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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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No. 2348/23 - TUESDAY, SEPTEMBER 05, 2023

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

MEDIATION BOARDS COMMISSION

Notice of Calling for Nominations to appoint persons to be Mediators

NOTICE made in terms of Sub-sections (1) and (2) of Section 4 of the Mediation (Special Categories of Disputes) Act, No. 21 of 2023 by the Mediation Boards Commission established under the Mediation Boards Act, No. 72 of 1988 to appoint Panels of Mediators for each Special Mediation Board Area in pursuance of the Order published in the *Gazette Extraordinary* No. 2259/11 dated 21.12.2021 by the Minister under Sections 2 and 3 of the Mediation (Special Categories of Disputes) Act, No. 21 of 2023.

Nominations are called for the selection and appointment of eligible persons to be Chairman and Members of the Panels of Special Mediation Board Areas (Finance) of.

- Administrative District, Colombo
- Administrative District, Gampaha
- Administrative District, Kandy
- Administrative District, Monaragala
- Administrative District, Polonnaruwa; and
- Administrative District, Anuradhapura

to settle financial disputes arisen from commercial transactions by and between individuals or business entities, among individuals or business entities within each such Special Mediation Board Area.



02. Every Nominee in whose behalf nomination is submitting to act as a Member Mediator in each aforesaid Special Mediation Board Area should bear in mind to discharge duties in the office in any part of such Special Mediation Board Area to which that Nominee is nominated and should possess following qualifications.
- (a) should be between 35 and 75 years of age;
 - (b)
 - (i) should be an officer held or holds a staff grade position in the Public Service at least for a period of five years consecutively;
 - (ii) should be a person held a senior managerial position in the Private Sector, a Non-Government Organization, a Bank or a Corporation; or
 - (iii) should have possessed a professional or educational qualification obtained from a recognized professional or higher educational authority established by or under any written law; and
 - (d) should be a person with physically fit and mentally sound;
03. Nominations of those who have secured the above qualifications to be selected and appointed to be the Mediators to the aforesaid Special Mediation Board Areas are required to be submitted to the Mediation Boards Commission by the following Officials / Establishments / Organizations who are hereby requested to comply with this requirement.
- (a) District Secretary /Divisional Secretary within whose Division the Nominee is resident or employed;
 - (b) Further,
 - (i) Public Officials or Provincial Public Officers holding the position of Head of the Department/ Regional Head of the Department in any office situated at the aforesaid Special Mediation Board Areas *i.e.* aforesaid Administrative Districts,
 - (ii) Chief Incumbent of a Place of Religious Worship or Heads of Schools situated at the aforesaid Special Mediation Board Areas *i.e.* aforesaid Administrative Districts,
 - (iii) Retired Heads of Departments or Heads of Schools situated at the aforesaid Special Mediation Board Areas *i.e.* aforesaid Administrative Districts, and
 - (iv) Any Board, Organization or Establishment, actively operating for a period of at least five (05) consecutive years immediately preceding the date hereof, situated at the aforesaid Special Mediation Board Areas *i.e.* aforesaid Administrative Districts, set up to achieve any one or more of the following objectives, *viz.*
 - To grow up educational, religious, spiritual and moral advancement in the society,
 - To empower rural or community development for the uplift of social welfare and alleviation of poverty,
 - To improve cultural values and sports,
 - To implement and expand projects, programmes *etc.* to ensure provision the general public with basic needs such as food, shelter, health care *etc.*,
04. In case of 3(a) above, the Nominator may only suggest Public Officials either presently in service or retired from the Public Service to be appointed as Mediators for each such Panel of Special Mediation Board Area.

In case of 3(b) above, the relevant Nominator may submit nominations suggesting Public Officials either presently in service or retired from the Public Service, Provincial Public Officials, Non-Public Officials to be appointed as Mediators for each such Panel of Special Mediation Board Area.

05. Specimen Form applicable for nominations:

- (a) Nominations submitted by Individual should be in Specimen Form 'A'.
- (b) Nominations submitted by any Board, Organization or Establishment should be in Specimen Form 'B'.
- (c) Nominations submitted by District Secretaries / Divisional Secretaries should be in Specimen Form 'C'.

Each nomination should be in a separate Specimen Form in writing accompanied by the recommendation of the Nominator as specified hereinafter in the next paragraph.

06. The recommendation of the Nominator should not be of absence of grounds based on which such recommendation is given. The specific grounds based on which such recommendation is given by the Nominator should be indicated very clearly enabling the Mediation Boards Commission to firmly ascertain as to the eligibility or ineligibility of the Nominee suggested to be selected and appointed to the Panel of Special Mediation Board Area.

Illustration : A clear description should be incorporated very clearly material to the Nominee's present of past employment, the period of service during which the Nominee has been engaged in such employment, any position held by the Nominee in trust and responsibility and any other particulars in respect of any position held by the Nominee attached to any social and welfare organization, place of religious worship, charity, any such other body or group of persons or a board etc.

07. Any Individual, Board, Organization or Establishment should as far as refrain from submitting more than three nomination to a same Special Mediation Board Area. However, this requirement of limit is not applicable in case of nominations suggested by District Secretaries / Divisional Secretaries.
08. All nominations should be sent by registered post to reach the Secretary, Mediation Boards Commission, No. 80, Ministry of Justice New Building, Adhikarana Mawatha, Colombo 12 on or before 31st October, 2023.
09. The Interview Board, upon scrutinizing the basic requirements of the Nominees at the Interview, will recommend the eligible persons and refer them to a Training Course to be conducted on Mediation Skills and Strategies and Laws Relating to the Field of Mediation. Those who will be successfully completing the Training Course, will be appointed to be Mediators on the order of merit to be secured at Training Course at the discretion of the Mediation Boards Commission. One of the qualified Mediators will be appointed as the Chairman of the Panel of Special Mediation Board Area based on the recommendation being given by the Mediation Boards Commission.
10. The decision of the Mediation Boards Commission in respect of any fact not provided for in this notice shall be final and conclusive.

A. S. P. WEERASOORIYA,
Secretary,
The Mediation Boards Commission.

At the Office of the Mediation Boards Commission,
No. 80, Ministry of Justice New Building,
Adhikarana Mawatha,
Colombo 12,
01st day of September, 2023.

FORM "A"

(To be filled up by individuals eligible to recommend Nominations)

01. Mediation Board Area :
02. Administrative District :
03. Particulars of the Individual who recommend Nomination :
- (a) Name in Full :
- (b) Residential Address :
- (c) The status under which Nomination is sent:
- (i) Whether you are a Head of Department ? If so, please state;
Name of the Department:
Official address:
The post you hold:
- (ii) Whether you are a Head of Place of religious Worship? Or a Regional Head of Department? If so, please state;
Its name :
Address :
The post you hold :
- (iii) Whether you are a Retired Head of Department or a Retired Head of School? If so, please state.
Its Name:
The position held at the time of retirement:
Special Mediation Board Area (District Secretary) you reside:
04. Particulars of the Person nominated by you:
- (a) His/Her name in Full :
- (b) His/Her Residential Address :
- (c) Date of Birth :
- (d) National Identity Card No. :
- (e) Telephone No. :
- (f) Whether he/she a resident within the above Special Mediation Board area?
Or outside the said Special Mediation Board Area :
- (g) Whether he/she is engaged in any work within the said Mediation Board area?
Or outside the said Area:
- (h) Whether he/she is a Public Officer ? If so, state the post he/she holds:
- (i) State your recommendation with reason therefore:

.....
Signature,
(Seal if available)

Date :

FORM "B"

(To be filled in by the Secretary of the Board, Organization or institution eligible to recommend Nominations)

01. Mediation Board Area :
02. Administrative District :
03. Particulars of the Board, Organization or Institution that recommend Nominations :

- (a) Its Name :
- (b) Its Registered/ Official Address :
- (c) Date of its Registration or Establishment :
- (d) Period for which it has been in existence :
- (e) It's objectives of mission :

04. Particulars of the Person nominated by you:

- (a) His/Her name in Full :
- (b) His/Her Residential Address :
- (c) Date of Birth :
- (d) National Identity Card No. :
- (e) Telephone No. :
- (f) Whether he/she a resident within the above Special Mediation Board area?
Or outside the said Special Mediation Board Area :
- (g) Whether he/she is engaged in any work within the said Mediation Board area?
Or outside the said area:
- (h) Whether he/she is a Public Officer ? If so, state the post he/she holds:

05. Has the Board, Organization or Institution passed a Resolution authorizing his/her nominations? If so, State the date of such resolution :

06. State the recommendations of the Board, Organization or Institution with reasons therefore :

.....
Signature of Secretary.
(Seal of Board, Organizations or Institution)

Date :

FORM "C"

(To be filled up by the District Secretary/ Divisional Secretary eligible to recommend nominations)

01. Mediation Board Area :
02. Administrative District :
03. Particulars of the District Secretary/ Divisional Secretary who recommend nomination :
 - (a) Name in full :
 - (b) Official Address :
 - (c) Your Administrative District :
 - (d) Your Divisional Secretariat Division :
04. Particulars of the Officer in respect of whom nomination is forwarded.
 - (a) His/Her name in Full :
 - (b) Whether he/she is Public Officer ? If so, state the post he/she hold :
 - (c) Date of Birth :
 - (d) National Identity Card No. :
 - (e) Telephone No. :
 - (f) His/Her Official Address :
05. Your recommendation with reasons therefore :
.....

.....
Signature,
(Seal)

Date :

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