



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

**PUBLIC SERVICE PROVIDENT FUND
(AMENDMENT) ACT, No. 17 OF 2003**

[Certified on 4th April, 2003]

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Public Service Provident Fund (Amendment)
Act, No. 17 of 2003

L. D. — O. 93/2002.

[Certified on 4th April, 2003]

AN ACT TO AMEND THE PUBLIC SERVICE PROVIDENT FUND
ORDINANCE

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka.

1. This Act may be cited as the Public Service Provident Fund (Amendment) Act, No. 17 of 2003.

Short title.

2. Section 2 of the Public Service Provident Fund Ordinance (hereinafter referred to as the “principal enactment”) is hereby amended by the insertion immediately after subsection (4A) of that section, of the following new subsection :—

Amendment of
section 2 of
Chapter 434.

“(4B) In respect of a person who holds a non-pensionable post in the service of the Government and who is entitled for a daily pay —

- (a) the total of the daily payments made to such person during a calendar month or part thereof ; or
- (b) the monthly allowance paid to such person in lieu of a salary for that period,

shall be deemed to be the monthly salary of such person.”.

3. Section 4 of the principal enactment is hereby amended by the insertion immediately after subsection (2) of that section, of the following new subsection :—

Amendment of
section 4 of the
principal
enactment.

“(2A) The compulsory contribution of a non-pensionable employee referred to in subsection (4B) of section 2, shall be calculated, on the basis of the monthly salary received by such person in accordance with the aforesaid subsection.”.

2 *Public Service Provident Fund (Amendment)*
 Act, No. 17 of 2003

Amendment of
section 17 of the
principal
enactment.

4. Section 17 of the principal enactment is hereby amended by the repeal of subsection (1) thereof, and the substitution therefor, of the following new subsection :—

“(1) Subject to the provisions of this Ordinance, on the death of the contributor :—

- (a) if the amount payable does not amount to, or does not exceed in value the sum specified by the provisions of the Civil Procedure Code (Chapter 101) as being the sum above which the institution of testamentary proceedings is mandatory, the Director of Pensions shall pay such amount in the manner prescribed, to the person or persons nominated by the deceased contributor for such purpose. If no such nomination has been made, such amount can either be paid by the Director of Pensions to the person or persons entitled by law to receive the same or where a case for the settlement of the estate of the deceased contributor has been filed, such amount shall be paid to the credit of the case ;
- (b) if the amount payable exceeds in value the sum specified by the provisions of the Civil Procedure Code (Chapter 101) as being the sum above which the institution of testamentary proceedings is mandatory, the Director of Pensions shall pay such amount to the credit of the testamentary case filed for the settlement of the estate of the deceased contributor :

Provided however, the Director of Pensions may at his discretion, where it appears that immediate financial relief is essential to the

spouse or children or other dependants of the deceased contributor for the settlement of funeral expenses, pay a sum not exceeding ten thousand rupees to the spouse or children or other dependants of the deceased contributor.”.

5. 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 any inconsistency.

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