

(b) The Minister may with the reasons assigned therefor remove any appointed member.

(c) In the event of any post of an appointed member of the Board of Inquiry being vacated by death, resignation, removal or the operation of the provisions of subsection (5), the Minister may appoint another person, having regard to the provisions of subsections (2) and (3) to hold such office for the unexpired period of term of office of the member whom he succeeds.

(d) If any appointed member of the Board of Inquiry is temporarily unable to perform the duties of his office during any period due to ill-health or absence from Sri Lanka or for any other cause, the Minister may appoint some other person to act in his place for unexpired period.

(7) The Board of Inquiry shall within thirty days of the receipt of the appeal make its determination in respect of such matter.

(8) Every Appellant shall appear before the Board of Inquiry in person or with an authorized representative.

(9) After the hearing of an appeal, the Board of Inquiry may confirm, vary or reverse the decision appealed against.

(10) The decision of the Board of Inquiry and the reasons therefor shall be in writing, be notified to the appellant and the Board of Inquiry shall forward a report thereon to the Minister.

**14.** Where any person who is required to pay any sum of money or penalty to the Central Bank under section 11 or 13 is a body corporate or unincorporated, every director, member or partner of such body shall also be personally liable jointly and severally to pay such amount or value and expenses:

Liability of  
bodies corporate  
or  
unincorporated.

Provided that, such director, member or partner shall not be liable to pay such amount or value if such person proves

that the act or omission incurring such liability was done or omitted to have been done without the knowledge of such person or that such person exercised due diligence to prevent such act or omission.

Recovery of  
sums due to  
Government.

**15.** (1) (a) Where any person fails to pay any sum of money or penalty to the Central Bank under sections 11 or 13, the Governor of the Central Bank shall cause a certificate to be issued under his hand, setting out the sum of money required to be paid by such person.

(b) The sum of money so certified shall be deemed to be a debt due from such person to the Government and may be recovered by the Central Bank by issuing a certificate to the District Court having jurisdiction in the district where the person resides.

(c) Such certificate shall contain the particulars of the sum due and the name and place of residence as given in the authorization issued under section 4.

(d) Court shall thereupon direct a writ of execution to be issued to the Fiscal authorizing and requiring him to seize and sell all the property movable and immovable of the defaulting person or such part thereof as the Court may deem necessary for recovery of the amount so due and the provisions of sections 226 to 297 of the Civil Procedure Code (Chapter 101) shall, *mutatis mutandis* apply to and in relation to such seizure and sale.

(2) (a) Where the Central Bank is of the opinion that it is impracticable or inexpedient to recover the sum required to be paid under subsection (1) or where the full amount has not been recovered by the seizure and sale, then, the Central Bank may issue a certificate containing particulars of the sum so due and the name of the person and place of residence as given in the authorization issued under section 4 to the Magistrate having jurisdiction

(b) The Magistrate shall thereupon summon such person before him to show cause why further proceedings for the recovery of sum due under this Act should not been taken against him and in default of sufficient cause being shown, such sum shall be deemed to be a fine imposed by a sentence of the Magistrate on such person and the provisions of section 291 (except paragraphs (a), (d) and (i) of subsection (1) thereof of the Code of Criminal Procedure Act, No. 15 of 1979), relating to the default of payment of a fine imposed for such an offence shall thereupon apply and Magistrate may make any direction, by the provisions of that subsection, he could have made at the time of imposing such sentence.

(3) (a) The correctness of any statement in a certificate issued by the Central Bank for the purpose of this section shall not be called in question or examined by the court in any proceedings under this section and accordingly nothing in this section shall authorize the court to consider or decide the correctness of any statement in such certificate and the Central Bank's certificate shall be sufficient evidence that the amount due under this Act from the defaulting person has been duly calculated and that such amount is in default.

(b) The certificate shall be signed by the Governor of the Central Bank and shall be admissible in evidence in such action, without proof of signature and shall be *prima facie* proof of the matters stated therein.

(4) Any sum recovered in an action under this section shall be paid into the Consolidated Fund.

**16.** Subject to the provisions of this Act, any permission, consent or authority granted under this Act may be –

Provisions relating to permission, consent or authority.

(a) general or special;

(b) absolute or conditional;