



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

**COMPULSORY PUBLIC SERVICE
(AMENDMENT) ACT, No. 11 OF 1979**

[Certified on 9th February, 1979]

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**Compulsory Public Service (Amendment)
Act, No. 11 of 1979**

[Certified on 9th February, 1979]

L.D.—O. 76/78

**AN ACT TO AMEND THE COMPULSORY PUBLIC SERVICE ACT,
No. 70 OF 1961**

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

1. This Act may be cited as the Compulsory Public Service (Amendment) Act, No. 11 of 1979.

Short
title.

2. Section 2 of the Compulsory Public Service Act, No. 70 of 1961 (hereafter in this Act referred to as the "principal enactment") is hereby amended by the substitution for paragraphs (a), (b) and (c) of that section of the following paragraphs:—

Amendment
of section 2
of Act No. 70
of 1961.

"(a) becomes a graduate of the University of Ceylon, or any other university established in Sri Lanka to which a grant is made by the Government other than a medical graduate of that university or of that other university; or

(b) becomes a graduate of any university outside Sri Lanka other than a medical graduate of that university and thereafter undergoes a course of technical training provided by or in the University of Ceylon or any other university established in Sri Lanka; or

(c) being a medical graduate of the University of Ceylon or any other university established in Sri Lanka thereafter becomes a medical practitioner within the meaning of the Medical Ordinance or satisfies the requirements of paragraphs (a), (b) and (c) of section 32 (1) of that Ordinance."

3. The following new section is hereby inserted immediately after section 2, and shall have effect as section 2A, of the principal enactment:—

Insertion of
new section
2A in the
principal
enactment.

2A. (1) It shall be the duty of every medical graduate of the University of Ceylon or any other university established in Sri Lanka to acquire the experience that is required to obtain from the Ceylon Medical Council a certificate under section 32 of the Medical Ordinance and for that purpose to engage in employment in a resident medical capacity for the period prescribed under that Ordinance in a hospital as may be required

of him by the Director of Health Services on such terms and conditions as may be imposed by the Director.

(2) A medical graduate who is engaged in employment in a resident medical capacity for the purpose of acquiring the experience required to obtain the certificate under section 32 of the Medical Ordinance (such graduate hereafter referred to in this Act as an "intern medical officer") shall not leave that employment during the period of that employment.

Insertion
of new
section 2B
in the
principal
enactment.

4. The following new section is hereby inserted immediately after section 2A, (inserted by this Act) and shall have effect as section 2B, of the principal enactment:—

"Failure to
discharge
obligation
under
section 2A
an offence.

2B. Every medical graduate who in the discharge of the obligation imposed on him by section 2A refuses to engage in employment as an intern medical officer when so required by the Director of Health Services or while being engaged in employment as an intern medical officer by the Director of Health Services fails to serve in the capacity for the period for which he is so engaged shall, unless he is declared to be medically unfit to be engaged in that employment or serve in that capacity after a duly conducted medical examination, be guilty of an offence and shall be liable to a fine not exceeding one hundred and fifty rupees for every day during which such refusal or failure continues."

Amendment
of section 4 of
the principal
enactment.

5. Section 4 of the principal enactment is hereby amended by the insertion immediately after subsection (1) of that section of the following new subsection:—

"(1A) Every appointment of a graduate subject to compulsory public service to an appropriate office in the public service shall be published in the Gazette within a prescribed period by the authority making that appointment and the appointment shall be deemed to take effect from the date specified therein as the date of his appointment."

6. Section 11 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and substitution therefor of the following subsection:—

Amendment
of section 11
of the prin-
cipal enact-
ment.

“(2) For the purposes of this Act—

(a) the appointment of a person to any appropriate office in the public service shall be deemed to be due to take effect on the date specified in the letter or other instrument by which such appointment is made, or in the *Gazette* in which such appointment is published or on such later date to which it may have been postponed by the person or authority who made such appointment; and

(b) the appointment of a person to any appropriate office in the public service shall be deemed to be due to expire if a date is specified in the letter or other instrument by which the appointment was made or in the *Gazette* in which the appointment is published (not being a date expiring later than a period of five years from the date on which he became subject to compulsory public service), on that date or if a date is not so specified, at the end of such period of five years.”.

7. The amendments made to the principal enactment by sections 2, 3, 5 and 6 of this Act shall be deemed to have come into operation on January 1, 1979.

Amendments
to have
retros-
pective
effect.