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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2006/37 - 2017 පෙබරවාරි මස 15 වැනි බදාදා - 2017.02.15

No. 2006/37 - WEDNESDAY, FEBRUARY 15, 2017

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

THE INLAND REVENUE ACT, No. 10 OF 2006

REGULATIONS made by the Minister of Finance under section 212 read with section 217 of the Inland Revenue Act, No. 10 of 2006 under the caption of “Authorized Representative Regulations No. 1 of 2006”.

These Regulations operate effective from February 9, 2017 and rescind the Regulations published in the *Gazette Extraordinary* No. 1487/3 dated March 05, 2007 and amendment made thereto by *Gazette Extraordinary* No. 1712/18 dated June 30, 2011, effective from the same date.

RAVI KARUNANAYAKE,
Minister of Finance.

Ministry of Finance,
Colombo 01,
09th February, 2017.

Regulations

1. These regulations may be cited as the Approval of Authorized Representative Regulations, No. 1 of 2006.
2. The Commissioner General shall maintain a register of all authorized representatives registered under these Regulations.
3. Any individual desirous of being registered as an authorized representative under these Regulations shall apply on that behalf to the Commissioner General in the form provided for such purpose by the Commissioner General.
4. No individual shall be entitled to be registered or to have his name in the register as an authorized representative unless he has attained the age of twenty-one years, and is a citizen of Sri Lanka residing within Sri Lanka and such individual-
 - (a) has been an Assistant Commissioner of the Department of Inland Revenue who has passed Second Departmental Examination and has had service of not less than five years in that position after passing that Second Departmental Examination ; or



- (b) is an individual registered as an auditor under the Companies (Auditors) Regulations ; or
- (c) has been a member of the Sri Lanka Audit Service not below the rank of Superintendent of Audit Class II, being a person who has been appointed to that service on the results of a competitive examination ; or
- (d) has been a member of the Sri Lanka Government Accountant's Service not below Class II of that service, being a person who has been appointed to that service on the results of a competitive examination ; or
- (e) "(i) has obtained one of the following qualifications -
- (a) Executive Level I Examination/Certificate in Accounting and Business (CAB) Level 1/Certified Business Accountant (CBA)/Certified Tax Advisor of the Institute of Chartered Accountants of Sri Lanka (CASL) ;
 - (b) Certificate in Business Accounting of Chartered Institute of Management Accountants (CIMA) ;
 - (c) Professional qualification foundation level of Association of Chartered Certified Accountants (ACCA) ;
 - (d) Managerial Level (Level 03) Intermediate Level Certificate of the Certified Management Accountants of Sri Lanka of Institute of Certified Management Accountants of Sri Lanka (CMA) ;
 - (e) Membership of the Association of Accounting Technicians (AAT) ; and
- (ii) has post qualification experience of at least ten years in accounting (not being self employed)"
5. No individual shall be entitled to be registered or to have his name in the register as an authorized representative, if such person -
- (a) has been adjudged by a competent Court to be of unsound mind ; or
 - (b) having been adjudged as an insolvent or bankrupt, has not been granted by a competent Court, a certificate to that effect that his insolvency or bankruptcy has arisen wholly or partly from inevitable losses or misfortunes ; or
 - (c) has been convicted by a competent Court, whether in Sri Lanka or elsewhere, of any offence involving, moral turpitude ; or
 - (d) has been found guilty of professional misconduct ; or
 - (e) accept employment in any capacity under any employer (other than in an audit firm), other than an authorized representative approved under these regulations and carrying on business as an authorized representative for the purposes of the Inland Revenue Act.
6. If the Commissioner General is satisfied that any individual applying for registration is entitled to be registered under these regulations, he shall register such individual and issue such individual a letter certifying his registration, which shall be withdrawn in the event of his name being removed from the register maintained by the Commissioner General.

7. The Commissioner General shall withdraw his approval and remove from the register of authorized representatives the name of any individual if
- (a) such individual has made written application for such removal ;
 - (b) such individual has become subject to any of the disabilities specified in regulation 5 ;
 - (c) by reason of any act, negligence, dishonesty or misconduct committed by such individual in his professional capacity, the Commissioner General considers that the name of such individual should be removed from the register.
8. The Commissioner General shall cause a list of the authorized representative registered under these regulations to be published in the *Gazette* at least once a year not later than the thirty first day of March of that year.

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