



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

NATIONAL DANGEROUS DRUGS
CONTROL BOARD
ACT, No. 11 OF 1984

[Certified on 4th April, 1984]

Printed on the Orders of Government

Published as a Supplement to Part II of the Gazette of the Democratic
Socialist Republic of Sri Lanka of April 06, 1984

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVT. PUBLICATIONS BUREAU, COLOMBO

Price : 45 cents

Postage : 60 cents

*National Dangerous Drugs Control Board
Act, No. 11 of 1984*

[Certified on 4th April, 1984]

L.D.—O. 26/82.

AN ACT TO ESTABLISH THE NATIONAL DANGEROUS DRUGS CONTROL BOARD, TO SPECIFY THE POWERS OF SUCH BOARD AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the National Dangerous Drugs Control Board Act, No. 11 of 1984, and shall come into operation on such date as the Minister may appoint by Order published in the *Gazette*.

Short title
and date of
operation.

2. (1) There shall be established a Board to be called the National Dangerous Drugs Control Board (hereinafter referred to as the "Board") which shall be the principal national institution charged with the formulation and review of a national policy relating to the prevention, control, treatment and rehabilitation of drug abusers.

Establish-
ment of
the
National
Dangerous
Drugs
Control
Board.

(2) Subject to the general direction and control of the Minister, the Board shall be responsible for the administration of the provisions of this Act.

(3) The Board shall, by the name assigned to it by subsection (1), be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name.

3. (1) The Board shall consist of the following members:—

Constitu-
tion of the
Board.

(a) one member who shall be the Chairman and two other members to be appointed by the Minister (hereinafter referred to as "appointed members");

(b) the Inspector-General of Police or his nominee;

(c) the Director-General of Health Services or his nominee; and

(d) the Commissioner of Ayurveda.

(2) Every appointed member of the Board shall, unless he earlier vacates office by resignation, death, or removal, hold office for a period of three years from the date of appointment and shall be eligible for reappointment.

(3) An appointed member may at any time resign his office by letter to that effect addressed to the Minister.

(4) If an appointed member dies or resigns or is removed from office, the Minister may appoint any other person to be a member in place of the member who dies, resigns or is removed from office.

(5) A member who has been appointed under subsection (4) shall unless he earlier vacates his office by death, resignation or removal hold office for the unexpired period of the term of office of his predecessor.

(6) Where an appointed member of the Board is by reason of illness, infirmity or absence from Sri Lanka for a period not less than three months, temporarily unable to perform the duties of his office it shall be the duty of such member to inform the Minister in writing and the Minister may, appoint another person to act in place of such member.

(7) Any appointed member of the Board who vacates office other than by removal shall be eligible for reappointment.

Acts or proceedings of the Board deemed not to be invalid by reason of any vacancy or defect in the appointment of a member.

4. No act or proceeding of the Board shall be invalid by reason only of the existence of any vacancy in the Board or any defect in the appointment of a member of the Board.

Remuneration of the members of the Board.

5. The members of the Board shall be remunerated in such manner and at such rates as may be determined by the Minister.

Meetings of the Board.

6. (1) The Chairman of the Board shall preside at every meeting of the Board and in the absence of the Chairman at any meeting of the Board, the members of the Board present at such meeting shall elect from among themselves a member to preside at such meeting.

(2) Three members of the Board shall constitute a quorum for any meeting of the Board.

(3) Subject to the provisions of subsections (1) and (2), the Board shall meet at least once a month and it may regulate its own procedure in regard to its meetings and the transaction of business at such meetings.

7. The Board shall have the power to—

Powers
of the
Board.

(a) formulate and review a national policy relating to the prevention and control of the abuse of dangerous drugs and to advise and make recommendations to the Minister on such policy;

(b) call for such information and particulars from individuals, organizations, government departments and public corporations as may reasonably be necessary to exercise the powers of the Board;

Provided however that no member shall disclose any information or particulars obtained under the provisions of this paragraph, except where he is required to do so by a court of law or in order to comply with any other provisions of this Act;

(c) receive donations and grants from local and foreign sources for the purpose of exercising the powers of the Board;

(d) co-ordinate the activities of agencies engaged in the prevention and control of dangerous drugs;

(e) promote treatment and rehabilitation measures for drug dependent persons and conduct national drug abuse and preventive educational programmes for children and adults;

(f) conduct and undertake research studies into the prevalences, aetiology and legal, medical, social, cultural and economic implications of the abuse of dangerous drugs; and

(g) maintain liaison with national, regional and international organizations and agencies involved in drug control activities.

8. The Board may appoint any sub-committee for the purpose of this Act, which shall be charged with the exercise, performance, and discharge of such powers and duties as may be delegated to them by the Minister.

Appoint-
ment of
sub-
committees.

Staff
of the
Board.

9. (1) The Chairman of the Board shall be the chief executive officer of the Board.

(2) The Board may, subject to the provisions of this Act—

(a) appoint such officers and servants as it considers necessary for the exercise and performance of its powers and duties, and may exercise disciplinary control over or dismiss such officers and servants ;

(b) fix the rates at which such officers and servants shall be remunerated ;

(c) determine the terms and conditions of service of such officers and servants ; and

(d) establish and regulate provident funds or schemes for the benefit of such officers and servants and make contributions to any such fund or scheme.

(3) Rules may be made by the Board in respect of all or any of the matters referred to in subsection (2).

(4) No rule made by the Board under subsection (3) shall have effect until it has been approved by the Minister.

Appoint-
ment of
officers
from the
public
service
to the
staff of the
Board.

10. (1) At the request of the Board any officer in the public service may with the consent of that officer and the Secretary to the Ministry of the Minister, in charge of the subject of Public Administration be temporarily appointed to the staff of the Board for such period as may be determined by the Board with like consent or be permanently appointed to such staff.

(2) Where any officer in the public service is temporarily appointed to the staff of the Board the provisions of subsection (2) of section 13 of the Transport Board Law, No. 19 of 1978, shall, *mutatis mutandis*, apply to and in relation to him.

(3) Where any officer in the public service is permanently appointed to the staff of the Board, the provisions of subsection (3) of section 13 of the Transport Board Law, No. 19 of 1978, shall, *mutatis mutandis*, apply to and in relation to him.

(4) Where the Board employs any person who has agreed to serve the Government for a specified period, any period of service to the Board by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such agreement.

11. All officers and servants of the Board shall before **Secrecy.** entering upon their duties sign a declaration pledging themselves to observe strict secrecy respecting all activities and information received and all matters relating thereto and shall by such declaration pledge themselves not to reveal any matter which may come to their knowledge in the discharge of their duties except—

(a) when required to do so—

(i) by the Board, or

(ii) by a court of law, or

(iii) by the person to whom such matters relate ;

(b) in the performance of their duties ; or

(c) in order to comply with any other provisions of this Act, or any other law.

12. (1) There shall be established and maintained a fund **Fund.** which shall be administered and controlled by the Board in accordance with such directions as the Minister may give from time to time.

(2) There shall be paid into the fund—

(a) all such sums of money as may be voted from time to time by Parliament for the use of the Board ; and

(b) all such sums of money as may be received by the Board by way of donations, gifts or grants from any source whatsoever.

(3) The monies of the fund shall, be utilised—

(a) for the purpose of financing programmes for the prevention, control and abuse of dangerous drugs ;

(b) for the remuneration of the members of the Board, and all other expenses that may be incurred by the Board in the exercise of its powers under this Act.

(4) The provisions of Article 154 of the Constitution shall apply to the audit of accounts of the Board.

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