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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1711/1 - 2011 ජුනි 20 වැනි සඳුදා - 2011.06.20

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(Published by Authority)

PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

EASTERN PROVINCE PROVINCIAL COUNCIL

Transfer of Court Fines and Fees Statute No. 01 of 2011 of the Eastern Province Provincial Council

A Statute to provide for transfer of Courts fines and fees imposed by courts and collected under items 36.8 and 36.14 of List 1, Nineth Schedule to the Constitution of the Democratic Socialist Republic of Sri Lanka and the provision under the Eastern Province Finance Statute No. 1 of 2008 and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Provincial Council of Eastern Province of Democratic Socialist Republic of Sri Lanka as follows:

1. This Statute may be cited as “ the Transfer of Court Fines and Fees Statute No. 01 of 2011” and shall come into effect on receiving the assent of the Governor. Short Title.
2. (1) The Court fines and fees imposed by Courts of Law having jurisdiction in the Province shall be collected by such Courts and credited to the Provincial Fund of the Province in terms of Chapter XXXI, Part 7 of the Eastern Province Finance Statute No. 01 of 2008. Transfer of Court fines and fees.
- (2) The Provincial Council shall transfer such fines and fees, imposed by Courts having jurisdiction within the administrative limits of local authorities, as provided hereinafter, to such local authorities, on a claim as prescribed in Annexure I hereof, made in writing by the Administrative Officer of such Local Authority to the Minister within a period of two years commencing the first day of January, after the year in which such fines and fees had been collected.
- (3) Any claim under Sub-section (2) of section 2 shall not be valid unless and otherwise such claim is in conformity with Annexure II hereof and accompanied with the schedule as prescribed in Annexure I hereof and duly certified by the Registrar or by any other person named and appointed by the Court. Certificate of The Court Registrar.

Interpretation.

(4) In this Statute, unless the context otherwise requires,

“Administrative officer” means:-

- (a) the Municipal Commissioner in relation to a Municipal Council; and
- (b) the Secretary in relation to an Urban Council or a Pradeshiya Sabha;

“Local Authority” means any Municipal Council, Urban Council or a Pradeshiya Sabha and includes any Authority created and established by or under any law to exercise, perform and discharge powers, functions and duties corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council or Sabha;

“Provincial Council” means the Provincial Council established for the Eastern Province under Article 154 A(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka;

“Minister” means the Provincial Minister in charge of the subject of Finance in the Eastern Province.

“Fees” means and includes the stamp fee and Court fee remitted as provided in item 36.14 of List I of the Ninth Schedule to the Constitution of Democratic Socialist Republic of Sri Lanka;

“Fines” means and include any fine, pecuniary forfeiture or compensation adjudged upon any conviction for any crime or offence or for the breach of any enactment by any Courts as provided under section 2 of the Code of Criminal Procedure;

“Provincial Fund” means Provincial Fund established for the Eastern Province in accordance with Section 19 of the Provincial Councils Act, No. 42 of 1987.

Tamil text to prevail in the event of inconsistency.

(5) In the event of any inconsistency between Tamil and Sinhala text of this Statute, the Tamil text shall prevail.

Section 2 (2)

Annexure - I

Hon. Minister of Finance,
Eastern Province

Application for the Transfer of Court Fines and Fees imposed by Courts of the Eastern Province under section 2 (2) of the
Transfer of Court Fines and Fees Statute of the Eastern Province No.2011

Name of Municipal/ Urban Council/ Pradeshiya Sabha.....Period of request from
.....to.....

I the Commissioner of the Municipal Council/Secretary to the Urban Council/ Pradeshiya Sabha
(here in after referred to as the “Administrative Officer”) make a request to transfer the above and fees imposed and collected
by the Court/Courts having jurisdiction in the above local Authority a sum of rupees credited into the
Provincial Fund during the above period.

.....
Signature

Name:.....
(Administrative Officer)
(Official Rubber Stamp)
Local Authority.

Section 3

Annexure - II

The table to be certified by the registrar of the Court in terms of provision Provided under Section 3 of Transfer of Court Fines and Fees Statute No.of 2011 of the Eastern Province

Name of Court/Courts.....

Police Range/Ranges :

Particulars of Court Fines and Fees imposed and collected by the above Court having jurisdiction within the Municipal Council/Urban Council/Pradeshiya Sabha during the period in Month Year.

<i>S/No.</i>	<i>Paid by Whom (Name)</i>	<i>Date of Payment</i>	<i>Reference to which Case (Case No.)</i>	<i>Amount of Court Fine (Rs.)</i>	<i>Amount of Court Fine (Rs.)</i>
<i>Total</i>					

Prepared by (Name) :

Signature:.....

Checked by (Name) :

Signature:.....

Certified the above particulars are correct.

Signature:.....

Register/Officer appointed on behalf of Registrar.

Name :

Designation :

(Seal)

Date :

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