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PART IV (A) - PROVINCIAL COUNCIL

Provincial Councils Notifications

SABARAGAMUWA PROVINCE PROVINCIAL COUNCIL

Industrial Development Authority of Provincial Statute No. 14 of 2017 of the Sabaragamuwa Provincial Council

Honourable Chairman of the Sabaragamuwa Provincial Council certified on 26.09.2017.

Honourable Governor of the Sabaragamuwa Provincial Council assented on 02.11.2017.

Printed by order of the Sabaragamuwa Provincial Council

SABARAGAMUWA PROVINCIAL COUNCIL OF THE DEMOCRATIC SOCIALIST REPUBLIC OF
SRI LANKA

INDUSTRIAL DEVELOPMENT AUTHORITY STATUTE NO. 14 OF 2017 OF THE SABARAGAMUWA PROVINCIAL COUNCIL

INDUSTRIAL Development Authority Statute No. 14 of 2017 of the Sabaragamuwa Provincial Council Which is Passed by the Sabaragamuwa Provincial Council on 26.09.2017 and assented by the Honourable Governor of the Sabaragamuwa Province on 02.11.2017, is here by published for the information of the public.

P. S. R. M. WIJAYARAJA,
Council Secretary,
Sabaragamuwa Provincial Council.

Council Secretariat,
Sabaragamuwa Provincial Council,
22nd November, 2017.



SABARAGAMUWA PROVINCE PROVINCIAL COUNCIL

Industrial Development Authority Statute No. 14 of 2017 of the Sabaragamuwa Provincial Council

That Sabaragamuwa Provincial Industrial Development Authority Statute No. 04 of 1990 shall be repealed and abrogate with the enactment of this Statue.

Industrial Development Authority Statute No. 14 of 2017 of the Sabaragamuwa Provincial Council

The Statutes to enact regulations to establish an Industrial Development Authority on behalf of establishment of Industrial, Commerce, Business & Income Generation projects, Development & Promotion and consequential factors in connection with it.

Be it therefore enacted by Sabaragamuwa Provincial Council of the Democratic Socialist Republic of Sri Lanka as follows.

- | | |
|---|---|
| Short title & date of Operation | 01. This Charter may be Industrial Development Authority Statute No. 14 of 2017 of Sabaragamuwa Provincial Council and the effective date shall be the date on which the Provincial Governor approves the Statute by setting his seal. |
| Establishment of Industrial Development Authority | 02. (i) With effect from such date as may be determined by Hon. Governor of Sabaragamuwa Provincial Council of the Democratic Socialist Republic of Sri Lanka there shall be established an Authority called the " Industrial Development Authority" (Herein after " the Authority" means the Industrial Development Authority).

(ii) The Authority shall, by the name assigned to it by subsection (01), be a body corporate having perpetual succession and a Common seal and may sue and be sued in its corporate name, and may perform such acts as bodies corporate may by law perform. |
| Constitution of the Board of Directors | 03. (i) The Authority shall be consist of 08 members appoint by the Minister of Industry of Sabaragamuwa Provincial Council.

(A) Two persons who possess special ability and qualification regarding the subject and objectives of the Authority as Determine by the Minister

(B) A member nominate by the Minister in charge of Finance Subject of Sabaragamuwa Provincial Council.

(C) Sabaragamuwa Provincial Director of Industrial Development

(D) Accountant of the Ministry of Industry

(E) Assistant Director of Development Assistant of National Craft Council.

(F) An Engineer from engineering Service Unit of Sabaragamuwa Provincial Council.

(G) Secretary or his representative of Industrial Ministry of Sabaragamuwa Province. |
| Chairman of the Authority | (ii) The Minister may, appoint one of the members to be the Chairman of the Authority. |

- (iii) The Director - General shall be appointed on the power of his office upon the approval of the Minister.
- (iv) The General Manager of the Authority shall be entitle to all the allowances and benefits allow for a Director of the Board of Directors.
04. A Person
- (A) Shall be disqualified from being appointed or from continuing as a Director if he is a member of parliament or a member of a Provincial Council; or Disqualification for being appointed as
- (B) If there is a financial or any other bond may be affected prejudicially in actig as a member of the Authority
05. (i) Every member shall hold office for a period of three years from the date of his appointment, unless he earlier vacates office by death, resignaion, removal or transferring out of Sabaragamuwa Provincial Council and qualified for reappointment. Team of Office of the members of the Authority
- (ii) Where any Director is removed of his Office on account of death, ill health, absence from the Republic the Minister may appoint any person to act in place of such Director according to Paragraph 03 to fill such vacancy and such person shall hold office for the unexpired period of the term of office of the Director whom he succeeds. However in the event of a new Minister of Industry is appointed Board of Directors including the Chairman shall be Dissolved and new Board of Directors and a Chairman shall be appointed.
- (iii) Where any member is temporarily unable to perform the duties of his office on account of ill health, absence from the Republic or any other cause, the Minister may appoint any person to act in place of such member for the period of his absence according to the regulations mentioned in paragraph 03 in the way of the temporary absent member was first appointed.
06. (i) The Seal of the Authority shall be in the custody of the General Manager of the Authority. Seal of the Authority
- (ii) The Seal of the Authority may be altered in Authority such manner as may be determined by the Authority.
07. (i) The Minister may, if he thinks it expedient to do so, remove, any Member of the Authority appointed in accordance with Section three from office without reason stated. Removal of the member of the Authority
- (ii) In the event removal of a Member in respect of sub section one (01) such decision shall not be questioned by any court.
08. Any member including Chairman of the Authority may resign his office by written communication addressed to the Minister in any occasion. Resignation of the member of the Authority
09. The Chairman & Members Directors of the Authority shall be remunerated at such rates and in such manner and shall be subject to the terms and conditions determined by the Minister. Remuneration of the Chairman and Members of the Authority
10. (i) The Directors - General shall preside at all meeting of the Authority and in his absence any Director elected by the Directors shall preside at such meeting. Meeting & quorum at meeting of the Authority
- (ii) Quoram of any meeting of the authority shall be four
- (iii) Decisions for all the problems in any meeting of the authority, shall be decided on the consent of the quorum of present members. If the members have been divided in equaly the Chairman shall receive the Critical Vote.

Vacancy among Directors not to Invalidate acts and Proceedings.	11. No act or Proceeding of the Authority shall be invalid by reason only of any vacancy among its Directors or any defect in the appointment of any of its Directors.
General Manager.	12. Authority, on the approval of the Minister appoints a well qualified & experience person as the General Manager of the Authority.
Powers of the authority on the Staff	<p>13. Authority</p> <p>(A) May appoint , dismiss and exercise disciplinary control over the staff of the Authority.</p> <p>(B) Fix the Salary, wages or other remuneration of such staff and pay by the fund of the Authority.</p> <p>(C) Regulations of the Establishment code are not applicable to staff work under the authority, other than the employees appointed from the public service or provincial public service.</p> <p>(D) A Trust fund and other program may be established and conduct for the benefit of the Staff & pay the contribution.</p> <p>(E) Determine the terms and conditions of service of such staff.</p> <p>(F) Authority may work for the welfare, insurance & emergency disasters of the employees & officials.</p> <p>(G) The Chairman & Board of Directors vested the power of appointment the officials & the employees to the institutions of the Authority on the approval of the Minister. The Secretary of the Ministry and the General Manager has such powers to sign such appointment letters. The Secretary of the Ministry has powers to appoint the Officers already in public or provincial public service to the posts as deem necessary.</p> <p>(H) The Chairman & Board of Directors are vested power of selecting staff for the Authority. The Secretary may exercise disciplinary control on the recommendation of the Borad of Directors.</p>
Power and functions of the Authority	<p>14. (a) To Plan and implement the policies for industrial development in such manner determine by the provincial council.</p> <p>(b) to start, encourage, assist, uplift and develop the commerce, business, industries and other projects.</p> <p>(c) To provide and distribute raw materials and local technology.</p> <p>(d) To get and provide information and knowledge on industrial development.</p> <p>(e) To initiate programmers for employees's welfare of the Authority.</p> <p>(f) To conduct programmers for the an employment with the fund receive from other institutions and to provide management and technical skills, training and marketing facilities necessary for those who are in industries.</p> <p>(g) Industrial Research and development affairs.</p> <p>(h) To appoint the staff necessary to the works of the Authority and delegation of powers to them.</p> <p>(i) To make regulations for the administration of the works of the authority.</p> <p>(j) To charge for the facilities and services of the authority.</p> <p>(k) Any other actions and things relevant in implementation of powers, Services and takes there of.</p> <p>(l) To assist in provision of capital.</p>
Funds of the Authority	15. (i) There shall be a fund for the Authority. They shall be credited to the fund of the Authority.

(A) Allocations of the annual budget of the Sabaragamuwa Provincial Council.	Assistants and Gifts
(B) Grants given by the Sri Lanka or outside sources.	
(C) Money transferred by any act to the Authority.	
(D) Interest earned by capital & loans provided by the Authority, charges of the services provided to the organizations belong to public or private sector, a group, society or individual.	
16. Administration, Management and control of the fund shall be assigned to the Authority	Control of the fund
17. (i) The financial year of the Authority shall be a calendar year	Financial year and auditing of the Authority
(ii) The Authority shall be maintained due registers for all the income, expenditures assets and debets and all other transactions	
(iii) Sections 154 of the constitution of Sri Lanka shall be relevant to of the authority.	
(iv) The auditing report shall be presented to the Provincial Council be before each financial year after presented to the Minister.	
18. All the staff of the authority shall be regarded as the public officers by mean of the penal code and it's function.	Staff of the authority shall be public officers.
19. The authority shall be regarded as institution of sub schedule by mean of the Bribery Act.	Regarded as a institute of the Sub schedule by mean of Bribery Act.
20. (i) Authority shall conduct according to the financial regulations of Sabaragamuwa Provincial and Public Financial Regulations.	Financial Control of the Authority
(ii) In case of any Institute may be closed and legally closed, stable and unstable properties shall be assigned to the Authority. Similarly, the debits of such institute or service shall be assign to the Authority and Authority shall fulfill such tasks properly. In such occasions such properties shall be sold and fulfill the responsibilities.	
(iii) An annual survey shall be conducted for every institute and service belong to the Authority and the Secretary of the Ministry shall possess such powers. A copy of the report directed to the Chairman of the Authority by the Secretary shall be directed to the Auditor General .	
(iv) Audit Reports sent by Auditor General and Internal Audit section shall discuss by the board of directors. The board of Directors shall bear the responsibility of answering for the audit quires and taking correcting measure for the defects.	
21. On the approval of the board of directors in writing, the chairman shall delegate power, service and tasks to any employee.	Delegation of power to staff by the Chairman.

Annual Allowance received by the Authority.	22. Sabaragamuwa Provincial Council shall release to the Authority to bare the expense of paying workers' wages, allowances and others to maintain the properties under the Authority and for the service tasks and bonds mention in this statue.
Power of taking loans	23. Money necessary to the Authority to fulfill the services of the Authority or bond of the Authority. Under this statues shall be taken by the Authority a loan through an over depositor such other way on the consent of the Minister or under such general approval or order by him.
Commands of the Minister	24. (i) The Minister shall command to the authority in connection with the affairs of the Authority shall fulfill the commands. (ii) Minister shall order to provide reports and details of the Authority and authority shall provide such reports and details as soon as possible.
Order	25. (i) Minister may make order on the matters relevant to the Authority. (ii) Every order made by the Minister shall be presented for the approval of the cabinet. (iii) They shall be forwarded to the approval of the provincial council after cabinet approval and then publish in the <i>Gazette</i> . 26. Sabaragamuwa Provincial Industrial Development Authority Statute No. 04 of 1990 shall be repealed and abrogate with the enactment of this statue. The effective date shall be the date on which the Provincial Governor approves the Statute by setting his seal.
Interpretation	27. (i) In the Event of Contrast between this Statue and any other existing law regulations of this Statue shall prevail. (ii) In the event of any inconsistency between Tamil and English texts of this Statue, the Sinhala text shall prevail. 28. In this statue unless there be repugnant in the context. " Minister " shall mean the Minister in charge of the Industry Subject of Sabaragamuwa Provincial Council. " Provincial Council " shall mean Sabaragamuwa Provincial Council. " Cabinet " shall mean the Cabinet of Sabaragamuwa Provincial Council. " Secretary " shall mean the Secretary of the Minister of Industry of Sabaragamuwa Provincial Council.