**THE GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**   
**Part II of April 28, 2023**   
**SUPPLEMENT**   
*(Issued on 02.05.2023)*



**PARLIAMENTARY BUDGET OFFICE**

**A**   
**BILL**

**to provide for the establishment of the Parliamentary Budget Office; to specify the powers, duties and functions of the Parliamentary Budget Officer; and for matters connected therewith or incidental thereto**

*Ordered to be published by the Minister of Finance,*   
*Economic Stabilization and National Policies*   
PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA

TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

**Price : Rs. 50.00**  **Postage : Rs. 150.00**

*This Gazette Supplement can be downloaded from* www.documents.gov.lk 

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| *Parliamentary Budget Office* | 1 |

L.D–O. 2/2023

AN ACTTOPROVIDEFORTHEESTABLISHMENTOFTHE PARLIAMENTARY BUDGET OFFICE; TOSPECIFYTHEPOWERS, DUTIESANDFUNCTIONSOF THE PARLIAMENTARY BUDGET OFFICER; ANDFORMATTERS

CONNECTEDTHEREWITHORINCIDENTALTHERETO

WHEREAS Parliament has been vested with full control over Preamble

public finance under Article 148 of the Constitution and in particular to implement and monitor the national budget proposals to achieve the objectives of the budget:

5 AND WHEREAS it is considered essential for Parliament to make responsible decisions to maintain a sustainable fiscal position, effectively allocate public resources, and ensure the efficient delivery of public goods and services:

AND WHEREAS it is acknowledged that as part of the 10 broader commitment to Parliamentary fiscal transparency, the reports and proposals provided to Parliament for the policy making process shall include the relevant information to make effective decisions:

AND WHEREAS it is recognised that Parliament’s 15 deliberations and effective exercise of its public finance responsibilities is aided by access to independent analysis of the proposals it is reviewing:

AND WHEREASit is recognised that providing independent and non-partisan costing analyses related to policies in

|  |  |
| --- | --- |
| 20 | manifestos of recognised political parties or independent groups can lead to more transparent and affordable public |

policy:

AND WHEREAS it is necessary to establish an independent institution to provide Parliament with budget analyses and 25 costings that it can rely on when scrutinising spending

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proposals and making public finance decisions and to provide recognised political parties and independent groups with costing analyses of proposals in their manifestos: NOW THEREFORE,be it enacted by the Parliament of the

|  |  |  |
| --- | --- | --- |
| 5 | Democratic Socialist Republic of Sri Lanka as follows: - | Short title |
| **1.** This Act may be cited as the Parliamentary Budget |

Office Act, No. 2023.

PART I   
ESTABLISHMENTOFTHE PARLIAMENTARY BUDGET OFFICE

|  |  |  |
| --- | --- | --- |
| 10 | ANDITSROLE | Establishment |
| **2.** (1) There shall be established an independent entity |
| called the Parliamentary Budget Office. | of the |
| Parliamentary |
| (2) The Parliamentary Budget Office - | Budget |
| Office |

(*a*) shall be a body corporate with perpetual succession; 15 (*b*) shall have a common seal;   
 (*c*) may sue or be sued in such name; and   
 (*d*) may hold, acquire, and dispose of any property movable or immovable.

(3) The Parliamentary Budget Office shall be an independent body and accountable to Parliament. 20   
 (4) The independence of the Parliamentary Budget Office shall be respected at all times.

(5) No person shall cause undue influence, or interfere with the operation and administration of the Parliamentary 25 Budget Office.

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| --- | --- | --- |
| *Parliamentary Budget Office* | 3 | Objectives of the  Parliamentary |
| 3. The objectives of the Parliamentary Budget Office shall be to assist- | |

Budget

|  |  |  |
| --- | --- | --- |
| (*a*) | Parliament in the performance of its public finance | Office |

responsibilities under the Constitution; and

|  |  |  |
| --- | --- | --- |
| 5 | (*b*) | any recognised political party or any independent |

group,

through the provision of independent, non-partisan analysis related to the budget, the medium-term economic and fiscal outlook, and the cost implications from a financial, 10 revenue and expenditure perspective of policy proposals as provided for in this Act.

|  |  |
| --- | --- |
| **4.** Subject to the provisions of this Act, the Parliamentary Budget Office shall provideanalytical assistance to- | Assistance  for the  implementing |

the objectives

|  |  |  |
| --- | --- | --- |
| 15 | (*a*) | any Committee or Member of Parliament on matters |
| related to public finance, including budget |

proposals, economic and fiscal forecasts and   
projections, and costing of proposed policies and   
Bills; and

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | a recognised political party or an independent group |
| to cost any proposal in its manifesto in the period |

immediately before an election; and

(*c*) Parliament, generally, by providing analyses and   
 briefings on matters necessary for or conducive to   
 the objectives of the Parliamentary Budget Office.

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PART II

THEAPPOINTMENTOFTHE PARLIAMENTARY BUDGET OFFICER, DEPUTY PARLIAMENTARY BUDGET OFFICER, ADVISORYCOMMITTEE ANDTHESTAFFOFTHE PARLIAMENTARY BUDGET OFFICE

|  |  |  |
| --- | --- | --- |
| 5 | **5.** Subject to the provisions of this Part, the Parliamentary | Appointment |
| Budget Officer shall be appointed by the President on the | of the |
| Parliamentary |
| recommendationof the Constitutional Council. The |
| Budget |
| Parliamentary Budget Officer shall be the chief executive | Officer |

officer of the Parliamentary Budget Office.

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **6.** A person who applies to the office of the Parliamentary | | Eligibility |
| 15 | Budget Officer shall – | | criteria to |
| apply to the |
| (*a*) | be competent, honest, of high moral integrity, and | office of the |
| Parliamentary |
| of good repute; and | | Budget |
| Officer |
| (*b*) | have at least fifteen years of experience in |
| government budgeting, financial policy, fiscal | |

policy, or macroeconomic analysis.

|  |  |
| --- | --- |
| **7.** The term of office of the Parliamentary Budget Officer shall be five years from the date of his appointment to such office. | Parliamentary Budget  Officer’s  term of |

office

|  |  |  |
| --- | --- | --- |
| 20 | **8.** (1) The person appointed as the Parliamentary Budget | Parliamentary |
| 25 | Officer shall, on the recommendation of the Secretary General | Budget |
| Officer’s |
| of Parliament to the Constitutional Council, be eligible to |
| eligibility for |
| be considered for re-appointment for not more than one |
| re- |
| further term, unless removed from office under this Part. | appointment |
| (2) A re-appointment referred to in subsection (1) shall be |

made by the President, on the recommendationof the Constitutional Council.

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | *Parliamentary Budget Office* | 5 | Appointment |
| **9.** Subject to the provisions of this Part, the Deputy | |
| Parliamentary Budget Officer shall be appointed by the | | of the |
| Deputy |
| President, on the recommendation of the Constitutional | |
| Parliamentary |
| Council. The Deputy Parliamentary Budget Officer shall | |
| Budget |
| assist the Parliamentary Budget Officer in the exercise, | | Officer |

performance and discharge of his powers, duties and functions.

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **10.** A person who applies to the office of the Deputy | | Eligibility |
| criteria to |
| Parliamentary Budget Officer shall – | |
| apply to the |
| (*a*) | be competent, honest, of high moral integrity, and | office of the |
| Deputy |
| of good repute; and | | Parliamentary |
| (*b*) | have at least ten years of experience in government | Budget |
| Officer |

budgeting, financial policy, fiscal policy or   
macroeconomic analysis.

|  |  |  |
| --- | --- | --- |
| 15 | **11.** The term of office of the Deputy Parliamentary Budget | Deputy |
| Parliamentary |
| Officer shall be five years from the date of appointment to |
| Budget |
| such office. |
| Officer’s |

term of   
office

|  |  |  |
| --- | --- | --- |
| 20 | **12.** (1) The person appointed as the Deputy Parliamentary | Deputy |
| Budget Officer shall, on the recommendation of the Secretary | Parliamentary |
| Budget |
| General of Parliament to the Constitutional Council, be |
| Officer’s |
| eligible to be considered for re-appointment for not more |
| eligibility for |
| than one further term as the Deputy Parliamentary Budget | re- |
| Officer, unless removed from office under this Part. | appointment |

(2) A re-appointment referred to in subsection (1) shall be 25 made by the President, on the recommendation of the Constitutional Council.

(3) The appointment or re-appointment of the Deputy Parliamentary Officer shall not have a bearing on his or her eligibility to be appointed as the Parliamentary Budget

30 Officer.

|  |  |  |
| --- | --- | --- |
| 6 | *Parliamentary Budget Office* | Non- pensionable |
| **13.** The office of the Parliamentary Budget Officer and the office of the Deputy Parliamentary Budget Officer shall | |

be non-pensionable.

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| --- | --- | --- |
| 5 | **14.** (1) The Secretary General of Parliament shall invite | Selection of |
| applications for the office of the Parliamentary Budget | the |
| Parliamentary |
| Officer and the office of the Deputy Parliamentary Budget |
| Budget |
| Officer by publishing a notice – | Officer and |

Deputy

|  |  |  |
| --- | --- | --- |
| (*a*) | in the *Gazette*; | Parliamentary |
| Budget |

Officer

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | in one Sinhala, Tamil and English newspaper that |
| (*c*) | is published and circulated in Sri Lanka; and |
| on the official website of Parliament. |

(2) The Secretary General of Parliament shall consult the Advisory Committee referred to in section 15 when preparing the invitation and notice referred to in subsection (1).

15 (3) The notice referred to in subsection (1) shall specify a period of at least thirty days for applications to be submitted to the Secretary General of Parliament.

(4) (*a*) The Secretary General of Parliament shall, having due regard to gender, diversity of background, experience 20 and expertise of the person applied, forward to the Constitutional Council, a recommended list of names of the persons to be appointed as the Parliamentary Budget Officer and the Deputy Parliamentary Budget Officer.

(*b*) Upon receipt of such list of names, the Constitutional 25 Council shall forward its recommendation to the President and the President shall proceed to appoint the persons so recommended to the office of the Parliamentary Budget Officer and the office of the Deputy Parliamentary Budget Officer.

*Parliamentary Budget Office*  7

(5) Where the Constitutional Council does not recommend to the President any person specified in the list of names referred to in paragraph (*a*) of subsection (4), the Secretary General of Parliament shall, -

|  |  |  |
| --- | --- | --- |
| 5 | (*a*) | subject to sections 6, 10 and 16 forward another list |
| of names to the Constitutional Council from |

amongst persons who have submitted application   
under this section for the office of the Parliamentary   
Budget Officer or the office of the Deputy

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | Parliamentary Budget Officer; or |
| invite for fresh applications under this section, if |

any person applied for the office of the   
Parliamentary Budget Officer or the office of the   
Deputy Parliamentary Budget Officer does not

|  |  |  |
| --- | --- | --- |
| 15 | possess the required qualifications. | Advisory |
| **15.** There shall be an Advisory Committee comprising |
| the Chair of the Committee on Public Finance, the Chair of | Committee |

the Committee of Ways and Means and the Deputy Speaker of Parliament, to assist-

|  |  |  |
| --- | --- | --- |
| 20 | (*a*) | the Secretary General of Parliament in the selection |
| process of the Parliamentary Budget Officer and |

the Deputy Parliamentary Budget Officer; and

(*b*) the Parliamentary Budget Officer in preparing an action plan of the Parliamentary Budget Office for 25 each financial year in accordance with the provisions of this Act.

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| 30 | **16.** A person shall be disqualified from being appointed | | Disqualification |
| or continuing in office as the Parliamentary Budget Officer | | from being |
| appointed or |
| or the office of the Deputy Parliamentary Budget Officer, if | |
| continuing in |
| such person– | |
| office |
| (*a*) | has an actual, potential or perceived conflict of |

interest on the date of his appointment or during

8 *Parliamentary Budget Office*

his tenure. A conflict of interest shall be inferred if   
such person–

(i) is or becomes a Member of Parliament, a   
 Provincial Council or a local authority;

|  |  |  |
| --- | --- | --- |
| 5 | (ii) | holds or accepts a political office, as a |
| member of a recognised political party or a |

trade union;

(iii) directly or indirectly holds or enjoys any   
 rights or benefits under any agreement entered

|  |  |  |
| --- | --- | --- |
| 10 | (iv) | into by or on behalf of the Parliamentary |
| Budget Office; or |
| has any financial or other interests that are |

likely to prejudicially affect the discharge of   
his duties;

|  |  |  |
| --- | --- | --- |
| 15 | (*b*) | is not, or ceases to be, a citizen of Sri Lanka; |
| (*c*) | becomes permanently incapable of carrying out his |

duties due to ill health, physical or mental infirmity   
or such other cause;

|  |  |  |
| --- | --- | --- |
| 20 | (*d*) | has been convicted of an offence which is of a |
| fraudulent or corrupt character or is prejudicial to |

the interests of the Parliamentary Budget Office;

(*e*) has served a sentence of imprisonment imposed by   
 any court in Sri Lanka or any other country;

|  |  |  |
| --- | --- | --- |
| 25 | (*f*) | has failed to carry out his duties in the manner |
| (*g*) | provided for in this Act; or |
| has been declared as insolvent or bankrupt under a |

court with competent jurisdiction and is an   
undischarged insolvent or is bankrupt.

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| 5 | *Parliamentary Budget Office* | 9 | Procedure |
| **17.** (1) Where the Secretary General of Parliament, on | |
| receipt of a complaint or, has reason to believe that a person | | when a |
| appointed to the office of the Parliamentary Budget Officer | | disqualification |
| is alleged |
| or the office of the Deputy Parliamentary Budget Officer, | |
| has become disqualified during the term of such office, the | |

Secretary General of Parliament shall in writing request the Committee on Public Finance to conduct an inquiry in respect of such complaint.

(2) The Secretary General of Parliament shall forward 10 copies of the request referred to in subsection (1) to the President and the Constitutional Council.

(3) Upon receipt of such copies, the President shall, on the recommendation of the Constitutional Council, forthwith suspend the services of the person whose alleged

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| --- | --- |
| 15 | disqualification is being inquired, until a decision is taken following such inquiry. |

(4) If the Committee on Public Finance finds that there is a basis for, and recommends disqualification, the Secretary General of Parliament shall notify the President and the

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| --- | --- |
| 20 | Constitutional Council of the same and the President shall, on the recommendation of the Constitutional Council, after |

assigning reasons therefor, remove the Parliamentary Budget Officer or the Deputy Parliamentary Budget Officer from such office.

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| 25 | (5) If the Committee on Public Finance finds that there is no basis for a disqualification, the Secretary General of |

Parliament shall notify the President and the Constitutional Council of the same and the President shall cancel the suspension made under subsection (3).

|  |  |  |
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| 30 | **18.** The Parliamentary Budget Officer or the Deputy | Resignation |
| Parliamentary Budget Officer may resign from office at any | from Office |

time by letter addressed to the President and such resignation shall take effect on the date specified in the letter or on the date such letter is received by the President, if no date is 35 specified.

|  |  |  |  |
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| 5 | 10 | *Parliamentary Budget Office* | Filling |
| **19.** (1) In the event of any vacation of office by the | |
| vacancy on |
| Parliamentary Budget Officer or the Deputy Parliamentary | |
| the |
| Budget Officer due to death, removal, resignation or on the | | expiration of |
| the term of |
| expiration of the term of office, the Secretary General of | |
| office, death, |
| Parliament shall invite fresh applications for the respective | | removal or |
| resignation |
| offices in terms of sections 14. | |

(2) A person appointed pursuant to subsection (1) shall be appointed for a term of five years.

|  |  |  |
| --- | --- | --- |
| 10 | **20.** (1) Where the Parliamentary Budget Officer is | Temporary |
| absence |
| temporarily unable to perform the duties of his office due to |

ill health, absence from Sri Lanka or for any other reason, the Deputy Parliamentary Budget Officer may act in his place until the Parliamentary Budget Officer is able to perform his duties.

15 (2) Where the Deputy Parliamentary Budget Officer is temporarily unable to perform the duties of his office due to ill health, or absence from Sri Lanka or for any other reason, the Parliamentary Budget Officer may appoint a person to act in his place taking in to consideration of sections 10 and

20 16 until the Deputy Parliamentary Budget Officer is able to perform his duties.

**21.** The salaries and other remunerations of the Remuneration Parliamentary Budget Officer and the Deputy Parliamentary   
Budget Officer shall be determined by Parliament. Such

25 salaries and other remunerations shall be charged on the Consolidated Fund and shall not be diminished during their terms of office.

*Parliamentary Budget Office*  11

PART III

OPERATIONOFTHE PARLIAMENTARY BUDGET OFFICE

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| 5 | **22.** The Parliamentary Budget Officer shall have power | | The powers, |
| to - | | duties and |
| functions to |
| (*a*) | recruit and appoint officers and employees to the | operationalise |
| and manage |
| staff of the Parliamentary Budget Office in | |
| the |
| accordance with the rules made under section 45; | | Parliamentary |
| (*b*) | discipline and dismiss officers and employees of | Budget |
| Office |

the Parliamentary Budget Officein accordance with

|  |  |  |
| --- | --- | --- |
| 10 | (*c*) | the rules made under section 45; |
| determine the salaries and other remunerations of |

the officers and employees of the Parliamentary   
Budget Office;

|  |  |  |
| --- | --- | --- |
| 15 | (*d*) | obtain the services from any person who has |
| knowledge and experience in the government |
| budgeting, financial policy, fiscal policy, |

macroeconomic analysis or such other relevant field   
of expertise, to assist the Parliamentary Budget   
Office to perform its responsibilities under the Act;

|  |  |  |
| --- | --- | --- |
| 20 | (*e*) | enter into agreements with any person to assist in |

the operation of the Parliamentary Budget Office   
or to assist the Parliamentary Budget Office to   
perform its responsibilities under the Act;

|  |  |  |
| --- | --- | --- |
| 25 | (*f*) | appoint a secretary for the Parliamentary Budget |
| (*g*) | Office; |
| request access to and make arrangements for the |

timely examination and digital transfer in malleable   
formats of any written or electronic record, data,

|  |  |
| --- | --- |
| 30 | analysis, modelling, or other information possessed by any Public Institution, relating to the requests |

made under section 29;

|  |  |  |
| --- | --- | --- |
| 12 | (*h*) | *Parliamentary Budget Office* |
| request the methodology and assumptions |

underlying the budget and other fiscal proposals   
prepared by Public Institutions and tabled in   
Parliament by the Government;

|  |  |  |
| --- | --- | --- |
| 5 | (*i*) | enter into arrangements with Public Institutions for |

the automatic transmittal of budgeting and costing   
data to the Parliamentary Budget Office at such   
time and duration as may be appropriate;

|  |  |  |
| --- | --- | --- |
| 10 | (*j***)** | make rules in respect of all matters for which rules |
| (*k*) | are authorised or required to be made under this |
| Act; and |
| generally, do all such acts and things as are |

necessary for, or incidental or conducive to the   
carrying out or attainment of the objectives of the

|  |  |  |
| --- | --- | --- |
| 15 | Parliamentary Budget Office. | Prepare an |
| **23.** (1) The Parliamentary Budget Officer shall, in |
| 20 | consultation with the Members of Parliament, Committee, | Action Plan |
| for the |
| the Advisory Committee referred to in section 15 and any |
| Parliamentary |
| relevant officers of the staff of Parliament, prepare an action |
| Budget |
| plan for the Parliamentary Budget Office for each financial | Office |
| year. |

(2) The action plan shall include-

(*a*) the priorities of the Parliamentary Budget Office   
 for the financial year; and

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | the protocol for the allocation of the resources of |

the Parliamentary Budget Office during such   
financial year to meet such priorities.

(3) The action plan for each financial year shall be prepared in line with the period specified in the budget call 30 circulars, as may be applicable.

*Parliamentary Budget Office*  13

For the purpose of this subsection “budget call circular” means a circular issued by the Department of National Budget, requesting submission of the revenue and expenditure of public institution for the relevant fiscal year 5 for the purpose of preparation of budget.

(4) The first action plan for the Parliamentary Budget Office shall be prepared within three months from the date of appointment of the Parliamentary Budget Officer.

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| 10 | **24**. (1) The Parliamentary Budget Officer may delegate | Delegation of |
| in writing to the Deputy Parliamentary Budget Officer or | Powers |

any officer or employee of the Parliamentary Budget Office any power, duty or function conferred or imposed on him by this Act. Such officer or employee shall exercise, perform and discharge such power, duty and function, subject to the 15 direction and control of the Parliamentary Budget Officer.

(2) The Parliamentary Budget Officer may, notwithstanding any delegation made under subsection (1), individually exercise, perform or discharge such power, duty and function so delegated and in doing so may at any time

|  |  |  |
| --- | --- | --- |
| 20 | revoke any such delegation. | Designate a |
| **25**. The Parliamentary Budget Officer may designate a |
| competent authority from among the officers and employees | competent |
| of the Parliamentary Budget Office to be a person who shall | authority |

process information as directed by the Parliamentary Budget 25 Officer.

PART IV

INDEPENDENCEAND ACCOUNTABILITYOFTHE PARLIAMENTARY   
 BUDGET OFFICE

|  |  |  |
| --- | --- | --- |
| 30 | **26.** (1) No person shall cause any undue influence on the | Independence |
| Parliamentary Budget Officer, the Deputy Parliamentary | of the |
| Parliamentary |
| Budget Officer, or any officer or employee of the |
| Budget |
| Parliamentary Budget Office**,** any member of Advisory |
| Officer |

14 *Parliamentary Budget Office*

Committee referred to in section 15 or a member of any committee referred to in sub paragraph (*d*) of subsection (2) of section 29 or any person providing any service, to the Parliamentary Budget Office in the exercise, performance,

|  |  |
| --- | --- |
| 5 | and discharge of their powers, duties and functions or interfere with the activities of the Parliamentary Budget |

Office.

(2) The Parliamentary Budget Officer shall-

|  |  |  |
| --- | --- | --- |
| 10 | (*a*) | exercise, perform and discharge his powers, duties |
| and functions, objectively, transparently and |

impartially; and

(*b*) disclose to the public any agreement entered in to   
 with any public institution and such other requests,   
 findings and policy costings as required under this

|  |  |  |
| --- | --- | --- |
| 15 | Act. | Accountability |
| **27.** (1) The Parliamentary Budget Officer shall provide |
| information to Parliament on the operation of the | to Parliament |

Parliamentary Budget Office as required by Parliament.

(2) The Parliamentary Budget Officer shall prepare an

|  |  |
| --- | --- |
| 20 | annual report on the operation and administration of the Parliamentary Budget Office which shall be submitted to |

the Committee on Public Finance within four months of the commencement of its financial year.

(3) The Committee on Public Finance shall-

|  |  |  |
| --- | --- | --- |
| 25 | (*a*) | review the Parliamentary Budget Office’s annual |
| (*b*) | report; |
| assess the reasonableness of the draft estimate of |

expenditure, based on the action plan prepared by   
the Parliamentary Budget Officer under section 23;

|  |  |  |
| --- | --- | --- |
| 30 | (*c*) | consider the operation and sourcing resources of |
| the Parliamentary Budget Office in relation to its |

objectives; and

*Parliamentary Budget Office*  15

(*d*) report to Parliament any matter related to the   
 operation of the Parliamentary Budget Office which   
 has an impact on the ability of the Parliamentary   
 Budget Office to perform its responsibilities under

|  |  |  |
| --- | --- | --- |
| 5 | this Act. | Independent |
| **28.** (1) After the conclusion of an election, the Committee |
| 10 | on Public Finance may, within fourteen days of such | review of the |
| Parliamentary |
| Committee being constituted by Parliament, request the |
| Budget |
| Parliamentary Budget Officer toinitiate an independent |
| Office |
| review of the operation of the Parliamentary Budget Office. |

(2) A request under subsection (1) shall include-

|  |  |  |
| --- | --- | --- |
| 15 | (*a*) | the preferred person or body to conduct the review; |
| (*b*) | the scope of the review; |
| (*c*) | the way the review is to be conducted; and |
| (*d*) | the matters which shall be included in the report on |

the review to be submitted to the Committee on   
Public Finance.

(3) The independent review shall be completed within nine months from the date of the request for such review by 20 the Committee on Public Finance.

(4) The Committee on Public Finance shall cause such report to be tabled in Parliament as soon as practicable after receiving such report.

(5) If an independent review has not been requested by

|  |  |
| --- | --- |
| 25 | the Committee on Public Finance within the last five years, the Parliamentary Budget Officer shall request any person, |

within or outside Sri Lanka (including similar institutions in other jurisdictions or international organizations), to conduct an independent external or peer review of the

30 performance of the Parliamentary Budget Office.

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PART V

PROVISIONSTO FACILITATE SCRUTINYAND TRANSPARENCY

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **29.** (1) The Parliamentary Budget Office shall perform | | Analytical |
| the following analytical functions to requests from | | functions of |
| the |
| Committees and Members of Parliament, and any recognised | |
| Parliamentary |
| political party or independent group, and shall form part of | | Budget |
| its regularly published analyses – | | Office |
| (*a*) | economic and fiscal forecasts and projections, |

including analyses of long-term fiscal 10 sustainability, debt sustainability, compliance with fiscal rules and targets, and tracking of budgeting measures against strategic goals;

(*b*) general analysis of annual and supplementary   
 budget proposals the Government tables in

|  |  |  |
| --- | --- | --- |
| 15 | (*c*) | Parliament; |
| specific budget analysis in response to requests from |

Committees and Members of Parliament;

(*d*) costing analysis of legislative and policy proposals   
 tabled by the Government or prepared by

|  |  |  |
| --- | --- | --- |
| 20 | (*e*) | Parliament; |
| costings of policies and proposals included in the |

manifestos of a recognised political party or   
independent group following the dissolution of   
Parliament and in the lead-up to elections; and

|  |  |  |
| --- | --- | --- |
| 25 | (*f*) | general analytical studies, taken up at the discretion |

of the Parliamentary Budget Officer, intended to   
benefit Parliament’s performance of its public   
finance responsibilities.

*Parliamentary Budget Office*  17

(2) The Parliamentary Budget Office shall exercise methodological independence in determining the approach to be takento perform the functions outlined in subsection (1), including,-

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| --- | --- | --- |
| 5 | (*a*) | drawing on the most recent economic forecast limits |

and fiscal estimates issued under the provisions of   
the Fiscal Management (Responsibility) Act, No. 3   
of 2003;

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | adopting alternate conventions, assumptions, |
| forecasts, and estimates to test the veracity of the |

analysis underpinning proposals;

(*c*) curating independent datasets and models that can   
 be used to perform analytic functions; or

|  |  |  |
| --- | --- | --- |
| 15 | (*d*) | establishing any committee to help shape different |
| approaches of analysis or, peer-review panel to test |

the strength of the analysis provided to Parliament.

|  |  |
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| **30.** (1) The Parliamentary Budget Officer shall put in place appropriate safeguards regarding the protection of private | Access to  information |

and sensitive information held by Public Institutions that

20 the Parliamentary Budget Office needs to use to conduct the analytical functions specified in section 29.

(2) Any information relating to the national security of Sri Lanka, the disclosure of which is prejudicial to national security, shall be examined personally by the Parliamentary 25 Budget Officer with the concurrence of the Minister responsible for the department, agency or organisation that is the holder of the information to determine if the information is critical to the functional analysis of the Parliamentary Budget Office conducted pursuant to 30 section 29.

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(3) The public institution shall, with the exception of the information related to national security, furnish the said information in such manner and on such date as required by the Parliamentary Budget Officer.

5 (4) Where a public institution estimates it may be unable to produce the information within the period specified by the Parliamentary Budget Officer, the public institution may propose to the Parliamentary Budget Officer, in writing, an alternate date for production of the information. The 10 discretion as to whether to alter the date of production shall rest with the Parliamentary Budget Officer.

(5) Where any public institution fails to furnish such information on the date specified in the request or by the revised date, the Parliamentary Budget Officer may request 15 the Speaker to reissue a request for information to such Public Institution in accordance with the Parliamentary (Powers and Privileges) Act (Chapter 383).

(6) Every official and employee of a public institution shall comply with the provisions of this section, and such 20 compliance shall not be considered a violation of any written law, regulation,agreement or procedure pertaining to secrecy, confidentiality or non-disclosure of information held and managed by public institution.

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| 25 | **31.** (1) The Parliamentary Budget Officer shall, subject | Transparency |
| to the provisions of this Act, ensure that the information |

specified in subsection (2) is made available to the public in the Sinhala, Tamil and English languages by electronic or digital means and be published in the *Gazette.*

(2) The information referred to in subsection (1) shall 30 include–

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(*a*) any rule, principle or guideline that is required to   
 be made, issued or published under this Act;

(*b*) proposed release dates of routine reports aligned   
 with the annual budgeting process;

|  |  |  |
| --- | --- | --- |
| 5 | (*c*) | routine Parliamentary Budget Office reports and |

analysis, including a full account of the underlying   
data, subject to subsection (1) of section 30,   
assumptions and methodology used in the   
preparation of the analysis;

|  |  |  |
| --- | --- | --- |
| 10 | (*d*) | reports and analyses prepared by the Parliamentary |

Budget Office in response to a specific request from   
a Committee ora Member of Parliament including   
a full account of the underlying data, subject to   
subsection (1) of section 30, assumptions and

15 methodology used in the preparation of the analysis;

(*e*) costing analysis of the manifestos of recognised   
 political parties or independent groups including a   
 full account of the data used, assumptions, and

|  |  |  |
| --- | --- | --- |
| 20 | (*f*) | methodology; |
| the annual report of the Parliamentary Budget Office |

submitted to Parliament; and

(*g*) action plan of the Parliamentary Budget Office for   
 each financial year prepared under section 23.

|  |  |  |
| --- | --- | --- |
| 25 | **32.** The Right to Information Act, No. 12 of 2016 shall be | Application |
| of the Right |
| applicable in respect of the matters connected with or |
| to |
| incidental to the provisions of this Act. | Information |

Act, No. 12   
of 2016

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PART VI

PROCEDURETOOBTAINASSISTANCEOFTHE PARLIAMENTARY   
BUDGET OFFICE

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **33.** (1) Any Committee, Member of Parliament, | | Guidelines |
| recognized political party or independent groupmay request | | for |
| the Parliamentary Budget Office to prepare ananalysis as | | requesting an |
| analysis from |
| specified in section 29. | |
| the |
| 10 | (2) The Parliamentary Budget Officer shall makerules | | Parliamentary |
| Budget |
| and issue guidelines setting out – | | Office |
| (*a*) | the process, for Committees and Members of |
| Parliament, to formally request the Parliamentary | |

Budget Office to conduct an analysis;

|  |  |  |
| --- | --- | --- |
| 15 | (*b*) | the formats for such written requests; |
| (*c*) | the information to be included in the written request; |
| (*d*) | the manner awritten request can be submitted; and |
| (*e*) | the methodology the Parliamentary Budget Office |

will use to prioritise requests.

(3) The Parliamentary Budget Officer shall make rules and issue guidelines setting out –

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| 20 | (*a*) | the process, for the leader of a recognised political |
| party or independent group represented in |

Parliament, to formally request the Parliamentary   
Budget Office to conduct a costing analysis of its   
manifesto before the dissolution of Parliament;

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | the process, for the leader of a recognised political |
| party or independent group contesting an election, |

to formally request the Parliamentary Budget Office   
to conduct a costing analysis of its manifesto after   
the dissolution of Parliament and before the polling

30 date;

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(*c*) the format for such written requests;

(*d*) the information to be included in the written request;

(*e*) the manner a written request may be submitted;   
 and

|  |  |  |
| --- | --- | --- |
| 5 | (*f*) | the methodology the Parliamentary Budget Office |
| shall use to priorities requests. |

(4) The Parliamentary Budget Officer shall publish the rules and guidelines referred to in subsections (2) and (3)in the *Gazette* within six months of coming into operation of 10 this Act and shall regularly review and update them in accordance with international best practice.

|  |  |  |
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| 15 | **34.** (1) A leader of either a recognised political party or | Request to |
| an independent group that is represented in Parliament may | prepare |
| policy |
| make a request to the Parliamentary Budget Office to prepare |
| costing from |
| a policy costing of a proposal in the manifesto prior to the |
| a recognised |
| dissolution of Parliament. | political |
| party or |
| (2) Following the dissolution of Parliament, a leader of | independent |
| group |
| either a recognised political party or an independent group |

contesting the election may make a request to the 20 Parliamentary Budget Office to prepare a policy costing of a proposal published in its manifesto, in accordance with such rules made by the Parliamentary Budget Officer.

(3) On receipt of a request the Parliamentary Budget Officer shall conduct a policy costing and release such request and 25 the policy costing to the public, as soon as practicable.

(4) Where the Parliamentary Budget Officer is unable to publicly release a policy costing conducted in response to a request made under subsection (1) or (2) prior to the polling date, he shall release a statement to the public assigning

30 reasons therefor.

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(5) The statement referred to in subsection (4) shall be released by the Parliamentary Budget Officer as soon as practicable following the polling date.

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| 5 | **35.** (1) Where the Parliamentary Budget Officer is unable to | | Reasons for |
| prepare a costing of a policy or a proposed policy on any request | | inability to |
| made under section 33 prior to the dissolution of Parliament, or | | provide |
| assistance |
| prior to the polling date, such request shall be considered as | |
| withdrawn with effect from the dissolution of Parliament or | |
| 10 |
| such date of polling if the Parliamentary Budget Officer- | |
| (*a*) | has not received the necessary information; or |
| (*b*) | did not have sufficient time, |

to prepare such costing of a policy or a proposed policy.

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| 15 | (2) A request made under section 33 may be withdrawn at | Post-election |
| any time by the leader referred to under subsection (3) of |
| section 33 who made such request addressed to the |
| Parliamentary Budget Officer in writing. |
| **36.** (1) The Parliamentary Budget Officer shall prepare a |
| 20 | post-election report of the fiscal and financial implication | report of the |
| of the election proposals made by and included in the | election |
| commitments |
| manifestos, of any recognised political party or independent |
| group elected to Parliament. |

(2) The provisions of subsection (1) shall not apply to costing requests that the Parliamentary Budget Office has prepared and published prior to an election.

25 PART VII

FINANCE

|  |  |  |
| --- | --- | --- |
| 30 | **37.** (1) The Parliamentary Budget Officer shall submit the | Draft |
| draft estimate of expenditure to the Committee on Public | estimate of |
| expenditure |
| Finance for the ensuing financial year before fourteendays |
| of the |
| of the budget of such financial year. |
| Parliamentary |

Budget   
Office

*Parliamentary Budget Office*  23

(2) The Committee on Public Finance shall assess the reasonableness of the draft estimate of expenditure, based on the action plan, and report to the Parliamentary Budget Officer and Parliament before fourteen days of the budget of

5 such financial year.

(3) The Parliamentary Budget Officer shall forward the draft estimate of expenditure to the Minister assigned the subject of Finance to be included in to the budget before fourteen days of the budget of such financial year.

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| 10 | **38.** (1) The Parliamentary Budget Office shall have its | | Fund of the |
| own Fund. | | Parliamentary |
| Budget |
| (2) There shall be paid into the Fund – | | Office |
| (*a*) | all such sums of money as may be voted from time |

to time by Parliament; and

|  |  |  |
| --- | --- | --- |
| 15 | (*b*) | all such sums of money as may be received by the |
| Parliamentary Budget Office by way of donations, |

gifts and grants from any source whatsoever:

Provided that, the Parliamentary Budget Officer shall obtain the prior written approval of the 20 Department of External Resources, in respect of all donations, gifts and grants received by or made to the Parliamentary Budget Office.

(3) There shall be paid out of the Fund –

|  |  |  |
| --- | --- | --- |
| 25 | (*a*) | all such sums of money required to defray the |
| (*b*) | expenditure incurred by the Parliamentary Budget |
| Office; |
| all such sums of money required to defray the |

expenditure incurred by the Parliamentary Budget Officer, Deputy Parliamentary Budget Officer and 30 the officers and employees of the Parliamentary

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Budget Office in the exercise, perform and discharge   
of their powers, duties and, functions under the   
provisions of this Act; and

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | (*c*) | all such sums of money as are required to be paid | Budget |
| out of the Fund, under this Act. | |
| **39.** The Parliamentary Budget Office may open and | |
| maintain any account with any bank as it may think | | Office to |
| maintain |
| appropriate, and such account shall be operated in | |
| accounts |

accordance with prevailing financial regulations of the 10 Government pertaining to financial transactions of public corporations.

|  |  |
| --- | --- |
| **40.** (1) The financial year of the Parliamentary Budget Office shall be the calendar year. | Financial  year and  audit of |

accounts (2) The Parliamentary Budget Office shall cause proper   
15 books of accounts to be kept of the income and expenditure,   
 assets and liabilities and all other financial transactions of   
 the Parliamentary Budget Office.

(3) For the purpose of presenting a true and fair view of the financial performance and financial condition of the 20 Parliamentary Budget Office, the Parliamentary Budget Office shall prepare its accounts in accordance with the Sri Lanka Accounting Standards adopted by the Institute of Chartered Accountants of Sri Lanka under the Sri Lanka Accounting and Auditing Standards Act, No. 15 of 1995 or

25 any other applicable written law in force.

(4) The provisions of Article 154 of the Constitution relating to the audit of accounts of public corporations shall apply to the audit of the accounts of the Parliamentary Budget Office.

*Parliamentary Budget Office*  25

PART VIII

GENERAL

|  |  |  |
| --- | --- | --- |
| 5 | **41.** (1) The Parliamentary Budget Officer, Deputy | Immunity for |
| Parliamentary Budget Officer, officers and employees of the | acts done in |
| good faith |
| Parliamentary Budget Office shall not be liable for any act |

done or purported to be done or any omission made in good faith during the exercise, perform or discharge of their powers, duties or functions under this Act.

(2) The immunity granted under subsection (1) shall not

10 extend to–

(*a*) liability for a criminal offence under any written   
 law for the time being in force; and

(*b*) any act done in contravention of the provisions of   
 this Act, or any other applicable written law.

|  |  |  |
| --- | --- | --- |
| 15 | **42.** The Parliamentary Budget Office shall be deemed to | Budget |
| 20 | be a Scheduled Institution within the meaning of the Bribery | Office |
| deemed to be |
| Act (Chapter 26) and the provisions of that Act shall be |
| a Scheduled |
| construed accordingly. |
| Institution |
| **43.** The Parliamentary Budget Officer, the Deputy |
| Public |
| Parliamentary Budget Officer and the employees and the | servants |

officers of the Parliamentary Budget Office shall be deemed to be public servants within the meaning and for the purpose of the Penal Code (Chapter 19).

|  |  |  |
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| 25 | **44.** (1) All expenses incurred by the Parliamentary Budget | Expenses in |
| Office in any suit or prosecution brought by or against it | suit or |
| prosecution |
| before any court, shall be paid out of the Fund of the |
| to be paid |
| Parliamentary Budget Office and only costs paid to or |
| out of the |
| 30 | recovered by the Parliamentary Budget Office in any such | Fund of the |
| suit or prosecution, shall be credited to the Fund of the | Parliamentary |
| Budget |
| Parliamentary Budget Office. |
| Office |

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(2) Any expenses incurred by the Parliamentary Budget Officer, Deputy Parliamentary Budget Officer, any officer or employee of the Parliamentary Budget Office, in any suit or prosecution brought against such person before any court in 5 respect of any act which is done or purported to be done by such person under this Act shall, if the court holds that such act was done in good faith, be paid out of the Fund of the Parliamentary Budget Office, unless such expenses are recovered by him in such suit or prosecution.

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| 10 | **45.** (1) Subject to the provisions of this Act, the | Rules to be |
| Parliamentary Budget Officer may make rules in respect of | approved by |
| Parliament |
| all matters for which rules are authorised or required to be |

made to achieve the objectives of this Act.

(2) Every rule made under subsection (1), shall be 15 published in the *Gazette* and shall come into operation on the date of publication, or on such later date as may be specified in such rule.

(3) Every rule made under subsection (1), shall, not later than three months after its publication in the *Gazette*, be 20 placed before Parliament for approval. Every rule which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(4) A notification of the date of such disapproval shall be

|  |  |  |
| --- | --- | --- |
| 25 | published in the *Gazette.* | Interpretation |
| **46.** In this Act, unless the context otherwise requires – |

“budget” shall include the Appropriation Act   
 for the relevant fiscal year;

“Committee” means any Committee of

30 Parliament;

*Parliamentary Budget Office*  27

“Committee on Public Finance” means the   
Committee on Public Finance appointed   
by Parliament in terms of the Standing   
Orders;

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| 5  10  15  20  25 | “Constitutional | | | Council” | | means | | the |
| Constitutional Council referred to in Article 41A of the Constitution of the Democratic Socialist Republic of Sri Lanka;  “costing” means an assessment of the cost of a policy proposal referred to in section 4 or a Bill tabled in Parliament, if implemented would change the budget surplus or deficit or would best suit the resources of the country in relation to the existing laws but- | | | | | | | |
| (*a*) | | it is not an assessment of | | | | | |
| the merits of a policy and | | | | | | | |
| does | | | not | provide | | policy | |
| recommendations; | | | | | | | |
| (*b*) | | it does not assess any economic | | | | | |
| impacts of a policy or Bill except  the impact on the budget; and | | | | | | | |
| (*c*) | it does not assess the non- | | | | | | |
| financial impacts of a policy; | | | | | | | |

and shall include-

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 30 | (i) | an assessment of the overall cost | | | |
| of the proposal; | | | |
| (ii) | the | description | of | the |
| methodology used to prepare the | | | |
| (iii) | policy costing; and | | | |
| the inputs used for the analysis; | | | |

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“election” means an election under the   
Parliamentary Elections Act No.1 of   
1981;

“independent group” means a group consisting 5 of Members of Parliament, politicians or candidates at an election, who are not otherwise affiliated with or is a member of, any recognised political party;

“information” shall include-

|  |  |  |
| --- | --- | --- |
| 10 | (*a*) | financial, commercial, individual |
| and programme data possessed |

by public institution;

(*b*) financial models and costing   
 models; and

|  |  |  |
| --- | --- | --- |
| 15 | (*c*) | non- financial data, such as data |
| from the Department of Census |

and Statistics, and legal advice   
government relies on to designed   
and implement a policy or Bill

20 tabled on Parliament;

“manifesto” means a publication issued by a   
recognised political party or an   
independent group before an election and   
may include any commitments made at

25 an election platform;

“public corporation” shall have the same   
meaning assigned to such expression in   
the Constitution Democratic Socialist   
Republic of Sri Lanka;

|  |  |
| --- | --- |
| 30 | “Public Institution” means any Ministry, department of Government, public |

corporation, local authority and business

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or other undertaking within the meaning of the Conversion of Government Owned Business Undertakings into Public Corporations Act, No. 22 of 1987, or a 5 company registered or deemed to be registered under the Companies Act, No. 07 of 2007, in which the Government, a public corporation or any local authority holds more than fifty per 10 centum of the shares and any Ministry or Department of any Provincial Council or any Authority established by or created by a Provincial Council;

“public resources” means any property or asset

|  |  |
| --- | --- |
| 15 | owned by any Public Institution, including, but not limited to, money, |

funds, land, buildings, facilities,   
equipment, supplies and vehicles; and

“recognised political party shall have the same 20 meaning assigned to such expression in the Constitution Democratic Socialist Republic of Sri Lanka.

|  |  |
| --- | --- |
| **47.** 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

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| 30 | *Parliamentary Budget Office* |

Department of Government Printing