendment of section 52 of the principal enactment

25 (1) in subsection (1) thereof, by the substitution for the words “general register or the special register” of the words “general register, the special register or the Consultant Physician register,”;

(2) by the insertion immediately after subsection (3) thereof, of the following new subsection:-

“(3A) An application for the registration as a Consultant Physician in the Consultant Physician register shall not be refused by the Council except-

5 (a) on the ground that the applicant is not entitled to such registration under sub section (1) of section 55, or

 (b) on any other ground specified in sub section (1) of section 57.”; and

10 (3) in subsection (4) thereof, by the substitution for the words “ both the general register and the special register” of the words “ the general register, the special register and the Consultant Physician register.”.

15 **26.** Section 53 of the principal enactment is hereby amended by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” wherever they appear in that section, of the words “ayurveda pharmacist, ayurveda nurse or ayurveda masseur or masseuse”. Amendment of section 53 of the principal enactment

20 **27.** Section 54 of the principal enactment is hereby amended by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” wherever they appear in that section, of the words “ayurveda pharmacist, ayurveda nurse or ayurveda masseur or masseuse”. Amendment of section 54 of the principal enactment

25 **28.** Section 55 of the principal enactment is hereby amended in paragraph (c) of subsection (1) by the substitution for the words “The institute of Ayurveda of the University of Ceylon; or” of the words “the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka, the Faculty of Indigenous Medicine of Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka, the Unit of Siddha Medicine of University of Jaffna, Amendment of section 55 of the principal enactment

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Sri Lanka, the Unit of Siddha Medicine of Eastern University, Sri Lanka; or”.

29. Section 56 of the principal enactment is hereby repealed and the following section is substituted therefor: -

Replacement of section 56 of the principal enactment

- 5 “Qualifications for registration as an ayurvedic pharmacist, ayurvedic nurse or ayurveda masseur or masseuse
56. No person shall be entitled to be registered as Ayurveda pharmacist, Ayurveda nurse or Ayurveda masseur or masseuse unless such person-
- 10 (a) is a citizen of Sri Lanka; and
- (b) satisfies the Council that such person possesses sufficient knowledge, experience and skill in the science of manufacturing Ayurveda medicines efficiently or sufficient experience in Ayurveda nursing or professional skill as an Ayurveda masseur or masseuse , as the case may be.”.
- 15

30. Section 57 of the principal enactment is hereby amended as follows: -

Amendment of section 57 of the principal enactment

- 20 (1) in subsection (1) thereof-
- (a) in paragraph (a), by the substitution for the words “pharmacist, ayurvedic nurse” of the words “pharmacist, Ayurveda nurse, Ayurveda masseur or masseuse,”;
- 25 (b) in paragraph (b), by the substitution for the words “pharmacist, ayurvedic nurse” of the words “pharmacist, Ayurveda nurse, Ayurveda masseur or masseuse,”;
- 30 (c) in paragraph (c), by the substitution for the words “any diploma or certificate” of the

words “any post graduate degree or basic degree or diploma or certificate”;

5 (2) in subsection (2) thereof, by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” wherever those words appear in that subsection, of the words “Ayurveda pharmacist or Ayurveda nurse or ayurveda masseur or masseuse”;

(3) by the repeal of subsection (3) thereof, and the substitution therefor, of the following:-

10 “(3) Where a person is registered as an ayurveda practitioner in both the General register and the Consultant Physician register, the Council shall, if his registration in the General register is cancelled, by order cancel his registration in the Consultant Physician register.”.

15 **31.** Section 58 of the principal enactment is hereby amended by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” wherever they appear in that section, of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseur or masseuse”. Amendment of section 58 of the principal enactment

20 **32.** Section 59 of the principal enactment is hereby amended as follows:- Amendment of section 59 of the principal enactment

(1) in subsection (1) thereof, by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” and the words “register of ayurvedic nurses,” of the words “Ayurveda pharmacist, Ayurveda nurse or Ayurveda masseur or masseuse” and the words “register of Ayurveda nurses, the register of Ayurveda masseur or masseuse,” respectively;

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(2) in subsection (2) thereof, by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” and the words “register of ayurvedic nurses,” of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseurs or masseuses” and the words “register of Ayurveda nurses, the register of Ayurveda masseurs or masseuses,” respectively;

30 and

(3) in subsection (3) thereof, by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” and the words “register of ayurvedic nurses,” of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseur or masseuse” and the words “register of Ayurveda nurses, the register of Ayurveda masseur or masseuse,” respectively.

33. Section 60 of the principal enactment is hereby repealed and the following section is substituted therefor:-

Replacement of section 60 of the principal enactment

“Fees to be charged for the purposes of section 18, in the exercise of powers under section 30 and in carrying out duties under section 41

10 60.(1) The fee for registration as an Ayurvedic practitioner, Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseurs or masseuses, shall be such sum as may be prescribed by rules made by the Council under this Act.

15 (2) The Registrar shall not register the name of any person in the register of ayurvedic practitioners, the register of ayurvedic pharmacists, register of ayurveda nurses, the register of Ayurveda masseurs, or masseuses, until the fee for registration as an ayurvedic practitioner, ayurveda pharmacist or ayurveda nurse or ayurveda masseurs or masseuses, as the case may be, is paid by that person.

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25 (3) The fees chargeable by the Ayurveda Education and Hospital Board in the exercise, discharge and performance of its powers, functions, and duties under section 30 of this Act, shall be as prescribed by regulations.

30 (4) The fees chargeable by the Ayurveda Research Committee for the performance of its duties under section 41 of the Act, shall be as prescribed by regulations”.

34. Section 61 of the principal enactment is hereby amended by the substitution for the words “Ayurvedic pharmacist or ayurvedic nurse” of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseur or masseuse”;

Amendment of section 61 of the principal enactment

35. Section 62 of the principal enactment is hereby amended by the substitution for the words “register of Ayurvedic nurses,” and the words “ayurvedic pharmacist or Ayurvedic nurse” of the words “register of Ayurveda nurses, the register of Ayurveda masseurs or masseuses,” and the words, “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseur or masseuse” respectively.

Amendment of section 62 of the principal enactment

36. Section 63 of the principal enactment is hereby amended as follows: -

Amendment of section 63 of the principal enactment

(1) in subsection (1) thereof, by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseur or masseuse”;

(2) in subsection (3) thereof, by the substitution for the words “ayurvedic pharmacist or Ayurvedic nurse” and the words “register of Ayurvedic nurses,” of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseurs or masseuses” and the words, “register of Ayurveda nurses, the register of Ayurveda masseur or masseuse,” respectively.

37. Section 66 of the principal enactment is hereby repealed and the following section is substituted therefor: -

Replacement of section 66 of the principal enactment

“Ayurveda pharmacist, ayurveda nurse or ayurveda masseur or masseuse to be treated as duly qualified

66. For the purposes of any written law, a registered Ayurveda pharmacist, Ayurveda nurse or Ayurveda masseur or masseuse shall be deemed to be a legally or duly qualified Ayurveda pharmacist, Ayurveda nurse or Ayurveda masseur or masseuse, respectively.”.

5 **38.** Section 69 of the principal enactment is hereby amended in subsection (2) thereof, by the substitution for the words “special register of ayurvedic practitioners,” of the words “in the Special register of Ayurveda practitioners or Consultant Physician register of Ayurveda practitioners,”.

Amendment of section 69 of the principal enactment

39. Section 70 of the principal enactment is hereby repealed and the following section is substituted therefor: -

Replacement of section 70 of the principal enactment

10 “Registered ayurveda pharmacist, registered ayurveda nurse or registered ayurveda masseur or masseuse entitled to manufacture or practice

70. (1) Every registered Ayurveda pharmacist shall be entitled to manufacture Ayurveda medicines.

(2) Every registered Ayurveda nurse shall be entitled to practise ayurveda nursing.

15 (3) Every registered Ayurveda masseur or masseuse shall be entitled to practise Ayurveda massage techniques.”.

40. Section 71 of the principal enactment is hereby amended as follows: -

Amendment of section 71 of the principal enactment

20 (1) in subsection (1) thereof, by the substitution for the words “registered ayurvedic nurse,” wherever those words appear in that section, of the words “registered Ayurveda nurse or registered Ayurveda masseur or masseuse,”;

(2) by the substitution for subsection (2) thereof, of the following subsection: -

25 “(2) A person who is registered under section 10 as the proprietor of a registered Ayurveda hospital, herbal cultivation, Ayurveda pharmacy, herbarium, Ayurveda sale centre or Ayurveda stores may, notwithstanding that

30 he is not a registered Ayurveda pharmacist,

use, for the purposes of the business of such Ayurveda hospital, herbal cultivation, pharmacy herbarium, Ayurveda sale centre or stores, any name, title, addition, or description which may be used by a registered Ayurveda pharmacist, if-

5

(a) he employs a registered Ayurveda pharmacist to personally superintend and manage the cultivation, distribution, sale or manufacturing of medicines, drugs or poisons at such Ayurveda hospital, herbal cultivation, pharmacy, herbarium, Ayurveda sale centre or Ayurveda stores, as the case may be; and

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15

(b) the name of the pharmacist so employed has been notified in writing to the Council.”.

41. Section 72 of the principal enactment is hereby amended by the substitution for the words “ayurvedic pharmacist or ayurvedic nurse” of the words “Ayurveda pharmacist or Ayurveda nurse or Ayurveda masseur or masseuse”.

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Amendment of section 72 of the principal enactment

42. Section 77 of the principal enactment is hereby amended as follows: -

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(1) by the repeal of subsection (1) thereof and the substitution therefor, of the following:-

Amendment of section 77 of the principal enactment

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“(1) Regulations may be made under this Act prescribing an Ayurveda Code containing all such provisions in respect of all such matters as the authority empowered to make such regulations may deem necessary to prohibit, regulate or control the manufacture,

- 5 preparation, importation, exportation, purchase, storage, advertising, transportation, quality control, sale, supply, distribution or dispensing of any article, substance or drug for the purpose of Ayurveda medicine and surgery. Such Code may, without prejudice to the generality of the powers hereinbefore conferred, make provision in respect of all or any of the following matters:-
- 10 (a) the declaration of any article, substance or drug as a poison, poisonous substance or dangerous drug, as the case may be, for that purpose;
- 15 (b) the prohibition, regulation or control of, the manufacture, preparation, importation, exportation, purchasing, storing, advertising, transportation, quality control, sale, supply, or distribution of any Ayurveda product;
- 20 (c) the registration and maintenance of any herbal Garden for Research and Extension;
- 25 (d) the registration of or issuance of licences or permits for any herbal cultivation and for any related activity, including transportation and storing of crop;
- 30 (e) the introduction and operation of a system of registration, licensing or issuance of permits for the purpose of effecting such regulation or control, including, but not limited to, the making of application for such registration, licensing or issuance of permits, the grant, refusal, suspension and cancellation of such registration, licence or permit;

- 5 (f) the precautions to be taken, and the conditions to be complied with, in such herbal cultivation and in such manufacture, preparation, importation, exportation, purchase, storage, advertising, transportation, quality control, sale, supply, distribution or dispensing;
- 10 (g) the books and records to be kept and maintained, and the returns to be furnished, by persons engaged in such herbal cultivation and in such manufacture, preparation, importation, exportation, purchase, storage, advertising, transportation, quality control, sale, supply, distribution or dispensing;
- 15 (h) the inspection of the premises in which such herbal cultivation and in such manufacture, preparation, importation, exportation, purchase, storage, advertising, transportation, quality control, sale, supply, distribution or dispensing is carried on, and of the records and books kept and maintained for that purpose;
- 20 (i) the charging of fees, where necessary in respect of any matter referred to in this section; and
- 25 (j) any other matters incidental to or connected with the matters aforesaid.”;
- 30 (2) in subsection (2) thereof, by the substitution for the words “the Prime Minister.” of the words “the President.”.

43. Section 79 of the principal enactment is hereby amended by the substitution for the words “registered ayurvedic hospital, any registered ayurvedic pharmacy,”, wherever those words appear in that section, of the words
 5 “registered Ayurveda hospital, any registered Ayurveda pharmacy, any Ayurveda drug manufactory, any herbal cultivation,”.

Amendment of section 79 of the principal enactment

44. Section 80 of the principal enactment is hereby repealed and the following section substituted therefor: -

Replacement of section 80 of the principal enactment

10 “offences and penalties 80.(1)Any person who –

(a) resists or obstructs a person authorized in that behalf under this Act in the exercise by such person of any powers conferred on him by or
 15 under this Act;

(b) fails without reasonable cause, to comply with the requirements of a notice issued under this Act;

20 (c) knowingly makes any false statement in any return or information furnished by him under this Act; or

25 (d) willfully omits any material fact from any return or information furnished by him under this Act in respect of which he is required to furnish information,

30 commits an offence under this Act and shall be liable on conviction after summary trial before a Magistrate, to a fine of not exceeding one hundred thousand rupees or to imprisonment of either description, for a term

not exceeding one year or to both such fine and imprisonment.

5 (2) Any person who commits an act involving damage to public health commits an offence under this Act and shall be liable on conviction after summary trial before a Magistrate, to a fine of not exceeding two hundred thousand rupees or to imprisonment of either description, for a term not exceeding 10 two year or to both such fine and imprisonment.

15 (3) Any person who commits an offence under section 79 of the Act, shall be liable on conviction after summary trial before a Magistrate, to a fine of not exceeding two hundred thousand rupees or to imprisonment of either description, for a term not exceeding two year or to both such fine and imprisonment.

(4) Any person who-

20 (a) carries out any activity without a licence or permit for which a licence or permit is required under this Act;

25 (b) fraudulently displays logo or mark or sign indicating that a premises, establishment, an article, drug, substance or Ayurveda product has a valid licence issued under the Act,

30 commits an offence under this Act and shall be liable on conviction after summary trial before a Magistrate, to a fine not exceeding five hundred thousand rupees or to imprisonment of either description for a term not exceeding two years or to both such fine and imprisonment.

5 (5) Any person who acts in contravention of any provision of this Act, (other than the provisions referred to in subsections (1), (2), (3) and (4) of this section) or any requirements imposed under any such provision, or any regulations made under the Act, shall be guilty of an offence under this Act and shall, on conviction after summary trial before a Magistrate, be liable –

10 (a) where such person is not a body corporate, to a fine not less than rupees five thousand and not exceeding rupees fifty thousand or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment in the case of a first offence, and to a fine not less than rupees ten thousand and not exceeding rupees one hundred thousand or to an imprisonment of either description for a term not exceeding two years or to both such fine and imprisonment in the case of a subsequent offence ; and

25 (b) where such person is a body corporate, to a fine not less than rupees fifty thousand and not exceeding rupees one million in the case of a first offence, and to a fine not less than rupees one hundred thousand and not exceeding rupees two million in the case of a subsequent offence.”.

35 **45.** Section 83 of the principal enactment is hereby amended by the substitution for the words “pharmacy or nursing,” of the words “ayurveda drug manufacturing, nursing or Ayurveda massage therapy,”.

Amendment of section 83 of the principal enactment

46. Section 89 of the principal enactment is hereby amended as follows:-

Amendment of
section 89 of
the principal
enactment

- (1) by the repeal of the definition of the expression “Ayurveda” and the substitution therefor, of the following:-

“Ayurveda” includes the Ayurveda and Siddha and Unani and Yoga and Desiya Chikitsa systems of medicine and surgery and any other system of medicine indigenous to Asian countries and recognized as such by the Governments of such respective countries and the expression “ayurvedic” shall be construed accordingly;”;

- (2) by the insertion, immediately after the definition of the expression “ayurveda”, the following new definition:-

“Ayurveda Consultant Physician” means a person registered as an Ayurveda Consultant Physician under this Act;

- (3) by the insertion, immediately after the definition of the expression “ayurveda pharmacy”, the following new definition: -

“Ayurveda Product” means any Ayurveda article, substance or drug which is manufactured or refined for sale, and includes any locally manufactured or imported medicinal extract or fraction, a health supplement, a food supplement, a cosmeceutical, or a device.;

- (4) by the insertion, immediately after the definition of the expression “dispensary”, the following new definitions:-

5 “Eastern University of Sri Lanka” means the Eastern University of Sri Lanka established under Order made under section 21 of the Universities Act, No.16 of 1978 and published in the *Gazette* Extraordinary No. 420/25 of September 10 26, 1986;

15 “Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka “ means the Faculty of Indigenous Medicine of the University of Colombo, Sri Lanka established by Order made under the Universities Act, No.16 of 1978 and published in the *Gazette* Extraordinary No. 2319/22 of February 13, 2023;

20 “Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka “ means the the Gampaha Wickramarachchi University of Indigenous Medicine, Sri Lanka established by Order made under the Universities Act, No.16 of 1978 and published in the *Gazette* Extraordinary 25 No. 2199/12 of October 28, 2020;

30 “Herbal Cultivation” means an act of growing herbs in a large scale and shall include crop, harvest or residual of such growth which has a commercial value;

“Herbal Gardens for Research and Extension” means a dedicated space devoted to grow

medicinal plants for research purposes,
either by the Department of Ayurveda or
a person registered under this Act;

- 5 (5) by the insertion, immediately after the definition of
the expression “Hospital of Indigenous Medicine”,
the following new definitions:-

10 “Medicinal plant” means any plant which, in one
or more of its organs, contain substances
that can be used for thereputic purposes
or which are precursors for the synthesis
of useful drugs;

“Minister” means the Minister assigned the subject
of Ayurveda under Article 44 or 45 of
the Constitution;

- 15 (6) by the repeal of the definition of the expression
“register of Ayurveda practitioners” and the
substitution therefor, of the following:-

20 “register of Ayurveda practitioners” means the
General register, or the Special register
or the Consultant Physician register,
maintained by the Ayurveda Medical
Council under this Act for the registration
of Ayurveda practitioners, and includes
25 any register which is deemed to be a
General register of Ayurveda
practitioners or a Special register of
Ayurveda practitioners or a Consultant
Physician register of Ayurveda
practitioners under subsection (3) of
30 section 51;

- (7) by the insertion, immediately after the definition of
the expression “registered ayurvedic practitioner”,
the following new definitions:-

“A Registered Ayurveda masseur or masseuse”
means a person registered as an Ayurveda
masseur or masseuse under this Act;

5 “Register of Ayurveda Consultant Physician”
means the register maintained by the
Ayurveda Medical Council for the
registration of Ayurveda Consultant
Physicians under this Act;

10 “Register of Ayurveda masseur or masseuse”
means the register maintained by the
Ayurveda Medical Council for the
registration of Ayurveda Masseur or
masseuse in this Act;

15 “University of Colombo, Sri Lanka” means the
University of Colombo, Sri Lanka
established under section 139 of the
Universities Act, No.16 of 1978;

20 “University of Jaffna, Sri Lanka” means the
University of Jaffna, Sri Lanka
established under section 139 of the
Universities Act, No.16 of 1978;”.

25 **47.** For the avoidance of doubt, it is hereby declared that
the provisions of this Act shall not affect or be deemed to
have affected any act previously done or any decision
previously made under the principal enactment prior to the
date of commencement of this Act.

Avoidance of
doubt

48. 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

