



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

COLOMBO DISTRICT (LOW-LYING AREAS)
RECLAMATION AND DEVELOPMENT BOARD
(AMENDMENT)
ACT, No 52 OF 1982

[Certified on 31st December, 1982]

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**Colombo District (Low-lying Areas) Reclamation
and Development Board (Amendment)
Act, No. 52 of 1982**

[Certified on 31st December, 1982]

L. D.—O. 14/80.

AN ACT TO AMEND THE COLOMBO DISTRICT (LOW-LYING AREAS) RECLAMATION AND DEVELOPMENT BOARD ACT, No. 15 OF 1968.

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

1. This Act may be cited as the Colombo District (Low-lying Areas) Reclamation and Development Board (Amendment) Act, No. 52 of 1982.

Short title.

2. The long title of the Colombo District (Low-lying Areas) Reclamation and Development Board Act, No. 15 of 1968 (hereinafter referred to as the "principal enactment") is hereby amended by the substitution for the words "declared by Order of the Minister so that such areas may be rendered suitable for building purposes, and for matters connected therewith or incidental thereto.", of the words "declared by Order of the Minister; for such Corporation to undertake construction work and consultancy assignments in the field of Engineering, and for matters connected therewith or incidental thereto."

Amendment
of the long
title of Act
No. 15 of
1968.

3. (1) In the principal enactment, and in any other written law, there shall be substituted—

(a) for the words "Colombo District (Low-lying Areas) Reclamation and Development Board Act", the words "Sri Lanka Land Reclamation and Development Corporation Act"; and

(b) for the words "Colombo District (Low-lying Areas) Reclamation and Development Board" and "Board" denoting the Colombo District (Low-lying Areas) Reclamation and Development Board, the words "Sri Lanka Land Reclamation and Development Corporation" and "Corporation", respectively.

"Colombo District (Low-lying Areas) Reclamation and Development Board Act", "Colombo District (Low-lying Areas) Reclamation and Development Board", and the "Board" to be known as the "Sri Lanka Land Reclamation and Development Corporation Act", "Sri Lanka Land Reclamation and Development Corporation" and "Corporation" respectively.

(2) Every reference to the "Colombo District (Low-lying Areas) Reclamation and Development Board Act", and the "Colombo District (Low-lying Areas) Reclamation and Development Board", in any notice, notification, instrument or other document shall be read and construed as a reference respectively to the "Sri Lanka Land Reclamation and Development Corporation Act", and the "Sri Lanka Land Reclamation and Development Corporation".

2 *Colombo District (Low-lying Areas) Reclamation
and Development Board (Amendment)
Act, No. 52 of 1982*

Amendment
of section 2
of the
principal
enactment.

4. Section 2 of the principal enactment is hereby amended as follows:—

- (1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection:—

“(1) Where the Minister is satisfied that any area of land is a low-lying, marshy, waste or swampy area and where such land is situated within the jurisdiction of any local authority, he shall in consultation with the Minister in charge of the subject of Local Government and the local authority or authorities within which such land is situated, or where such land is in an area for which a local authority has not been created but is in an area for which any other authority has been created and established by or under any law, then with the concurrence of the Minister in charge of such authority, by Order published in the Gazette, declare such area to be a Reclamation and Development Area for the purposes of this Act.”; and

- (2) by the substitution in subsection (3) of that section for the words “to reclaim and develop that Area and render it suitable for building purposes”, of the words “to reclaim and develop that Area”.

Amendment
of section 3
of the
principal
enactment.

5. Section 3 of the principal enactment is hereby amended in subsection (1) thereof, by the substitution for the words “declared by an Order under section 2 and which is or are vested in the local authority within the jurisdiction of which such land or lands is or are situated shall,” of the words “declared by an Order under section 2, and which is or are vested in any local authority or authorities or in any other authority within the jurisdiction of which such land or lands is or are situated shall,”.

Amendment
of section 4
of the
principal
enactment.

6. Section 4 of the principal enactment is hereby amended in subsection (1) thereof, by the substitution for the words “vested in a local authority within the jurisdiction of which such land is situated,” of the words “vested in a local authority or authorities or in any other authority within the jurisdiction of which such land is situated,”.

Colombo District (Low-lying Areas) Reclamation 3
and Development Board (Amendment)
Act, No. 52 of 1982

7. Section 6 of the principal enactment is hereby amended in subsection (1) of that section, by the repeal of paragraph (b) thereof, and the substitution therefor, of the following paragraph :—

Amendment
of section 6
of the
principal
enactment.

" (b) six other members appointed by the Minister, one of whom at least shall be a qualified Civil Engineer."

8. Section 8 of the principal enactment as amended by Law No. 27 of 1976 is hereby further amended as follows :—

Amendment
of section 8
of the
principal
enactment.

(1) in paragraph (a) of that section, by the substitution for the words " commercial or agricultural purpose ; and ", of the words " commercial or agricultural purpose ; " ;

(2) in paragraph (b) of that section by the substitution for the words " vested in the Board.", of the words " vested in the Board ; and " ; and

(3) by the addition, immediately after paragraph (b) of that section, of the following new paragraph :—

" (c) to undertake construction work and consultancy assignments in the field of Engineering, in areas other than those areas declared by Order under section 2 of this Act."

9. Section 9 of the principal enactment is hereby amended as follows :—

Amendment
of section 9
of the
principal
enactment.

(1) by the renumbering of that section as subsection (1) of that section ;

(2) in renumbered subsection (1) of that section—

(a) by the insertion immediately after paragraph (b) of that subsection, of the following new paragraphs :—

" (ba) to formulate or execute any scheme of work in connection with the infrastructure development of such Areas ;

(bb) to construct harbours and anchorages and to undertake work in the field of irrigation, sea reclamation and coastal development in such Areas ; " ;

4 Colombo District (Low-lying Areas) Reclamation
and Development Board (Amendment)
Act, No. 52 of 1982

(b) by the insertion immediately after paragraph (d) of that subsection, of the following new paragraphs :—

" (da) to carry out building, engineering and construction work including the manufacture of any material required for such building, engineering or construction work ;

(db) to provide advisory and consultancy services on engineering and technological matters ;

(dc) to enter into any contract with any person for the execution of land development projects and schemes as may be approved by the Government ;" ; and

(3) by the addition immediately after the re-numbered subsection (1) of that section of the following new subsection :—

" (2) Notwithstanding the provisions of subsection (1) of this section the Corporation shall not exercise the powers under paragraphs (ba), (bb) and (da) in any area declared to be a development area under section 3 of the Urban Development Authority Law, No. 41 of 1978, without obtaining the prior approval of the Urban Development Authority."

Insertion
of new
section 9a
in the
principal
enactment.

10. The following new section is hereby inserted immediately after section 9, and shall have effect as section 9A, of the principal enactment :—

" Corporation to carry out any activity entrusted to it by the Cabinet of Ministers.

9A. Notwithstanding anything in section 9 of this Act, the Corporation may engage in or carry out any activity relating to the achievement of the objects of this Act, as set out in section 8 that may be approved by the Cabinet of Ministers."

**Colombo District (Low-lying Areas) Reclamation 5
and Development Board (Amendment)
Act, No. 52 of 1982**

11. The amendment made to the principal enactment by section 10 of this Act shall be deemed to have for all purposes come into operation on the date on which that enactment came into operation and accordingly any activity engaged in or carried out for the achievement of the objects of the principal enactment by the Corporation, prior to the commencement of this Act shall be deemed to have been validly engaged in or carried out.

Retrospective effect of section 9 of this Act.

12. The following new sections are hereby inserted immediately after section 26, and shall have effect as section 26A and section 26B, of the principal enactment: —

Insertion of new sections 26A and 26B in the principal enactment.

* Officers and servants of the Corporation deemed to be public servants within the meaning of the Penal Code.

26A. All officers and servants of the Corporation shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

Corporation deemed to be a scheduled institution within the meaning of the Bribery Act.

26B. The Corporation shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly."

13. The First Schedule to the principal enactment is hereby repealed.

Repeal of the First Schedule.

14. (1) All contracts, agreements and other instruments of the Colombo District (Low-lying Areas) Reclamation and Development Board, which subsist or have effect immediately prior to the commencement of this Act shall have effect against, or in favour of the Sri Lanka Land Reclamation and Development Corporation, as fully and effectively as if, instead of the Colombo District (Low-lying Areas) Reclamation and Development Board, the Sri Lanka Land Reclamation and Development Corporation had been a party thereto.

Transitional provisions.

(2) All suits, actions, appeals and other legal proceedings instituted by or against the Colombo District (Low-lying Areas) Reclamation and Development Board, and pending immediately prior to the commencement of this Act, shall not abate or be discontinued, and may be continued or enforced by or against the Sri Lanka Land Reclamation and Development Corporation.

6 *Colombo District (Low-lying Areas) Reclamation
and Development Board (Amendment)
Act, No. 52 of 1982*

(3) All the rights, liabilities and obligations of the Colombo District (Low-lying Areas) Reclamation and Development Board other than the rights, liabilities and obligations referred to in subsection (1) on the day immediately prior to the commencement of this Act, shall be deemed to be the rights, liabilities and obligations of the Sri Lanka Land Reclamation and Development Corporation.

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