

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

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**PETROLEUM PRODUCTS (SPECIAL PROVISIONS) (AMENDMENT)**

**A**

**BILL**

**to amend the Petroleum Products (Special Provisions) Act, No. 33 of 2002**

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*Presented by the Minister of Power and Energy*  
 *on 31st of August, 2022*

(Published in the Gazette on August 12, 2022)

*Ordered by Parliament to be printed*

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**[Bill No. 147]**

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*STATEMENT OF LEGAL EFFECT*

*Clause 2 :* This clause amends the long title to the Petroleum Products (Special Provisions) Act, No. 33 of 2002 (hereinafter referred to as the “principal enactment”) and is consequential to the amendment made by clause 4.

*Clause 3 :* This clause is consequential to the amendment made by clause 4.

*Clause 4 :* This clause replaces section 3 of the principal enactment and the legal effect of the section as replaced is to make provision for the Committee appointed by the Cabinet of Ministers, to be vested with the powers under the principal enactment.

*Clause 5 :* This clause amends section 6 of the principal enactment and the legal effect of this section as amended is to substitute the words “the Minister” for the words “Minister in charge of the subject of Power and Energy”.

*Clause 6 :* This clause amends section 9 of the principal enactment and the legal effect of this section as amended is to insert the new definition of the expression “Minister” and to remove the definition of the expression “Energy Supply Committee” consequential to the amendment made by clause 4.

*Clause 7 :* This clause provides validity for the powers exercised and acts done prior to the commencement of the amending Act.

*Clause 8 :* This clause provides for transitional provisions and the legal effect of the section is to extend the applicability of the provisions of the amending Act, to licences already issued under the principal enactment.

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| *Petroleum Products (Special Provisions)* | 1 |

*(Amendment)*

L.D.–O. 11/2022

AN ACTTOAMENDTHE PETROLEUM PRODUCTS (SPECIAL PROVISIONS) ACT, NO. 33 OF 2002

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

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| --- | --- | --- |
| 5 | **1.** (1) This Act may be cited as the Petroleum Products | Short title & |
| (Special Provisions) (Amendment) Act, No. of 2022. | date of |
| operation |
| (2) The provisions of this Act other than this section shall |

come into operation on such date (hereinafter referred to as the “appointed date”) as the Minister may appoint by Order published in the *Gazette*.

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| --- | --- | --- |
| 10 | **2.** The long title of the Petroleum Products (Special | Amendment |
| Provisions) Act, No. 33 of 2002 (hereinafter referred to as | of the long |
| the “principal enactment”) is hereby amended by the | title to the |
| Act, No. 33 |
| substitution for the words “IN THE ENERGY SUPPLY |
| of 2002 |
| COMMITTEE;”, of the words “IN THE COMMITTEE |

APPOINTED BY THE CABINET OF MINISTERS;”.

|  |  |  |
| --- | --- | --- |
| 15 | **3.** (1) In the principal enactment and other written law, | “Energy |
| 20 | every reference to the “Energy Supply Committee”, in | Supply |
| Committee” |
| relation to the principal enactment, shall be read and |
| to be referred |
| construed as a reference to the “Committee appointed under |
| to as the |
| section 3”. |
| “Committee” |
| (2) In any notice, communication, form, or other document |

issued, made, required or authorized by or under the principal enactment, every reference to “the Energy Supply Committee”, shall be read and construed as a reference to the “Committee appointed under section 3”.

|  |  |  |
| --- | --- | --- |
| 25 | **4.** Section 3 of the principal enactment is hereby repealed | Replacement |
| and the following section is substituted therefor: - | of section 3 |
| of the |

principal   
enactment

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| --- | --- | --- |
| 5 | “Appointment | 3. (1) There shall be a Committee appointed |
| of a | by the Cabinet of Ministers (hereinafter referred |
| Committee to |
| to as the “Committee”), subject to the |
| exercise, |
| perform and | succeeding provisions of this section to |
| discharge the | exercise, perform and discharge the powers, |
| powers, | duties and functions hereinafter set out. |
| duties and |
| functions | (2) The Committee shall consist of the |
| under this Act |

following:–

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | (*a*) | *ex-officio members*– | |
| (i) | the Secretary to the Ministry |

of the Minister assigned the   
subject of Petroleum, who   
shall be the Chairman of the   
Committee;

|  |  |  |
| --- | --- | --- |
| 15 | (ii) | the Secretary to the Treasury |

or his nominee not below the   
rank of Director-General of   
the Treasury;

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 20 | (*b*) | the Chairman or Managing-Director | | | |
| of | the | Ceylon | Petroleum |

Corporation, established under   
Ceylon Petroleum Corporation Act,   
No. 28 of 1961, nominated by the   
Minister;

|  |  |  |
| --- | --- | --- |
| 25 | (*c*) | two members appointed from |
| among persons who have achieved |

eminence in the field of petroleum   
industry or law.

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| --- | --- |
| 30 | (3) A member of the Committee appointed under paragraph (*c*) of subsection (2), shall hold |

office for the period of two years from the date   
of appointment unless such member resigns

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the office by letter addressed to the Cabinet of   
Ministers or, is removed from office by the   
Cabinet of Ministers, for reasons assigned.

(4) The quorum for any meeting of the 5 Committee shall be three members and the Committee may regulate the procedure, in regard to the meetings of the Committee and the transaction of business at such meetings.

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| 10 | **5.** Section 6 of the principal enactment is hereby amended | | Amendment |
| in subsection (1) of that section, by the substitution for the | | of section 6 |
| words “the Minister in charge of the subject of Power and | | of the |
| principal |
| Energy” of the words “the Minister”. | |
| enactment |
| 15 | **6.** Section 9 of the principal enactment is hereby amended | | Amendment |
| as follows:– | | of section 9 |
| of the |
| (1) | by the insertion immediately after the definition of | principal |
| enactment |
| the expression “Ceylon Petroleum Corporation” of | |

the following new definition:–

““Minister” means the Minister assigned the subject and functions relating to this Act 20 under Article 44 or 45 of the Constitution.”; and

(2) by the repeal of the definition of the expression  
 “Energy Supply Committee”.

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| --- | --- | --- |
| 25 | **7.** Any power exercised or any act done, by the Energy | Validity of |
| Supply Committee prior to the date of commencement of | acts done |
| prior to the |
| this Act in pursuance of any power conferred on it by the |
| commencement |
| principal enactment shall be deemed, for all purposes, to |
| of this Act |
| 30 | have been validly exercised and done. |
| Transitional |
| **8.** Every licence validly issued under the provisions of |
| the principal enactment and stated therein to continue in | Provisions |

force for a period extending beyond the date of the coming

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into operation of this Act, shall continue in force for the period so stated and every such licensee shall be subject to the provisions of this Act and any other terms and conditions which may be lawfully imposed under this Act and any other

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| --- | --- | --- | --- |
| 5 | regulation or rule made thereunder. | | Sinhala text |
| **9.** | In the event of any inconsistency between the Sinhala |
| and Tamil texts of this Act, the Sinhala text shall prevail. | | to prevail in |
| case of |

inconsistency

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*(Amendment)*

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