



PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

NATIONAL INSTITUTE OF PLANTATION MANAGEMENT (AMENDMENT) ACT, No. 38 OF 2003

[Certified on 14th November, 2003]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic Socialist Republic of Sri Lanka** of November 14, 2003

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 1

Price : Rs. 6.75

Postage : Rs. 4.50

*National Institute of Plantation Management
(Amendment) Act, No. 38 of 2003*

[Certified on 14th November, 2003]

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AN ACT TO AMEND THE NATIONAL INSTITUTE OF PLANTATION
MANAGEMENT ACT, NO. 45 OF 1979

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows :—

1. This Act may be cited as the National Institute of
Plantation Management (Amendment) Act, No. 38 of 2003. Short Title.
2. Section 4 of the National Institute of Plantation
Management Act, No. 45 of 1979 (hereinafter referred to as
“the principal enactment”) as amended by Act No. 5 of 1987 Amendment of
section 4 of Act,
No. 45 of 1979.
is further amended as follows :—
 - (i) by the deletion in paragraph (*h*), of the word “and”;
and
 - (ii) by the insertion immediately after paragraph (*k*) of
the following new paragraphs :—
 - “(l) promote investment in plantation
management ;
 - (m) undertake the collection and
dissemination of data relating to
plantations and plantation management,
and to conduct research to ascertain the
development potential of plantations ;
and
 - (n) advise the Minister on appropriate
policies relating to plantation
management and to co-ordinate with
other relevant agencies.”.

Amendment
of section 6 of
the principal
enactment.

3. Section 6 of the principal enactment as amended by Act, No. 76 of 1981 and Act, No. 5 of 1987 is hereby further amended as follows :—

(1) by the repeal of subsection (1) thereof and the substitution therefor of the following new subsection :—

“(1) the Institute shall have a Board of Governors (hereinafter referred to as the “Board”) consisting of —

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

(i) the person holding office for the time being as the Director of the National Institute of Plantation Management appointed under section 16 of this Act ;

(ii) the person holding office for the time being as the Director of the Tea Research Institute established by Act No 52 of 1993 ;

(iii) the person holding office for the time being as the Director of the Rubber Research Institute; and

(iv) the person holding office for the time being as the Director of the Coconut Research Institute ;

(b) the following nominated members appointed by the Minister, namely :—

(i) a representative of the Tea Small Holdings Development Authority established by the Tea Small Holdings Development Authority Law, No. 35 of 1975, nominated by such Authority ;

- (ii) a representative of the Planters' Association of Ceylon established by the Planters' Association of Ceylon Ordinance (Chapter 291), nominated by such Association in consultation with the Tea Association of Sri Lanka (TASL) ;
- (iii) two representatives of the Ministry of the Minister in charge of the subject of Plantation Industries, nominated by that Minister ;
- (iv) two members representing Trade Unions, which shall be selected on such criteria as may be determined by the Minister in charge of the subject of Plantation Industries ;

For the purposes of this sub-paragraph "Trade Union" shall have the same meaning as in the Trade Unions Ordinance (Chapter 138);

- (v) a representative of the Ministry of the Minister in charge of the subject of Finance, nominated by the Minister ;
- (vi) one member, nominated by the Federation of Tea Small Holdings Development Societies in consultation with the Tea Association of Sri Lanka (TASL);
- (vii) one member nominated by the Private Tea Factory Owners' Association, in consultation with the Tea Association of Sri Lanka (TASL) ;

- (viii) a representative of the Thursaviya Societies, registered under the Thurusaviya Fund Act, No. 23 of 2000, nominated by such societies ;
 - (ix) a representative of the Coconut Growers Association nominated by such Association.”;
- (2) by the repeal of subsection (2) of that section, and the substitution therefor of the following subsection :—
- “(2) (a) The Minister shall appoint a Chairman from amongst the appointed members of the Board.
- (b) The Chairman may resign from the office of Chairman by letter in that behalf addressed to the Minister.
- (c) The Minister may, for reasons assigned, remove the Chairman from the office of Chairman.
- (d) Subject to the provisions of paragraphs (b) and (c), the term of office of the Chairman shall be his period of membership of the Board.”.
- (3) in paragraph (a) of subsection (4) of that section, by the substitution for the words and figure “under paragraph (c) of subsection (1)”, of the words and figure “under paragraph (b) of subsection (1)”; and
- (4) in subsection (5) of that section, by the substitution for the words and figure “under paragraph (b) of subsection (1)”, of the words and figure “under paragraph (a) of subsection (1)”.

Amendment of
section 7 of the
principal
enactment.

4. Section 7 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the words and figures “paragraph (c) of subsection (1) of section 6”, of the words and figures “paragraph (b) of subsection (1) of section 6”.

5. Section 8 of the principal enactment is hereby amended by the repeal of subsection (1) thereof and the substitution therefor of the following subsection :—

Amendment of section 8 of the principal enactment.

“(1) The Minister may, if he considers it expedient to do so remove by Order published in the Gazette, any member of the Board appointed under paragraph (b) of subsection (1) of section 6, for reasons assigned :

Provided however a member appointed under sub-paragraph (iv) of paragraph (b), may be removed only with the concurrence of the Minister in charge of the subject of Finance.”.

6. The following new section is hereby inserted immediately after section 30 of the principal enactment and shall have effect as section 30A of that enactment :—

Insertion of new section 30A of the principal enactment.

“Regulations. 30A. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of the Act.

(2) Every regulation made by the Minister under subsection (1) shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in such regulation.

(3) Every regulation made by the Minister under subsection (1), shall as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Any such regulation which is not so approved shall be deemed to be rescinded as from the date of disapproval but without prejudice to anything previously done thereunder. Notification of the date on which any regulation is deemed to be so rescinded shall be published in the Gazette.”.

Transitional
Provisions.

7. The members of the Board of Governors holding office on the day immediately preceeding the date of commencement of this Act shall continue to hold office until such time the Board of Governors is reconstituted under section 6 of the principal enactment as amended by this Act.

Sinhala text to
prevail in case of
inconsistency.

8. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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