



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

**NATIONAL AQUATIC RESOURCES RESEARCH AND
DEVELOPMENT AGENCY (AMENDMENT) ACT,
No. 32 OF 1996**

[Certified on 13th November, 1996]

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National Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996

L.D.—O. 42/96.

[Certified on 13th November, 1996]

AN ACT TO AMEND THE NATIONAL AQUATIC RESOURCES RESEARCH AND DEVELOPMENT AGENCY ACT, NO. 54 OF 1981

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 Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996. Short title.
2. Section 2 of the National Aquatic Resources Research and Development Agency Act, No. 54 of 1981 (hereinafter referred to as the "principal enactment") is hereby amended by the substitution for the words "and management activities on the subject of aquatic resources", of the words "management and conservation activities on the subject of aquatic resources, hydrographic surveying and nautical charting". Amendment of section 2 of Act No. 54 of 1981.
3. Section 4 of the principal enactment is hereby amended as follows :—
 - (i) in paragraph (b) of that section—
 - (a) by the substitution for the words "management and development", of the words "management, conservation and development";
 - (b) in subparagraph (i) of that paragraph by the substitution for the word "oceanography ;", of the words "oceanography and hydrography ;";
 - (c) in subparagraph (iv) of that paragraph by the substitution for the words "fish and related products", of the words "fish and aquatic products";

- 2 *National Aquatic Resources Research and Development Agency (Amendment)Act, No. 32 of 1996*
- (ii) in paragraph (c) of that section by the substitution for the words "management and development", of the words "management, conservation and development";
 - (iii) in paragraph (d) of that section by the substitution for the words "control and management", of the words "conservation, control and management";
 - (iv) in paragraph (e) of that section by the substitution for the words "for the development", of the words "for the management, conservation and development";
 - (v) by the insertion, immediately after paragraph (e) of that section, of the following paragraph :—
 - "(ee) to undertake the collection, processing and publication of hydrographic data and nautical information on the near shore and off shore areas and inland waters, and to have overall control of such activities in Sri Lanka ;".
4. Section 5 of the principal enactment is hereby amended as follows :—
- (a) in paragraph (g) of that section, by the substitution for the words "management and development", of the words "management, conservation and development";
 - (b) in paragraph (i) of that section, by the substitution in subparagraph (i) of that paragraph for the words "to which the subject of Fisheries", of the words "to whom the subject of Fisheries and Aquatic Resources Development";
 - (c) in paragraph (j) of that section, by the substitution in subparagraph (ii) of that paragraph for the words "management and development", of the words "management, conservation and development";

Amendment of
section 5 of the
principal
enactment.

National Aquatic Resources Research and Development Agency (Amendment)Act, No. 32 of 1996

- (d) in paragraph (k) of that section, by the substitution for the words "Management, Development," of the words "Management, Conservation, Development,";
- (e) by the renumbering of paragraphs (m) and (n) of that section as paragraphs (p) and (q) respectively, of that section ; and
- (f) by the substitution for paragraph (l) of that section, of the following new paragraphs :—
 - "(l) to initiate and conduct surveys of national aquatic resources and off-shore areas of Sri Lanka ;
 - (m) to establish standards and procedures for gathering, processing and presenting, of hydrographic data and nautical information ;
 - (n) to train personnel, conduct examinations, establish national professional standards and issue licences to persons to function as hydrographic surveyors ;
 - (o) to control and co-ordinate all hydrographic surveying and nautical charting activities in Sri Lanka ;",

5. Section 6 of the principal enactment is hereby amended in subsection (1) of that section as follows :—

- (a) by the substitution in paragraph (a) of that subsection for the words "management, research ", of the words "management, conservation, research ",
- (b) by the substitution for paragraph (b) of that subsection, of the following new paragraph :—

Amendment of
section 6 of the
principal
enactment.

4 National Aquatic Resources Research and Development Agency (Amendment)Act, No. 32 of 1996

"(b) the following *ex-officio* members—

- (i) the person for the time being holding office as the Secretary to the Ministry of the Minister incharge of the subject of Fisheries and Aquatic Resources Development or his representative nominated by such Minister ;
- (ii) the person for the time being holding office as the Secretary to the Ministry of the Minister incharge of the subject of Ports and Shipping or his representative nominated by such Minister ;
- (iii) the person for the time being holding office as the Secretary to the Ministry of the Minister incharge of the subject of Finance or his representative nominated by such Minister ;
- (iv) the person for the time being holding office as the Secretary to the Ministry of the Minister incharge of the subject of Scientific Affairs or his representative nominated by such Minister ;
- (v) the person for the time being holding office as the Commander of the Sri Lanka Navy or his representative nominated by such Commander ;
- (vi) the person for the time being holding office as the Surveyor General ;
- (vii) the person for the time being holding office as the Director, Fisheries and Aquatic Resources Development ; and
- (viii) the person for the time being holding office as the Director-General of the Agency. ”.

National Aquatic Resources Research and Development Agency (Amendment)Act, No. 32 of 1996

6. Section 7 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for paragraph (g) of that subsection, of the following paragraphs :—

Amendment of
section 7 of the
principal
enactment.

- “(g) advise and make recommendations to the Minister on matters relating to the management, development and conservation of aquatic resources in Sri Lanka ;
- “(h) prepare and keep under continual review, the Aquatic Resources Management, Development, Conservation and Research Plan ;
- “(i) appoint a competent person to certify hydrographic surveys, hydrographic fairsheets, charts and nautical publications ;
- “(j) delegate to the Chairman or the Director-General, any of its powers or duties relating to the appointment, dismissal or disciplinary control of the staff of the Agency ;
- “(k) administer and manage the affairs of the Agency.”.

7. Sections 13, 14, 15 and 16 of the principal enactment are hereby repealed.

Repeal of
sections 13, 14, 15
and 16 of the
principal
enactment.

8. Section 17 of the principal enactment is hereby repealed and the following section substituted therefor :—

“ Scientific and Technical Committee.

17. (1) The following shall constitute a Standing Committee of the Agency known as the Scientific and Technical Committee (hereinafter referred to as the “Committee”):—

Replacement of
section 17 of the
principal
enactment.

- (a) the Chairman ;
- (b) the Director-General ;

6. National Aquatic Resources Research and Development Agency (Amendment)Act, No. 32 of 1996

- (c) the Heads of Research Divisions, and of the Hydrographic Office, of the Agency ;
- (d) the Director of Coast Conservation ;
- (e) two representatives from the Ministry of the Minister to be nominated by the Secretary to such Ministry ;
- (f) two representatives from the aquatic industry to be appointed by the Minister ;
- (g) two eminent members of the scientific community to be appointed by the Minister ; and
- (h) two members of the Board to be nominated by the Board.

(2) Every member of the Committee appointed under paragraphs (f) and (g) of subsection (1) shall, unless he earlier vacates office by death, resignation or removal, hold office for a period of two years and shall be eligible for reappointment.

(3) Where any member appointed under paragraphs (f) and (g) of subsection (1) vacates office prior to the expiration of his term of office, the Minister shall appoint another person in his place to hold office for the unexpired period of the term of office of the member whom he succeeds. ”.

**Amendment of
section 18 of the
principal
enactment.**

9. Section 18 of the principal enactment is hereby amended in paragraph (c) of that section, by the substitution for the words “Board or the Council, as the case may be”, of the word “Board”.

**Amendment of
section 19 of
the principal
enactment.**

10. Section 19 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the word “two”, of the word “three”.

National Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996

Amendment of
section 20 of the
principal
enactment.

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

- (a) by the substitution for the word "Council", of the word "Committee"; and
- (b) in the marginal note to that section, by the substitution for the word "Council", of the word "Committee".

12. Section 21 of the principal enactment is hereby amended as follows :—

- (a) by the substitution for the word "Council" wherever it occurs in that section, of the word "Committee";
- (b) by the substitution for the words and figures "appointed under paragraph (a) of subsection (2) of section 13", of the words and figures "appointed under paragraphs (f) and (g) of subsection (1) of section 17"; and
- (c) in the marginal note to that section, by the substitution for the word "Council", of the word "Committee".

13. Section 22 of the principal enactment is hereby amended as follows :—

- (a) by the substitution for the word "Council" wherever it occurs in that section, of the word "Committee"; and
- (b) in the marginal note to that section, by the substitution for the word "Council", of the word "Committee".

14. Section 23 of the principal enactment is hereby amended as follows :—

- (a) by the substitution for the word "Council", of the word "Committee"; and
- (b) in the marginal note to that section, by the substitution for the word "Council", of the word "Committee".

Amendment of
section 21 of the
principal
enactment.

Amendment of
section 22 of the
principal
enactment.

Amendment of
section 23 of the
principal
enactment.

8 National Aquatic Resources Research and Development Agency (Amendment)Act, No. 32 of 1996

Insertion of new section 38A in the principal enactment.

Amendment of section 42 of the principal enactment.

Sinhala text to prevail in case of inconsistency.

15. The following new section is hereby inserted immediately after section 38 of the principal enactment and shall have effect as section 38A of the principal enactment :—

" Restriction on publication of reports, &c.

38A. No officer of the Agency shall publish or cause to be published, any report or research finding of the Agency, without obtaining the prior written permission of the Director-General. "

16. Section 42 of the principal enactment is hereby amended as follows :—

(a) by the repeal of the definitions respectively, of the expressions "Ceylon Fisheries Corporation" and "Ceylon Fishery Harbours Corporation" ;

(b) by the insertion immediately after the definition of the expression "coastal wetlands" of the following new definition :—

" Exclusive Economic Zone " means the area declared to be the Exclusive Economic Zone of Sri Lanka by proclamation made under section 5 of the Maritime Zones Law, No. 22 of 1976 ; ';

(c) by the insertion immediately after the definition of the expression "inland waters", of the following new definition :—

" Minister " means the Minister appointed under Article 44 of the Constitution to be in charge of the subject of Fisheries and Aquatic Resources Development ; ';

(d) by the substitution in the definition of the expression "offshore-areas" for the words "Maritime Zones Law, No. 22 of 1976 ", of the words "Maritime Zones Law, No. 22 of 1976 and includes the Exclusive Economic Zone ; " ;

18. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.