



PARLIAMENT OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA

---

COSMETICS, DEVICES AND DRUGS  
(AMENDMENT)

ACT, No. 38 OF 1984

---

(Certified on 11th October, 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 October 12, 1984

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

---

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO.

Price : 60 cents

Postage : 60 cents

**Cosmetics, Devices and Drugs (Amendment)**

**Act, No. 38 of 1984**

[Certified on 11th October, 1984]

L. D.—O. 52/82.

**AN ACT TO AMEND THE COSMETICS, DEVICES AND DRUGS ACT,  
No. 27 OF 1980.**

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

1. This Act may be cited as the Cosmetics, Devices and Drugs (Amendment) Act, No. 38 of 1984.

Short title.

2. Section 9 of the Cosmetics, Devices and Drugs Act, No. 27 of 1980 (hereinafter referred to as the "principal enactment") is hereby repealed and the following section substituted therefor :—

Replacement of section 9 of Act No. 27 of 1980.

"Licensing of persons and premises for manufacturing &c. of drugs.

9. (1) No person shall manufacture or import any drug without a licence issued by the Cosmetics, Devices and Drugs Authority.

(2) No person shall store, sell, distribute, transport or offer for sale any drug without a licence issued by the Cosmetics, Devices and Drugs Authority except a drug which in the opinion of the Minister is safe for general use and which is specified by regulations made under this Act.

(3) No person shall manufacture or prepare any drug in any premises unless such premises has been licensed by the Cosmetics, Devices and Drugs Authority.

(4) No person shall store or sell any drug in any premises unless such premises is licensed by the Cosmetics, Devices and Drugs Authority, except such drug which in the opinion of the Minister is safe for general use and which is specified by regulations made under this Act."

3. The following new sections are hereby inserted immediately after section 10 of the principal enactment and shall have effect as sections 10A, 10B and 10C of that enactment :—

Insertion of new sections 10A, 10B and 10C in the principal enactment.

"Prohibition on possession of cosmetics,

10A. No person other than the persons described in Schedule G shall obtain or have in his possession any cosmetic which in the opinion of the Minister is injurious to the health of the user, and which is specified by regulations made under this Act,

Prohibition  
on  
possession of  
devices.

10B. No person other than the persons described in Schedule G shall obtain or have in his possession any device, which in the opinion of the Minister is not safe for general use, and which is specified by regulations made under this Act.

Prohibition  
on  
possession of  
drugs.

10c. No person other than the persons described in Schedule G shall obtain or have in his possession any drug, which in the opinion of the Minister is not safe for general use, and which is specified by regulations made under this Act."

Replacement  
of section 16  
of the  
principal  
enactment.

4. Section 16 of the principal enactment is hereby repealed and the following section substituted therefor:—

"Prohibition  
on sale &c.  
of certain  
drugs.

16. No person shall manufacture, import, store, sell, distribute, transport, offer for sale or have in his possession any drug described in Schedule E."

Amendment  
of section 18  
of the  
principal  
enactment.

5. Section 18 of the principal enactment is hereby amended as follows:—

(1) in subsection (1) of that section—

(a) by the substitution, in paragraph (n) of that subsection, for the words "a representative of the Sri Lanka Medical Association nominated by that Association; and", of the words "a representative of the Sri Lanka Medical Association nominated by that Association;";

(b) by the substitution, in paragraph (o) of that subsection, for the words "a representative of the Independent Medical Practitioners' Association nominated by that Association.", of the words "a representative of the Independent Medical Practitioners' Association nominated by that Association;";

(c) by the addition, immediately after paragraph (o) of that subsection, of the following paragraphs:—

"(p) a representative of the College of General Practitioners' of Sri Lanka nominated by that College;

(q) a representative of the College of Physicians nominated by that College; and

(r) a representative of the Sri Lanka College of Obstetricians and Gynaecologists nominated by that College.”;

(2) in subsection (2) of that section, by the substitution, for the expression “paragraphs (i), (j), (k), (l), (m), (n), or (o) of subsection (1)”, of the expression “paragraphs (i), (j), (k), (l), (m), (n), (o), (p), (q), or (r) of subsection (1)”.

6. Section 20 of the principal enactment is hereby amended as follows:—

Amendments  
of section 20  
of the  
principal  
enactment.

(a) by the repeal of subsection (2) of that section; and

(b) by the renumbering of subsection (3) as subsection (2) of that section.

7. The following new section is hereby inserted immediately after section 20 and shall have effect as section 20A of the principal enactment:—

Insertion  
of new  
section 20A  
in the  
principal  
enactment.

“Registration of Drugs. 20A. (1) Every cosmetic, device and drug shall be registered with the Authority.

(2) No person shall import, store, sell, distribute, transport, offer for sale, expose for sale or advertise any cosmetic, device or drug which is not registered with the Authority under subsection (1).”.

8. Section 38 of the principal enactment is hereby amended by the addition, immediately after paragraph (k) of subsection (1) of that section, of the following new paragraphs:—

Amendment  
of section 38  
of the  
principal  
enactment.

“(l) the mode and manner in which any cosmetic, device or drug shall be registered, the terms and conditions applicable to such registration, the fees to be levied for such registration and any other matter relating to such registration;

(m) the destruction of cosmetics, devices and drugs in respect of which an offence has been committed under this Act or any regulation made thereunder.”

Amendment  
of Schedule  
to the  
principal  
enactment

9. The Schedule to the principal enactment is hereby amended by the addition, immediately after Schedule F thereof, of the following new Schedule:—

**“SCHEDULE G**

(a) a registered medical practitioner, dentist or pharmacist registered under the Medical Ordinance (Chapter 105), or a veterinary surgeon registered under the Veterinary Surgeons and Practitioners Act, No. 46 of 1956;

(b) any person who holds a licence issued by the Cosmetics, Devices and Drugs Authority;

(c) any person who has obtained a drug on a prescription given by a medical practitioner;

(d) any person in charge of a registered hospital, clinic, nursing home or other institution which provides medical, surgical, dental or veterinary treatment or any person acting under the authority of such person within such premises;

(e) any person in charge of a laboratory or any person whose functions consist of or include the conduct of scientific education or research or any person acting under the authority of such person;

(f) the Government Analyst, the Approved Analyst or an Additional Approved Analyst;

(g) the owner of a ship or aircraft carrying medical supplies and the master or captain of such ship or aircraft;

(h) any public officer acting in the course of his duties where his work involves dealing with cosmetics, devices or drugs.”