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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B 15/2014

THE CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

REGULATIONS made by the Minister of Urban Development, Water Supply and Housing Facilities under Section 58 of the Construction Industry Development Act, No. 33 of 2014 read with Sub section (1) of Section 49 of the aforesaid Act.

MAHINDA RAJAPAKSA,

Minister of Urban Development, Water Supply and Housing Facilities.

Colombo,
08th June, 2020.

Regulations

1. These regulations may be cited as the Construction Industry Development (Register of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and Other Professionals in the Construction Industry) Regulations of 2020.

2 The Construction Industry Development Authority (hereinafter referred to as the “Authority”) shall maintain a register of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and any Other Professionals in the construction industry (hereinafter referred to as the “Register”)

3. The Register shall contain -

- (a) Names ;
- (b) Contact details ;
- (c) relevant profession or trade or craft, in which the skills are possessed ;



- (d) registered category and speciality ;
- (e) registration number ; and
- (f) date of registration and current registration period

of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and Other Professionals in the construction industry.

4. The Register shall be treated as a Directory of Skilled Construction Workers, Construction Site Supervisors, Middle Level Technical Officers and other professionals in the construction industry and may be inspected by the general public during office hours.

5. In these regulations-

“Other Professionals in the Construction Industry” means a person professionally recognized under the relevant professional body, other than a qualified person referred to in the Construction Industry Development Act, No. 33 of 2014.

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L.D.B 15/2014

THE CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

REGULATIONS made by the Minister of Urban Development, Water Supply and Housing Facilities under Section 58 of the Construction Industry Development Act, No. 33 of 2014 read with Sub section (6) of Section 48 of the aforesaid Act.

MAHINDA RAJAPAKSA,

Minister of Urban Development, Water Supply and Housing Facilities.

Colombo,
08th June, 2020.

Regulations

1. These regulations may be cited as the Construction Industry Development (Craft Identity Cards) Regulations of 2020.

2. Every craft identity card holder shall -

- (a) not violate any provisions of the Construction Industry Development Act, No. 33 of 2014 or any regulation or rules made thereunder ;
- (b) practice only in the category and trade under which such craft identity card holder is registered with the Construction Industry Development Authority ;
- (c) assist in eliminating unsafe working conditions by ensuring to undergo proper safety training relating to any equipment and methods ; and
- (d) adhering to safety measures in sites.

3. Every carft identity card holder shall require to comply with the Code of Conduct set out in the Schedule hereto.

SCHEDULE

(Regulation 3)

CODE OF CONDUCT FOR CRAFT IDENTITY CARD HOLDERS

Every Craft Identity Card Holder shall -

- (a) uphold the honour and dignity of the construction industry by being fair and honest in his business dealings ;
- (b) maintain highest standards and qualities in the relevant trade ;
- (c) maintain high ethical level in carryout assigned work and perform his undertakings with quality service ;
- (d) foster good understanding with other Craft Identity Card Holders and conduct himself with dignity and honour when dealing with them ;
- (e) cooperate with other Craft Identity Card Holders for the protection and advancement of the construction industry ;
- (f) carryout contractual obligations of the labour contract ;
- (g) act in a fair and just manner towards the employers, employees, contractors, sub-contractors and co-workers in carrying out work ;
- (h) practice safety practices within the sites and take every precaution to prevent any health hazards originating from construction work ;
- (i) act in manner that his reputation, conduct or practices are not adverse or detrimental to the construction industry or to the general public ;
- (j) recognise, respect, cooperate with and work in harmony with other stakeholders including professional bodies, technical institutions, any craftsmen's guild or any other related organization ;
- (k) comply with all applicable laws and regulations related to protection of the environment.

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L.D.B 15/2014

THE CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

REGULATIONS made by the Minister of Urban Development, Water Supply and Housing Facilities under Section 58 of the Construction Industry Development Act, No. 33 of 2014 read with Sub section (5) of Section 32 of the aforesaid Act.

MAHINDA RAJAPAKSA,

Minister of Urban Development, Water Supply and Housing Facilities.

Colombo,
08th June, 2020.

Regulations

1. These regulations may be cited as the Construction Industry Development (Disciplinary Procedure for Qualified Persons) Regulations of 2020.

2. These regulations shall apply to any complaint against a qualified person who is not a member of any professional body or a person registered under any board of registration relating to the construction industry established by an Act of Parliament, and registered under Section 26 of the Construction Industry Development Act, No. 33 of 2014, (hereinafter referred to as the "qualified person").

3. Any person who wishes to make a complaint against a qualified person specified in regulation 2 relating to matters specified in Section 32(1) of the Construction Industry Development Act shall submit such complaint in a form as may be determined by the Director General of the Construction Industry Development Authority (hereinafter referred to as the “Director General”) accompanied by a fee of rupees five thousand together with an affidavit supporting the facts stated in the complaint and relevant documents.

4. Upon the receipt of complaint, the Director General shall refer such complaint to an Investigation Committee of the Construction Industry Development Authority (hereinafter in these regulations referred to as the “Authority”) within a period of seven working days for its confidential report.

5. (1) The Authority shall appoint the Investigation Committee referred to in regulation 4, which shall comprise of three members nominated from among the Pool of Professionals of the Authority.

(2) The Investigation Committee on receipt of a complaint referred to it by the Director-General, for the purpose of investigation, shall -

- (a) call for further evidence or information, if necessary, from both parties through the Authority or in the absence of further evidence or information, proceed with complaint ; and
- (b) consider the evidence provided to it, including any written representations and evidence submitted by the qualified person.

6. The Investigation Committee shall, within a period of fifty-six working days from the date of reference of the complaint to it, submit a confidential report to the Director General.

7. The Confidential report shall contain information on the procedure adopted, findings of the investigation and relevant information, together with the recommendations of the Investigation Committee.

8. The Director General shall refer confidential report along with all relevant documents to a Disciplinary Committee for determination.

9. (1) The Authority shall appoint the Disciplinary Committee referred to in regulation 8, which shall comprise of three members nominated from among the Pool of Professionals of the Authority.

(2) The Disciplinary Committee shall meet within a period of fourteen working days from the date of receipt of the confidential report and examine such confidential report.

10. (1) The Disciplinary Committee shall send a notice of inquiry through the Authority to the qualified person to the address as recorded on the Register.

(2) The notice of inquiry shall-

- (a) set out the allegations referred to the Authority, enclosing a copy of the information received about the qualified person ;
- (b) inform the qualified person of the date on which the Disciplinary Committee considers the referral.
- (c) invite the qualified person to make written representations regarding the matters referred to, within period specified therein.

(3) The Disciplinary Committee shall notify through the Authority the complainant and the qualified person against whom the complaint has been made to appear before the Disciplinary Committee on date specified therein.

11. A qualified person may appear -

(a) in person ; or

(b) while in person represented by an allied professional.

12. The complainant and the qualified person may give evidence, either orally or in written form and shall be entitled to produce any witness as declared in the original submission.

13. The qualified person or his representative shall be entitled to cross-examine the complainant or any other witness. Such cross examination shall be confined to the subject under investigation.

14. The Disciplinary Committee shall have power to restrict the examination and cross-examination of witnesses, by disallowing questions which are not relevant to the subject matter of the inquiry, or which are indecent, scandalous or needlessly offensive in form.

15. Upon the conclusion of hearing the Disciplinary Committee shall, having considered the confidential report of the Investigation Committee and the evidence of both parties, determine by a majority of members, its decision including the recommendations on sanctions to be imposed on such qualified person, and communicate the same to the Director General.

16. Upon receipt of the decision of the Disciplinary Committee, Director General shall impose such sanctions and inform both parties by a notice under registered post.

17. Any person aggrieved by a decision of the Director General may, within thirty days of the date of receipt of the written communication informing such person of such decision, appeal against such decision to the Appeals Board established under the Construction Industry Development Act.

18. In these regulations -

“Pool of professionals” means a pool of professionals comprising of eighteen members, being nominated six members each by respective professional bodies of the qualified persons, engineers, architects and quantity surveyors.

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L.D.B 15/2014

THE CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

REGULATIONS made by the Minister of Urban Development, Water Supply and Housing Facilities under Section 58 of the Construction Industry Development Act, No. 33 of 2014, read with Sub section (1) of Section 36 of the aforesaid Act.

MAHINDA RAJAPAKSA,

Minister of Urban Development, Water Supply and Housing Facilities.

Colombo,
08th June, 2020.

Regulations

1. These regulations may be cited as the Construction Industry Development (Guidelines for Disciplinary Procedure for Registered Contractors) Regulations of 2020.

2. Every complaint against a contractor registered under the provisions of the Construction Industry Development Act, No. 33 of 2014, shall be made in writing to the Director General of the Construction Industry Development Authority (hereinafter referred to as the “Authority”).

3. Any registered contractor who commits an act or omission specified in Column I of the Schedule hereto shall be subject to the sanction or penalty specified in Column II to the Schedule to these regulations.

4. (1) Where any complaint against the registered contractor on an allegation that such contractor has obtained the registration by submitting fraudulent documents, such registration shall be suspended forthwith until conclusion of inquiry, if there is a *prima facie* evidence.

(2) Where there is a court proceeding or arbitration relating any occurrence of any act or omission specified in paragraph (a), (b), (c), (d) and (e) of item (2) of the Schedule hereto, the inquiry shall be suspended forthwith until conclusion of court proceeding or arbitration.

5. Upon the receipt of complaint under Regulation 2, the Director General shall within a period of seven days of the receipt of such complaint, refer such complaint to the Disciplinary Committee appointed by the Minister.

6. (1) The Disciplinary Committee, shall, within a period of thirty days of a reference of a complaint, notify the contractor against whom the complaint has been made, by registered post and direct him to show cause within thirty days as to why any sanction or penalty shall not be imposed on him.

(2) The Disciplinary Committee shall record all relevant evidence.

(3) The Disciplinary Committee may collect evidence by calling for necessary documentation, visiting the sites and obtaining details from the relevant organizations.

(4) The Disciplinary Committee shall analyze the evidence and make recommendations to the Authority with reasons therefor.

7. The Disciplinary Committee shall conclude their investigation and submit its recommendations to the Director General of the Authority within a period of ninety days from the date of reference of such complaint to Disciplinary Committee.

8. The Director General shall, on receipt of such recommendations impose such sanction or penalty and inform complainant accordingly by a registered post together with a copy of such recommendation to the contractor within a period of seven days of such recommendation by registered post.

9. Any person aggrieved by a decision of the Director General may, within thirty days of the date of receipt of the written communication such person of such decision appeal against such decision to the Appeals Board established under the Construction Industry Development Act.

10. In these regulations -

“Director General” means the Director General of the Construction Industry Development Authority appointed under Section 15 of the Construction Industry Development Act, No. 33 of 2014.

SCHEDULE

(Regulation 3)

ACT OR OMISSION AND SACTION OR PENALTY

No.	Column I (Act or Omission)	Column II (Saction or Penalty)
1.	(a) Tempering or unauthorized entry or alternation to the Registration Record Book of the Authority	1st Instance - suspension of registration for one year and 2nd Instance - cancellation of registration for three years
	(b) Contractor has obtained registration with the Authority by fraud or misrepresentation	1st Instance - suspension of registration for a period of one year 2nd Instance - cancellation of registration for a period of three years
2.	(a) Terminating of contract	1st Instance - Downgrade by one grade 2nd Instance is occurred within 5 years - cancellation of registration for a period of two years
	(b) Sub-letting of the Contract without authority	1st Instance - issuing a warning letter to the contractor 2nd Instance - suspension of registration for one year
	(c) Submission of fraudulent documents to the client or collusion to fix contract price (i) where bonds are concerned (ii) other instances	(i) Cancellation of registration for two years (ii) 1st Instance - suspension of registration for one year 2nd Instance - cancellation of registration for three years
	(d) Professional Negligence, Lack of Competency, Moral Turpitude, Malpractice, Fraud or Dishonesty	Suspension of registration for one year with a maximum fine equivalent to five times the annual registration fee
	(e) Termination due to poor performance	Downgrade by one grade

SCHEDULE (Contd.)

No.	Column I (Act or Omission)	Column II (Saction or Penalty)
3.	(a) Where an accident at a work site or in its immediate proximity results in the death of a persons(s) at the worksite or its immediate proximity and a resulting inquiry proves the accident was a result of failure or negligence by the contractor to implement proper safety procedures and practices and ensure their observance by all persons on the work site.	Downgrade by one grade for two years ; and impose a fine similar to two times of Annual Registration Fee of the Highest Grade (main or specialist) applicable to the contractor at the time of default
	(b) Where an accident at a work site, or in its immediate proximity, results in the permanent disability to a person(s) at the work site or its immediate proximity, and a resulting inquiry proves the accident was a results of failure or negligence by the contractor to implement proper safety procedures and practices and ensure their obsevanes by all persons on the work site	Downgrade by one grade for one year, and impose a fine similar to the Annual Registration Fee of the Highest Grade (main or specialist) applicable to the contractor at the time of default.
	(c) Where a accident at a work site, or in its immediate proximity, results in the partial disability to a person(s) at the work site or its immediate proximity, and resulting inquiry proves the accident was a result of failure or negligence, by the conractor to implement proper safety procedures and practices and ensure their observance by all person on the work site.	Downgrade by one grade for six months, and impose a fine similar to half times of the Annual Registration Fee of the Highest Grade (main or specialist) applicable to the contractor at the time of default.
4.	Detection of Mosquito Breeding Grounds	1st and 2nd instance - display the name in the website of the Authority as an errant contractor 3rd instance - downgrade by one grade.

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L.D.B 15/2014

THE CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

REGULATIONS made by the Minister of Urban Development, Water Supply and Housing Facilities under Section 58 of the Construction Industry Development Act, No. 33 of 2014 read with Section 42 of the aforesaid Act.

MAHINDA RAJAPAKSA,

Minister of Urban Development, Water Supply and Housing Facilities.

Colombo,
21st May, 2020.

Regulations

1. These regulations may be cited as the Construction Industry Development (Registration of Property Developers) Regulations of 2020.

2. No Property Developer shall carry out any property development work except under the authority of a Certificate of Registration issued in that behalf by the Director - General of the Construction Industry Development Authority (hereinafter in these regulations referred to as the "Director - General").

3. (1) Every Property Developer who wishes to register under the Construction Industry Development Authority (hereinafter referred to as the "Authority") shall make an application to the Director-General in a form as may be determined by the Authority together with processing fee of rupees two thousand. The Director-General may, where necessary require the applicant to furnish further information.

(2) Where Consultancy Services is provided by an outsourced personnel, every application relating to such consultancy service shall be accompanied by an agreement to that effect together with an affidavit in a format as may be determined by the Authority.

4. Every applicant under regulation 3(1) shall-

- (a) hold a Certificate of Registration issued by the Registrar of Companies under the Companies Act, No. 07 of 2007 or by the relevant Divisional Secretary under Business Names Ordinance (Chapter 180) or under a Statute of relevant Province.
- (b) not be included in a current list of suspended or blacklisted developers maintained by the Government of Sri Lanka ; and
- (c) not be legally insolvent or declared bankrupt by a competent court at the time of application.

5. On receipt of an application under regulation 3, if all the documents are in order, the Director-General shall refer it to a Committee appointed under Section 42(2) of the Construction Industry Development Act, No. 33 of 2014 within a period of fourteen days.

6. The Committee on consideration of information furnished in such application, shall grade such application as set out in the Schedule I hereto.

7. An applicant shall be evaluated under the key areas of -

- (a) turnover ;
- (b) technical capacity in relation to -
 - (i) past performance relating to the size of the relevant property development work completed in each year during the last five years ; and
 - (ii) engagement of professionals ;
- (c) other consideration including -
 - (i) qualifications of the owner or experience of the organization ;
 - (ii) organization a management ; and
 - (iii) awards received.

8. where site visit to any selected location is required to carry out, cost of such site visit shall be as specified in the Schedule II hereto

9. The point requirements for each Grade shall be in accordance with the marking schemes as set out in the Schedule III hereto.

10. The Committee shall send its recommendation within a period of thirty days to the Director General.

11. Upon the receipt of recommendations of the Committee, the Director-General, either register the applicant as a Property Developer and issue him a registration number and a Certificate of Registration under category (1) or (2) with the respective grading on payment of relevant fee as specified in the Schedule II hereto, or for reasons to be recorded by the Director General, refuse to register the applicant. The Director General shall, in writing inform the applicant of his decision and in the case of such a refusal to grant registration, he shall state his reasons therefor.

12. Every Certificate of Registration issued shall be in the Form as may be determined by the Authority, Every Certificate of Registration shall be valid for a period as specified therein and shall be subject to such terms and conditions of such Certificate of Registration.

13. The Director-General may revoke a Certificate of Registration issued under regulation II, if he is satisfied that the holder has violated the provisions of the Construction Industry Development Act, No. 33 of 2014, or, regulations or rules made thereunder or any of the terms and conditions of such Certificate of Registration.

14. (1) A Certificate of Registration issued under regulation 11 shall be renewable on an application being made in that behalf to the Director General not later than thirty days before the expiry of the Certificate of Registration and on payment of relevant renewal fee as specified in Schedule II hereto.

(2) A Certificate of Registration shall be renewed by the Director-General, if he is satisfied that the holder of Certificate of Registration has complied with the provisions of Construction Industry Development Act, No. 33 of 2014, regulation or rules made thereunder or the terms and conditions specified therein.

15. Every person who is aggrieved by the decision of the Director General may make an appeal to the Appeals Board established under the provisions of Section 53 of the Construction Industry Development Act, No. 33 of 2014, within thirty days of such decision.

16. In these regulations -

“Property Developer” shall have the same meaning as in the Construction Industry Development Act, No. 33 of 2014.

SCHEDULE I

Category and Grading

Category Description	Grades				
(1) Selling of Serviced lands (L) Buying the proprietary rights of land parcels, sub dividing them, investing and developing infrastructure and selling the serviced plots	L1	L2	L3	L4	L5
(2) Lands and buildings for selling/leasing or renting (LB)- Buying the proprietary rights of land parcels and investing in building construction and developing and selling/leasing or renting them	LB1	LB2	LB3	LB4	LB5

SCHEDULE II

Registration Fee/Renewal Fee

Grade	Annual Registration / Renewal Fee (Excluding Tax) Rs.
L1, L2, L3	60,000.00
L4	50,000.00
L5	45,000.00

Grade	Annual Registration / Renewal Fee (Excluding Tax) Rs.
LB1, LB2, LB3	100,000.00
LB4	75,000.00
LB5	60,000.00

Cost of site visits

Description	Costs
1. Transport	To be provided by the applicant
2. Per-diem	Rs. 4,000.00 per day per person
3. Food and lodging for the overnight stay	To be provided by the applicant

One day service shall be obtained by paying an additional fee of 15% of Annual Registration Fee of the relevant category.

SCHEDULE III

Point Requirement

Grade	Turn over (Refer Table (a))	Technical Capacity			Other Considerations (Refer Tables (g), (h) & (j)) (Not mandatory)	Total Points required (Minimum)
		work experience		Professional Staff & Other Technical Staff		
		Minimum land area per project (x) (Table (c))	Largest Project			
	Minimum Points Requirement	Land area	Minimum Points Requirement (Refer Table (d))	Minimum Points Requirement (Refer Table (e))	Maximum Points Allocation	
L1	50	X > 1 acre	15	15	12	100
L2	25	X > 1 acre			09	66
L3	19	X > 1 acre			08	60
L4	15	80 < x ≤ 160 Perch	10	12	06	45
L5	6	X ≤ 80 Perch	5	09	03	25
Grade	Minimum Points Requirement (Table (b))	Minimum Value per project (x) (Table (d)) LKR (Millions)	Minimum Points Requirement (Refer Table (d))	Minimum Points requirement (Table (f))	Maximum Points Allocation (Tables (g), (h) and (j))	Total Point required (minimum)
LB1	50	x > 500	15	18	13	100
LB2	25				9	72
LB3	19				08	65
LB4	15	100 < x ≤ 500	10	15	06	49
LB5	6	x ≤ 100	5	12	04	30

TABLES FOR GUIDING POINT ALLOCATIONS

Table (a) Turn over {Selling of serviced lands (L)}

<i>Turn over for 5 years, LKR, Millions (X)</i>	<i>Maximum Marks</i>
$50 \leq x < 70$	70
$35 \leq x < 50$	50
$25 \leq x < 35$	35
$17 \leq x < 25$	25
$10 \leq x < 17$	19
$4 \leq x < 10$	15
$x < 4$	6

Table (b) : Turn over {Development of Lands and Buildings for Selling, leasing or renting - (LB)}

<i>Turn over for 5 years, LKR, Millions (X)</i>	<i>Maximum Marks</i>
$1500 \leq x < 2000$	70
$1000 \leq x < 1500$	50
$500 \leq x < 1000$	25
$100 \leq x < 500$	19
$50 \leq x < 100$	15
$x < 50$	6

Table (c) Past Performance and experience within last 05 years (Selling of serviced Lands - L)

<i>Grade</i>	<i>Size, Land Area in perch/ acre (X)</i>	<i>Minimum Marks per completed project</i>
L1, L2, L3	$x > 1$ Acre	6
L4	$80 < x \leq 160$ Perch	4
L5	$x \leq 80$ Perch	2

Table (d) : Past Performance during last 5 years, Value of Projects Lands and buildings for selling/leasing or renting (LB).

<i>Grade</i>	<i>Value of Project LKR (millions) (x)</i>	<i>Minimum Marks per completed project</i>
LB1, LB2, LB3	$500 > x$	5
LB4	$100 < x \leq 500$	2.5
LB5	$x \leq 100$	2.0

Table (e) : Technical Capacity (Selling of serviced lands - L)

<i>Technical Capacity (Selling of serviced Lands (L))</i>		<i>L5</i>	<i>L4</i>	<i>L1, L2, L3</i>
<i>Professional Category</i>	<i>Points per person</i>	<i>Compulsory Requirements</i>	<i>Compulsory Requirements</i>	<i>Compulsory Requirements</i>
Valuer	3	-	√	√
Surveyor	3	√	√	√
Architect	3	-	-	√
Engineer	3	√	√	√
Lawyer	3	√	√	√
Minimum Points		9	12	15

Table (f) : Technical capacity {Lands and buildings for selling/leasing or renting (LB)}

<i>Technical Capacity</i>		<i>LB5</i>	<i>LB4</i>	<i>LB1, LB2, LB3</i>
<i>Professional Category</i>	<i>Points per person</i>	<i>Compulsory Requirements</i>	<i>Compulsory Requirements</i>	<i>Compulsory Requirements</i>
Valuer	3	√	√	√
Surveyor	3	√	√	√
Architect	3	-	-	√
Engineer	3	-	√	√
Lawyer	3	√	√	√
Quantity Surveyor	3	√	√	√
Minimum Points		12	15	18

Other considerations (Not mandatory)

Table (g) : Organization/Establishment : Points gained for Qualification of Owners and Experience of the Organization

Part I Organization/Establishment : Points gained for Qualifications of Owners

<i>Qualification of Owners</i>	<i>Per person (Available within existing year)</i>
An organization having its Board of Directors consisting of professionals, other than those persons considered under above Table (e) or Table (f)	0.5

Part II - Experience of the Organization

<i>Experience of the Organization</i>	<i>For experience per year</i>
Experience of the organization in other fields related to Property Development (such as Construction, Land Reclamation)	0.5

Table (h) Organization Management

<i>Management System</i>	<i>Marks</i>
Quality Management System (ISO 9001)	5
Environmental Management System (ISO 14000)	5
Health & Safety Management System (OHSAS 18000/ISO 45001)	5

Table (j) : Marks allocated for CIDA or other acceptable Awards received

<i>Action taken on Promotional Aspects</i>	<i>Points gained per Submission/Selection to award</i>
Submission of an application	2.5
Winning an Award	5.0