

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

Part II of August 12, 2022

SUPPLEMENT

(Issued on 12.08.2022)



**PETROLEUM PRODUCTS (SPECIAL PROVISIONS)
(AMENDMENT)**

A

BILL

**to amend the Petroleum Products (Special Provisions)
Act, No. 33 of 2002**

Ordered to be published by the Minister of Power and Energy

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STATEMENT OF LEGAL EFFECT

Clause 2 : This clause amends the long title to the Petroleum Products (Special Provisions) Act, No. 33 of 2002 (hereinafter referred to as the “principal enactment”) and is consequential to the amendment made by clause 4.

Clause 3 : This clause is consequential to the amendment made by clause 4.

Clause 4 : This clause replaces section 3 of the principal enactment and the legal effect of the section as replaced is to make provision for the Committee appointed by the Cabinet of Ministers, to be vested with the powers under the principal enactment.

Clause 5 : This clause amends section 6 of the principal enactment and the legal effect of this section as amended is to substitute the words “the Minister” for the words “Minister in charge of the subject of Power and Energy”.

Clause 6 : This clause amends section 9 of the principal enactment and the legal effect of this section as amended is to insert the new definition of the expression “Minister” and to remove the definition of the expression “Energy Supply Committee” consequential to the amendment made by clause 4.

Clause 7 : This clause provides validity for the powers exercised and acts done prior to the commencement of the amending Act.

Clause 8 : This clause provides for transitional provisions and the legal effect of the section is to extend the applicability of the provisions of the amending Act, to licences already issued under the principal enactment.

Petroleum Products (Special Provisions)
(Amendment)

L.D.-O. 11/2022

AN ACT TO AMEND THE PETROLEUM PRODUCTS (SPECIAL PROVISIONS)
ACT, NO. 33 OF 2002

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

1. (1) This Act may be cited as the Petroleum Products (Special Provisions) (Amendment) Act, No. of 2022. Short title &
date of
operation
- 5 (2) The provisions of this Act other than this section shall come into operation on such date (hereinafter referred to as the “appointed date”) as the Minister may appoint by Order published in the *Gazette*.
- 10 2. The long title of the Petroleum Products (Special Provisions) Act, No. 33 of 2002 (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for the words “IN THE ENERGY SUPPLY COMMITTEE;”, of the words “IN THE COMMITTEE APPOINTED BY THE CABINET OF MINISTERS;”. Amendment
of the long
title to the
Act, No. 33
of 2002
- 15 3. (1) In the principal enactment and other written law, every reference to the “Energy Supply Committee”, in relation to the principal enactment, shall be read and construed as a reference to the “Committee appointed under section 3”. “Energy
Supply
Committee”
to be referred
to as the
“Committee”
- 20 (2) In any notice, communication, form, or other document issued, made, required or authorized by or under the principal enactment, every reference to “the Energy Supply Committee”, shall be read and construed as a reference to the “Committee appointed under section 3”.
- 25 4. Section 3 of the principal enactment is hereby repealed and the following section is substituted therefor: - Replacement
of section 3
of the
principal
enactment

“Appointment of a Committee to exercise, perform and discharge the powers, duties and functions under this Act

3. (1) There shall be a Committee appointed by the Cabinet of Ministers (hereinafter referred to as the “Committee”), subject to the succeeding provisions of this section to exercise, perform and discharge the powers, duties and functions hereinafter set out.

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

(a) *ex-officio members*—

(i) the Secretary to the Ministry of the Minister assigned the subject of Petroleum, who shall be the Chairman of the Committee;

(ii) the Secretary to the Treasury or his nominee not below the rank of Director-General of the Treasury;

(b) the Chairman or Managing-Director of the Ceylon Petroleum Corporation, established under Ceylon Petroleum Corporation Act, No. 28 of 1961, nominated by the Minister;

(c) two members appointed from among persons who have achieved eminence in the field of petroleum industry or law.

(3) A member of the Committee appointed under paragraph (c) of subsection (2), shall hold office for the period of two years from the date of appointment unless such member resigns

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(Amendment)

the office by letter addressed to the Cabinet of Ministers or, is removed from office by the Cabinet of Ministers, for reasons assigned.

5 (4) The quorum for any meeting of the Committee shall be three members and the Committee may regulate the procedure, in regard to the meetings of the Committee and the transaction of business at such meetings.

10 **5.** Section 6 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the words “the Minister in charge of the subject of Power and Energy” of the words “the Minister”. Amendment of section 6 of the principal enactment

6. Section 9 of the principal enactment is hereby amended as follows:— Amendment of section 9 of the principal enactment

15 (1) by the insertion immediately after the definition of the expression “Ceylon Petroleum Corporation” of the following new definition:—

20 ““Minister” means the Minister assigned the subject and functions relating to this Act under Article 44 or 45 of the Constitution.”; and

 (2) by the repeal of the definition of the expression “Energy Supply Committee”.

25 **7.** Any power exercised or any act done, by the Energy Supply Committee prior to the date of commencement of this Act in pursuance of any power conferred on it by the principal enactment shall be deemed, for all purposes, to have been validly exercised and done. Validity of acts done prior to the commencement of this Act

30 **8.** Every licence validly issued under the provisions of the principal enactment and stated therein to continue in force for a period extending beyond the date of the coming Transitional Provisions

4 *Petroleum Products (Special Provisions)*
 (Amendment)

into operation of this Act, shall continue in force for the
period so stated and every such licensee shall be subject to
the provisions of this Act and any other terms and conditions
which may be lawfully imposed under this Act and any other
5 regulation or rule made thereunder.

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

Sinhala text
to prevail in
case of
inconsistency

