



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

**SRI LANKA INSTITUTE OF TAXATION
(INCORPORATION) (AMENDMENT)
ACT, No. 13 OF 2023**

[Certified on 21st of August, 2023]

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Sri Lanka Institute of Taxation
(Incorporation) (Amendment) Act, No. 13 of 2023

[Certified on 21st of August, 2023]

L.D.–O. (Inc.)–21/2022

AN ACT TO AMEND THE SRI LANKA INSTITUTE OF TAXATION
(INCORPORATION) ACT, NO. 21 OF 2000

WHEREAS the Sri Lanka Institute of Taxation was incorporated by the Sri Lanka Institute of Taxation (Incorporation) Act, No. 21 of 2000: Preamble

AND WHEREAS the Sri Lanka Institute of Taxation wishes to change its name and that certain amendments be made to the aforesaid Act for the purpose of more effectually carrying out the objects of the said Corporation:

AND WHEREAS the Sri Lanka Institute of Taxation has applied that amendments be made to the aforesaid Act and it will be for the public advantage to grant the said application:

BE it therefore enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Sri Lanka Institute of Taxation (Incorporation) (Amendment) Act, No. 13 of 2023. Short title

2. In every context in which the Sri Lanka Institute of Taxation is mentioned in the Sri Lanka Institute of Taxation (Incorporation) Act, No. 21 of 2000 (hereinafter referred to as the “principal enactment”) or in any rule, notice or other document made or issued thereunder, there shall, unless the context otherwise requires, be substituted for the words “Sri Lanka Institute of Taxation” of the words “Chartered Institute of Taxation of Sri Lanka”. General amendment to the Act, No. 21 of 2000

3. Section 4 of the principal enactment is hereby amended as follows:— Amendment of section 4 of the principal enactment

(1) by the insertion immediately after paragraph (e) of that section of the following paragraph:—

“(ea) to formulate a welfare scheme for the benefit of the members of the Corporation in accordance with the rules made under section 8 of the Act;” and

- (2) by the repeal of paragraph (o) of that section and substitution therefor of the following paragraph:-

“(o) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities in accordance with the rules made under section 8 of the Act;”.

Amendment
of section 6
of the
principal
enactment

4. Section 6 of the principal enactment is hereby amended as follows:-

- (1) in paragraph (b) of that section, by the substitution for the words “other publication acceptable to the Council;” of the words “other publication acceptable to the Council; or”; and

- (2) by the addition immediately after paragraph (b) of that section of the following new paragraph:-

“(c) a person who possesses any other qualification in the field of finance or taxation as may be specified by the rules made under section 8 of the Act.”.

Amendment
of section 8
of the
principal
enactment

5. Section 8 of the principal enactment is hereby amended in subsection (1) of that section as follows:-

- (1) by the repeal of paragraph (a) of that subsection and the substitution therefor of the following paragraph:-

“(a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees, payable by each class of members or for qualifying examinations or approved courses of study or any other services provided by the Corporation, under the provisions of the Act;”;

(2) in paragraph (d) of that subsection by the substitution for the word “appointment,” of the words “the terms and conditions of the appointment;” and

(3) by the insertion immediately after paragraph (d) of that subsection of the following paragraph:-

“(da) the qualifications and disqualifications to be a member of the Council and the Corporation;”.

6. Section 9 of the principal enactment is hereby repealed and the following section is substituted therefor:-

Replacement of
section 9 of the
principal
enactment

“Use of
letters or titles
after name

9. Where any member of the Corporation is-

- (a) a fellow member, he shall be entitled to use after his name, the letters FCIT;
- (b) an associate member, he shall be entitled to use after his name, the letters ACIT;
- (c) an honorary fellow member, he shall be entitled to use after his name, the title Honorary FCIT; or

- (d) an honorary associate member, he shall be entitled to use after his name, the title Honorary ACIT.”.

Amendment
of section 10
of the
principal
enactment

7. Section 10 of the principal enactment is hereby amended by the substitution for the words “use titles or letters after his name FTII (Sri Lanka) or Honorary ATII (Sri Lanka)” of the words “use titles or letters after his name FCIT, ACIT, Honorary FCIT or Honorary ACIT”.

Insertion of
new section
13A in the
principal
enactment

8. The following new section is hereby inserted immediately after section 13 and shall have effect as section 13A of the principal enactment:-

“Members of
the Council
officers, and
servants of
the
Corporation
not to be
liable for acts
done in good
faith

13A. The members of the Council, officers and servants of the Corporation shall not be liable for any act done or purported to be done or any omission made in good faith during the exercise, performance or discharge of their powers, duties or functions under this Act, provided that such immunity shall not extend to-

- (a) liability for a criminal offence under any written law for the time being in force;
- (b) any act done in contravention of the provisions of this Act, or any other applicable written law, or any regulation made thereunder.”.

Saving for
contracts etc

9. (1) Every contract, agreement or other instrument or document whatsoever made, issued or executed prior to the date of commencement of this Act, and subsisting on that date by or in favour of the Sri Lanka Institute of Taxation shall be deemed, from and after the date of commencement of this Act, to be and to have been made, issued or executed by or in, favour of the Chartered Institute of Taxation of Sri Lanka.

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(2) All suits, actions, appeals and other legal proceedings instituted by or against the Sri Lanka Institute of Taxation and pending on the day immediately prior to the date of the commencement of this Act, shall not abate or be discontinued, and may be continued or enforced by or against the Chartered Institute of Taxation of Sri Lanka.

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

Sinhala text to
prevail in case
of inconsistency

