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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1871/42 - 2014 ජූලි මස 18 වැනි සිකුරාදා - 2014.07.18

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## PART I : SECTION (I) — GENERAL

### Government Notifications

L.D.B 33/1973

THE PARTITION LAW, No. 21 OF 1977

REGULATIONS made by the Minister of Justice under section 82A read with sections 8 and 29 of the Partition Law, No. 21 of 1977.

ABDUL RAUFF HAKEEM,  
Minister of Justice.

Colombo,  
11th July, 2014.

#### Regulations

1. These regulations may be cited as the Partition (Rates payable for surveying) Regulations, No. of 2014.
2. The rates set out in Schedule I to this regulation, shall be the rates chargeable in respect of a Preliminary Survey carried out in relation to a partition action in terms of the Partition Act, No. 21 of 1977.
3. The rates set out in Schedule II hereto shall be the rates chargeable in respect of a Final Survey carried out in relation to a partition action in terms of the Partition Act, No. 21 of 1977.
4. The Cost of Survey Regulations, No. 1 of 1995 published in *Gazette Extraordinary* No. 899/19 of December 1, 1995 as amended by regulation published in *Gazette Extraordinary* No. 936/11 of August 15, 1996 and regulation published in *Gazette Extraordinary* No. 1406/1 of August 15, 2005, are hereby rescinded.



<p style="text-align: center;">SCHEDULE I</p> <p style="text-align: right;">(Regulation 2)</p> <p style="text-align: center;"><b>RATES CHARGEABLE FOR THE PRELIMINARY SURVEY</b></p>	
<i>Column I</i>	<i>Column II</i>
<i>Particulars of the work carried out in relation to the Preliminary Survey</i>	<i>Rates Chargeable</i>
1. Issuing notices to parties by registered post	Rate chargeable for the registration of letters plus Rs. 20/- per notice.
2. Wages and travelling expenses payable to a person making an oral proclamation	Rs. 2,500/- plus bus fare for travelling to the site and back
<p>3. Where the survey is carried out in respect of a land-</p> <p>(a) situated within the limits of a Municipal Council declared under the section 2 of the Municipal Councils Ordinance (Chapter 252);</p> <p>(b)(i) situated within the limits of an Urban Development Area, declared under section 3 of the Urban Development Authority Law, No. 41 of 1978;</p> <p>(ii) situated within any area of authority or any Licensed Zone declared by the Board of Investment established under the Board of Investment of Sri Lanka Law, No. 4 of 1978;</p> <p>(c)(i) situated within the limits of an Urban Council, declared under the section 2 of the Urban Councils Ordinance (Chapter 255);</p> <p>(ii) situated within the limits of a Pradeshiya Sabha, established under the Pradeshiya Sabhas Act, No. 15 of 1987;</p> <p>(above mentioned survey includes the preparation of plan and report, supplying duplicate copies, showing sub lotting created by fixations on plan, showing development and topographical features in the plan)</p>	<p>Rs. 10,000/- up to 250 square metres and Rs. 1,000/- for each additional 100 square metres;</p> <p>Rs. 7,500/- up to 250 square metres and Rs. 1,000/- for each additional 500 square metres;</p> <p>Rs. 6,000/- up to 1,000 square metres and Rs. 750/- for each additional 250 square metres;</p>

SCHEDULE I (Contd.)	
Column I	Column II
Particulars of the work carried out in relation to the Preliminary Survey	Rates Chargeable
<p>4. Wages of Assistants-</p> <p>(a) for the Skilled Assistant;</p> <p>(b) for each un- Skilled Assistant;</p> <p>Provided however, the number of Assistants shall not be more than seven including the Skilled Assistant.</p>	<p>Rs. 1,500</p> <p>Rs. 1,200</p>
<p>5. Where the survey cannot be completed within a day, due to circumstance beyond the control of the surveyor, the following rate is chargeable:-</p> <p>(a) professional fees for the Surveyor;</p> <p>(b) for the Skilled Assistant;</p> <p>(c) for each Un- Skilled Assistant;</p> <p>Provided however, the number of Assistants shall not be more than seven including the Skilled Assistant.</p>	<p>Rs. 4,000</p> <p>Rs. 1,500</p> <p>Rs. 1,200</p>
6. Professional fees of the Surveyor	Rs. 4,000 per day to attend to all duties including giving evidence.
7. Minimum deposit for a survey	Rs. 10,000 up to 2,000 square metres and Rs. 2,500 for each additional 1,000 square metres.
8. For preparation of cadastral map in the areas of Wellawatta, Kirillapone and Dehiwala, which are declared under section 3 of the Registration of Titles Act, No. 21 of 1998.	An additional payment of 40% in addition to the payments referred to item 1 to 5 in respectively.
<p>9. Where the Surveyor is unable to complete the survey due to being obstructed and interrupted, the following rate is chargeable:-</p> <p>(a) professional fees for the Surveyor;</p> <p>(b) for the Skilled Assistant;</p> <p>(c) for each Un- Skilled Assistant;</p> <p>Provided however, the number of Assistants shall not be more than seven including the Skilled Assistant.</p>	<p>Rs. 4,000</p> <p>Rs. 1,500</p> <p>Rs. 1,200</p>

<p style="text-align: center;">SCHEDULE II</p> <p style="text-align: right;">(Regulation 3)</p> <p style="text-align: center;"><b>RATES CHARGEABLE FOR THE FINAL SURVEY</b></p>	
<i>Column I</i>	<i>Column II</i>
<i>Particulars of the work carried out in relation to the Final Survey</i>	<i>Rates Chargeable</i>
1. Issuing of notices to parties by registered post	Rate chargeable for the registration of letters plus Rs. 20 per notice.
2. Wages and travelling expenses payable to a person making an oral proclamation	Rs. 2,500/- plus bus fare for travelling to the site and back
<p>3. Where the survey is carried out in respect of a land-</p> <p>(a) situated within the limits of a Municipal Council declared under the section 2 of the Municipal Councils Ordinance (Chapter 252);</p> <p>(b)(i) situated within the limits of an Urban Development Area, declared under section 3 of the Urban Development Authority Law, No. 41 of 1978;</p> <p>(ii) situated within any area of authority or any Licensed Zone declared by the Board of Investment established under the Board of Investment of Sri Lanka Law, No. 4 of 1978;</p> <p>(c)(i) situated within the limits of an Urban Council, declared under the section 2 of the Urban Councils Ordinance (Chapter 255);</p> <p>(ii) situated within the limits of a Pradeshiya Sabha, established under the Pradeshiya Sabhas Act, No. 15 of 1987;</p> <p>(above mentioned survey includes the preparation of plan and report, supplying duplicate copies, showing sub lotting created by fixations on plan, showing development and topographical features in the plan)</p>	<p>Rs. 10,000 up to 250 square metres and Rs. 1000 for each additional 100 square metres;</p> <p>Rs. 7,500 up to 250 square metres and Rs. 1,000 for each additional 500 square metres;</p> <p>Rs. 6,000 up to 1,000 square metres and Rs. 750 for each additional 250 square metres;</p>

SCHEDULE II (Contd.)	
Column I	Column II
Particulars of the work carried out in relation to the Final Survey	Rates Chargeable
<p>4. Wages of Assistants-</p> <p>(a) for the Skilled Assistant;</p> <p>(b) for each un- Skilled Assistant;</p> <p>Provided however, the number of Assistants shall not be more than seven including the Skilled Assistant.</p>	<p>Rs. 1,500</p> <p>Rs. 1,200</p>
<p>5. Where the survey cannot be completed within a day, due to circumstance beyond the control of the surveyor, the following rate is chargeable:-</p> <p>(a) professional fees for the Surveyor;</p> <p>(b) for the Skilled Assistant;</p> <p>(c) for each Un- Skilled Assistant;</p> <p>Providing however, the number of Assistants shall not be more than seven Assistants including Skilled Assistant.</p>	<p>Rs. 4,000</p> <p>Rs. 1,500</p> <p>Rs. 1,250</p>
6. Professional fees of the Surveyor	Rs. 4,000 per day to attend to all the duties including giving evidence.
<p>7. Where Survey is carried out-</p> <p>(a) if the Commission is issued within one year of the Preliminary Survey to the same Surveyor who carried out the Preliminary Survey</p> <p>(b) if the Commission is issued to the same Surveyor after one year of the Preliminary Survey.</p> <p>(c) if the Commission is issued to another surveyor irrespective of time limit.</p>	<p>one half (1/2) of the fee payable for carrying out the Preliminary Survey.</p> <p>three fourths (3/4) of the fee payable for carrying out the Preliminary Survey.</p> <p>the fee payable for carrying out of the Preliminary Survey.</p>
<p>8. (a) Preparation of blocking out diagram</p> <p>(b) Setting out of blocks on ground</p> <p>(i) to a lot up to 500 square metres</p> <p>(ii) to a lot up to 1,000 square metres</p> <p>(iii) to a lot up to 2,000 square metres</p>	<p>Rs. 4,000 for the first 10 blocks and Rs. 250/- for each additional block.</p> <p>Rs. 1,000</p> <p>Rs. 1,250</p> <p>Rs. 1,500</p>

SCHEDULE II (contd.)	
Column I	Column II
Particulars of the work carried out in relation to the Preliminary Survey	Rates Chargeable
(iv) to a lot up to 4,000 square metres	Rs. 2,000
(v) more than 4,000 square metres	Rs. 2,500
9. Fees for assessing the value of the soil, plantations and buildings and other structures and improvements for the purpose of awarding compensation or owelty.	
(i) for the 1st slab	Rs. 50,000 1% Rs. 500
(ii) for the 2nd slab	Rs. 50,000 3/4% Rs. 375
(iii) for the 3rd slab	Rs. 50,000 1/2% Rs. 250
(iv) for the 4th slab	<u>Rs. 50,000</u> 1/4% <u>Rs. 125;</u> <u>Rs. 200,000</u> Rs. 1,250
(v) if over Rs. 200,000	1/8% of the appraisal
10. Preparation of Schedule of Appraisal and Summary of Distribution	Rs. 250 for first four lots and Rs. 150 for a additional lot.