



# PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

## AGRARIAN SERVICES (SPECIAL PROVISIONS)

ACT, No. 41 OF 1993

[Certified on 8th September, 1993]

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*Agrarian Services (Special Provisions)*  
Act, No. 41 of 1993

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L. D.—O. 50/38.

**AN ACT TO AMEND THE REGULATIONS MADE UNDER THE AGRARIAN SERVICES ACT, NO. 58 OF 1979, AND TO VALIDATE ACTS DONE TO RECOVER LOANS GRANTED BY CERTAIN BANKS, AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.**

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

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| 1. This Act may be cited as the Agrarian Services (Special Provisions) Act, No. 41 of 1993.  | Short title.   |
| 2. From and after the date of commencement of this Act, the Agrarian Services Regulations, No. 1 of 1979, made under section 66 of the Agrarian Services Act, No. 58 of 1979 (hereinafter referred to as the "principal enactment") and published in <i>Gazette Extraordinary</i> No. 66/14 of December 14, 1979, shall have effect as if for regulation 46 thereof, there were substituted the following regulation:—   | Amendment of regulations made under the Agrarian Services Act, No. 58 of 1979. |
| <p>'46. For the purposes of Part II of the Act, "prescribed bank" means any banking institution within the meaning of section 127 of the Monetary Law Act (Chapter 422).'</p>  |  |
| 3. (1) Every instrument executed, prior to the date of commencement of this Act, creating a mortgage or charge on any land or interest therein in respect of a loan granted to any owner cultivator or occupier of an agricultural land by a specified bank shall be deemed not to have been, or to be, invalid or to be improperly stamped, by reason only of the fact that such bank was not, at the time of the execution or stamping of such instrument, as the case may be, a prescribed bank within the meaning of the principal enactment and every such instrument shall have the priority referred to in section 30 of the principal enactment. | Validation.  |
| (2) Every notification made to the Commissioner, under subsection (1) of section 29 of the principal enactment by a specified bank, prior to the date of commencement of this Act, shall be deemed not to have been, or to be, invalid by reason only of the fact that such bank was not, on the date of such notification, a prescribed bank within the meaning of the principal enactment.   |  |

(3) Every order made, prior to the date of commencement of this Act, under subsection (4) of section 29 of the principal enactment, for the payment of any sum of money to a specified bank shall be deemed not to have been, or to be, invalid by reason only of the fact that such bank was not, on the date of such order, a prescribed bank within the meaning of the principal enactment.

(4) Every application made, prior to the date of commencement of this Act, by a specified bank to a Magistrate's Court, under subsection (5) of section 29 of the principal enactment shall be deemed not to have been, or to be, invalid by reason only of the fact that such bank was not, on the date of such application, a prescribed bank within the meaning of the principal enactment.

(5) Every order made prior to the date of commencement of this Act, by a Magistrate's Court, under subsection (5) of section 29 of the principal enactment, in pursuance of an application made to it under that subsection, by a specified bank shall be deemed not to have been, or to be, invalid by reason only of the fact that such bank was not, on the date of such order, a prescribed bank within the meaning of the principal enactment.

(6) Every certificate issued, prior to the date of commencement of this Act, by or on behalf of a specified bank, under subsection (6) of section 29 of the principal enactment shall be deemed not to have been or to be, invalid by reason only of the fact that such bank was not, on the date of such certificate, a prescribed bank within the meaning of the principal enactment.

(7) In this section "specified bank" means any banking institution within the meaning of section 127 of the Monetary Law Act.

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