

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

Part II of September 09, 2022

SUPPLEMENT

(Issued on 09.09.2022)



BUREAU OF REHABILITATION

A

BILL

**to provide for the establishment of a Bureau to be called and known as the
Bureau of Rehabilitation; regulate its powers, duties and functions and to
provide for matters connected therewith or incidental thereto**

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Bureau of Rehabilitation

L.D.— O. 8/2018

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A BUREAU TO BE CALLED AND KNOWN AS THE BUREAU OF REHABILITATION; TO REGULATE ITS POWERS, DUTIES AND FUNCTIONS AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS having regard to the need and the importance of regulating the rehabilitation of the misguided combatants, individuals engaged in extreme or destructive acts of sabotage and those who have become drug dependant persons and it has become a serious problem and national issue:

Preamble

AND WHEREAS the office of the Commissioner-General of Rehabilitation already created under the provisions of Public Security Ordinance (Chapter 40) and Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979 and the President has originally vested such Commissioner-General of Rehabilitation with the responsibility of rehabilitating the misguided combatants and further extended such responsibility to individuals engaged in extreme or destructive acts of sabotage and individuals who have become drug dependant persons:

AND WHEREAS, it has become a matter of national importance to establish a Bureau for the purpose of rehabilitating the above said persons:

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

1. This Act may be cited as the Bureau of Rehabilitation Act, No. of 2022, and the provisions of this Act other than this section shall come into operation on such date as the Minister may appoint by Order published in the *Gazette* (hereinafter referred to as the “appointed date”). The provisions of this section shall come into operation on the date on which this Act becomes an Act of Parliament.

Short title
and date of
operation

PART I

ESTABLISHMENT OF THE BUREAU OF REHABILITATION

2. (1) There shall be established a Bureau which shall
 be called the "Bureau of Rehabilitation" (hereinafter referred
 5 to as the "Bureau").

Establishment
 of the Bureau
 of
 Rehabilitation

(2) The Bureau shall, by the name assigned to it by
 subsection (1), be a body corporate and shall have perpetual
 succession and a common seal and may sue and be sued in
 such name.

10 3. The objective of the Bureau shall be to rehabilitate
 drug dependant persons, ex-combatants, members of violent
 extremist groups and any other group of persons who require
 treatments and rehabilitation by adopting various therapies
 in order to ensure effective reintegration and reconciliation,
 15 through developing socio-economic standards.

Objective of
 the Bureau

4. The powers, duties and functions of the Bureau shall
 be to—

Powers,
 duties and
 functions of
 the Bureau

(a) provide treatment and rehabilitation to drug
 dependant persons who requests treatment and
 20 rehabilitation or is required by law to be provided
 with treatment and rehabilitation;

(b) rehabilitate ex-combatants, members of violent
 extremist groups and any other group of persons
 who requests treatment and rehabilitation or is
 25 required by law to be provided with treatment and
 rehabilitation;

(c) enhance the employability of persons undergoing
 treatments and rehabilitation, minimizing the risk
 of socio-economic marginalization;

- (d) engage in an organized manner, the potentials of persons who are undergoing treatments and rehabilitation to use them productively to enhance the economy;
- 5 (e) review, monitor and provide any other assistance to persons who have re-integrated into the society after treatments and rehabilitation;
- (f) receive grants, gifts or donations in cash or kind:
 - 10 Provided however, the Bureau shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations made to the Bureau;
- 15 (g) open and maintain any account with any bank as it may think appropriate and such account shall be operated in accordance with prevailing applicable written laws;
- (h) manage, control, administer and operate the Fund of the Bureau;
- 20 (i) invest such amount of money belonging to the Bureau as are not immediately required for the purposes of this Act;
- (j) acquire, hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of any
25 movable or immovable property;
- (k) enter into and perform either directly or indirectly through any officer or agent of the Bureau, all such contracts or agreements as may be necessary, for the exercise of the powers and the carrying out of
30 its functions;

(l) make rules in respect of the administration of the affairs of the Bureau;

(m) establish and maintain Centers for Rehabilitation:

5 Provided however, the centers established for the rehabilitation of drug dependant persons to be established and maintained under the direction of the National Dangerous Drugs Control Board;

(n) conduct training programs relating to rehabilitation; and

10 (o) do all such other acts which may be incidental or conducive to the attainment of the objective of this Act or the exercise of the powers assigned to the Bureau under this Act.

PART II

15 ADMINISTRATION AND MANAGEMENT OF AFFAIRS OF THE BUREAU

5. (1) The administration, management and control of the affairs of the Bureau shall be vested in a Governing Council (in this Act referred to as the "Council").

Administration and management of the Bureau vested in the Council

20 (2) The Council shall, for the purpose of administering the affairs of the Bureau, exercise, perform and discharge the powers, duties and functions conferred on, assigned to or imposed on the Bureau by this Act.

6. The Council shall consist of—

Constitution of the Council

(a) the following *ex-officio* members, namely—

25 (i) a representative of the National Dangerous Drugs Control Board;

- 5 (ii) the Secretary to the Ministry of the Minister assigned the subject of Defence or his representative not below the rank of an Additional Secretary of that Ministry;
- 10 (iii) the Secretary to the Ministry of the Minister to whom the Bureau of Rehabilitation is assigned under Article 44 or 45 of the Constitution or his representative not below the rank of an Additional Secretary of that Ministry;
- 15 (iv) the Secretary to the Ministry of the Minister assigned the subject of Health or his representative not below the rank of an Additional Secretary of that Ministry;
- 20 (v) the Secretary to the Ministry of the Minister assigned the subject of Education or his representative not below the rank of an Additional Secretary of that Ministry; and
- 25 (vi) the Inspector General of Police or his representative not below the rank of a Deputy Inspector General of Police; and
- 30 (b) three members appointed by the Minister who shall possess academic and professional qualifications and has experience in the fields of rehabilitation, social integration and law and order (hereinafter referred to as “appointed members”).

7. (1) The Minister shall appoint one of the appointed members to be the Chairperson of the Council. Chairperson of the Council

(2) The Chairperson may resign from his office by letter addressed to the Minister and such resignation shall be effective from the date on which it is accepted by the Minister.

(3) The Minister may for reasons assigned remove the Chairperson from the office of Chairperson.

(4) Subject to the provisions of subsections (2) and (3), the term of office of the Chairperson shall be the period of his membership of the Council.

(5) Where the Chairperson is temporarily unable to exercise, perform and discharge the powers, duties and functions of his office due to ill health, other infirmity, absence from Sri Lanka or any other cause, the Minister may appoint any other appointed member to act as the Chairperson in addition to his normal duties as an appointed member.

8. A person shall be disqualified from being appointed or continuing as a member of the Council, if he – Disqualifications from being a member of the Council

- (a) is or becomes a member of Parliament or of any Provincial Council or of any local authority;
- (b) is not or ceases to be a citizen of Sri Lanka;
- (c) is under any law in force in Sri Lanka or any other country found or declared to be of unsound mind;
- (d) is a person who having been declared insolvent or bankrupt under any law in force in Sri Lanka and is an undischarged insolvent or bankrupt;
- (e) is subject to an ongoing investigation in respect of an offence involving dangerous drugs, narcotic drugs or psychotropic substances or fraud;

- (f) is serving or has served a sentence of imprisonment of more than six months imposed by any court in Sri Lanka or any other country;
- (g) holds or enjoys any right or benefit under any contract made by or on behalf of the Bureau; or
- (h) has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Council.

9. Every appointed member of the Council shall, unless he vacates office earlier by resignation, death or removal, hold office for a period of three years from the date of his appointment and unless is removed from office shall be eligible for reappointment for not more than one further term, whether consecutive or otherwise.

Term of
office

10. (1) Any appointed member of the Council may at any time, resign from his office by a letter to that effect, addressed to the Minister, and such resignation shall be effective from the date on which it is accepted by the Minister in writing.

Resignation
and removal

(2) Where any appointed member by reason of illness, infirmity or absence from Sri Lanka is temporarily unable to discharge the functions of his office, the Minister may, having regard to the provisions of paragraph (b) of section 6, appoint some other person to act in his place.

(3) The Minister may for reasons assigned, remove an appointed member from office. An appointed member who has been removed from office shall not be eligible for reappointment as a member of the Council or to serve the Council in any other capacity.

(4) Where an appointed member dies, resigns or is removed from office, the Minister may having regard to the provisions of paragraph (b) of section 6, appoint another

person in his place and the person so appointed shall hold office for the unexpired period of the term of office of the member whom he succeeds.

- 5 **11.** (1) The meetings of the Council shall be held at least once in every month and the quorum for a meeting of the Council shall be five members. Quorum and meetings of the Council

(2) The Chairperson shall preside at every meeting of the Council. In the absence of the Chairperson from any meeting of the Council, a member elected by the members present
10 shall preside at such meeting.

(3) A meeting of the Council may be held either-

- (a) by the number of members who constitute a quorum being assembled at the place, date and time appointed for the meeting; or
- 15 (b) by means of audio-visual communication by which all members participating and constituting a quorum can simultaneously see and hear each participating member for the duration of the meeting.

20 (4) All questions for a decision at any meeting of the Council shall be decided by the vote of the majority of members present at such meeting. In the case of an equality of votes, the Chairperson shall, in addition to his vote have a casting vote.

25 (5) Subject to the preceding provisions of this section, the Council may regulate the procedure in relation to the meetings of the Council and the transaction of business at such meetings.

12. The Council may act notwithstanding any vacancy among its members and any act or proceeding of the Council shall not be or deemed to be invalid by reason only of the existence of any vacancy among its members or any defect in the appointment of a member thereof.
13. The members of the Council shall be paid remuneration in such manner and at such rates as may be determined by the Minister, with the concurrence of the Minister assigned the subject of Finance.
14. (1) The seal of the Bureau shall be in the custody of such person as the Council may decide from time to time.
- (2) The seal of the Bureau may be altered in such manner as may be determined by the Council.
- (3) The seal of the Bureau shall not be affixed to any instrument or document except with the sanction of the Council and in the presence of the Chairperson and one other member of the Council who shall sign the instrument or document in token of their presence:
- Provided however, where the Chairperson is unable to be present at the time when the seal of the Bureau is affixed to any instrument or document, any other member of the Council authorised in writing by the Chairperson in that behalf shall be competent to sign such instrument or document in accordance with the preceding provision of this subsection.
- (4) The Bureau shall maintain a register of the instruments and documents to which the seal of the Bureau has been affixed.

Acts or proceedings of the Commission deemed not to be invalid by reason of any vacancy

Remuneration of the members of the Council

Seal of the Bureau

PART III

CHIEF EXECUTIVE OFFICER AND THE STAFF OF THE BUREAU

15. (1) There shall be a Chief Executive Officer of the Bureau who shall be called and known as the Commissioner-General of Rehabilitation (hereinafter referred to as the "Commissioner- General"), appointed by the Council in

Appointment of the Chief Executive Officer of the Bureau

consultation with the Minister and on the recommendation of the Minister assigned the subject of Defence. The Commissioner- General, unless he vacates office earlier by death, by operation of law, resignation or removal shall hold
5 office for a term of two years and shall be eligible for reappointment subject to a maximum period of any two terms of office whether consecutive or otherwise.

(2) The Commissioner- General shall subject to the general directions and supervision of the Council—

- 10 (a) be charged with the administration of the affairs of the Bureau and all the Centres established under it including the administration and control of the staff;
- (b) be responsible for the execution of all decisions of
15 the Council; and
- (c) carry out all such functions as may be assigned to him by the Council.

(3) The Commissioner- General shall be present and speak at any meeting of the Council, but shall not be entitled to
20 vote at such meeting.

(4) The Commissioner- General may, with the approval of the Council, wherever he considers it necessary to do so, delegate in writing to any officer or employee of the Bureau, any of his powers, duties or functions conferred or imposed
25 on, or assigned to him by this Act and the officer or employee to whom any such power, duty or function is delegated shall exercise, perform or discharge them subject to the directions of the Commissioner - General.

(5) The Council may remove the Commissioner-General
30 from office —

- (a) if he becomes permanently incapable of performing his duties;

(b) if he had done any act which the Council has decided to be of a fraudulent or illegal character or is prejudicial to the interests of the Bureau; or

5 (c) has failed to comply with any direction issued by the Council.

(6) The Commissioner-General shall be paid such remuneration as may be determined by the Council.

10 **16.** (1) Subject to the provisions of this Act, the Bureau may employ or appoint such officers and employees as may be necessary for the efficient exercise, performance and discharge of its powers, duties and functions. Staff of the Bureau

(2) The Council shall have the power subject to the provision of the Act to –

15 (a) exercise disciplinary control over and dismiss the officers and employees of the Bureau appointed under subsection (1);

(b) determined the terms and conditions of service of officers and employees of the Bureau appointed under subsection (1); and

20 (c) fix the rates at which such officers and employees shall be remunerated with the concurrence of the Minister assigned the subject of Finance.

25 (3) All officers and employees of the Bureau shall, within one month of employment, declare in writing to the Bureau of their personal direct or indirect interest to the affairs and transactions of the Bureau including those of their close relations or, concerns in which such officer or employee has a substantial interest.

30 (4) The Bureau may establish and regulate pension and provident funds and schemes for the benefit of the

Commissioner- General and its officers and employees and their dependants and nominees with the concurrence of the Minister assigned the subject of Finance and may make contributions to any such fund or scheme.

5 (5) The Bureau shall promote and sponsor the training of its officers and employees and for this purpose, the Bureau shall be authorised to defray the costs of study, in Sri Lanka or abroad of the officers and employees of the Bureau who are of proven merit as determined by the Bureau.

10 (6) The Bureau shall establish a code of conduct which shall be applicable to the officers and employees of the Bureau.

(7) The Bureau shall not appoint any person to the staff of the Bureau under subsection (1), where such person—

15 (a) has been previously found guilty of serious misconduct by a court or tribunal or has been subject to a disciplinary action by a regulatory body;

(b) has been previously dismissed from office; or

20 (c) has committed a breach of the provisions of this Act, regulations or rules made thereunder.

(8) At the request of the Bureau any officer in the public service may, with the consent of the officer and the Public Service Commission established by the Constitution be temporarily appointed to the Bureau for such period as may
25 be determined by the Bureau or with like consent, be permanently appointed to such staff.

(9) Where any officer in the public service is temporarily appointed to the staff of the Bureau, the provisions of subsection (2) of section 14 of the National Transport
30 Commission Act, No. 37 of 1991, shall *mutatis mutandis*, apply to and in relation to such officer.

(10) Where any officer in the public service is permanently appointed to the staff of the Commission, the provisions of subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991, shall *mutatis mutandis*,
5 apply to and in relation to such officer.

(11) Where the Bureau employs any person who has agreed to serve the Government for a specified period, any period of service to the Bureau by that person shall be regarded as service to the Government for the purpose of discharging
10 the obligations of such agreement.

(12) The Bureau may with the consent of such officer or employee propose secondment of its officers or employees to other state institutions or regulatory authorities in Sri Lanka or abroad for a period determined by the Bureau
15 on an assignment agreed upon between such institution or the authority and the Bureau. The period of secondment shall be deemed to be considered as service to the Bureau.

17. (1) The President may, upon the request of the Minister, for the purposes of this Act, by Order published in the *Gazette*, designate all or any of—
20

Authorised
members of
the Forces

- (a) the members of the Sri Lanka Army raised and maintained in accordance with the provisions of the Army Act (Chapter 357);
- (b) the members of the Sri Lanka Navy raised and
25 maintained in accordance with the provisions of the Navy Act (Chapter 358); and
- (c) the members of the Sri Lanka Air Force raised and maintained in accordance with the provisions of the Air Force Act (Chapter 359),

30 as authorised members of the forces who may exercise, perform and discharge the powers, duties and functions under this Act subject to the provisions of subsection (2).

(2) The Minister may, by Order published in the *Gazette*, specify the areas which the powers, duties and functions under this Act may be exercised, performed and discharged by the authorised members of the Forces.

5 (3) The powers, duties and functions conferred or imposed upon authorised members of the Forces by this section shall be exercised, performed and discharged notwithstanding that such powers, duties and functions are not conferred or imposed upon them by the provisions of the Army Act
10 (Chapter 357), the Navy Act (Chapter 358) or the Air Force Act (Chapter 359).

18. The Services of any Medical Officer or any other officer or employee of the Department of Health or any university or any medical practitioner or any other competent
15 person engaged in a similar service, may be obtained, subject to the approval of the Director-General of Health Services, or other relevant authority as the case may be, to assist in the Centres for Rehabilitation established under this Act.

Use of services of officers of Department of Health, etc.

PART IV

20

FINANCE

19. (1) The Bureau shall have its own Fund (hereinafter referred to as “the Fund”).

Fund of the Bureau

(2) All money lying to the credit of the Commissioner - General of Rehabilitation on the day immediately preceding
25 the appointed date shall be transferred to the Fund with effect from the appointed date.

(3) There shall be credited to the Fund –

(a) all sums of money as may be voted from time to time by Parliament, for the use of the Bureau;

(b) all such sums of money as may be received by the Bureau in the exercise and discharge of its powers, duties and functions under this Act; and

5 (c) all such sums of money as may be received by the Bureau by way of income, fees, charges, grants, gifts or donations from any source whatsoever whether within or outside Sri Lanka:

10 Provided that, the Bureau shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations made to the Bureau;

(4) There shall be paid out of the Fund –

15 (a) all such sums of money as are required to defray any expenditure incurred by the Bureau in the exercise, performance and discharge of its powers, duties and functions under this Act; and

20 (b) all such sums of money as are required to be paid out of the Fund by or under this Act.

20. (1) The financial year of the Bureau shall be the calender year. Financial year and audit of accounts

(2) The Council shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Bureau.

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to the audit of accounts of the Bureau.

30 (4) The Council shall submit the audited statement of accounts together with the auditor's report to the Minister

within one hundred and fifty days of the end of the financial year to which such report relates. The Minister shall place such statement and the report before Parliament within two months of the receipt thereof.

5

PART V

GENERAL

- 21.** (1) The Council may in writing and subject to such conditions as may be specified therein, delegate to the Commissioner-General the powers, duties and functions conferred on the Council under paragraphs (a) and (b) of subsection (2) of section 16 and subsection (2) of section 20 and the Commissioner-General shall exercise, perform and discharge such powers, duties and functions in the name and on behalf of the Council. Delegation of the powers of the Council
- 10
- 15 (2) The Council may, notwithstanding any delegation made under subsection (1), by itself exercise, perform or discharge any power, duty or function so delegated and may at any time revoke any such delegation.
- 22.** (1) A liability, whether civil or criminal, shall not be attached to any officer of the Bureau or to any officer authorised by such officer, for anything which in good faith is done in the exercise, performance or discharge of any power, duty or function imposed or conferred on the Bureau under this Act. Protection of officers of the Bureau from suit or prosecution
- 20
- 25 (2) Any expense incurred by the Bureau in any suit or prosecution brought by or against the Bureau before any court shall be paid out of the Consolidated Fund, and any costs paid to, or recovered by, the Bureau in any such suit or prosecution shall be credited to the Consolidated Fund.
- 30 (3) Any expense incurred by any such person in any suit or prosecution brought against him before any court in respect of any act which is done or purported to be done by

him under this Act or any appropriate instrument, or on the direction of the Bureau, shall, if the court holds that the act was done in good faith, be paid out of the Consolidated Fund, unless such expense is recovered by him in such suit
5 or prosecution.

23. For the purposes of this Act, the Minister may, by Order published in the *Gazette*, establish Centres for Rehabilitation for the treatment and rehabilitation of ex-combatants, members of violent extremist groups, violent
10 extremist person and any other person or group of persons:

Provided, the Treatment Centres established under this Act to provide treatment and rehabilitation to drug dependant persons shall be published in the *Gazette* under the provisions of section 2 of the Drug Dependant Persons
15 (Treatment and Rehabilitation) Act, No. 54 of 2007 and shall be subjected to the provisions of that Act.

24. Any person without authority introduces or attempts to introduce into any Centre for Rehabilitation, or supplies or attempts to supply any person in such Centre with a dangerous drug, narcotic drug or psychotropic substance or any unauthorised article commits an offence under this Act and shall be liable on conviction after summary trial by a Magistrate to a fine not exceeding five hundred thousand rupees or to imprisonment of either description for a period
20 not exceeding two years or to both such fine and imprisonment.

25. (1) Every member of the Council, the Commissioner-General and every officer or employee of the Bureau shall, before entering into the duties of his office sign a declaration
30 that he will not disclose any information received by him or coming to his knowledge in the exercise, performance and discharge of his powers, duties and functions under this Act, except for the purpose of giving effect to the provisions of this Act.

Centres for
Rehabilitation

Supply of
drugs

Duty to
maintain
Secrecy

(2) All records pertaining to a person in the custody of a Centre for Rehabilitation shall be confidential and shall not be released except on an order of court or in connection with an investigation in respect of the commission of a serious
5 offence within a Centre for Rehabilitation.

(3) Any person who contravenes the provisions of subsection (2) commits an offence under this Act, and shall be liable on conviction after summary trial by a Magistrate to a fine not exceeding one hundred thousand rupees or to
10 imprisonment of either description for a term not exceeding twelve months or to both such fine and imprisonment.

26. Any person employed in a Centre for Rehabilitation who without reasonable cause strikes, wounds, ill treats or willfully neglects any person under rehabilitation commits
15 an offence under this Act and shall be liable on conviction after summary trial by a Magistrate to a fine not exceeding two hundred thousand rupees or imprisonment of either description for a period not exceeding eighteen months or to both such fine and imprisonment.

Striking etc.
of persons
under
treatment

27. Any person who obstructs or attempts to obstruct any person employed in any Centre for Rehabilitation in the performance of his duties under this Act, commits an offence under this Act and shall be liable on conviction after summary trial by a Magistrate to a fine not exceeding
20 fifty thousand rupees or to imprisonment of either description for a period not exceeding six months or to both such fine and imprisonment.

Obstruction
of employees
an offence

28. (1) Where any person undergoing rehabilitation in a Centre for Rehabilitation established under the provisions of this Act, escapes from such Centre, he may be apprehended
30 by any police officer, any authorised member of the Forces or any officer appointed under this Act and returned to the Centre for Rehabilitation.

Apprehension
of persons
escaping

(2) It shall be the duty of any person employed in a Centre for Rehabilitation to preserve order and discipline among the persons undergoing rehabilitation in the Centre and for such purpose it shall be lawful for such person to use all
 5 such means including minimum force, as may reasonably be necessary to compel obedience to any lawful directions given by him.

29. Where any person contravenes any provision of this Act or any rule or regulation made thereunder and no
 10 penalty has been specified under this Act in respect of such contravention, such person shall, on conviction after summary trial by a Magistrate, be liable to a fine not exceeding fifty thousand rupees or to imprisonment of either
 15 description for a term not exceeding six months or to both such fine and imprisonment.

Penalties for contraventions for which no specific provisions have been made

30. (1) The Bureau shall create, manage and maintain a
 database which will include all particulars of the rehabilitees. Such database shall also include details of previous
 20 rehabilitation assistance that each rehabilitee may have received from any other State authority or agency.

Database

(2) The Bureau shall take all necessary steps including technical safeguards to ensure the security of all its databases and data.

31. The Bureau shall be deemed to be a Scheduled
 25 Institution within the meaning of the Bribery Act (Chapter 26) and the provisions of that Act shall be construed accordingly.

Bureau deemed to be a Scheduled Institution within the meaning of the Bribery Act

32. All members of the Council, the Commissioner-General and all officers and employees of the Bureau shall
 30 be deemed to be public servants within the meaning and for the purposes of the Penal Code (Chapter 19).

Members, Commissioner-General, officers and employees of the Bureau deemed to be public servants

33. The Minister may from time to time issue to the Council general or special directions as to the exercise, performance and discharge of the powers, duties and functions of the Council. Directions of
the Minister

5 **34.** (1) Subject to the provisions of this Act, the Council may make rules in respect of all or any of the following matters:- Rules

- (a) all matters for which rules are authorised or required to be made under this Act;
- 10 (b) the meetings of the Council and the procedure to be followed at such meeting;
- (c) the appointment, promotion, remuneration and disciplinary control of officers and employees and the grant of leave and other emoluments to officers and employees; and
- 15 (d) any matter connected with the affairs of the Bureau.

(2) Every rule made by the Bureau shall be approved by the Minister and published in the *Gazette* and shall come into operation on the date of its publication or on such later date as may be specified therein.

20

35. (1) The Minister may make regulations for the purpose of carrying out and giving effect to the principles and provisions of this Act. Regulations

(2) In particular and without prejudice to the generality of the powers conferred on subsection (1), the Minister may make regulations for-

25

- (a) the maintenance of Centres for Rehabilitation; and
- (b) the procedure for the rehabilitation, treatment and after care:

5 Provided that, the Minister shall obtain the concurrence of the National Dangerous Drugs Control Board, when any regulation in relation to the Centres for Rehabilitation for the treatment and rehabilitation of drug dependant persons is made.

10 (3) Every regulation made by the Minister within three months after its publication in the *Gazette* be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval but without prejudice to anything previously done thereunder.

 (4) Notification of the date on which any regulation is so disapproved shall be published in the *Gazette*.

15 **36.** Notwithstanding anything to the contrary in any Savings other written law—

20 (a) all movable and immovable property of the Commissioner-General of Rehabilitation on the day immediately preceding the appointed date shall on and after the appointed date be deemed to be the movable and immovable property of the Bureau;

25 (b) the Commissioner-General of Rehabilitation holding office immediately preceding the appointed date shall be deemed to have been appointed as such under this Act and continue to hold office until the end of his tenure or until a new Commissioner- General is appointed under this Act;

30 (c) all officers and employees of the Commissioner-General of Rehabilitation holding office on the day immediately preceding the appointed date be deemed to be the officers and employees of the Bureau and such officers and employees shall continue to hold office in the Bureau on the same terms and conditions enjoyed by them under the Commissioner-General of Rehabilitation
35 immediately preceeding the appointed date;

- (d) all contracts, deeds, bonds, agreements, guarantees, powers of attorney, grants of legal representation and other instruments of whatever nature of the Commissioner- General of Rehabilitation subsisting and having effect on the day immediately preceding the appointed date and to which Commissioner General of Rehabilitation is a party or which are in favour of the Commissioner-General of Rehabilitation on and after the appointed date be deemed to be contracts, deeds, bonds, agreements, guarantees, powers of attorney, grants of legal representation and other instruments entered into by or granted in favour of the Bureau;
- (e) unless specifically revoked or substituted in the manner provided for in any other law, all approvals or licences granted to the Commissioner-General of Rehabilitation by any regulatory body or authority, Provincial Council or local authority subsisting or having effect on the day immediately preceding the appointed date shall on and after the appointed date be deemed to be approvals or licences granted to the Bureau;
- (f) all Judgments, decrees or orders entered in favour of or against the Commissioner-General of Rehabilitation by any court in any action or proceeding shall on and after the appointed date be deemed to be judgments, decrees or orders entered in favour of or against the Bureau; and
- (g) all Protective Accommodation and Rehabilitation Centres approved and maintained under the Commissioner- General of Rehabilitation shall on and after the appointed date be deemed to be Centres for Rehabilitation established under the provisions of this Act.

37. In this Act, unless the context otherwise requires— Interpretation

5 “dangerous drug” means any drug, substance,
article or preparation specified in Part I of the
Third Schedule to Poisons, Opium and
Dangerous Drugs Ordinance (Chapter 218);

“drug dependant person” means a person to
whom the Drug Dependant Persons
(Treatment and Rehabilitation) Act, No. 54
of 2007 applies;

10 “Minister” means the Minister assigned the
subject of the Bureau of Rehabilitation under
Article 44 or 45 of the Constitution;

15 “narcotic drug” shall include the drugs specified
in the Third Schedule of the Convention
Against Illicit Traffic in Narcotic Drugs and
Psychotropic Substances Act, No. 1 of 2008;

20 “National Dangerous Drugs Control Board”
means the National Dangerous Drugs Control
Board established by the National Dangerous
Drugs Control Board Act, No. 11 of 1984;

25 “psychotropic substances” shall include the
substances specified in the Fourth Schedule
of the Convention Against Illicit Traffic in
Narcotic Drugs and Psychotropic Substances
Act, No. 1 of 2008;

“rehabilitation” means treatment and
rehabilitation, aftercare and support services
which includes a set of interventions
designed to optimize functioning and reduce

5 disability in individuals with health and mental conditions when interacting with their environment, to be as independent as possible in everyday activities and enables participation in education, work, recreation and a meaningful life.

38. 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

