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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

SABARAGAMUWA PROVINCE PROVINCIAL COUNCIL

Pinnawala Iperanigama Theme Park Statute No. 01 of 2016

Honourable Chairman of the Sabargamuwa Provincial Council Certified on 16.02.2016

Honourable Governor of the Sabaragamuwa Provincial Council Assented on 23.02.2016

Printed by order of the Sabaragamuwa Provincial Council

SABARAGAMUWA PROVINCIAL COUNCIL OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

PINNAWALA IPERANIGAMA THEME PARK STATUTE NO. 01 OF 2016

PINNAWALA Iperanigama Theme Park Statue No. 01 of 2016 of the Sabargamuwa Provincial Council which is passed by the Sabaragamuwa Provincial Council on 09.02.2016 and assented to by the Honourable Governor of the Sabargamuwa Province on 23.02.2016 is hereby published for the information of the public.

PALITHA NANAYAKKARA,
Council Secretary,
Sabaragamuwa Provincial Council.

At the Sabaragamuwa Provincial Council,
on this 03rd day of February 2016,

Statute No. 01 of 2016 of Sabaragamuwa Provincial Council

Statute

“Pinnawala Iperanigama” Theme Park Establishment



Statute No. 01 of 2016 of Sabaragamuwa Provincial Council

Statute on Pinnawala Iperanigama Theme Park Establishment

The statute to establish a theme park with related trust board and matters connected there with or incidents thereto, which is for display the economic, social and educational glory of a traditional village of Sabaragamuwa Province.

Be it enacted by the Sabaragamuwa Provincial Council of the Democratic Socialist Republic of Sri Lanka

Short Title and the date of operation

- 1) 1.1 This statute may be cited as the “Pinnawala Iperanigama Theme Park Statute No. 01 of 2016 and shall come into operation on the date of its approval by the Governor.
- 1.2 There shall be established an Trust Board for Pinnawala Iperanigama Theme Park (Hereinafter referred as Theme Park) and the members of the trust board shall be consider as persons mentioned in Section No. 04.
- 1.3 Pinnawala Iperanigama Theme Park shall be an unit, which implemented by the Chief Ministry of Sabaragamuwa Provincial Council and shall has perpetual succection and a common seal.
- 1.4 Hereinafter “Minister” shall referred as the Chief Minister of Sabaragamuwa Province.
- 1.5 Hereinafter “Trust Board” shall referred as The Trust Board of the Pinnawala Iperanigama Theme Park.
- 1.6 Hereinafter “Account” shall referred as the account related to Pinnawala Theme Park.
- 1.7 Hereinafter “Governor” shall referred as The Governor of Sabaragamuwa Province.
- 1.8 Hereinafter “Secretary” shall referred as the Secretary of the Chief Ministry of Sabaragamuwa Provincial Council.

Objectives of the Theme Park

- 2) 2.1 Demonstrate live models related with the heritage and the economic, social and cultural glory of a traditional village of Sabaragamuwa Province, which has a chronicle from pre historic era to future generation.
- 2.2 Provide the opportunities to study the structure of a traditional village with its live models and equipments used there as far off days, to students of year 5 scholarship exam, GCE (O/L), (A/L) and higher education.
- 2.3 Demonstrate economic system of a traditional village for local and foreign tourists.
- 2.4 Conserve the features and traditional equipment for the future generation.
- 2.5 Promote the tourism in Sabaragamuwa Province.
- 2.6 Generate direct and indirect employment opportunities
- 2.7 Create a tourists attraction and generate foreign exchange.

- 2.8 Provide sceneries for photography, film and teledrama shooting and other events like conference and ceremonies.
- 2.9 Provide a marketing space for artistic creations of the traditional artists of Sabaragamuwa Province.
- 2.10 Provide opportunities to perform dancing skills of traditional dancers of Sabaragamuwa Province.
- 2.11 Organize seminars, programs and field visits for protect the heritage.
- 2.12 Execute as an income generation system for provincial fund.
- 3) 3.1 Theme park should be contained by the features to demonstrate a traditional village of the Sabaragamuwa Province, Sri Lanka. Features of the Theme Park
- 3.2 Indigenous doctor's house (Weda Gedara), Village Headman's House (Arachchila Gedara), Traditional Coffee Bar (Kopi Kade) Black Smith's Shop (Kammala), Carpenter's Shed (Wadu Maduwa), Handloom Weaver's Place (Athyanthra Redipili Gedara), Potter's House (Kumbal Gedara), Head Former's House (Maha Gamaralage Gedara), Tank (Wewa), Chena (Hena), Traditional Fence (Dandu Weta), Hut on Tree, Paddy Field, Threshing floor (Kamatha), Traditional Rice Granary (Wee Bissa), Buddhist Temple, Open Theatre, Drum Makers House, Teacher's House, Laundres's House, Theme Park's Restaurent, Entrance and Front Office, Exit Building and souvenir shop are to be consider as the features of Theme Park.
- 3.3 The Trust Board shall has the power to add additional features compatible with the objective of the Theme Park.
- 4) 4.1 The Trust Board consists as follows : Composition of the Trust Board
- Chief Advisor - Chief Minister of Sabaragamuwa Provincial Council
- Conceptual Advisor - Chief Secretary, Sabaragamuwa Provincial Council.
- President of the Trust Board - Secretary, Chief Ministry of Provincial Council

Members of the Trust Board

- Two representatives of the Chief Minister
- Secretary, Sabaragamuwa Provincial Education Ministry
- Secretary, Sabaragamuwa Provincial Tourism Ministry
- Secretary, Sabaragamuwa Provincial Industrial Ministry
- Secretary, Sabaragamuwa Provincial Agricultural Ministry
- Deputy Chief Secretary (Planning)
- Deputy Chief Secretary (Financial Management)
- Deputy Chief Secretary (Administrative)
- Deputy Chief Secretary (Engineering Services)
- Deputy Chief Secretary (Personnal and Training)
- Director (Planning), Provincial Chief Ministry
- A representative of the Chief Secretary

The Trust Board consists of 13 members as above

All the members of Trust Board should be appointed by the Minister

The term of office
and the function
of the Trust
Board

- 5) 5.1 The term of office of the trust board is 03 years. At the end of the period of three years, the minister should appoint the members again.

5.2 Functions of the Trust Board should be as follows .

- (a) The Trust board should be hold meetings more than once a month or twice and should get the relevant managerial decisions.
- (b) The Trust Board shall have the power to recruit, promote, provide disciplinary rules, terminate the service on disciplinary matters and recruit employees under contract/casual/substitute basis.
- (c) The Trust Board shall have the power to determine the salary scales of all employees under contract/casual/substitute basis.
- (d) The Trust Board shall be the disciplinary authority of all employees.
- (e) Service extension power on contract basis employees shall be a power of the Trust Board.
- (f) The trust board shall have the power to add additional features to make the Theme Park a more reliable model traditional village for local and foreign tourists.
- (g) Participatory allowance for the trust board members shall be decided by the Trust Board under the approval of The Minister.
- (h) Determination of the incentives for foreign tourist agencies and tourists guides to promote introducing tourists to the Theme Park shall be a power of the Trust Board.
- (i) The Trust Board shall have the power to identify and implement the necessary actions to promote the Theme Park and gain the attraction of local and foreign tourists.
- (j) The Trust Board shall determine the opening hours of the Theme Park and the working hours of employees.

Chairman of the
Trust Board

- 6) 6.1 The secretary of the chief ministry of Sabaragamuwa Provincial Council shall act as the Chairman of the Trust Board. He shall act as the Chair Person, the chief and the main policy maker of the Trust Board.
- 6.2 The Trust board can give him an acting allowance of 1/3 of his current salary to perform the duties as the Chairman of The Trust board.

Secretary of The
Trust Board

- 7) 7.1 Chief Executive Officer of the Theme Park shall act as the secretary of the Trust Board. Keeping the minutes of the Trust board is a duty of him.

Hold the meetings
when the chairman
is absent

- 8) 8.1 When the chairman is absent, members of the Trust Board has the power to appoint another member among them as the acting chairman as the day meeting.

- | | | |
|----------|--|--|
| 9) 9.1 | Total number of the Trust Board is 13 members. Quorum for the meeting shall be consider as 07 members. | Quorum of the Trust Board Meeting |
| 10) 10.1 | The Minister receives following powers :- | Power of the Minister |
| | a) Power of calling special meeting sessions at his discretion. | |
| | b) Power of appointment and removal on members of the Trust Board | |
| | c) In case of exposure of an undisciplined activity or a corruption of a member, the minister has the power to remove them from the Trust Board. | |
| | d) Power of obtain the bank account and financial information of the Trust Board. | |
| 11) 11.1 | Member of the parliament, member of a provincial council or a mayor/chairman of a local authority, is disqualified from being appointed or acted as a member of the Trust Board. | Disqualifications for being appointed as a Member of the Trust Board |
| 11.2 | A person declared to be an offender by a court of Sri Lanka should not be appointed or acted as member of the Trust Board. | |
| 12) 12.1 | The Minister has the power to appoint new member in case of a resigning or death of a representative of the Minister, he has the power to appoint a new representative to the Trust Board to settle the vacancy for the left period of the time. | Appointment of new members for the Trust Board |
| 12.2 | The Chief Secretary of the Provincial Council has the power to appoint new member in case of a resigning or death of the representative of Chief Secretary, he has the power to appoint a new representative to the Trust Board to settle the vacancy for the left period of the time. | |
| 12.3 | In case of retirement, transfer, promotion, resigning or death of a member of rest ones, the minister should appoint the successor of the related designation as a member of the Trust Board. | |
| 13) 13.1 | If resigns a member who represents the Chief Minister of the Chief Secretary of the Provincial Council, he may aware the Chief Minister, Chief Secretary and the Chairman of the Trust Board within a calendar month. | Resignation of a member |
| 14) 14.1 | The Trust Board should maintain a separate bank account named "Pinnawala Iperanigama Theme Park" is a state bank. | Set up the account of the Trust Board |
| 14.2 | The Provisions of Part 3 of the Provincial Council's Act, No. 42 of 1987, shall apply to the financial control of the authority. | |
| 14.3 | The following receipts shall be subjected to the account of " Pinnawala Iperanigama Theme Park" | |
| | (A) Cash and donations by Sabaragamuwa Provincial Council Fund. | |
| | (B) Earnings of the Theme Park. | |
| | (C) Cash and donations by a Government Ministry/a Department or another institute. | |

(D) Cash, gifts and donations by Non-Governmental Organizations, the public, voluntary organizations or international organizations.

Deployment of
finance and
property

15) 15.1 All expenditures incurred by achieving the objectives of the Theme Park shall be pay by the Account.

15.2 The Trust Board shall have the capability and power to pay any purchase, award, gift or a tax under existing Financial Regulations/Financial Rules.

15.3 The Trust Board shall have the power to sell, mortgage or lease some property of the Theme Park, under the circulars and commandments of Sabaragamuwa Provincial Council and Provincial Chief Ministry.

Account Control

16) 16.1 The account should control under Financial Regulations of the government and with the guidance of the Secretary of the Chief Ministry.

16.2 The financial year of the account shall be a calendar year.

16.3 The Trust Board shall maintain the account properly in relation to income, expenditure, assets, liabilities and other purposes of the Theme Park.

16.4 Auditing of the account should be done in accordance with the provisions of the Article 154 of the constitution, for auditing a accounts of a state corporation.

16.5 The audit report shall lay before the Trust Board on following meeting after it received.

The power to
sign cheques

17) 17.1 The cheques should sign by the Chairman of the Trust Board or Chief Executive Officer with Finance Assistant or Manager.

Appointment of
the staff

18) 18.1 Appointment the Chief Executive Officer.

(a) An officer of a all island service shall appoint as the Chief Executive Officer of the Theme Park, under instructions on the Minister. This appointment shall be done by the secretary under the agreement of the Trust Board and under the approval of Minister. The Trust Board has an ability to pay an acting allowance of 1/3 of his current salary.

or

(b) When not appointed as above the Minister can appoint full time Chief Executive Officer. The Trust Board shall determine the salary and allowances under the approval of Minister.

(c) The Trust Board shall identify required qualifications to appoint the Chief Executive Officer.

(d) Roles of the Chief Executive Officer are continuing the general administration, financial administration, staff administration and maintaining the Theme Park as a profitable institution under the Chief Ministry.

18.2 The Trust Board transferred the power to recruit following staff consisting permanent/casual/substitute/contract basis workers. The trust board shall determine the qualifications and the amount of the staff to be recruited.

- (a) Manager
- (b) Financial Assistant
- (c) Sinhala, Tamil and English Medium Guides.
- (d) Cashiers for ticket counters
- (e) Maintain Labours
- (f) Watchman
- (g) Ticket issuers for vehicle park

18.3 The Trust Board has the power to appoint workes under casual/substitute/contract basis due to necessity in addition to above mentioned staff.

18.4 The Trust Board has the power to extent the service period of casual/substitute/contract basis staff appointed for certain tasks.

18.5 The Trust Board shall recruit casual/substitute/contract basis staff as permanent staff after the service period of one year.

- (a) Under this, only workers who qualified with a performance potential should recruited to the permanent staff.
- (b) The Trust Board has the ability to extent the time of service of contract basis workers.
- (c) After recruit as permanent staff the workers are paid salaries, living cost allowances and the Trust Board shall pay related payments to the Employees Provident Fund (EPF) and Employees Trust Fund (ETF).
- (d) Prepare salary scales for the staff, prepare a promtion system, staff training and decision making on disciplinary control shall be done by the Trust Board.
- (e) The Trust Board has the power to revise the number of employments and number of the positions on service necesstity.
- (f) The Trust Board has the power to determine the duties of employees.
- (g) All officers and employees of the Theme Park established under this statute shall be considered as provincial public servants.
- (h) All employees must be subject to Establishments Code, Financial Regulations, Sabaragamuwa Provincial Financial Rules, Statutes, Circulars and regulations enacted from time to time.
- (i) The Trust Board receives the power to load any loss or damage done by any officer or employee in good faith or without intention.

19) 19.1 Providing knowledge about the heritage of a traditional village using relevant structures, let tourists to observe it and manufacture and sale of traditional items are the stuff of the exhibitors.

Exhibitors

19.2 The Trust Board shall determine the allowance for exhibitors in relevant to each structures, considering the stuff of the exhibitors by comparing whether they are able to earn money by selling items or not.

	19.3	The Trust Board can determine to pay an identified living cost allowance for exhibitors.
	19.4	The Trust Board shall recruit exhibitors and the Trust Board shall determine the extension of the contract period by their work performance.
Exhibitors for Open Theatre	20) 20.1	Theme Park included as Open Theatre.
	(a)	The Trust Board shall identify an art institute for perform traditional dancing/drama in the Open Theatre for a identified time period.
	(b)	When identifying as art institute the Trust Board shall give first priority to art institute's in Rambukkana, second priority for art institute's in Kegalle district and third priority for art institute's in Ratnapura district.
	(c)	The Trust Board shall pay a partial payment for the art institute, from their performance income from Open Theatre. The Trust Board shall determine the percentage and the amount to be charged from local and foreign tourists.
	(d)	The Trust Board shall educate students and local and foreign tourists about Sri Lankan traditional rituals, offerings, dancing and dramas.
	(e)	The Trust Board shall identify a certain time period for perfome these events.
	(f)	The trust board can identify art institutes and artists, determine their contract period and their participatory allowance.
Giving Open Theatre on hire basis	21) 21.1	The Trust Board can determine the daily rental or fare on giving Open theatre for hire basis. The Trust Board can given the Open Theatre on hire basis for Drama and programs based on indigenous values.
Giving exhibition stalls on rental basis	22) 22.1	The Trust Board shall give the exhibition stalls near the exit door to state and private sector institutions under an identified proper method.
	22.2	Exhibition stalls shall be used to sell Theme Park identical artistic items, creations of artists in Sabaragamuwa Province and to introduce nationally important artistic creations to local and foreign tourists.
	22.3	It shall not allow selling or introducing artificial or non-traditional items in these exhibition stalls.
	22.4	The Trust Board shall determine the rental for the exhibition stalls.
Event Management	23) 23.1	The Trust Board shall charge an identified fare from professional photographers and videographers.
Include new features	24) 24.1	The Trust Board can include new traditional features agreed with initial objectives of Theme Park, under the approval of Minister.
Initial Funds	25) 25.1	The estimated amount of provision that determined by the Trust board for continue the Theme Park till reach it's income generation level can funded by Provincial Council's Fund on basis of unpaid.

25.2 This initial funding shall be done under the approval of the Minister.

25.3 In case of breakdown of the income generation process of Theme Park under financially difficult occasions, to bear wages and maintenance expenses sufficient for six months, the Trust Board can be granted an interest free and within 10 months payable loan from Provincial Council Fund.

26) 26.1 The Chief Secretary of Sabaragamuwa Provincial Council can attach officers/employees from provincial government service for a year of period from commencement date of Theme Park. Interim Provisions

27) 27.1 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

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