



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

**FACTORIES (AMENDMENT)
ACT, No. 18 OF 1998**

[Certified on 16th April, 1998]

Printed on the Order of Government

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Factories (Amendment) Act, No. 18 of 1998

[Certified on 16th April, 1998]

L. D.—O. 46/95.

AN ACT TO AMEND THE FACTORIES ORDINANCE

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

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| 1. This Act may be cited as the Factories (Amendment) Act, No. 18 of 1998. | Short title. |
| 2. Section 22 of the Factories Ordinance (hereinafter referred to as the "principal enactment") is hereby amended in subsection (2) of that section, by the substitution for the words "not exceeding one thousand rupees.", of the words "not exceeding fifty thousand rupees." | Amendment of section 22 of Chapter 128. |
| 3. Section 34 of the principal enactment is hereby amended in subsection (12) of that section by the substitution for the words "not exceeding five hundred rupees.", of the words "not exceeding twenty-five thousand rupees." | Amendment of section 34 of the principal enactment. |
| 4. Section 35 of the principal enactment is hereby amended in subsection (4A) of that section by the substitution for the words "not exceeding five hundred rupees.", of the words "not exceeding twenty-five thousand rupees." | Amendment of section 35 of the principal enactment. |
| 5. Section 36 of the principal enactment is hereby amended in subsection (4A) of that section by the substitution for the words "not exceeding five hundred rupees." of the words "not exceeding twenty-five thousand rupees." | Amendment of section 36 of the principal enactment. |
| 6. Section 36A of the principal enactment is hereby amended in subsection (2) of that section, by the substitution, for the words "not exceeding five hundred rupees.", of the words "not exceeding twenty-five thousand rupees." | Amendment of section 36A of the principal enactment. |

Amendment of
section 39 of the
principal
enactment.

7. Section 39 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for all the words from "not exceeding five hundred rupees," to the end of that subsection of the words "not exceeding twenty-five thousand rupees and if the contravention in respect of which he was so convicted is continued after the conviction, he shall subject to the provisions of section 110, be guilty of a further offence and liable in respect thereof to a fine not exceeding five hundred rupees for each day on which the offence was so continued."

Amendment of
section 60 of the
principal
enactment.

8. Section 60 of the principal enactment is hereby amended in subsection (4) of that section by the substitution for the words "not exceeding five hundred rupees.", of the words "not exceeding twenty-five thousand rupees."

Amendment of
section 61 of the
principal
enactment.

9. Section 61 of the principal enactment is hereby amended by the repeal of subsection (3) of that section and the substitution of the following subsection therefor :—

"(3) Where any accident to which this section applies occurs to a person employed and the occupier of the factory is not the actual employer of the person killed or injured, the occupier or manager, or the superintendent (in the case of an estate factory), shall obtain from the actual employer of the person killed or injured, written notice of the accident, in such form and accompanied by such particulars as may be prescribed and shall forthwith cause such notice of accident to be sent to the District Factory Inspecting Engineer."

Amendment of
section 63 of the
principal
enactment.

10. Section 63 of the principal enactment is hereby amended as follows :—

- (1) by the substitution, in subsection (1) of that section for the words "fee of ten rupees", of the words "fee of two hundred rupees".
- (2) by the substitution, in subsection (2) of that section, for the words "not exceeding fifty rupees.", of the words "not exceeding five hundred rupees."

11. Section 65 of the principal enactment is hereby amended in paragraph (g) of subsection (1) of that section by the substitution for the words "one hundred rupees" wherever such words occur in that paragraph, of the words "five thousand rupees".

Amendment of section 65 of the principal enactment.

12. Section 81 of the principal enactment is hereby amended in paragraph (e) of subsection (2) of that section by the substitution for the words "not exceeding fifty rupees.", of the words "not exceeding two thousand five hundred rupees."

Amendment of section 81 of the principal enactment.

13. Section 87 of the principal enactment is hereby amended in subsection (4) of that section, by the substitution for the words "not exceeding one hundred rupees.", of the words "not exceeding five thousand rupees."

Amendment of section 87 of the principal enactment.

14. Section 90 of the principal enactment is hereby amended in subsection (3) of that section, by the substitution for the words "not exceeding fifty rupees.", of the words "not exceeding two thousand five hundred rupees."

Amendment of section 90 of the principal enactment.

15. Section 101 of the principal enactment is hereby amended in subsection (4) of that section, by the substitution for the words "not exceeding fifty rupees ;" of the words "not exceeding two thousand five hundred rupees ;".

Amendment of section 101 of the principal enactment.

16. Section 109 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 109 of the principal enactment.

"Fines for offence for which no express penalty is provided,

109. (1) Subject as hereinafter provided, any person guilty of an offence under this Ordinance for which no express penalty is provided shall be liable—

(a) in the case of a first offence, to a fine not less than five thousand rupees ;

- (b) in the case of a second offence (not being an offence in respect of a continuation of an offence referred to in subsection (2)), to a fine not less than five thousand rupees but not exceeding twelve thousand five hundred rupees ;
- (c) in the case of a third or subsequent offence (not being an offence in respect of a continuation of an offence referred to in subsection (2)) to a fine exceeding twelve thousand five hundred rupees but not exceeding twenty-five thousand rupees.

(2) Where any person convicted of an offence and punished under subsection (1) continues the contravention in respect of which he was so convicted and punished he shall, (subject to the provisions of section 110) be guilty of a further offence and liable in respect thereof to a fine not exceeding five hundred rupees for each day on which such contravention was so continued.”.

Amendment of section 110 of the principal enactment.

17. Section 110 of the principal enactment is hereby amended by the substitution for the words “not exceeding fifty rupees” of the words “not exceeding five hundred rupees”.

Amendment of section 111 of the principal enactment.

18. Section 111 of the principal enactment is hereby amended by the substitution for the words “not exceeding one thousand rupees;”, of the words “not exceeding one hundred thousand rupees;”.

Amendment of section 112 of the principal enactment.

19. Section 112 of the principal enactment is hereby amended by the substitution for the words “not exceeding fifty rupees,” of the words “not exceeding five hundred rupees;”.

20. Section 113 of the principal enactment is hereby amended by the substitution for the words “not exceeding one thousand rupees, or to imprisonment of either description for a term not exceeding three months.”, of the words “not exceeding fifty thousand rupees or to imprisonment of either description for a term not exceeding six months.”.

Amendment of section 113 of the principal enactment.

21. 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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