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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

CENTRAL PROVINCE PROVINCIAL COUNCIL

**Draft Statute “*Digana Sports Complex of the Central Province and the Sports Development Foundation*
Statute No. 02 of 2018”**

I am publishing herein below the aforementioned statute, proposed to be implemented in the Central Provincial Council, for public scrutiny.

This draft statute will be submitted for the approval of the Central Provincial Council at the expiry of 10 days from the date of its publishing. If any submission is intended to be made in respect of the matters contained in this statute, such submission shall be forwarded in writing to me, to the below mentioned address within 10 days from the publishing of this notice.

THILINA BANDARA TENNAKOON
Minister of Sports, Youth Affairs, Women,
Rural Development & Industries of the Central
Province

P.O. Box 41,
Getambe,
Peradeniya



DIGANA SPORTS COMPLEX AND SPORTS DEVELOPMENT FOUNDATION

A statute to make provisions for administration, maintenance and development of Digana Sports Complex and to establish Sports Development Foundation, and for matters connected therewith or consequential thereto.

Be it enacted by the Central Provincial Council of the Democratic Socialist Republic of Sri Lanka as follows :

Short title and date
of enforcement

1. This Statute may be cited as the Digana Sports Complex and Sports Development Foundation of Central Province Statute No. 02 of 2018 of the Central Provincial Council and shall come into force that after the receipt of approval of the Governor, on such date as the Minister may appoint.

PART I

Establishment of Digana Sports Complex and Sports Development Foundation

Establishment of
Digana Sports
Complex and
Sports
Development
Foundation

2. There shall be established Digana Sports Complex and Sports Development Foundation of Central Province (hereinafter referred to as the “Foundation”)
3. Objectives of the Foundation are as follows :
 1. Proper administration and maintenance of the sports complex ;
 2. To support to build a healthy and active community ;
 3. To promote and develop sports ;
 4. To provide facilities for the development of sports ;
 5. To provide opportunity for visitors/spectators to spend the time happily and joyfully ;
 6. To train local and foreign sports personnel and bring them to international level ;
 7. To provide facilities for officers of all levels connected to sports to improve their knowledge, capabilities/abilities and attitudes ;
 8. To protect and maintain the sports complex for future generations ;
 9. To create a sport complex with relevant facilities for the rural sport personnel to achieve an experience of international level.
 10. Increasing income of people living around the sports complex and improving employment opportunities for them.
 11. Providing opportunities for sports personnel in remote areas to improve their sports skills by providing them with residential facilities.

legal Entity

4. The Foundation shall be body incorporated and legal entity that can sue or be sued at a court of law with perpetual succession and a common seal.

5. (1) The foundation shall be administered and managed by a Board of Control (hereinafter referred to as “Board”)
- (2) The Board shall comprise following ex-officio members ;
 - i. Chief Secretary, Central Province ;
 - ii. Secretary to the Ministry ;
 - iii. Deputy Chief Secretary (Finance) Central Province.
 - iv. Deputy Chief Secretary (Engineering Services), Central Province ;
 - v. Divisional Secretary, Kundasale ;
 - vi. Director of Sports, Central Province ;
 - vii. Director of Sports Education, Central Province.
- (3) All members of the Board shall be appointed by the Governor on the recommendation of the Provincial Minister in-charge of the Sports portfolio. Chief Secretary of Central Province shall be appointed as the Chairman of the Board and Secretary to the Provincial Ministry in-charge of the Sports portfolio as the Secretary of the Board.
6. (1) The Board shall meet once a month for the first six months after this statute comes into power and thereafter once every three months or as the Board decides as per requirement.
- (2) Quorum for a meeting of the Board shall be three members.
7. The common seal of the Board shall be kept in the possession of the Secretary of the Board and every documents to be signed on behalf of the Board shall be signed by the Chairman and the Secretary of the board and affixed with the common seal
8. The power and duties of the Foundation are as follows :

Composition of
Board of Control

Meetings of the
Board and
Quorum

Common Seal

Power and Duties
of the
Foundation

PART II

Staff

11. (1) The Manager shall be the chief administrative officer of the Foundation. He shall be one of the Assistant Directors employed in the Department of Sports. The Chairman shall appoint the aforementioned, subject to the concurrence of the control board. The control board can recruit someone permanently for this position at any suitable time.
- (2) A Staff may be appointed to assist the Manager. Trainers and Sports Officers shall be appointed from the staff of the Department of Sports and reminder of staff may be appointed as decided by the Board, subject to the minute of recruitment and promotion.
- (3) The control board shall prepare a recruitment minute providing for the recruitment of cadre under the aforementioned basis and for the recruitment of such personnel and have the same minute approved.

Staff

PART III

Advisory Committee

Composition of
Advisory
Committee

12. 1. There shall be appointed an Advisory Committee by the Governor to provide consultancy for the duties of the Board.
2. Composition of the Advisory Committee shall be as follows
- I. Minister ;
- II. Four members of the Provincial Council ;
3. Unless dismissed by the Governor after giving reasons, the term of office of the Advisory Committee is three (03) years. This time limitation shall not be applicable in the case of the Minister in-charge of the portfolio.
4. The Governor shall appoint another member of the Provincial Council for a vacancy emerged as a result of resignation or dismissal from the membership of the Advisory Committee or by death.

Duties and Powers
of the Advisory
Committee

13. Duties and powers of the Advisory Committee :
- (1) to provide consultancy when requested by the Board.
- (2) to provide guidelines for local and foreign financial facilities required for the development of sports complex.
- (3) to provide guidance to obtain local and foreign expertise for the development of sports skills.
- (4) to inspect the progress and evaluate the operation of sports subcommittees.
- (5) to advice in a conflict of opinion among members of the Board.

Meeting of
Advisory
Committee

14. Advisory Committee may meet whenever required or when requested by the Board.

Coordination of
affairs of Advisory
Committee

15. Secretary to the Ministry shall coordinate the meetings and other affairs of the Advisory Committee.

PART IV

Account of the Fund

16. (1) The foundations shall have a financial account under the name of “Digana Sports Complex and Sports Development Foundation of Central Province.”
- (2) Sources of funds for the account are as follows :
- I. Funds from the Central Government ;
- II. Funds from Provincial Council Fund ;

III. Income generated by the Foundation ;

IV. Aids and donations received from governmental and non-governmental organizations in accordance with the existing law.

V. Aids and donations received from individuals or groups.

17. The monies from the Account may be used for following purposes ;

Spending Money
from Account

- (1) for administrative and maintenance works of the sports complex ;
- (2) to pay employees' salaries and emoluments ;
- (3) to buy fixed and current assets ;
- (4) for expanding the sports complex ;
- (5) for staff to participate in courses and local and foreign trainings related to their respective subjects.
- (6) for other expenses to be borne in performing the duties of the Foundation.

18. The bank account should be maintained at a recognized state bank.

Withdrawal from
Account

19. Money can be withdrawn by the secretary of the control board from the account on the recommendation of a three-member committee appointed by the Board or the account shall be operated with the signatures of an authorized officer and the manager.

20. The fiscal year is from 1st of January to 31st of December every year.

21. All income and expenditure shall be entered into accounts and the accounting reports shall be presented to the Board monthly.

Accounting
Reports

22. The accounts shall be audited annually by the auditor-general and by the internal audit of the Ministry.

Auditing of
Accounts

PART V

General Provisions

23. Any party who is dissatisfied with a decision made by the control board or the consultancy board shall have the opportunity to appeal to the Hon. Governor of the Central Province.

Appeals

24. (1) Without violating the sanctity of the regulations under the statute. Minister has the authority to impose regulations on following matters.

- (1) Establishment of sports subcommittees and provisions related to their powers, duties and constitutions.
- (2) Provisions related to booking the sports complex by external persons or institutions.
- (3) Provisions related to introducing sports courses.

(4) Provisions related to users of the sports complex.

(5) Provisions related to determining the booking fees for the sports complex.

24. (2) Minister shall have the power to impose regulations in respect of other matters as required for the implementation of powers and duties of this statute.

25. Every regulation made by the Minister shall be presented to the Provincial Council for approval within a month after its publication in the *Gazette*. Any regulation failing to obtain approval thus shall be considered as repealed as from the date of its disapproval, but without prejudice to any such executed there under, and that shall be published in the *Gazette*.

26. All members and officers considered under this statute shall be deemed as public servants for the purposes mentioned therein as per the definition in the code of criminal procedure. This foundation shall be considered as an institution scheduled in the bribery act and definitions shall be done according to the provisions of that act.

Offences and
Punishments

27. Any person who commits a breach of any provision of this Statute or provisions of any regulation made under it shall be guilty of an offence under this Statute, and when such person is convicted after a trial before the Magistrate, to direct him to pay a fine not exceeding five thousand rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

28. This statute made in respect of the stadium, agreed upon by the Chief Secretary of the Central Province and the Secretary of the Line Ministry of Sports shall be with the approval of its by the Hon. Governor of the Central Province and on a date which shall be decided by the Minister for bringing it into effect.

PART VI

Interpretation

Interpretation.

29. In this Statute unless the context otherwise requires ;

“Province” means the Central Province ;

“Provincial Council” means the Central Provincial Council ;

“Governor” means the Governor of Central Province ;

“Minister” means the Minister who is in-charge of the subject of sports of the Central Province ;

“Secretary to the Ministry” means Secretary to the Ministry to which subject of sports of the Central Province is delegated to ;

“Provincial Director” means the Director of Department of Sports of the Central Province ;

“Sports Complex” means the Digana Sports Complex situated at Digana, inclusive of the

indoor stadium, swimming pool, open playground, stadium, body building unit, cafeteria and the land, and any development and constructions that may be erected in the premises;
;

“Digana Stadium” is a division affiliated to Department of Sports and Ministry to which subject of sports of the Central Provincial Council are delegated to ;

“Chief Secretary” shall mean the Chief Secretary of the Central Province.

Words importing one gender shall include all genders.

30. In the event of any inconsistency between Sinhala, Tamil, and English texts of this Statute the Sinhala text shall prevail.

In an
inconsistency
Sinhala text shall
prevail.