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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 2091/75 - 2018 ඔක්තෝබර් මස 05 වැනි සිකුරාදා - 2018.10.05
No. 2091/75 - FRIDAY OCTOBER 05, 2018

(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

CENTRAL PROVINCE PROVINCIAL COUNCIL

**Statute of “Digana Sports Complex and the Sports Development Foundation of
the Central Provincial Council**

I am publishing herein below the aforementioned statute which was reputed by the Central Provincial Council on 18th September 2018 and approved by the Hon. Governor to the Central Province on the 05th of October 2018 is effective from the same date for your information.

THILINA BANDARA TENNAKOON,
Minister of Sports, Youth Affairs, Women,
Rural Development and Industries, Central Province.

P.O. Box. 41,
Getambe,
Peradeniya.

DIGANA SPORTS COMPLEX AND SPORTS DEVELOPMENT FOUNDATION

A statute of Sports and the Central Provincial Council for administration, maintenance and development of *Digana* Sports Complex, and to establish Sports Development Foundation, and for matters connected therewith or incidental thereto.

BE it enacted by the Central Provincial Council of the Democratic Socialist Republic of Sri Lanka as follows:-

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|---|---|
| 1. This Statute may be cited as the Digana Sports Complex and Sports Development Foundation of Central Province Statute No. 02 of 2018 of the Central Provincial Council and shall come into force after the receipt of approval of the Governor, on such date as the Minister may appoint. | Short title
and date of
enforcement |
|---|---|



PART I

Establishment of Digana Sports Complex and Sports Development Foundation

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| Establishment of Digana Sports Complex and Sports Development Foundation | <p>2. There shall be established Digana Sports Complex and Sports Development Foundation of Central Province (hereinafter referred to as the “Foundation”).</p> <p>3. Objectives of the Foundation are as follows:</p> <ol style="list-style-type: none"> (1) Proper administration and maintenance of the sports complex, (2) To support to build a healthy and active community, (3) to promote and develop sports. (4) to provide facilities for the development of sports, (5) to provide opportunity for visitors/spectators to spend the time happily and joyfully, (6) to train local and foreign sports personnel and bring them to international level. (7) to provide facilities for officers of all levels connected to sports to improve their knowledge, capabilities/abilities, and attitudes, (8) to protect and maintain the sports complex for future generations, (9) to create a sport complex with relevant facilities for the rural sport personnel to achieve an experience of international level, (10) Increasing income of people living around the sports complex and improving employment opportunities for them, (11) Providing opportunities for sports personnel in remote areas to improve their sports skills by providing them with residential facilities. |
| Legal Entity | <p>4. The Foundation shall be a body incorporated and legal entity that can sue or be sued at a court of law with perpetual succession and a common seal.</p> |
| Composition of Board of Control | <p>5. (1) The Foundation shall be administered and managed by a Board of Control (hereinafter referred to as “Board”).</p> <p>(2) The Board shall comprise following ex-officio members:</p> <ol style="list-style-type: none"> i Chief Secretary, Central Province, ii Secretary to the Ministry, iii Deputy Chief Secretary (Finance), Central Province, iv Deputy Chief Secretary (Engineering Services), Central Province, v Divisional Secretary, Kundasale, vi Director of Sports, Central Province, vii Director of Sports Education, Central Province. viii Two senior sports men or women who have gained international achievements and, with special knowledge about sport <p>(3) All members of the Board shall be appointed by the Governor on the recommendation of the Provincial Minister in-charge of the Sports portfolio. Chief Secretary of Central Province shall be appointed as the Chairman of the Board and Secretary to the Provincial Ministry in-charge of the Sports portfolio as the Secretary of the Board.</p> |

6.	(1) The Board shall meet once a month for the first six months after this statute comes into power and thereafter once every three months or as the Board decides as per requirement.	Meetings of the Board and Quorum
	(2) Quorum for a meeting of the Board shall be three members.	
7.	The common seal of the Board shall be kept in the possession of the Secretary of the Board and every document to be signed on behalf of the Board shall be signed by the Chairman and the Secretary of the board and affixed with the common seal.	Common Seal
8.	The power and duties of the Foundation are as follows:	Power and Duties of the Foundation
	(1) to make decisions related to administration and maintenance of the sports complex and to protect and develop the sports complex as a property of the Provincial Council,	
	(2) to make decisions regarding the modular changes and improvements to the sports complex,	
	(3) to identify and promote new sources of income,	
	(4) to monitor and direct the administrative works of the staff of sports complex,	
	(5) to establish the required subcommittees such as revenue subcommittee, planning subcommittee, maintenance subcommittee, sports subcommittee and medical subcommittee to facilitate the administrative and maintenance works of sports complex, and to formulate relevant rules and regulations and to provide guidance,	
	(6) to acquire, sell, pawn, lease and exchange movable and immovable assets or use other instruments of disposition,	
	(7) to accept immovable or movable properties received as gifts and donations from governmental and non-governmental organizations, groups or individuals as per the provisions of Constitution of the Democratic Socialist Republic of Sri Lanka of 1978 and Provincial Councils Act, No.42 of 1987,	
	(8) to enter into agreements required for the implementation of the objectives of this statute,	
	(9) to identify the designations and staff required for the administration of the Foundation, and to make decisions regarding recruitment, appointment, promotion, discipline and dismissal of staff,	
	(10) to make decisions regarding the allowances or emoluments to be paid to the Board or subcommittees when Foundation makes profits,	
	(11) to determine the salaries and emoluments of the staff,	
	(12) to plan sports training courses, to implement training programs and to take measures to train the beneficiaries for various courses,	
	(13) to take steps for the development of sports such as establishment of Sport Science Academy,	
	(14) to consider requests to obtain ground facilities for schools and sports clubs in the province.	
9.	The board shall implement the powers and duties of the Foundation.	
10.	The Minister shall table in the Provincial Council, an administrative report including the administrative, developmental and financial progress of the Foundation before March 31 of every year.	Administrative Report

PART II

Staff

- Staff
11. (1) The Manager shall be the chief administrative officer of the Foundation. He shall be one of the Assistant Directors employed in the Department of Sports. The chairman shall appoint the aforementioned, subject to the concurrence of the control board. The control board can recruit someone permanently for this position at any suitable time.
- (2) A Staff may be appointed to assist the Manager. Trainers and Sports Officers shall be appointed from the staff of the Department of Sports and remainder of staff may be appointed as decided by the Board, subject to the minute of recruitment and promotion.
- (3) The control board shall prepare a recruitment minute providing for the recruitment of cadre under the aforementioned basis and for the recruitment of personnel and have the same minute approved.

PART III

Advisory Committee

- Composition of Advisory Committee
12. (1) There shall be appointed an Advisory Committee by the Governor to provide consultancy for the duties of the Board.
- (2) Composition of the Advisory Committee shall be as follows:
I Minister;
II Four members of the Provincial Council;
- (3) Unless dismissed by the Governor after giving reasons, the term of office of the Advisory Committee is three (03) years. This time limitation shall not be applicable in the case of the Minister in-charge of the portfolio.
- (4) The Governor shall appoint another member of the Provincial Council for a vacancy emerged as a result of resignation or dismissal from the membership of the Advisory Committee or by death.
- Duties and Powers of the Advisory Committee
13. Duties and powers of the Advisory Committee
- (1) to provide consultancy when requested by the Board.
- (2) to provide guidelines for local and foreign financial facilities required for the development of sports complex.
- (3) to provide guidance to obtain local and foreign expertise for the development of sports skills.
- (4) to inspect the progress and evaluate the operation of sports subcommittees.
- (5) to advice in a conflict of opinion among members of the Board.
- Meeting of Advisory Committee
14. Advisory Committee may meet whenever required or when requested by the Board.
- Coordination of affairs of Advisory Committee
15. Secretary to the Ministry shall coordinate the meetings and other affairs of the Advisory Committee.

PART IV

Account of the Fund

16. (1) The foundation shall have a financial account under the name of “Digana Sports Complex and Sports Development Foundation of Central Province”.
- (2) Sources of funds for the account are as follows :
- I Funds from the Central Government.
 - II Funds from Provincial Council Fund.
 - III Income generated by the Foundation.
 - IV Aids and donations received from governmental and non-governmental organizations in accordance with the existing law.
 - V Aids and donations received from individuals or groups.
17. The monies from the Account may be used for following purposes:
- (1). for Administrative and maintenance works of the sports complex;
 - (2). to pay employees’ salaries and emoluments;
 - (3). to buy fixed and current assets;
 - (4). for expanding the sports complex;
 - (5). for staff to participate in courses and local and foreign trainings related to their respective subjects;
 - (6). for other expenses to be borne in performing the duties of the Foundation.
18. The bank account should be maintained at a recognized state bank
19. Money can be withdrawn by the secretary of the control board from the account on the recommendation of a three-member committee appointed by the Board or the account shall be operated with the signatures of an authorized officer and the manager.
20. The fiscal year is from 1st of January to 31st December every year.
21. All income and expenditure shall be entered into accounts and the accounting reports shall be presented to the Board monthly.
22. The accounts shall be audited annually by the auditor-general and by the internal audit of the Ministry.

Spending
Money from
Account

Withdrawal
from Account

Accounting
Reports

Auditing of
Accounts

PART V

General Provisions

23. Any party who is dissatisfied with a decision made by the control board or the consultancy board shall have the opportunity to appeal to the Hon. Governor of the Central Province.
24. (1) Without violating the sanctity of the regulations under the statute, Minister has the authority to impose regulations on following matters:

Appeals

- (1) Establishment of sports subcommittees and provisions related to their powers, duties and constitutions;
- (2) Provisions related to booking the sports complex by external persons or institutions;
- (3) Provisions related to introducing sports courses;
- (4) Provisions related to users of the sports complex;
- (5) Provisions related to determining the booking fees for the sports complex.
24. (2) Minister shall have the power to impose regulations in respect of other matters as required for the implementation of powers and duties of this statute.
25. Every regulation made by the Minister shall be presented to the Provincial Council for approval within a month after its publication in the *Gazette*. Any regulation failing to obtain approval thus shall be considered as repealed as from the date of its disapproval, but without prejudice to any such executed there under, and that shall be published in the *Gazette*.
26. All members and officers considered under this statute shall be deemed as public servants for the purposes mentioned therein as per the definition in the code of criminal procedure. This foundation shall be considered as an institution scheduled in the bribery act and definitions shall be done according to the provisions of that act.
- Offences and Punishments 27. Any person who commits a breach of any provision of this Statute or provisions of any regulation made under it shall be guilty of an offence under this Statute, and when such person is convicted after a trial before the Magistrate, to direct him to pay a fine not exceeding five thousand rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.
28. This statute made in respect of the stadium, agreed upon by the Chief Secretary of the Central Province and the Secretary of the Line Ministry of sports will be lapsed with the approval of it by the Hon. Governor of the Central Province and on a date which shall be decided by the Minister for bringing it into effect.

PART VI

Interpretation

- Interpretation 29. In this Statute unless the context otherwise requires;
- “Digana Sports Complex” means the Digana Sports Complex situated at Digana, inclusive of the Indoor stadium, Swimming pool, Open playground, stadium, Body building unit; cafeteria and the Land, and any development and constructions that may be erected in the premises;
- “Provincial Council” means the Central Provincial Council;
- “Governor” means the Governor of Central Province;
- “Minister” means the Minister who is in-charge of the subject of sports of the Central Province;

“Chief Secretary” shall mean the Chief Secretary of the Central Province.

“Secretary” means Secretary to the Ministry to which subject of sports of the Central Province is delegated to;

“Provincial Director” means the Director of Department of Sports of the Central Province;

“*Digana Stadium*” is a division affiliated to Department of Sports and Ministry to which subject of sports of the Central Provincial Council are delegated to;

30. In the event of any inconsistency between Sinhala, Tamil, and English texts of this Statute the Sinhala text shall prevail.

In an
inconsistency
Sinhala text
shall prevail