

N.B.— Part IV (A) of the *Gazette* No.2,059 of 16.02.2018 was not published.

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The Gazette of the Democratic Socialist Republic of Sri Lanka

අංක 2,060 - 2018 පෙබරවාරි මස 23 වැනි සිකුරාදා - 2018.02.23
No. 2,060 - FRIDAY, FEBRUARY 23, 2018

(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

(Separate paging is given to each language of every Part in order that it may be filed separately)

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IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All Notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, Corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after three months from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* notices for publication in the weekly *Gazette* of 16th March, 2018 should reach Government Press on or before 12.00 noon on 02nd March, 2018.

Electronic Transactions Act, No. 19 of 2006 - Section 9

“Where any Act or enactment provides that any Proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the *Gazette*, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the *Gazette*.”

Department of Government Printing,
Colombo 08,
01st January, 2018.

This *Gazette* can be downloaded from www.documents.gov.lk

GANGANI LIYANAGE,
Government Printer (*Acting*).



Provincial Councils Notifications

NORTH WESTERN PROVINCE PROVINCIAL COUNCIL

North Western Provincial Probation and Child Care Services Department Statute No.of 2018 of the North Western Provincial Council

I do hereby notify the North Western Probation and Child Care Services Department Statute No.of 2018 of North Western Provincial Council published hereunder will be presented in the Provincial Council of the North Western Province of the expiry of thirty days from the date of its publication in this *gazette*.

Any person who wishes to make any representation regarding any of the provisions of this statute, shall forward the same to me within the said period of thirty days.

LAKSHMAN WENDARUWA,
Minister,
Ministry of Health, Indigenous Medicine, Social Welfare,
Probation & Child Care, Women's Affairs and
Council Affairs
North Western Province.

Ministry of Health, Indigenous Medicine, Social Welfare,
Probation & Child Care, Women's Affairs and
Council Affairs - North Western Province.
3rd Floor, Provincial Council Complex,
North Western Provincial Council,
Kurunegala.

Long title.

NORTH WESTERN PROVINCIAL PROBATION AND CHILDCARE SERVICES STATUTE No. OFOF THE NORTH WESTERN PROVINCIAL COUNCIL

A Statute to provide for the establishment of the rights of children by providing protection, guardianship, maintenance and welfare facilities to orphaned, destitute, and deserted children and for the maintenance of rehabilitation services for juvenile and youthful offenders referred by the Court and to provide for the matters incidental thereto or connected therewith.

Be it enacted by the Provincial Council of the North Western Province as follows:-

01. This Statute may be cited as the North Western Provincial Probation and Childcare Services Statute No: of 20.... of the North Western Provincial Council.

Objects of the Statute.

02. The objects of the Statute are as follows:

- (1) to establish the North Western Provincial Department of Probation and Childcare Services;
- (2) to establish and maintain the North Western Provincial Probation and Childcare Services Fund;
- (3) to provide custody and care and establish the rights of orphaned, deserted or destitute and abused children living or likely to be orphaned, deserted destitute and abused within the North Western Province;

- (4) to take action to rehabilitate or to keep under probation the children who are charged with an offence and are uncontrollable or the offenders referred by the judiciary;
- (5) to provide boarding facilities to orphaned, destitute, deserted, abused children and those who are charged with an offence for their protection and rehabilitation and to register, supervise, regulate and facilitate the Child Development Centers maintained on a voluntary basis or with a business purpose to provide daycare facilities;
- (6) to take all possible and mandatory action to protect and establish the rights of every children living in the North Western Province and to prevent them from being abused;
- (7) to formulate, implement and regulate standards to be maintained at all institutions in the North Western Province which provide childcare services; and
- (8) to establish, register and maintain one Children's Society in each Grama Niladhari Division with a view to realizing the objects of the Statute.

PART 01

Establishment of the North Western Provincial Department of Probation and Childcare Services, its Composition, Powers and Functions

03. There shall be established a Department to be called the North Western Provincial Department of Probation and Childcare Services (hereinafter referred to as the "Department") for the purpose of giving effect to provisions of this Statute.

Establishment of the North Western Provincial Department of Probation and Childcare Services
04. (1) Class I officer of the Sri Lanka Administrative Service shall be appointed to the post of North Western Provincial Commissioner of Probation and Childcare Services to head of the Department established under Section 03 of this Statute (hereinafter referred to as the 'Provincial Commissioner').

North Western Provincial Commissioner of Probation and Childcare Services and the Staff
- (2) There shall be a staff in the Department to assist the Provincial Commissioner of Probation and Childcare Services, comprised of departmental officers, an Assistant Commissioner, two senior Probation Officers for the two Districts of Kurunegala and Putalama, a Probation Officer in-charge of each Probation Sub-office established under and for the purpose of this Statute, Probation Officers and Development Officers covering the Divisional Secretariats within the area of authority of each Probation Sub-Office and officers recruited on ad-hock exigency of service.
- (3) The Provincial Commissioner may delegate the powers and functions vested in him under this Statute to the Departmental Assistant Commissioner, Senior Probation Officers, Probation Officers in-charge of Probation Sub-Offices, Probation Officers, and other officers of the Department to be exercised and executed.
- (4) All officers appointed for the purpose of this Statute shall be deemed as Public Officers within the meaning of the Penal Code.

Functions of the
Department

05. Functions of the North Western Provincial Department of Probation and Childcare Services shall be as follows:
- (1) to register, supervise, regulate and facilitate the institutions providing protection and care for the orphaned, deserted, destitute and abused children;
 - (2) to establish custody and protection of the orphaned, deserted, destitute and abused children in the North Western province by providing boarding, care, education, nutrition and vocational training to them;
 - (3) to supervise -
 - (i) the provision of wholesome food and drinks to the children described under Sub-section (1) of this Section in commensurate with their age;
 - (ii) the provision of formal and non-formal educational and vocational training facilities to the children described under Sub-section (2) of this Section in commensurate with their age;
 - (iii) the provision of facilities relating to mental health and development of the children described under sub-section (1) of this Section;
 - (iv) the provision of health facilities to the children described under Sub-section (1) above;
 - (v) the provision of facilities relating to the development of creative, aesthetic and sporting talents of the children described under Sub-section (1) above;
 - (vi) the provision of facilities relating to the spiritual, ethical and cultural development of the children described under sub-section (1) above;
 - (4) to arrange for the recruitment of staff to Volunteer Child Development Centers to be made through a Board of Interview including a member nominated by the Provincial Director when such recruitment is made;
 - (5) to take action to socialize children by handing over the guardianship or the custody of such children to the parents, legal guardians or to persons who are not legal guardians but are relatives or non relatives and willing to undertake the guardianship or to adopt such children;
 - (6) to implement and supervise the Foster- Parent programme and register fit-persons as foster-parents;
 - (7) to maintain certified schools under the Department to rehabilitate children convicted by the judiciary or uncontrollable children in terms of the provisions of this Statute or in any other law;
 - (8) to submit in the court the relevant reports on children convicted by the court and youthful offenders under the provisions of any other law by maintaining a close supervision relating to various supervisory Orders such as Probation Orders, subsequent Orders, and Fit-Person Orders;
 - (9) to register, supervise and regulate the daycare centers maintained within the North Western province to provide physical and mental protection of children between the age of 06 months to 05 years whose parents or guardians are unable to provide such protection during the day time;

- (10) to provide necessary maintenance assistance and goods and equipment to daycare centers or institutions maintained by voluntary organizations registered under Sub-section 2(5) of this Statute and to provide required training to the staff of those daycare centers;
- (11) to maintain detention homes to provide temporary custodianship and facilities to children on Court orders;
- (12) to maintain Child development centers to provide protection to pregnant girls under the age of 18 years and under-aged mothers and their children;
- (13) to provide nutritional and educational assistance to children who are deprived of protection, nutrition, and maintenance due to their being orphaned, deserted, destitute and abused and are not covered under any other law or Statute;
- (14) to organize and conduct awareness programmes to safeguard rights of children and minimize child abuse;
- (15) to provide assistance under “Pilisarani” programme with a view to reverting the children institutionalized due to the non availability of a house for safe living back to their families or to preventing the destitute children from being institutionalized by retaining them within their own families;
- (16) to provide training and necessary facilities to engage in self-employment in order to prevent destitute children from being institutionalized;
- (17) to develop the staff and the physical resources of the institutions coming under Section 07 of this Statute;
- (18) to formulate and regulate standards to ensure that all the private educational institutions and hostels for children, religious centers that provide protection and care for children and other institutions established for the sake of children within the North western province are maintained for the utmost benefit of the children;
- (19) to facilitate welfare activities, maintenance and educational activities for children referred by the judiciary for rehabilitation or children or with no custody or protection who are charged with offences;
- (20) to make submissions as the guardian of the child to the court in adoption cases and to submit other reports to the court as directed by the court in civil proceedings relating to children;
- (21) to carry out a comprehensive investigation into complaints regarding a child abuse or molesting or breach of rights of children in any of educational institutions within the north Western province and refer it for necessary legal action.

06. (1) In the event the Provincial Commissioner or any other officer duly authorized by the Provincial Commissioner requires the management or any other person of an institution to produce information or records required for the purpose of realizing the objects and functions of this Statute, such management or the person shall provide such information or records to the Provincial Commissioner or any other officer authorized for the purpose.

Powers of the
Department

- (2) The Provincial Commissioner or any officer duly authorized for the purpose by the Provincial Commissioner shall have the power to enter into any child development center and all other institutions providing educational, accommodation and various other services for children in the North Western province notwithstanding they being registered or not registered with any the government or provincial council institution and to conduct -
- (a) an inspection;
 - (b) an examination;
 - (c) an investigation;
 - (d) a survey; or
 - (e) examine, take true copies or obtain information contained in documents, reasonably required for the purpose; and
 - (f) do any action including take into custody of documents for the purpose of this Statute.

PART II

Registration, Supervision and Regulation of Institutions providing services relating to Children

Child develop-
ment centers
and institutions
to be registered

07. (1) Child Development Centers and Daycare Centers maintained on a voluntary basis within the North Western Province for the purpose of execution of functions referred to in Section 05 of this Statute or all other institutions that are maintained with similar objective for the children and to provide services to children shall be registered with the North Western Provincial Department of Probation and Childcare Services.
- (2) In the case of a Child Development Centre or an institution which is maintained with the financial assistance of a foreign Non-governmental organization or single branch of such organization or an organization of similar nature, they shall get registered with the Secretariat for the registration of non-governmental organizations of the Ministry of Social services of the Sri Lanka government prior to being registered with the North Western Provincial Department of Probation and Childcare Services.
- (3) All homes or institutions of the nature referred to in Section 7(1) and 7(2) above maintained on the day of coming into operation of this Statute shall be registered under this Statute.
- (4) All child development centers, daycare centers and institutions that provide services for children which are to commence operations within the North Western Province on any basis whatsoever for the purpose of execution of functions referred to in Section 05 of this Statute shall obtain the temporary registration of the North Western Provincial Department of Probation and Childcare Services prior to the commencement of operations.
- (5) All child development centers, daycare centers and institutions providing services for children which commence operations on the temporary registration shall within one year from the commencement of operations or such other period of time less than one year as specified by the Commissioner obtain the permanent registration. The Commissioner may grant the permanent registration to a child development center, daycare center or an institution providing services for children which has obtained the temporary registration under Section 7(4) above if the Commissioner is satisfied that such child development centre, daycare centre or an institution providing services to children has fulfilled the basic qualifications and has met the minimum standards as may be specified by regulations made under Section 28 of this Statute.

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| <p>08. Any child development center, daycare center or an institution providing services for children which does not comply with the minimum standards specified by regulations made under Section 29 of this Statute shall not be entitled to be registered.</p> | <p>Temporary registration to be obtained</p> |
| <p>09. When a Child development centre or an institution does not become eligible for the registration under Section 08 of this Statute, the Commissioner shall inform in writing to such child development center or institution that the registration was rejected.</p> | |
| <p>10. (1) The Commissioner may cancel the registration of any child development center or institution if he determines that such child development centre or institution acts in contravention of objects of this Statute or does not comply with the standards specified by regulations.</p> <p>(2) The Commissioner shall inform the child development centre or institution of the cancellation of the registration in writing together with reason therefor.</p> <p>(3) When the Commissioner in pursuing action under Section 09 or 10(1) of this Statute becomes satisfied that any child development centre does not comply with the standards specified by regulations made under Section 28 of this Statute may remove the children who receive the services of such child development centre.</p> | |
| <p>11. The management of any child development centre or institution which is dissatisfied by the determination of the Commissioner to reject the registration under Section 09 or cancel the registration under Section 10 of this Statute may within 30 days from the receipt of the notice thereof, make an appeal therefrom to the Minister in-charge of the subject.</p> | <p>Appeal from rejection or cancellation of registration</p> |
| <p>12. (1) The Minister may direct the Secretary to hear and determine any appeal made under Section 11 of this Statute.</p> <p>(2) The Secretary upon conducting a formal inquiry into an appeal may confirm, revise or reject the determination of the Commissioner.</p> <p>(3) The secretary shall deliver his decision regarding an appeal within three months from the receipt of such appeal and the decision of the Secretary on an appeal is final and conclusive.</p> | |
| <p>13. (1) Any child development centre or institution of which registration was rejected under Section 09 or canceled under Section 10 of this Statute shall wind up its operations within 30 days from such rejection or cancellation.</p> <p>(2) Provided however that, when an appeal is made under section 11 of this Statute the winding up may be deferred until the determination of the appeal.</p> <p>(3) When the determination of the Commissioner is confirmed at the inquiry into the appeal under Section 12(2) of this Statute the child development centre or institution shall wind up its operations within thirty days from such decision.</p> | <p>winding up of child development centers</p> |
| <p>14. (1) Every voluntary organization which is desirous to maintain a registered child development centre or institution under Section 07 of this Statute, shall enter into an Agreement with the Commissioner in respect of its child development centre or institution and the terms of the Agreement shall be specified by regulations.</p> | <p>Regulation of institutions</p> |

- (2) The Minister or the Commissioner may issue by way of circulars or regulations instructions or directions or guidelines as may be deemed timely or opportune or expedient for the purpose of giving effect to the provisions of this Statute by the Minister or the Commissioner.
- (3) The management of every child development centre or institution registered for the purpose of this Statute shall ensure that its child development centre or institution follows or complies with the instructions, directions or guidelines issued under Section 14(2) of this Statute.

PART III

North Western Provincial Childcare Services Fund

Establishment
of the north
western childcare
services Fund

15. there shall be established and maintained a Fund to be called “North Western Provincial Childcare Services Fund” (hereinafter referred to as the “Fund”).

Composition of
the North West-
ern Childcare
Services Fund

16. (1) There shall be paid into the Fund:
 - (a) all sums of money received from the government as grants;
 - (b) any sum of money allocated by the Provincial Council by way of grant for the purpose of this Statute;
 - (c) all sums of money received as foreign aid under Section 22 of Provincial Council Act;
 - (d) all sums of money collected from concerts, lotteries and other approved means;
 - (e) all sums of money and properties received as donations from any person or institution or organization;
 - (f) all sums of money received as interest or dividends for investments of monies of the Fund;
 - (g) all sums of money received from courts.
- (2) All expenses incurred in the realization of objects of this Statute shall be a charge on the Fund.

Paying out of
the Fund

17. There shall be paid out of the Fund all such sums as are required to defray any expenditure incurred only:
 - (a) to develop infrastructure at government Child Development Centers or voluntary child development centers registered with the Department;
 - (b) to improve welfare services for the staff of government or voluntary child development centers, daycare centers or other institutions registered with the Department for the provision of services to children;
 - (c) to carry out studies, researches and training in relation to children;
 - (d) to train staffs engaged in activities relating to childcare;
 - (e) to strengthen the propaganda drive to bring the services of the Department closer to the public;
 - (f) to develop infrastructure relating to protection and childhood development of the children at registered daycare centers;

- (g) to produce printed documents, books, magazines and documentary films on the safe-guarding of rights of children and minimizing of child abuse or admission of children to child development centers or on the ways and means of taking action for the utmost benefit of the children;
 - (h) to implement alternate programmes and special projects to discourage application for admission to child development centers and to revert such children back to their families.;
 - (i) to uplift education of the children who are deprived of education due to poverty;
 - (j) to provide financial assistance to an institutionalized child or to a child living in his/her house which cannot be covered by departmental provisions.
18. (1) An account shall be maintained in favour of the Fund in a State bank for the purpose of the Fund and all monies received to the Fund shall be deposited to the credit of the Account. Accounts of the Fund
- (2) The monies which do not immediately require incurring expenses out of the Fund may be invested in a State bank or a State finance institution.
19. The North Western Provincial Commissioner of Probation and Childcare Services shall be responsible for the administration of the Fund. Administration of the Fund
20. The financial year of the Fund shall be the calendar year. Financial year of the Fund
21. The provisions of Article 154 of the Constitution relating to the audit of accounts of public institutions and financial rules of the North Western Provincial Council shall apply to the audit of accounts of the Fund. Audit of accounts of the Fund
22. The Minister shall within six months after the expiry of the calendar year table a report on the administration of the fund in respect of the year, a copy of the audited statement of accounts for the year and a report of the Auditor General on the said accounts. Reports on accounts of the Fund
23. (1) There shall be established a Board of Management to administer the Fund which shall be comprised of the followings appointed by the Minister in-charge of the Subject: Appointment of the Board of Management
 - (a) Secretary to the Ministry in-charge of the Subject;
 - (b) Provincial Commissioner of Probation and childcare services;
 - (c) Accountant of the Ministry in-charge of the Subject;
 - (d) Assistant Commissioner or a senior probation Officer in service of the Department;
 - (e) Two members of the management of a voluntary Child Development Centre or Institution which maintains a registered Child development Centre in the North Western Province.
- (2) The Secretary to the Ministry in-charge of the Subject shall be the President and the Provincial Commissioner shall be the Secretary of the Board of Management.
- (3) The term of office of a member appointed to the Board of Management under Section 23(1) (e) of this Statute shall be three (03) years from the date of appointment.
- (4) The membership office of an ex-officio member shall cease upon the cessation of holding of the post by virtue of which he is a member of the Board of Management and the successor to such post shall be appointed to the vacant office.

- (5) The Minister may appoint another person referred to in Section 23(1) (e) of this Statute to hold such office for the unexpired period of office of any member who vacates or is removed from his office.
 - (6) The term of office of any member appointed to hold office for the unexpired period of office of any member resigned or removed from office, shall be limited to the unexpired period of office of the predecessor.
 - (7) The Minister is not debarred from reappointing a member who has already held office for one term.
- 24 (1) Any member appointed to the Board of Management under Section 23(1) (e) may resign from his office on a written notice thereon to the Minister.
- (2) The Minister shall remove any member appointed to the Board of Management under Section 23(1) (e) if he is found to be convicted of a criminal offence by any court or found to be guilty of any misconduct.
 - (3) The Minister may if he not satisfied with the performance of any member of the Board of Management remove such member at his discretion.
- 25 No person who is or becomes -
- (1) member of Parliament, a Provincial Council or a Local Authority; or
 - (2) insane or insolvent or convicted of a criminal offence by a court;
- shall be eligible to be appointed to the Board of Management.
- 26 The powers and functions of the Board of Management shall be as follows:
- (1) to make policy decisions on the administration of the Fund;
 - (2) to provide instructions on matters pertaining to management, operation and implementation of affairs of the Fund;
 - (3) to grant approval to incur expenses out of the Fund subject to ceilings specified by the Governor for the purpose of implementation of duties and functions as provided for under Section 17 of this Statute;
 - (4) to submit to the Minister the Annual report on the management of the Fund and the audited annual statement of finance.
- 27 (1) The Board of Management shall meet at least once in every three months.
- (2) The quorum of the meetings of the Board of Management shall be three members.
 - (3) The existence of vacancies in the Board of Management shall not hinder the conduct of meetings or the making of decisions at such meetings.
 - (4) The members of the Board of Management participating in meetings thereof may be remunerated at such rates as may be determined by the Minister on the approval of the Governor.

PART IV

General

- 28 Where an offence under Section 30 of this Statute is committed, the Provincial Director or any other officer authorized by him shall have the power to institute action. power to institute action
- 29 (1) The Minister may make regulations relating to matter as may be required for the purpose of giving effect to provisions of this Statute. Regulations
- (2) Every regulation made by the Minister shall within thirty (30) days after its publication in the *Gazette*, be brought forward before the Provincial Council for approval.
- (3) Any regulation which is not so approved by the Provincial Council shall be deemed to be rescinded as from the date of disapproval but without prejudices to anything previously made thereunder.
- (4) A notification of the date on which any such regulation is deemed rescinded shall be published in the *Gazette*.

PART V

Offences and Penalties

- 30 Any person who - Offences
- (1) knowingly make any false or incorrect statement on any report or any other document made or furnished under any provisions of this Statute or any regulation made thereunder;
- (2) fails or refuses to furnish any information or report required under this Statute;
- (3) fails or neglects to comply with the orders or guidelines or directions of the Commissioner of Probation and Childcare Services without a reasonable cause;
- (4) impedes or obstructs any person from exercising, executing or carrying out powers, duties or functions vested in or assigned to such person by or under this Statute or any regulation made thereunder;
- (5) breaches, or deliberately neglects to comply with and/or deliberately impedes any provision or regulation made under this Statute or any regulation made thereunder;
- shall be guilty of an offence under this Statute.
- 31 Where an offence under this Statute is committed, the Provincial Commissioner of Probation and Childcare Services or any other officer authorized by him shall have the power to institute action.
- 32 Any person who commits an offence under Section 30 of this Statute shall on conviction after summary trial before a Magistrate, be liable to a fine not less than rupees ten thousand (Rs.10,000) and not exceeding rupees hundred thousand (Rs.100,000) or to imprisonment for a term not exceeding 06 months or to both such fine and imprisonment. Penalties
- 33 The provisions of the Provincial Council Act No.42 of 1987 shall apply to the allocation and incurring expenses for the maintenance of institutions established under this Statute.

PART VI

Interpretation

34 In this Statute unless the context otherwise requires:-

“abduction” carries the same meaning as defined in the Penal Code (Chapter 15);

“abuse” carries the same meaning as defined in -

- (a) the Penal Code (Amendment) Act, No. 22 of 1995;
- (b) the provisions relating to employment of children of the Employment of Women, Young Persons, and Children Act No.22 of 1995;
- (c) any provision of the Children and Young Persons Ordinance;
- (d) any provisions of the Compulsory Education Regulations No. 01 of 1997;

“centre for child mothers and pregnant children below the age of 18 years” means a centre established under Subsection 4(11) of this Statute, “Certified School” means a centre established under Subsection 4(6) of this Statute;

“child” means any person male or female below the age of 18 years, “Child Development Centre” means any institution or child development centre which receives and provides protection and care for orphaned, deserted, destitute and abused children maintained by registered voluntary organizations and any institution or development centre which receives and provides protection and care for orphaned, deserted, destitute and abused children and pregnant girls, and child mothers maintained by registered voluntary organizations;

“Commissioner” means the Commissioner of Probation and Childcare Services appointed to the North Western Provincial Department of Probation and Childcare Services under Section 4(1) of this Statute;

“daycare centre” means an institution which has facilities to provide protection and care for children between the age of 06 months and 05 years whose parents/guardians are incapable of providing protection during the day time;

“deserted” when applied to a legitimate child means a child, deserted by both parents or by one parent, the other being dead or incapable of acting as a parent or a child both of whose parents are incapable of acting as parents and when applied to an illegitimate child, means a child deserted by his/her mother or a child whose mother is incapable of acting as a parent; and when applied to a child whose guardianship has been vested in another person on a court order, means a child deserted by the guardian concerned;

“destitute” means a child whose parents receive public assistance from a Government Department or from a Local Authority or one of whose parents is incapable of engaging in any employment due to illness established on a medical certificate, the other is having no stable income or a child one of whose parents is adjudged as mentally ill on a medical certificate, the other is having no stable income or a child whose parents are separated and the mother or father who hold the guardianship of the child on a court order or otherwise is having no stable income or a child whose parents do not receive any assistance but are recommended by the Grama Niladhari or the Probation Officer to receive such assistance;

“finance institution” means a licensed institution to receive cash deposits which is a 100% government shareholding;

“Fund” means the Fund established under Section 15 of this Statute;

“Governor” means the Governor of the Provincial Council of the North Western Province ;

“Minister” means the Minister in-charge of the subject of Probation and Childcare Services of the Provincial Council of the North Western Province ;

“orphan” when applied to a legitimate child means a child, both of whose parents are dead, or one of whose parents is dead, the other being incapable of acting as a parent; and when applied to an illegitimate child, means a child whose mother is dead or incapable of acting as a parent,

“Probation Officer” means -

- (a) an officer appointed under Section 17 of Probation of Offenders Ordinance No. 42 of 1944;
- (b) a voluntary probation officer appointed under Section 17(2);

“Provincial Receiving Child Development Centres “ means an institution maintained by the Department of Probation and Childcare Services to provide protection and care for orphaned, deserted, destitute and abused children under the age of 05 years;

“Protected Home” means a Child Development Centre established under Subsection 4(10) of this Statute;

“Secretary” means the Secretary of the Ministry in-charge of the subject of Probation and Childcare Services of the Provincial Council of the North Western Province;

“State Bank” means the Peoples’ Bank, Bank Of Ceylon, and National Savings Bank;

“voluntary organization” carries the same meaning as defined in the Voluntary Social Service Organizations (Registration and Supervision) Act No. 31 of 1980.

35 In the event of any inconsistency between the Sinhala, Tamil and English texts of this Statute, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

02-610