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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1708/16 - 2011 මැයි 31 වැනි අඟහරුවාදා - 2011.05.31

No. 1708/16 - TUESDAY, MAY 31, 2011

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

EXCISE ORDINANCE NOTICE

Excise Notification No. 936

BY virtue of the powers vested in me by section 25 (chapter 52) of the Excise Ordinance, I, Mahinda Rajapaksa, Minister of Finance and Planning, do by this notification declare that a special approval for serving Wine, Beer and all liquids containing alcohol which have been produced according to acceptable standards, shall be granted by the Commissioner General of Excise, under the authority vested in him by section 7(a) of the Excise Ordinance, (chapter 52), to Hotels approved by the Sri Lanka Tourism Development Authority and which are under continuous supervision of Sri Lanka Tourism Development Authority in order to maintain the international standards and compliance by such Hotels.

1. On a certificate issued by the Director General of Tourism Development Authority confirming the followings :-

- (i) In respect of Hotels established within Municipal area limits, the investment should not be less than US Dollars 4 million or equivalent amount of Sri Lankan Rupees, and in respect of Hotels established outside Municipal area limits, the investment should not be less than US Dollars 2 million or equivalent amount of Sri Lankan Rupees.
- (ii) The Hotel should have been classified by the Sri Lanka Tourism Development Authority as a three star or above class Hotel or a Boutique Hotel or a Boutique Villa Hotel or a Heritage Hotel.
- (iii) In respect of a Hotel established as a Boutique Hotel or a Boutique Villa Hotel or a Heritage Hotel or a Hotel established under same standards within Municipal area limits, the number of rooms should not be less than 15, and in respect of Hotels established outside Municipal area limits, the number of rooms should be equivalent to or more than 07.

and

2. (i) On a payment of prescribed Authorization fees described in Part II of this notification.
- (ii) The approval is valid for a period of three calendar years.

- (iii) The approval is subject to conditions and restrictions set out in Part I of this notification.
and
- (iv) The approval is granted only from the form of approval prescribed in Part III of this notification.

Further, the excise notification No. 935 published in the *Extraordinary Gazette* Notification No. 1689/20 of 21.01.2011 is hereby rescinded.

MAHINDA RAJAPAKSA,
Minister of Finance and Planning.

Ministry of Finance and Planning,
Colombo 01,
30th May, 2011.

PART I

RULES

1. These rules shall apply to serve Wine, Beer and all liquids containing alcohol which have been produced according to acceptable standards, under section 18 of the Excise Ordinance (chapter 52)
2. Hotel – shall mean all accommodation approved by Sri Lanka Tourism Development Authority where a sum of over US Dollars 4 million have being invested in respect of Municipal areas and over US Dollars 2 million have being invested in other areas, and classified as a three star or above class Hotel, Boutique Hotel, Boutique villa or Heritage Hotel.
3. (i) All alcoholic beverages should be purchased from an authorized dealer. The Hotel shall keep an account of alcohol brought and issued in the form prescribed by the Commissioner General of Excise.
- (ii) The approval to serve alcoholic beverages within the premises will be given for the Hotel. Any transfer of ownership of the Hotel, or substantial change of shareholding shall not be affected without the sanction of Sri Lanka Tourism Development Authority and the Commissioner General of Excise. Such transfers should be affected if approved by the Sri Lanka Tourism Development Authority and Commissioner General of Excise. Cost of such a transfer shall be Rs. One million.
- (iii) The approval is valid for alcoholic beverages issued for the consumption on the premises.
- (iv) Approval will be issued for a period of three consecutive financial years. In the case of fresh approval being issued during a financial year, such approval will be issued for the remaining period of that year and for two further consecutive financial years. If the approval is to be renewed after three calendar years, a request should be forwarded to Commissioner General of Excise, with the recommendation of Sri Lanka Tourism Development Authority at least 45 days prior to the expiry of such approval.
- (v) Alcoholic beverages should not be served on all Full Moon Poya days.
- (vi) Approval is similar to FL 7 license in the Excise Notification 902. No additional fees will be levied for serve liquor in the Hotel premises, other than fees specified in Part II.
- (vii) Kitchen, Toilets, fittings and fixtures and surrounding environment should be maintained at high level.
- (viii) Sri Lanka Tourism Development Authority should submit a certificate to the Commissioner General of Excise at the end of each year, that the relevant Hotel was being maintained to the standards prescribed by them.
- (ix) Cancellation of the approval of Sri Lanka Tourism Development Authority due to any violation of conditions will result in automatic cancellation of the approval for alcoholic beverages.

- (x) Failure to comply with any of conditions impose by Sri Lanka Tourism Development Authority and/or Excise Commissioner General may result in the authorization being cancelled and/or subject to Technical Crime Reports being submitted in accordance with the provisions of the Excise Ordinance. Alteration to the Authorization can be made only by the Commissioner General of Excise.

PART II

TRIENNIAL AUTHORIZATION FEE

	Type of License	For 03 Star and 04 Star Class Hotels (Rs. Mn.)	For 05 Star Hotel and above Star Classes /Boutique Hotels / Boutique Villas /Heritage Hotels (Rs. Mn.)
1.	Rooms 250 or more	3.0	5.0
2.	Rooms 200 or more	2.25	4.0
3.	Rooms 100 or more	1.75	3.0
4.	Rooms 50 or more	1.25	2.0
5.	Rooms 07 or more	0.75	1.0

PART III

SRI LANKA EXCISE DEPARTMENT

Special approval for sale of Wine, Beer and all liquids containing alcohol which have been produced according to acceptable standards, for consumption on the premises under section 18 of the Excise Ordinance (chapter 52) issued to Sri Lanka Tourism Development Authority approved Hotels.

1. District :	Authorization No.:
Date of Issue :	Date of Expiry:
No. of Rooms :	Authorization Fee:
Type of Hotel :	Stamp Fee:

2. Name & Address of the Hotel :
3. By virtue of the powers vested in me under section 18 of the Excise Ordinance, I hereby authorized to serve Wine, Beer, and all liquids containing alcohol which have been produced according to acceptable standards, in the premises described in Cage 2.
Date : Commissioner General of Excise.

Copies to :
 1. Sri Lanka Tourism Development Authority
 2. Asst. Excise Commissioner (..... Province)
 3. Excise Superintendent (.....)
 4. Excise OIC (.....)