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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

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

CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

RULES made by the Construction Industry Development Authority under Section 57 of the Construction Industry Development Act, No. 33 of 2014 read with Section 43 of the aforesaid Act.

Chairman,
Construction Industry Development Authority
(for and on behalf of the).

Colombo,
16th January, 2023.

RULES

1. These Rules may be cited as the Construction Industry Development (Directory of Importers, Manufacturers and Suppliers) Rules 2023.
2. Every importer, manufacturer or supplier of construction materials and components in Sri Lanka shall make an application along with particulars as may be required by the Construction Industry Development Authority (hereinafter referred to as the “Authority”) to register such importer, manufacturer or supplier, as the case may be, with the Authority for the purpose of maintaining a directory of importers, manufacturers and suppliers.



3. The criteria for registration as an importer, manufacturer or supplier, as the case may be, under rule 2 shall be as specified in the First Schedule to these rules.
4. Any person registered with the Authority as an importer, manufacturer or supplier, as the case may be, shall, upon payment of the applicable registration fee as specified in the Second Schedule hereto, be assigned with a registration number and issued with a Certificate of registration as specified by the authority which shall be valid for a period as specified in such Certificate.
5. Every importer, manufacturer or supplier, as the case may be, registered with the Authority under these rules shall prior to the date of expiry of such registration, make an application to the Authority along with the renewal fee as specified in the Second Schedule hereto for the renewal of the Certificate issued under rule 4.
6. Every importer, manufacturer or supplier, as the case may be, registered with the Authority under these rules shall be graded by the Authority on the performance of such importer, manufacturer or supplier as specified in the First schedule hereto.

First Schedule

Criteria for Registration of Importers, Manufacturers and Suppliers of Construction Materials and Components

1. A prospective Importer, Manufacturer and Supplier (IMS) of construction materials and components shall -
 - (a) be eligible to register with the Authority, be registered either with the Registrar of Companies under the Companies Act, No. 7 of 2007 or with the Divisional Secretariats under Business Names Ordinance or Provincial Business Names Statutes;
 - (b) not be included in any list of blacklisted or suspended operations within the last three years by the Government of Sri Lanka;
 - (c) not be legally insolvent or declared bankrupt at time of application.
2. (1) IMS who engage in the following basic activity areas shall be registered under one or more of the three categories given below:-
 - (a) Importer (IM) - Importers of Construction materials and components.
 - (b) Manufacturer (M) - Manufacturers of construction materials and components in their own establishments.
 - (c) Supplier (S) - Suppliers of construction materials and components.
 (2) Any IMS who wishes to engage in more than one activity area shall pay applicable registration fee for each such category and obtain registration with the authority, separately.
3. The procedure for registration shall be as follows:-
 - (a) It is necessary to submit the duly perfected application with documents pertaining to business registration and relevant documents to support the key areas of evaluation as specified in sub paragraph 4.2 of this Schedule along with the processing fees, to the Information Centre of the Authority.
 - (b) If all the documents are in order, the evaluated application will be sent to the Registration Panel (within two weeks from the date of receipt of application), for scrutinizing and authorizing.

- (c) The evaluation process for grading will be carried out in accordance with the scheme given in paragraph 4.
- (d) After the processing of the application and establishing the grade, the applicant will be assigned with a registration number, and a certificate of registration will be issued after paying the registration fee as specified in Schedule 2.
- (e) Such registration shall be valid for the period as specified in the certificate, and renewed per year basis, subject to an annual review of quality/test reports, audited statements and payment of annual registration fee.
- (f) The registration and grading shall be renewed one month prior to the expiry of the validity period after carrying out performance assessment by a surveillance team of Authority.
- (g) IMS applying for registration in multiple imports, manufactures and supply categories as listed in the booklets available with the Authority shall submit separate applications along with relevant documents. However, if a respective import, manufacture or supply given in an application includes different brands, all such brands should be stated in the application and the registration would be in respect of such brands only.
- (h) In the event the registration is lapsed, re-registration could be obtained by submitting a new application. Registration will not be revalidated with retrospective effect.

4. Grading

4.1 Grading Criteria

IMS will be graded in three basic levels for specified imports, manufactures and supplies. Performance appraisals of the IMS by the IMS Registration System (IMSRS) are taken into account for such grading. The level of performance is measured on the following “Performance Indicators” :-

- (a) Quality;
- (b) Business Capability;
- (c) Financial Capacity;

Marks for Grading will be allocated for the performance indicators as given in Table (c) to Table (e) specified under the heading “Total Points and Key areas of Evaluation” according to Weightings given in Table (b). Total minimum marks will be as per the Point Table given in Table (a) of the same heading.

4.2 Total Points and Key Areas of Evaluation

Table (a) : Total minimum marks required

<i>Grade</i>	<i>Total minimum marks</i>
IM/M/S-1	75
IM/M/S-2	30
IM/M/S-3	5

Table (b) : Weightings for Evaluation of Construction Materials

<i>Performance Indicator</i>	<i>Weighting %</i>
1. Quality	50
2. Business Capability	30
3. Financial Capacity	20

Table (c) : Quality of Construction Materials

Criterion	Total Marks (100)	
	Other than items such as sand, soil and quarry extracts	Items such as sand, soil and quarry extracts
1. Certified Sri Lanka Standards (SLS)	45	20
(Or Certified only to recognized international standards)	(30)	(10)
2. Manufactured to Sri Lanka Standards (SLS)	15	20
(or Manufactured only to recognized international standards)	(10)	(10)
3. System certification	25	5
4. In - house testing facility	10	5
5. Ability to provide test reports to satisfy prevailing standards	5	50

Table (d) : Business Capability

Criterion	Total Marks (100)
1. Service records	
1.1 More than 2 years in service for a given construction material and component	60
1.2 One - two years for a given construction material and component	(40)
1.3 Less than one year	(20)
2. Sales during last 03 Years - Average annual Sales in Millions LKR	
2.1 Above 5.0	40
2.2 Between 1.0 and 5.0	30
2.3 Less than 1.0	15

Table (e) : Financial Capacity

Criterion	Total Marks (100)
1.0 Availability of Audit Reports	
1.1 For the last 03 years (Complete)	30
1.2 Immediate past year	20
1.3 Reports before the Immediate past year	5
2.0 Annual Turnover based on Audit Reports	
2.1 Above 10M	35
2.2 4 M to 10M	20
2.3 1 M to 4 M	10
3.0 Positive Net Worth as a percentage of Total Assets (based on Audit Reports)	
3.1 Equal to or above 50%	35
3.2 50% to 25%	20
3.3 25% to 10%	10

Notes :

- (1) The total marks in Table (a) will be allocated as applicable based on the weightings and the marking criteria mentioned in Tables (b) and (c) to (e), respectively.
- (2) Business Capability criterion in Table (d) is based on quantities, and supporting documents for verifications are required.
- (3) In Table (c), construction materials need to be supported by at least one quality criterion listed therein. The specific mandatory requirement of the quality criteria for each construction material listed is published in the booklet available with the authority.
- (4) In the Tables (c) to (e) given above, the marks indicated are the maximum marks obtainable for a given criterion.
- (5) Marks given in parenthesis in the Table (c) are alternatives.
- (6) Proof documents in relation to item in Table (c) to (e) shall be submitted for evaluation along with the applications.

Second Schedule

Fees for Registration, Renewal or Upgrading of Registration for Importers, Manufacturers and Suppliers of Construction Materials and Construction Components

1. Application Processing Fee of Rs. 1000.00 is applicable for all grades.
2. Registration, Renewal of Registration and Upgrading Fees for different grades are given in Tables 1 and 2.

Table 1 : Fees for Registration, Renewal or Upgrading of Registration for Grades of Suppliers

<i>Grade and applicable supplier category</i>	<i>Annual Fee (Excluding VAT in Rs.)</i>
S-1	22,000.00
S-2	18,000.00
S-3	15,000.00

Table 2 : Fees for Registration, Renewal or Upgrading of Registration for Grades of Importers, Manufactures

<i>Grade and applicable importer, manufacturer category</i>	<i>Annual Fee (Excluding VAT in Rs.)</i>
IM/M-1	40,000.00
IM/M-2	36,000.00
IM/M-3	30,000.00

3. For urgent processing of each application under special circumstances, an additional payment of Rs. 5,000.00 will be levied.
4. Cost on performance assessments (when required) will be calculated by the Authority for each such case of renewal and upgrading of registration. This cost shall be reimbursed by the applicant, prior to such renewal or upgrading of registration.

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