



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

**TELECOMMUNICATIONS
(SPECIAL PROVISIONS)**

ACT, No. 25 OF 1996

[Certified on 8th October, 1996]

(Printed on the Order of Government)

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Telecommunications (Special Provisions)
Act, No. 25 of 1996

[Certified on 8th October, 1996]

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AN ACT TO PROVIDE FOR THE EXTENSION OF PENSION RIGHTS TO CERTAIN TRANSFERABLE PUBLIC OFFICERS IN THE DEPARTMENT OF TELECOMMUNICATIONS WHO SUBSEQUENTLY JOINED SRI LANKA TELECOM

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

1. This Act may be cited as the Telecommunications (Special Provisions) Act, No. 25 of 1996.

2. Every public officer of the Department of Telecommunications who was in a transferable service of the Government (other than in the Sri Lanka Engineering Service) on the day immediately prior to the transfer date and who was employed by the Corporation on or after the transfer date (hereinafter referred to as "a relevant officer") shall—

(a) if he, being a pensionable officer, had on the date of his employment by the Corporation, not less than ten years pensionable service be eligible for such a pension under the Minutes on Pensions as would have been awarded to him had he retired from public service on the ground of abolition of office on such date;

(b) if he, being a pensionable officer, had, on the date of his employment by the Corporation, less than ten years pensionable service, be eligible for such award under the Minutes on Pensions as would have been awarded to him had he left the public service on the ground of abolition of office on such date;

(c) if he was a contributor to the Public Service Provident Fund established under the Public Service Provident Fund Ordinance, be deemed for the purposes of the Public Service Provident Fund to have left the service of the Government on the determination of his contract with the consent of the Government, otherwise than by dismissal on the date of his employment by the Corporation.

Short title

Special provision relating to the pension rights of certain transferable public officers in the Department of Telecommunications who were subsequently employed by the Corporation

2. **Telecommunications (Special Provisions)**,
Act, No. 25 of 1996

Terms of service of relevant officers in the Corporation to be not less favourable than those employed them in the Department of Telecommunications.

Relevant officers with more than eight but less than ten years pensionable service deemed to continue to hold posts in the Department of Telecommunications

3. Every relevant officer shall be employed by the Corporation on terms and conditions not less favourable than the terms and conditions on which such relevant officer was employed in the Department of Telecommunications, on the day preceding the transfer date.

4. Where a relevant officer held, on the day preceding the date of his employment by the Corporation, a post declared to be pensionable and who had on such date, less than ten and not less than eight years service, then—

(a) Such officer shall be deemed, for the purposes only of the Minutes on Pensions, to be holding the post in the Department of Telecommunications that he held on the day preceding the date of his employment by the Corporation, until such period of time, which when added to his pensionable service under the Government, makes an aggregate of ten years pensionable service (service under the Corporation being counted as pensionable service under the Government for the computation of such aggregate);

(b) in respect of such relevant officer, the Corporation shall pay out of the funds of the Corporation to the Deputy Secretary to the Treasury to be credited to the Consolidated Fund for every complete month of the period of service during which he is deemed for the purposes of the Minutes on Pensions to be holding the post in the Department of Telecommunications that he held on the day preceding the date of his employment by the Corporation, such sum as may be determined by the Minister in charge of the subject of Finance; and

(c) at the end of the period referred to in sub-paragraph (a) he shall be deemed to have retired from the public service and shall be eligible for such pension under the Minutes on Pensions as would

have been awarded to him had he retired from the public service on the ground of abolition of office on the termination of such period.

2. Notwithstanding anything to the contrary in section 2, where a relevant officer—

**Payments
of
pensions by**

- (a) becomes eligible under that section, for a pension on the date of his employment by the Corporation, and elects to draw his full pension, he shall not be paid such pension during the period of his employment with the Corporation;
- (b) becomes eligible under that section, for a pension and elects to draw a gratuity in partial computation of one-fourth part of his pension in accordance with the provisions of section 2A (1) (i) of the Minutes on Pensions —
 - (i) such gratuity shall not be paid to him but shall be credited to his account in an approved provident fund of the Corporation;
 - (ii) the remaining three-fourth part of the pension payable to him under the said Minutes shall not be paid to him during the period of his employment with the Corporation;
 - (iii) for the purpose of computation of the period of ten years from the date of his retirement referred to in section 2A (1) (ii) of the said Minutes the date of his retirement shall be deemed to be the last date of his employment with the Corporation;
- (c) becomes eligible under that section for a gratuity and not a pension under the Minutes on Pensions, such gratuity shall not be paid to him but shall be credited to his account in an approved provident fund of the Corporation; and
- (d) becomes eligible under that section for the receipt of any sum of money under the Public Service Provident Fund Ordinance, such sum shall not be paid to him but shall be credited to his account in an approved provident fund of the Corporation.

Telecommunications (Special Provisions)
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Sinhala text to prevail in case of inconsistency.

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

Interpreta-
tion.

7. In this Act, unless the context otherwise requires—

"Corporation" means Sri Lanka Telecom established by an Order made under section 2 of the State Industrial Corporations Act, No. 43 of 1957 and published in Gazette Extraordinary No. 596/11 of February 6, 1990;

"transfer date" means September 1, 1991.