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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1890/32 - 2014 නොවැම්බර් මස 27 වැනි බ්‍රහස්පතින්දා - 2014.11.27
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(Published by Authority)

PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

NORTHERN PROVINCE PROVINCIAL COUNCIL

Transfer of Stamp Duty Statute of the Northern Provincial Council No. 02 of 2014

BY virtue of the powers vested in me under the provisions of the Finance Statute of the Northern Provincial Council No. 01 of 2014 ;

I, Canagasabapathy Viswalingam Wigneswaran, Chief Minister and Minister of Finance and Planning hereby publish for public information the full text of the Transfer of the Stamp Duty Statute of the Northern Provincial Council No. 02 of 2014, which was adopted by the Northern Provincial Council on 05th August 2014 ; Assented by the Hon. Governor, Northern Province on 17th September 2014, and brought into operations with effect from 10th November 2014.

C. V. WIGNESWARAN,
Chief Minister and Minister of Finance and Planning, Law and
Order, Lands, Road Development, Electricity, Housing and
Construction, Water Supply, Co-operative Development,
Social Service and Rehabilitation, Women's Affairs,
Industries and Enterprise Promotion, Tourism, Local
Government and Provincial Administration, Food Supply and
Distribution, Northern Provincial Council.

Chief Minister's Secretariat,
No. 26, Somasundaram Avenue,
Jaffna,
19th November 2014.

TRANSFER OF STAMP DUTY STATUTE OF THE NORTHERN PROVINCE, No. 02 OF 2014

A Statute to provide for the transfer of Stamp Duty collected under the Finance Statute of the Northern Province, No. 1 of 2014 of the Northern Province to the Local Authorities in the Northern Province, remittance of administrative cost to the Provincial Fund and incidental thereto.



Be it enacted by the Provincial Council of the Northern Province as follows :

Short Title	01. This Statute may be cited as the Transfer of Stamp Duty Statute of the Northern Province, No. 02 of 2014.
Transfer of Stamp Duty	02 (1) Where the Provincial Council has charged and collected, in terms of the Finance Statute of the Northern Province, No. 1 of 2014, any stamp duty (hereinafter referred to as “the duty”) on any instrument relating to a transfer of any immovable property situated within the administrative limits of any Local Authority in the Northern Province and paid to the Provincial Fund of the Northern Province, the Provincial Council may, on a written claim made in the form as provided in Annex 1 of this Statute by the Administrative Officer of that Local Authority to the Minister in charge of the subject of Finance of the Northern Province within a period of two years from the year in which the duty was collected as aforesaid, transfer such amount of the duty, subject to the provisions of Sub-Section (3), to the Local Authority within which administrative limits the immovable property in respect of whose transfer the duty was collected is situated.
Non-claimed Duty	(2) Any duty not claimed by any Local Authority within the period as stipulated under Sub Section (1) shall not be claimable thereafter by the said Local Authority. Provided however a Local Authority, which had failed to make a claim within the stipulated period, may submit a late claim to the Minister and if the Minister after having satisfied with the reasons for the delay in submitting the claim, direct the authority to release such funds as provided under Sub Section (1).
Deduct 1% of duty as administrative cost	(3) A sum equivalent to one per centum (01%) of the sum of duty to be transferred to any Local Authority under Sub Section (1) shall be deducted by the Provincial Council and retained in the Provincial Fund as being the expenditure of every description incurred by the Provincial Council in connection with the collection and transfer of the duty.
Certificate of the Registrar General	03. No claim under Sub Sections (1) and (2) of Section 2 shall be valid unless accompanied by a Schedule prepared in the manner as prescribed under Annex II of this Statute for the transfer of the duty specified in that claim and certified by the Registrar General or any officer authorized by him in that behalf.
Interpretation	04. In this Statute, unless the context otherwise requires — <p>“Minister” means the Provincial Minister in charge for the subject of Finance in the Northern Province ;</p> <p>“Local Authorities” means any Municipal Council, Urban Council and Pradeshiya Sabha and includes any Authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Councillor Sabha ;</p> <p>“Instrument” has the same meaning as provided in the Finance Statute of the Northern Province, No. 1 of 2014 ;</p> <p>“Duty” means the stamp duty provided under Section 35(a) of Chapter XI of Part C of the Finance Statute of the Northern Province, No. 1 of 2014 ;</p> <p>“Administrative Officer” means :-</p> <p>(a) In relation to a Municipal Council, the Municipal Commissioner of the Council ; and</p> <p>(b) In relation to an Urban Council or a Pradeshiya Sabha, the Secretary of the respective Council or Sabha ;</p>

“Provincial Council” means the Provincial Council established for the Northern Province under and by virtue of Article 154 A(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka ;

05. In the event of any inconsistency between the Tamil Text and Sinhala / English text of this Statute, the Tamil text shall prevail. Tamil Text to prevail in the event of Inconsistency

Annex I

SECTION 2 (1)

FORM OF CLAIM PRESCRIBED UNDER SECTION 2 (1) OF THE TRANSFER OF STAMP DUTY STATUTE OF THE
 NORTHERN PROVINCE, No. 02 OF 2014

Hon. Minister of Finance,
 Northern Province.

Claim for Transfer of Stamp duty under Section 2(1) of the Transfer of Stamp Duty Statute of the Northern Province,
 No. 2 of 2014.

Name of Municipal Council/Urban Council/Pradeshiya Sabha

In terms of Section 2 of the Transfer of Stamp Duty Statute of the Northern Province, No. 2 of 2014,

I, Municipal Commissioner / Secretary (hereinafter referred to as the Administrative Officer) of the Municipal Council / Urban Council / Pradeshiya Sabha, do hereby claim a sum of Rupees (Rs.) being the stamp duty in relation to transfer of immovable properties situated within the administrative limits of the said Municipal Council / Urban Council / Pradeshiya Sabha, as per details given in the Schedules annexed hereto for the month 20 and request that the said sum of Rs. be transferred to the said Municipal Council / Urban Council / Pradeshiya Sabha, accordingly.

Signature :

Name :

(Rubber Stamp)

Administrative Officer,
 Local Authority.

Date :

SECTION 3

FORM OF SCHEDULE PRESCRIBED UNDER SECTION 3 OF THE TRANSFER OF STAMP DUTY STATUTE OF THE
NORTHERN PROVINCE, No. 02 OF 2014

Name of land registry / District :

Details of Stamp Duty relating to Transfer of Properties situated within the administrative limits of
..... Municipal Council / Urban Council / Pradeshiya Sabha for the Month 20

Details of Notaries		Details of Instrument				Details of Stamp Duty		Others
01	02	03	04	05	06	07	08	09
Serial No.	Name of Notary and Judicial Zone	Serial No.	Instrument No.	Date of attestation	Nature of Instrument	Amount of Stamp Duty paid	Type of Payment Stamp (Adhesive stamp/certificate of payment at (book)	Remarks

I. If affixed stamp of the Central Government state "Central Government" or if affixed of / Certificates of payment of any Provincial Council, state the name of such Provincial Council under Column 09.

II. In case the stamp / certificates of payment affixed to of any provincial council inadvertently to the instrument relating to Lease or Mortgage Bond, such particulars to be described in the Schedule.

III. The Stamp Duty of Rs. 1/- affixed to the originals of the instrument as shown Under column 06, that fact should be stated in the "Remarks" column.

Prepared by : (Name)

Signature :

Checked by : (Name)

Signature :

Registrar General / Authorized
Officer named and appointed on his behalf

FORM OF CLAIM PRESCRIBED UNDER SECTION 3 OF THE TRANSFER OF STAMP DUTY STATUTE OF THE
NORTHERN PROVINCE, No. 02 OF 2014

I, the Land Registrar and Additional District Registrar of
authorized by Registrar General do hereby certify that :

A stamp duty amounting to Rupees and cents (Rs.) for
the month 20 in respect of the above mentioned Municipal Council / Urban Council / Pradeshiya Sabha
is true and correct ;

The above Statement has been prepared after having perused the duplicates of the instruments available at this office under Section 5(1) of the Registration of Documents Ordinance (Chapter 117) ;

The instrument attested by the Notary has not been entered twice in the Schedules nor has the same instrument been entered under two Local Authorities ; and that the 7th Column of the Table shows the adhesive stamps of the Northern Provincial Council / Certificates of Payment issued by Bank.

Date :

For the use of the Registrar General Office,
Hon. Minister of Finance,
Northern Province,

Countersigned and forwarded for necessary action.

Signature :

Name :

(Rubber Stamp)

Date :

Address / Office of the Registrar - General.

Name :

(Rubber Stamp)

for Registrar General.

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