



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

**NATIONAL HOUSING DEVELOPMENT
AUTHORITY(SPECIAL PROVISIONS)
ACT, No. 37 OF 2008**

[Certified on 31st October, 2008]

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*National Housing Development Authority
(Special Provisions) Act, No. 37 of 2008*

[Certified on 31st October, 2008]

L.D.—O. 63/2007.

AN ACT TO MAKE SPECIAL PROVISIONS TO ENABLE OFFICERS AND SERVANTS WHO WERE EMPLOYED IN THE DEPARTMENT OF NATIONAL HOUSING AND WHO WERE SUBSEQUENTLY EMPLOYED BY THE NATIONAL HOUSING DEVELOPMENT AUTHORITY, TO BE ELIGIBLE FOR THE GRANT OF A PENSION; AND TO PROVIDE 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 National Housing Development Authority (Special Provisions) Act, No. 37 of 2008.

Short title.

2. Every officer and servant who was employed in the Department of National Housing on the day immediately preceding April 1, 1979 (other than an officer or servant who was in a transferable service) and who was subsequently employed by the National Housing Development Authority (hereinafter referred to as the “Authority”) shall notwithstanding his employment by the Authority, be deemed to have continued in office as a public officer in the Department of National Housing from the date on which he was employed by the Authority until the end of his period of service with the Authority and shall, if his period of service with the Authority, when added to his period of service in the Department of National Housing, amounts to ten years or more, be eligible, at the end of his period of service with the Authority, for the grant of a pension under the Minutes of Pension.

Grant of pension to officers and servants employed in the Department of National Housing and subsequently employed by the National Housing Development Authority.

3. (1) Every person who becomes eligible for the grant of a pension under section 2, shall receive such pension subject to a refund which shall be made by him or his heirs to the Director of Pensions, of any gratuity paid to him in lieu of pension, upon his accepting permanent employment with the Authority.

Conditions to be satisfied before award is made.

2 *National Housing Development Authority
(Special Provisions) Act, No. 37 of 2008*

(2) Every person who becomes eligible for the grant of a pension under section 2, shall receive such pension subject to—

- (a) the withdrawal therefrom of the employer's contribution to the Employees Provident Fund, made in respect of him ; and
- (b) the withdrawal of the total amount of the contribution made in respect of him, towards the Employees Trust Fund.

(3) The amount recovered under paragraphs (a) and (b) of subsection (2) shall be credited to the revenue of the Authority.

Sinhala text to prevail in case of inconsistency.

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

Interpretation.

5. In this Act, unless the context otherwise requires—

“Employees Provident Fund” means the Employees Provident Fund established under Act, No. 15 of 1958;

“Employees Trust Fund” means the Employees Trust Fund established under Act, No. 46 of 1980;

“gratuity” means gratuity calculated under the Payment of Gratuities Act, No. 12 of 1983; and

“National Housing Development Authority” means the National Housing Development Authority established under the National Housing Development Authority Act, No. 17 of 1979.

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