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

**SUGATHADASA NATIONAL SPORTS COMPLEX
AUTHORITY ACT, No. 17 OF 1999**

[Certified on 24th June, 1999]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic Socialist
Republic of Sri Lanka** of June 25, 1999

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 1

Price : Rs. 8.00

Postage : Rs. 3.50

*Sugathadasa National Sports Complex Authority
Act, No. 17 of 1999*

[Certified on 24th June, 1999]

L.D.—O. 1/97.

AN ACT TO ESTABLISH AN AUTHORITY TO BE CALLED THE
SUGATHADASA NATIONAL SPORTS COMPLEX AUTHORITY TO
MANAGE AND MAINTAIN THE SUGATHADASA NATIONAL SPORTS
COMPLEX ; AND 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 Sugathadasa National
Sports Complex Authority Act, No, 17 of 1999, and shall come
into operation on such date as the Minister may appoint by
Order published in the Gazette (hereinafter referred to as “the
appointed date”).

Short title and
date of operation.

PART I

THE SUGATHADASA NATIONAL SPORTS COMPLEX AUTHORITY

2. (1) There shall be established an Authority which
shall be called the Sugathadasa National Sport Complex
Authority (hereinafter referred to as the “Authority”).

Establishment of
the Sugathadasa
National Sports
Complex
Authority.

(2) The Authority shall, by the name assigned to it by
subsection (1), be a body corporate with perpetual succession
and a common seal and may sue and be sued in that name.

3. (1) The affairs of the Authority shall be administered
and managed by a Board of Management (hereafter referred
to as the “Board”).

Board of
Management of
the Authority.

(2) The Board shall consist of the following :—

(a) three *ex-officio* members, namely—

- (i) Secretary to the ministry of the Minister in
charge of the subject of the Sports or his
representative ;

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(ii) the Director of Sports appointed under the Sports Law, No. 25 of 1973

(iii) a representative of the Treasury ; and

(b) eight members appointed by the Minister, of whom three shall be representatives of recognised Sports Bodies (A member appointed under this paragraph is hereinafter referred to as “an appointed member”).

(3) The Minister shall appoint one of the members of the Board to be the Chairman of the Authority.

(4) The provisions of the Schedule to this Act, shall have effect in relation to the terms of office of the Chairman and the appointed members of the Board, vacation of office by the Chairman and the appointed members of the Board, meetings of the Board and the seal of the Authority.

(5) The Board shall exercise and discharge the powers and functions conferred on, or assigned to, the Authority by this Act.

Functions of the
Authority.

4. (1) The functions of the Authority shall be to—

(a) manage and maintain the Sugathadasa National Sports Complex and take necessary measures to safeguard it as a national asset ;

(b) maintain all amenities and facilities relating to the Sugathadasa National Sports Complex ;

(c) make improvements or alterations to the buildings and structures comprised in the Sugathadasa National Sports Complex, where necessary ;

(d) to make available the facilities of the Sugathadasa National Sports Complex, on such conditions as may be imposed by the Board, to the citizens of Sri Lanka, and in particular, to the Youth of Sri Lanka, to enable them to develop their potential in sports and for the purposes of improving their fitness and health ;

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- (e) to conduct training courses and programmes in sports, with a view particularly, to developing sports in the rural sector ;
- (f) to make available, on such conditions as may be imposed by the Board, the facilities of the Sugathadasa National Sports Complex for national and international festivals ;
- (g) to liaise and establish links, with international and local sports training organizations and sport institutions, with a view to developing sports and recreational facilities in Sri Lanka ;
- (h) to make available, on such conditions as may be imposed by the Board, the facilities of the Sugathadasa National Sports Complex to schools, youth clubs and sports organizations, at reasonable charges.

5. The Authority Shall have the following powers :—

Powers of the
Authority.

- (a) to acquire and to hold, property, both movable and immovable, and to pledge or sell, mortgage, give on lease or hire, exchange or otherwise dispose of, the same ;
- (b) to accept grants, gifts or donations of immovable or movable property from any government, persons or bodies of persons, in or outside Sri Lanka ;
- (c) to enter into, and perform all such contracts and agreements as may be necessary for the purposes of discharging its functions ;
- (d) to appoint such officers and servants as may be necessary for the discharge of its functions and to exercise disciplinary control over, and dismiss, such officers and servants ;

- (e) to determine the remuneration payable to, and the terms and conditions of service of, such officers and servants ;
- (f) to charge fees for services and facilities rendered or provided by it ;
- (g) to borrow or raise money, with or without security ;
- (h) to conduct training courses workshops and symposia for the purposes of discharging its functions ;
- (i) to invest its unutilized moneys in such securities as may be approved by the Minister with the concurrence of the Minister in charge of the subject of finance ;
- (j) to do all such other acts as may be necessary for, or conducive to, the discharge of its functions.

PART II

STAFF

Delegation of powers of the Authority.

6. (1) The Board may, subject to such conditions as may be specified in writing, delegate to any officer or servant of the Authority, any power, duty or function conferred or imposed on, or assigned to, the Authority by this Act, for the efficient transaction of its business.

(2) Notwithstanding any such delegation, the Board may exercise, perform or discharge any such power, duty or function.

Appointment of public officers to the staff of the Authority.

7. (1) At the request of the Board, any officer of 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 Authority for such period as may be determined by the Board with like consent, or be permanently appointed to such staff.

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(2) Where any officer in the public service is temporarily appointed to the Staff of the Authority, subsection (2) of section 14 of the National Transport Commission Act, No 37 of 1991 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 Authority, subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall *mutatis mutandis*, apply to, and in relation to, him.

(4) Where the Authority employs any person who has entered into a contract with the Government to serve the Government for a specified period, any period of service to the Authority by that person shall be regarded as service to the Government for the purposes of discharging his obligations under such contract.

PART III

FINANCE

8. (1) The Authority shall have its own fund.

Fund of the
Authority.

(2) The Fund shall be called “Sugathadasa National Sports Complex Fund” (hereinafter referred to as “the Fund”).

(3) There shall be paid into Fund—

- (a) all such sums of money as are lying on the day preceding the appointed date, to the credit of Sugathadasa National Sports Complex Trust Fund established in pursuance of Cabinet decision dated October 25, 1995 ;
- (b) all such sums of money as may be voted by Parliament annually, for the use of the Authority ;
- (c) all such sums of money as may be received by the Authority as grants, gifts, or donations from local or foreign sources ;

- (d) all such sums of money as may be received by the Authority, as fees for services or facilities rendered or provided by the Authority or in the exercise or discharge of its powers and functions under this Act.

(4) There shall be paid out of the Fund—

- (a) all such sums of money as may be required to defray any expenditure incurred by the Board in the exercise and discharge of its powers and functions under this Act ;
- (b) all such sums of money as are required to be paid out of the fund by any provision of this Act ; and
- (c) all such sums of money as are required to meet any liabilities of the Sugathadasa National Sports Complex Trust Fund and subsisting on the day preceding the appointed date.

Accounts and
Audit.

9. (1) The Board shall cause proper accounts to be kept of the receipts and expenditure, assets and liabilities and other transactions of the Authority.

(2) Article 154 of the Constitution shall apply to the audit of the accounts of the Authority.

(3) The financial year of the Authority shall be the Calendar year.

Application of
Part II of the
Finance Act, No.
38 of 1971

10. For the avoidance of doubts it is hereby declared that Part II of the Finance Act, No. 38 of 1971 shall apply to the Authority.

PART IV

GENERAL

Power of Minister
to give directions.

11. The Minister may, from time to time, give to the Board, general or special directions in writing, as to the exercise of the powers and the discharge of the functions of the Authority, and it shall be the duty of the Board to comply with such directions.

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| <p>12. All officers and servants of the Authority shall be deemed to be public servants within the meaning, and for the purposes, of the Penal Code.</p> | <p>Officers and servants of the Authority deemed to be public servants for the purposes of the Penal Code.</p> |
| <p>13. The Authority shall be deemed to be a scheduled institution within the meaning of the Bribery Act and the provisions of that Act shall be construed accordingly.</p> | <p>Authority to be a scheduled institution within the meaning of Bribery Act.</p> |
| <p>14. (1) No suit or prosecution shall be instituted against a member of the Board or any officer or servant of the Authority for any act which is in good faith done or purported to be done by such member, officer or servant under this Act or on the direction of the Board.</p> <p>(2) Any expense incurred by the Authority in any suit or prosecution brought by or against the Authority before any Court shall be paid out of the Fund and any costs paid to, or recovered by the Authority in any such suit or prosecution shall be credited to the Fund.</p> <p>(3) Any expenses incurred by any such person as is referred to in subsection (1) in any suit or prosecution brought against him in any Court in respect of any act which is done or purported to be done by him under this Act or in the direction of the board, shall, if the Court holds that such act was done in good faith be paid out of the Fund, unless such expense is recovered by him in such suit or prosecution.</p> | <p>Protection of action.</p> |
| <p>15. (1) The Minister may make regulations in respect of any matter required by this Act to be prescribed.</p> <p>(2) Every regulation made under subsection (1) shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.</p> | <p>Regulation.</p> |

(3) Every regulation made under subsection (1) shall as soon as convenient after its publication in the Gazette be brought before Parliament for approval and any regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval but without prejudice to any thing previously done thereunder.

(4) The date on which any regulation is deemed to be so rescinded shall be published in the Gazette.

Transitional
Provision

16. (1) Every person employed for the purposes of the Sugathadasa National Sports Complex, and who was in employment on the day preceding the appointed date, shall be offered employment in the Authority on terms and conditions not less favourable than those enjoyed by him on the day preceding the appointed date.

(2) Any person who does not accept an offer made to him under subsection (1), shall be paid such compensation as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

Sinhala text to
prevail in case of
any
inconsistency.

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

Interpretation.

18. In this Act, unless the context otherwise requires—

“Provincial Council” means a Provincial Council established under chapter XVIIIA of the Constitution.

“The Sugathadasa National Sports Complex” means the land and buildings comprised in such area as may be prescribed by regulation under this Act.

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SCHEDULE

[Section 3(4)]

1. A person shall be disqualified for being appointed, or continuing, as a member of the Board if he is a member of Parliament or a member of a provincial Council.
2. The Minister may remove an appointed member of the Board from office without assigning any reason therefor.
3. An appointed member of the Board may resign from his office by a letter in that behalf, addressed to the Minister. The resignation shall be effective from the date on which such resignation is accepted by the Minister.
4. Subject to the provisions of paragraphs 2 and 3, the term of office an appointed member of the Board shall be three years from the date of his appointment.
5. Where an appointed member of the Board vacates office by death, resignation or removal, the Minister may appoint another person in his place, and the person so appointed shall hold office for the unexpired period of the term of office of the member whom he succeeds.
6. Where the chairman or an appointed member of the Board is, by reason of illness, absence from Sri Lanka or other cause, temporarily unable to perform the duties of his office, the Minister may appoint another member of the Board to act as such chairman or as the case may be, another person to act in the place of such member.
7. An appointed member of the Board vacating office by effluxion of time shall be eligible for reappointment.
8. The Minister may remove the Chairman from office without assigning any reason therefor.
9. The Chairman may resign from the office Chairman by a letter in that behalf addressed to the Minister. The resignation shall be effective from the date on which such resignation is accepted by the Minister.
10. Subject to the provisions of paragraphs 8 and 9, the term of office of the Chairman shall be his period of membership of the Board.

11. All or any of the members of the Board may be paid such remuneration from the Fund of the Authority as may be determined by the Minister in concurrence with the Minister in charge of the subject of Finance.

12. (a) The Chairman shall preside at the meetings of the Board. In the absence of the chairman from any meeting of the Board, a member elected by the members present at such meeting shall preside thereat.

(b) The quorum for any meeting of the Board shall be four.

(c) Subject to the provisions of sub-paragraphs (a) and (b), the Board may regulate the procedure with regard to its meetings and the transaction business of such meetings.

13. The Board shall meet at least once every month.

14. No act or proceeding, of the Board shall be invalid by reason only of the existence of a vacancy amongst its members or any defect in the appointment of a member thereof.

15. (a) The Authority shall have its own seal.

(b) The seal of the Authority shall not be affixed to any instrument or document except with the sanction of the Board and in the presence of two members of the Board who shall sign such instrument or document in token of their presence.

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