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

**RANA VIRU SEVA AUTHORITY
ACT, No. 54 OF 1999**

[Certified on 23rd December, 1999]

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L.D.—O. 4/99.

AN ACT TO ESTABLISH AN AUTHORITY TO PROMOTE THE WELFARE OF DISABLED MEMBERS OF THE ARMED FORCES AND THE POLICE FORCE, AND OF THE DEPENDANTS OF MEMBERS OF THE ARMED FORCES AND THE POLICE FORCE, KILLED OR MISSING IN ACTION ; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

- 1.** This Act may be cited as the Rana Viru Seva Authority Act, No, 54 of 1999. Short title.
- 2.** (1) There shall be established an Authority to be called The Rana Viru Seva Authority (hereinafter referred to as the “Authority”). Establishment of the Rana Viru Seva Authority.
- (2) The Authority shall, by the name assigned to it by sub-section (1), be a body corporate with perpetual succession and a common seal and may sue and be sued in such name.
- 3.** (1) The administration and management of the affairs of the Authority shall be vested in a Board of Management (hereinafter referred to as the “Board”) consisting of the following members appointed by the president :— Administration of the affairs of the Authority vested in a Board of Management.
- (a) the Secretary to the Ministry of the Minister in charge of the subject of Defence or a representative of that Ministry nominated by such Secretary ;
- (b) the Secretary to the Ministry of the Minister in charge of the subject of Home Affairs or a representative of that Ministry nominated by such Secretary ;
- (c) the Director, (Welfare) of the Sri Lanka Army ;
- (d) the Director, (Welfare) of the Sri Lanka Navy ;

- (e) the Director, (Welfare) of the Sri Lanka Airforce ;
 - (f) the Deputy Inspector-General of Police in charge of Welfare ;
 - (g) the President of the Seva Vanitha Unit of the Ministry of the Minister in charge of the subject of Defence ;
 - (h) the Chief Accountant of the Ministry of the Minister in charge of the subject of Defence ;
 - (i) a representative of the General Treasury nominated by the Minister in charge of the subject of Finance ;
 - (j) three other members appointed by the President, of whom at least two members shall be from amongst members of the medical and legal professions. A member appointed under this paragraph is hereinafter referred to as an “appointed member”.
- (2) The president shall appoint a Chairman and vice-Chairman of the Board from amongst the members of the Board.
- (3) The provisions of the Schedule to this Act shall have effect in relation to the term of office of the appointed members of the Board, the remuneration payable to the members of the Board and the meetings and seal of the Board.

Functions of the
Authority.

4. (1) The functions of the Authority shall be—

- (a) to provide for the after care and rehabilitation of members of the Armed Forces and the Police Force who have become disabled in action ;
- (b) to provide, and to assist in the provision of, housing to—
 - (i) members of the Armed Forces and the Police Force who have become disabled in action ;
 - and

- (ii) the dependants of members of the Armed Forces and the Police Force who have been killed, or are missing in action ;
- (c) to provide, or assist in the provision of, medical care to—
 - (i) members of the Armed Forces and the Police Force who have become disabled in action ; and
 - (ii) the dependants of members of the Armed Forces and the Police Force who have been killed, or are missing in action ;
- (d) to enable—
 - (i) members of the Armed Forces and the Police Force who have become disabled in action ; and
 - (ii) the dependants of members of the Armed Forces and the Police Force who have been killed, or are missing in action ;

to have access to education and higher education, by the provision of scholarships and other forms of assistance ;
- (e) to assist—
 - (i) members of the Armed Forces and the Police Force who have become disabled in action ; and
 - (ii) the dependants of members of the Armed Forces and the Police Force who have been killed, or are missing in action ;

to secure gainful employment ;
- (f) to set up industrial, agricultural or commercial ventures with a view to providing employment to the members of the Armed Forces and the Police Force who have become disabled in action ; and

- (g) to do all such other acts and things as may be necessary or conducive to the discharge of the function of the Authority.
- 5.** (1) The Board shall for the purpose of discharging its function have the power—
- (a) to acquire and to hold, any property, movable or immovable, and to sell, lease, mortgage, or exchange or otherwise dispose of, the same ;
- (b) to enter into all such contracts as may be necessary for the discharge of its functions ;
- (c) to open, operate and maintain, current, savings or deposit accounts in any bank or banks ;
- (d) to employ such officers and servants as may be necessary for the discharge of its functions, and to exercise disciplinary control over such officers and servants ;
- (e) to determine the terms and conditions of service of the officers and servants appointed under paragraph (d) ; and
- (f) to do all such other acts or things as are necessary for, or incidental to, the discharge of its functions.
- 6.** The Authority shall within sixty days of the date of commencement of this Act, cause to be prepared registers respectively of—
- (a) all members of the Armed Forces and the police Force who have become disabled in action ; and
- (b) the dependants of all members of the Armed Forces and the Police Force who have been killed, or are missing in action,
- and shall cause such registers to be revised or amended as and when it becomes necessary to do so.

7. (1) At the request of the Board, an officer in the Public Service may, with the consent of that officer and the Secretary to the Ministry of the Minister incharge of the subject of Public Administration, be temporarily appointed to the Staff of the Authority for such period as may be determined by the Board with like consent, or be permanently appointed to such staff.

Staff of the
Authority.

(2) Where any officer in the public service is temporarily appointed to the Staff of the Authority, the provisions of subsection (2) of section 14 of the National Transport Commission Act, No 37 of 1991 shall, *mutatis mutandis*, apply to, and in relation to, him.

(3) Where any officer in the public service is permanently appointed to the staff of the Authority, the provisions of subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall *mutatis mutandis*, apply to, and in relation to, him.

(4) Where the Authority employs any person who has agreed to serve the Government for a specified period, any period of service to the Authority by that person shall be regarded as service to the Government for the purposes of discharging the obligations of such agreement.

8. (1) The Authority shall have its own fund (hereinafter referred to as “the Fund”).

Fund of the
Authority.

(2) There shall be paid into the Fund—

- (a) all such sums of money as may be appropriated for the purposes of the Authority by Parliament ;
- (b) all such sums of money as may be received by the Authority by way of profit from the ventures set up in the discharge of the functions assigned to the Authority by paragraph (f) of section 4 ; and

(c) all such sums of money as may be received by the Authority by way of gifts, grants or donations from local and foreign sources ;

(3) there shall be paid out of the Fund all such sums of money as are required to defray any expenditure incurred by the Authority in the discharge of its functions.

Financial year and audit of accounts.

9. (1) The financial year of the Authority shall be the Calender year.

(2) The Board shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Authority.

(3) The provisions of Article 154 of the Constitution relating to the audit of accounts of Public Corporations shall apply to the audit of the accounts of the Authority.

Exemption from certain taxes.

10. (1) All profits and income of the Authority shall be exempt from income tax under the Inland Revenue Act, No.28 of 1979.

(2) Every gift, grant or donation made in money or otherwise to the Authority shall, for the purposes of paragraph (b) of subsection (2) of section 31 of the Inland Revenue Act, No.28 of 1979, be deemed to be a donation made in money or otherwise to a Fund established by the Government.

Members, officers and servants of the Authority deemed to be public servants.

11. All members of the Board and, officers and servants of the Authority shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

Authority to be a Scheduled Institution within the meaning of the Bribery Act.

12. The Authority 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.** (1) No action or prosecution shall be instituted —
- (a) against the Authority, for any act, which in good faith is done or purported to be done by the Authority under this Act ; or
- (b) against any member of the Board or, officer or servant of the Authority for any act which in good faith is done or purported to be done by him under this Act or on the direction of the Board.

Protection for action taken under this Act or on the direction of the Authority.

(2) Any expenses incurred by the Authority in any action or prosecution brought by or against the Authority in any court shall be paid out of the Fund and any costs paid to, or recovered by, the Authority in any such action or prosecution shall be credited to the fund.

(3) Any expenses incurred by any such person as is referred to in paragraph (b) of subsection (1), in any action or prosecution instituted against him in respect of any act which is done or purported to be done by him under this Act or on the direction of the Board shall be paid out of the Fund if the Court holds that such act was done in good faith.

14. (1) Where any immovable property of the State is required for any purpose of the Authority, such purpose shall be deemed to be a purpose for which a special grant or lease of such property may be made under section 6 of the Crown Lands Ordinance, and accordingly the provisions of that Ordinance shall apply to a special grant or lease of such property to the Authority.

State property to be made available to the Authority.

(2) where any movable property of the State is required for any purpose of the Authority, the Minister may by Order published in the Gazette transfer to and vest in the Authority, the possession and use of such movable property :

Provided however, that no order affecting any movable property of the State shall be made by the Minister under the preceeding provisions of this subsection without the concurrence of the Minister having control over such property.

- Annual Report. **15.** The Board shall at the end of each financial year prepare a report of the activities of the Authority during the year and shall submit such report to the Minister who shall cause the same to be laid before Parliament.
- Sinhala text to prevail in case of inconsistency. **16.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
- Interpretation. **17.** In this Act, unless the context otherwise requires—
- “Armed Forces ” means the Sri Lanka Army, Sri Lanka Navy or the Sri Lanka Air Force ;
- “dependant” in relation to a member of the armed forces or the police force killed or missing in action includes the widow or widower, unemployed and unmarried daughter, unemployed son, parent, unmarried sister or unmarried brother under eighteen years of age, grand father, grand mother of such member, and where the parents are not living, the uncle and aunt of such member, if such uncle and aunt were dependent on such member at the time of his death or was missing in action ;
- “local authority” means any Municipal Council, Urban Council or Pradeshiya Sabha and includes any authority created or established by or under any law to exercise, perform and discharge, powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council or Sabha ;
- “Police Force” means the Sri Lanka Police Force ;
- “Provincial Council” means a Provincial Council established under chapter XVIIIA of the Constitution.

SCHEDULE

[Section 3(3)]

1. A person shall be disqualified from being appointed, or continuing, as an appointed member of the Board if he is or becomes a member of Parliament or of a provincial Council or of a local authority.

2. The term of office of an appointed member of the Board shall subject to the provisions of paragraphs 3 and 4 be four years :

Provided that a person appointed in place of an appointed member who has vacated office by death, resignation or removal shall hold office for the unexpired period of the term of office of the member whom he succeeds.

3. An appointed member of the Board may resign from office by a letter in that behalf addressed to the President and such resignation shall take effect upon it being accepted by the President in writing.

4. The President may, for reasons assigned, by Order published in the Gazette, remove an appointed member of the Board from office. A member in respect of whom an Order is made under this paragraph shall be deemed to have vacated office on the date of publication of the Order in the Gazette.

5. Where an appointed member of the Board is by reason of illness, absence from Sri Lanka or other cause temporarily unable to perform the duties of his office, the President may appoint some other person to act in his place.

6. The president may, for reasons assigned, at any time remove the Chairman and the Vice-Chairman from the offices respectively of Chairman and of Vice-Chairman.

7. The Chairman and Vice-Chairman may at any time resign from the offices respectively of chairman and of Vice-Chairman by a letter in that behalf addressed to the President and such resignation shall take effect upon its being accepted by the President in writing.

8. Subject to the provisions of paragraphs 6 and 7, the terms of office of the Chairman, Vice-Chairman shall be their respective periods of membership of the Board.

9. All or any of the members of the Board may be paid such remuneration as the President may in consultation with the minister in charge of the subject of Finance determine.

10. The Chairman of the Board shall, if present, preside at all meetings of the Board. In the absence of the Chairman, the Vice-Chairman shall preside thereat. In the absence of both the Chairman and the Vice-Chairman from any such meeting, the members present at such meeting shall elect one among themselves to preside at such meeting.

11. The quorum for any meeting of the Board shall be eight.

12. The person presiding at any meeting of the Board shall in addition to his vote have a casting vote.

13. subject to the provisions of paragraphs 10, 11 and 12, the Board may regulate the procedure in regard to its meetings and the transaction of business at such meetings.

14. The seal of the Authority may be determined and devised by the Board and may be altered in such manner as may be determined by the Board.

15. The seal of the Authority shall be in the custody of such person as the Board may determine from time to time.

16. The seal of the Authority shall not be affixed to any instrument or document except with the sanction of the Board and in the presence of two members of the Board both of whom shall sign such instrument or document in token of their presence.

17. No act or proceeding of the Board shall be deemed to be invalid by reason only of the existence of any vacancy in the Board or any defect in the appointment of any member thereof.

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