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(Published by Authority)

## PART I: SECTION (I) - GENERAL Government Notifications

### CONSTRUCTION INDUSTRY DEVELOPMENT ACT, NO. 33 OF 2014

L. D. B. 15/2014 (II)

REGULATIONS made by the Minister of Housing, Construction and Cultural Affairs under section 58 of the Construction Industry Development Act, No. 33 of 2014 read with section 53(2) and 54(1)(a) of the aforesaid Act.

SAJITH PREMADASA,  
Minister of Housing, Construction and Cultural Affairs.

Colombo,  
06th March, 2019.

### REGULATIONS

1. These regulations may be cited as the Construction Industry Development (Appeal Procedure) Regulations of 2019.
2. (1) Any person who is aggrieved by any decision of the Construction Industry Development Authority established under the Construction Industry Development Act, No. 33 of 2014 (hereinafter referred to as the "Authority") may prefer an appeal against such decision to the Appeals Board established under the provisions of section 53 of the Act.



(2) Every appeal under sub-regulation (1) shall be in writing and substantially in a form set out in the First Schedule hereto and be accompanied by a fee specified in the Second Schedule hereto.

3. Every appeal under sub-regulation (1) of regulation 2 shall be accompanied with the following documents—

- (a) a certified copy of the decision of the Authority;
- (b) (i) a certified copy of the National Identity Card of the appellant ; or  
(ii) a certified copy of the Certificate of Registration as a company or partnership or sole proprietor;
- (c) a certified copy of the Certificate of Registration with the Authority as a construction contractor (in case of a construction contractor);
- (d) a certified copy of the Certificate of Registration with the Authority as any other stakeholder of construction industry;
- (e) list of documents which may be used as evidence in the appeal and certified copies of all such documents; and
- (f) a copy of the receipt in proof of payment of fees for appeal.

4. Every person who prefers an appeal shall furnish a statement attached thereto and signed by the appellant, stipulating precisely the reasons for dissatisfaction on the decision of the Authority and the redress sought after.

5. Every person who prefers an appeal shall forward such appeal in triplicate to the Secretary to the Appeals Board by registered post within a period of thirty days from the date of the decisions of the Authority.

6. Every appeal shall be acknowledged by the Secretary to the Appeals Board in writing within a period of seven working days of such receipt.

## FIRST SCHEDULE

### Appeal Form

(regulation 2 (2))

#### *Details of appellant:*

1. Whether the appellant is a natural person or a legal person .....

If a natural person:

- i. Full name: .....
- ii. Permanent address: .....
- iii. Telephone number (Residence): ..... (Mobile): .....
- iv. E-mail address (if any): .....
- v. NIC number: .....

#### *If a legal person:*

- i. Name of the organization: .....
- ii. Nature of legal personality (sole proprietor/partnership/limited liability company): .....
- iii. Registered address: .....
- iv. Registration number: .....
- v. Telephone number: .....

2. What capacity the appeal is preferred (local contractor/foreign contractor/property developer/construction material supplier/owner of heavy construction machinery/craftman/construction worker/local consultant (qualified person)/foreign consultant/quality management auditor/adjudicator) : .....

3. CIDA Registration Number (if applicable) : .....

Details of the subject matter of the appeal

1. Nature of the grievance/dissatisfaction (in brief) : .....

(Annex a full report of about one page describing the grievance)

2. Date of arising grievance/dissatisfaction/decision of Authority against which the appeal is preferred : .....

3. Other persons involved in the matter on which the appeal is preferred and their capacity : .....

4. Payment made Rs..... Date of payment:.....

5. List of documents attached:..... Date: .....

Signature of the appellant: .....

Seal:

## SECOND SCHEDULE

### Required Fee for making an appeal to the Appeals Board

(regulation 2 (2))

<i>Nature of the appeal</i>	<i>Fee (Rs.)</i>
Appeal by a local construction contractor or foreign contractor.	10% of the CIDA respective Registration Fees.
Appeal by a property developer, construction material supplier, owner of heavy construction machinery, craftsman, construction worker, local consultant (qualified person), foreign consultant, quality management auditor or adjudicator.	5% of the CIDA respective Registration Fees.

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