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# The Gazette of the Democratic Socialist Republic of Sri Lanka

## EXTRAORDINARY

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### PART I : SECTION (I) — GENERAL

#### Proclamations & C., by the President

P.S. No. : PS/CSA/00/1/14/29

**BY HIS EXCELLENCY GOTABAYA RAJAPAKSA**  
**PRESIDENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

Seal

GOTABAYA RAJAPAKSA

To:

1. Hon. Shiran Anthony Gunaratna Esquire  
Judge of the Supreme Court
2. Hon. Priyantha Fernando Esquire  
Judge of the Court of Appeal
3. Hon. Mr. Damith Thotawatta Esquire  
Judge of the High Court
4. K. M. M. Siriwardana Esquire  
Deputy Governor of the Central Bank of Sri Lanka
5. Dr. Sanath Jayanetti Esquire  
Senior Consultant (Trade)
6. P.A. Dias Esquire  
Former Additional Director General Sri Lanka Customs and  
Former Director General of Department of Information Technology Management



Greetings !

Taking into consideration that it is essential to facilitate legitimate trade while increasing government revenue by coordinating with other government departments and stakeholders on imports and exports by preventing various allegations and alleged corruptions in Sri Lanka Customs;

Considering that said functions make a significant contribution to the national economy;

I am of the view that the effective and efficient operation of the institutional, administrative and operational functions of the Sri Lanka Customs is a fundamental requirement in fulfilling those responsibilities;

I am of the view that it is necessary that a Commission of Inquiry be appointed to investigate and inquire into and report on matters hereinafter referred to and provided for;

Now therefore, I, Gotabaya Rajapaksa, the President of the Democratic Socialist Republic of Sri Lanka reposing great trust and confidence in your integrity, prudence, ability and fidelity, do in pursuance of the provisions of Section 2 of the Commission of Inquiry Act (chapter 393), by these presents appoint you, the said –

1. Hon. Shiran Anthony Gunaratna Esquire  
Judge of the Supreme Court
2. Hon. Priyantha Fernando Esquire  
Judge of the Court of Appeal
3. Hon. Mr. Damith Thotawatta Esquire  
Judge of the High Court
4. K. M. M. Siriwardana Esquire  
Deputy Governor of the Central Bank of Sri Lanka
5. Dr. Sanath Jayanetti Esquire  
Senior Consultant (Trade)
6. P.A. Dias Esquire  
Former Additional Director General Sri Lanka Customs and  
Former Director General of Department of Information Technology Management

to be my Commissioners to investigate and inquire into and report on the following matters, namely –

- (a) Study the existing structure, systems and procedures to learn lessons, identify shortcomings (administration and technical) and recommend measures to prevent alleged corrupt practices in Sri Lanka Customs.
- (b) Harmonizing of BOI and Custom arrangements to ensure maximum trade facilitation having taken into account security, quarantine laws, *etc.*
- (c) Review existing bonded warehouse facilities, their logistics and streamlining their operations through a well-integrated IT system.
- (d) Review multiple tariff rates used in Revenue Protection Order (RPO).
- (e) Review all in house studies carried out by Department of Customs.
- (f) Review all proposals submitted by Custom's Unions.
- (g) Modernize Customs administration through automation.
- (h) Strengthen risk assessment through ASYCUDA system.

- (i) Strengthen the management of Customs through implementing international best practices in Human Resources.
- (j) Review Rewards Systems implemented by Customs and the effectiveness in managing Customs intelligence in order to ensure government revenue, the economy and national security, health standards are protected.
- (k) Review inter-agency transactions with banks, Sri Lanka Ports Authority, Department of Inland Revenue, Department of Motor Traffic, Department of Excise, Department of Import and Export Control, Foreign Exchange and Regulatory Institutions.
- (l) Recommend short term actions to be taken immediately, as well as medium and long term institutional reforms to prevent corrupt practices, irregularities and abuse of administrative power to put Sri Lanka Customs as the best in the region.

Further, I do hereby appoint you the said Hon. Shiran Anthony Gunaratna Esquire, Judge of the Supreme Court to be the Chairman of the said Commission.

Further, I do hereby authorize and empower you, the said Commissioners, to conduct or cause the conduct of necessary investigations and inquiries and require you to transmit to me an Interim Report before 30<sup>th</sup> March, 2021 and the final Report before 30<sup>th</sup> May, 2021 under your hand, setting out the findings of your investigations and inquiries, and your recommendations relating thereto.

And, I do hereby direct such part of any inquiry relating to the aforesaid matters as you may in your discretion determine, shall not be held in public.

Further, I hereby direct all Government Officers, Officers of the Statutory Boards and other persons from whom you may request assistance or information for the purposes of your investigations or inquiries, to give all possible assistance to the task at hand and provide all possible information.

Further, I hereby mention that the views and suggestions of the general public, trade associations, chambers *etc*, should be invited to air their concerns.

Further, I hereby declare that the provisions of Section 14 of the Commission of Inquiry Act (Chapter 393) shall apply to this Commission.

Given at Colombo under the Seal of the Democratic Socialist Republic of Sri Lanka on this 24<sup>th</sup> day of February, Two thousand and Twenty one.

By His Excellency's Command,

**P. B. JAYASUNDERA,**  
Secretary to the President.