



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

**TEA SMALL HOLDINGS DEVELOPMENT
(AMENDMENT) ACT, No. 34 OF 2003**

[Certified on 22nd October, 2003]

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Tea Small Holdings Development (Amendment)
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L. D. —O. 14/99.

AN ACT TO AMEND THE TEA SMALL HOLDINGS DEVELOPMENT LAW,
NO. 35 OF 1975

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

1. This Act may be cited as the Tea Small Holdings Development (Amendment) Act, No. 34 of 2003. Short title.

2. Section 4 of the Tea Small Holdings Development Law, No. 35 of 1975, (hereinafter referred to as the “principal enactment”) is hereby repealed and the following section substituted therefor :— Replacement of section 4 of Law No. 35 of 1975.

‘Members of the Authority.

4. (1) The Authority shall consist of—

- (a) the Chairman appointed under section 8A ; and
- (b) the following nominated members appointed by the Minister namely:—
 - (i) representative of the Sri Lanka Tea Board nominated by the Sri Lanka Tea Board established by the Tea Board Law, No. 14 of 1975 ;
 - (ii) two representatives nominated by the Tea Research Institute maintained and administered by the Tea Research Board established under the Tea Research Board Act, No. 52 of 1993 ;

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- (iii) the person holding office for the time being as the Chairman or his representative of the Private Tea Factory Owners Association registered as a limited liability company under the Companies Act, No. 17 of 1982 in consultation with the Tea Association of Sri Lanka (TASL) ;
- (iv) two members nominated by the Sri Lanka Federation of Tea Small Holdings Development Societies established under this Law in consultation with the Tea Association of Sri Lanka (TASL);
- (v) two members representing Trade Unions, which shall be selected on such criteria as may be determined by the Minister in charge of the subject of Plantation Industries :

For the purposes of this subparagraph “ Trade Union” shall have the same meaning as in the Trade Unions Ordinance (Chapter 138) ;

- (vi) two representatives nominated by the Minister in charge of the subject of Plantation Industries ;
- (vii) a representative of the Ministry of the Minister in charge of the subject of Finance nominated by that Minister in consultation with the Minister in charge of the subject of Plantation Industries ;

- (viii) a representative of the Planters' Association of Ceylon established by the Planters Association of Ceylon Ordinance (Chapter 291) nominated by such Association in consultation with the Tea Association of Sri Lanka (TASL).'

3. Section 5 of the principal enactment is hereby amended by the substitution for the word "three" of the word "five".

Amendment of section 5 of the principal enactment.

4. Section 6 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the words "every member shall", of the words "every member nominated under paragraph (b) of section 4 shall".

Amendment of section 6 of the principal enactment.

5. Section 7 of the principal enactment is hereby amended as follows :—

Amendment of section 7 of the principal enactment.

- (1) by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

“(2) (a) The Minister may by Order published in the Gazette for reasons assigned, remove —

- (i) any nominated member other than a member nominated to the Authority under sub-paragraph (vi) of paragraph (b) of section 4 ;
- (ii) with the concurrence of the relevant Minister who nominated such member nominated under sub-paragraph (vi) of paragraph (b) of section 4.

(b) A member in respect of whom an order is made under paragraph (a) of subsection (1) shall be deemed to have vacated the office on the date of publication of the order in the Gazette.”;

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- (2) In subsections (1) and (3) of that section by the substitution for the words “a member” wherever those words occurs of the words “ a representative nominated under sub-paragraph (v) of paragraph (b) of section 4.”.

Insertion of section 8A in the principal enactment.

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

“Appointment of the Chairman. 8A. There shall be a Chairman of the Authority appointed by the Minister.”.

Amendment of section 14 of the principal enactment.

7. Section 14 of the principal enactment is hereby amended as follows :—

- (i) by the renumbering of paragraph (d) as paragraph (g) of that section ; and
- (ii) by the insertion, immediately after paragraph (c) of that section, of the following new paragraphs :—

“(d) to promote investment in tea small holdings ;

(e) to undertake the collection and dissemination of data and to ascertain the development potential of tea small holdings ;

(f) to advise the Ministry on appropriate policies and to co-ordinate with other relevant agencies.”.

Transitional provision.

8. The members of the Authority holding office on the day immediately preceding the date of commencement of this Act shall continue to hold office as such, until such time, the Authority is reconstituted under section 4 of the principal enactment as amended by this Act.

Sinhala text to prevail in case of inconsistency.

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

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