



(Eighth Parliament - First Session)

No. 167,]

MINUTES OF PARLIAMENT

Wednesday, May 24, 2017 at 1.00 p. m.

PRESENT :

Hon. Karu Jayasuriya, Speaker

Hon. Thilanga Sumathipala, Deputy Speaker and Chairman of Committees

Hon. Selvam Adaikkalanathan, Deputy Chairman of Committees

Hon. Ranil Wickremesinghe, Prime Minister and Minister of National Policies and
Economic Affairs

Hon. (Mrs.) Thalatha Atukorale, Minister of Foreign Employment

Hon. Wajira Abeywardana, Minister of Home Affairs

Hon. Mahinda Amaraweera, Minister of Fisheries and Aquatic Resources
Development and State Minister of Mahaweli Development

Hon. (Dr.) Sarath Amunugama, Minister of Special Assignment

Hon. Gayantha Karunatileka, Minister of Lands and Parliamentary Reforms and the
Chief Government Whip

Hon. Ravi Karunanayake, Minister of Foreign Affairs

Hon. Akila Viraj Kariyawasam, Minister of Education

Hon. Lakshman Kiriella, Minister of Higher Education and Highways and Leader of
the House of Parliament

Hon. Mano Ganesan, Minister of National Co-existence, Dialogue and Official
Languages

Hon. Daya Gamage, Minister of Primary Industries

Hon. Nimal Siripala de Silva, Minister of Transport and Civil Aviation

Hon. S. B. Dissanayake, Minister of Social Empowerment, Welfare and Kandyan
Heritage

Hon. S. B. Nawinne, Minister of Internal Affairs, Wayamba Development and Cultural
Affairs

Hon. Gamini Jayawickrama Perera, Minister of Sustainable Development and
Wildlife

Hon. Harin Fernando, Minister of Telecommunication and Digital Infrastructure

Hon. A. D. Susil Premajayantha, Minister of Science, Technology and Research

Hon. Sajith Premadasa, Minister of Housing and Construction

Hon. Rishad Bathiudeen, Minister of Industry and Commerce

Hon. R. M. Ranjith Madduma Bandara, Minister of Public Administration and
Management

Hon. (Mrs.) Chandrani Bandara, Minister of Women and Child Affairs

Hon. Tilak Marapana, Minister of Development Assignments

Hon. Faiszer Musthapha, Minister of Provincial Councils and Local Government

Hon. Sagala Ratnayaka, Minister of Law and Order and Southern Development

Hon. Arjuna Ranatunga, Minister of Petroleum Resources Development

Hon. Patali Champika Ranawaka, Minister of Megapolis and Western Development

Hon. (Dr.) Wijeyadasa Rajapakshe, Minister of Justice and Minister of Buddhasasana

Hon. Chandima Weerakkody, Minister of Skills Development and Vocational
Training

Hon. Malik Samarawickrama, Minister of Development Strategies and International
Trade

Hon. Mangala Samaraweera, Minister of Finance and Mass Media

Hon. Ranjith Siyambalapitiya, Minister of Power and Renewable Energy

Hon. Wijith Wijayamuni Zoysa, Minister of Irrigation and Water Resources
Management

Hon. D. M. Swaminathan, Minister of Prison Reforms, Rehabilitation, Resettlement
and Hindu Religious Affairs

Hon. Rauff Hakeem, Minister of City Planning and Water Supply

Hon. Abdul Haleem, Minister of Post, Postal Services and Muslim Religious Affairs

Hon. Kabir Hashim, Minister of Public Enterprise Development

Hon. P. Harrison, Minister of Rural Economic Affairs

Hon. Field Marshal Sarath Fonseka, Minister of Regional Development

Hon. Wasantha Aluwihare, State Minister of Agriculture

Hon. T. B. Ekanayake, State Minister of Lands

Hon. Dilan Perera, State Minister of Highways

Hon. Niroshan Perera, State Minister of National Policies and Economic Affairs

Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle, State Minister of City Planning and
Water Supply

Hon. A. D. Premadasa, State Minister of Industry and Commerce Affairs

Hon. Palitha Range Bandara, State Minister of Skills Development and Vocational Training

Hon. (Mrs.) Vijayakala Maheswaran, State Minister of Child Affairs

Hon. V. S. Radhakrishnan, State Minister of Education

Hon. Ruwan Wijewardene, State Minister of Defence

Hon. Dilip Wedaarachchi, State Minister of Fisheries and Aquatic Resources Development

Hon. Ravindra Samaraweera, State Minister of Labour and Trade Unions Relations

Hon. Lakshman Senewiratne, State Minister of Science, Technology and Research

Hon. Vasantha Senanayake, State Minister of Irrigation and Water Resources Management

Hon. A. H. M. Fowzie, State Minister of National Integration and Reconciliation

Hon. Lasantha Alagiyawanna, Deputy Minister of Megapolis and Western Development

Hon. Dunesh Gankanda, Deputy Minister of Disaster Management

Hon. (Dr.) (Mrs.) Anoma Gamage, Deputy Minister of Petroleum Resources Development

Hon. Anuradha Jayaratne, Deputy Minister of Mahaweli Development and Environment

Hon. (Mrs.) Sumedha G. Jayasena, Deputy Minister of Sustainable Development and Wildlife

Hon. H. R. Sarathie Dushmantha, Deputy Minister of Justice and Deputy Minister of Buddhasasana

Hon. Manusha Nanayakkara, Deputy Minister of Foreign Employment

Hon. Karunarathna Paranawithana, Deputy Minister of Parliamentary Reforms and Mass Media

Hon. Tharanath Basnayaka, Deputy Minister of Telecommunication and Digital Infrastructure

Hon. Ranjan Ramanayake, Deputy Minister of Social Empowerment, Welfare and Kandyan Heritage

Hon. Nimal Lanza, Deputy Minister of Home Affairs

Hon. Eran Wickramaratne, Deputy Minister of Public Enterprise Development

Hon. Duleep Wijesekera, Deputy Minister of Post, Postal Services and Muslim Religious Affairs

Hon. H. M. M. Harees, Deputy Minister of Sports

Hon. Hector Appuhamy
Hon. Rohitha Abeygunawardana
Hon. Mahinda Yapa Abeywardena
Hon. Thushara Indunil Amarasena
Hon. J. C. Alawathuwala
Hon. Dullas Alahapperuma
Hon. Ananda Aluthgamage
Hon. Mahindananda Aluthgamage
Hon. Ranjith Aluvihare
Hon. A. Aravindh Kumar
Hon. J. M. Ananda Kumarasiri
Hon. Nalaka Prasad Colonne
Hon. Kaveendiran Kodeeswaran
Hon. Chandrasiri Gajadeera
Hon. Chandima Gamage
Hon. Udaya Prabhath Gammanpila
Hon. Nihal Galappaththi
Hon. Dinesh Gunawardana
Hon. Bandula Gunawardane
Hon. Edward Gunasekara
Hon. Padma Udhayashantha Gunasekera
Hon. S. M. Chandrasena
Hon. D. V. Chanaka
Hon. Sisira Jayakody
Hon. Malith Jayathilake
Hon. (Dr.) Nalinda Jayathissa
Hon. Nalin Bandara Jayamaha
Hon. Anura Sidney Jayarathne
Hon. Piyankara Jayaratne
Hon. Lucky Jayawardana
Hon. Mylvaganam Thilakarajah
Hon. K. Thuraiatretnasingam
Hon. Sirinal de Mel
Hon. Piyal Nishantha De Silva
Hon. Mohan Priyadarshana De Silva
Hon. Anura Dissanayaka
Hon. Douglas Devananda

Hon. Mohamed Navavi
Hon. I. Charles Nirmalanathan
Hon. Buddhika Pathirana
Hon. (Dr.) Ramesh Pathirana
Hon. K. K. Piyadasa
Hon. Sujith Sanjaya Perera
Hon. Ashoka Priyantha
Hon. Bandula Lal Bandarigoda
Hon. Tharaka Balasuriya
Hon. Vijitha Berugoda
Hon. Muhammad Ibrahim Muhammad Mansoor
Hon. S. M. Marikkar
Hon. Seyed Ali Zahir Moulana
Hon. Abdullah Mahrooff
Hon. Ajith Mannapperuma
Hon. (Prof.) Ashu Marasinghe
Hon. S. C. Mutukumarana
Hon. Seeniththamby Yoheswaran
Hon. (Ven.) Athuraliye Rathana Thero
Hon. Bimal Rathnayake
Hon. Lohan Ratwatte
Hon. Prasanna Ranatunga
Hon. Prasanna Ranaweera
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Chamal Rajapaksa
Hon. Namal Rajapaksa
Hon. Mahinda Rajapaksa
Hon. Angajan Ramanathan
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Chaminda Wijesiri
Hon. Heshan Withanage
Hon. Thenuka Vidanagamage

Hon. Wimal Weerawansa
Hon. Kumara Welgama
Hon. S. Shritharan
Hon. Gnanamuthu Srineshan
Hon. (Mrs.) Shanthi Sriskandarasa
Hon. Jayantha Samaraweera
Hon. Sandith Samarasinghe
Hon. Rajavarothiam Sampanthan, Leader of the Opposition in Parliament
Hon. E. Saravanapavan
Hon. M. H. M. Salman
Hon. Annamalai Nadesu Sivasakthi
Hon. M. A. Sumanthiran
Hon. Vadivel Suresh
Hon. Mavai S. Senathirajah
Hon. Shehan Semasinghe
Hon. Wijepala Hettiarachchi
Hon. Kanaka Herath
Hon. Vijitha Herath

Mr. Dhammika Dasanayake, Secretary-General of Parliament

Mr. Neil Iddawala, Chief of Staff and Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

Mr. Tikiri K. Jayathilake, Assistant Secretary-General

Parliament met pursuant to adjournment. The Speaker took the Chair.

1. Presentation of Papers : (1) The Speaker presented,—

- (i) The Sixth Instalment – Part XXV of the Report of the Auditor-General for the Financial Year 2012;
- (ii) The Sixth Instalment – Parts XI, XII, XIII, and XIV of the Report of the Auditor-General for the Financial Year 2013;
- (iii) The Second Instalment – Part XX, Third Instalment – Part VI and Sixth Instalment – Parts I, II, III, IV, V, VI, VII, VIII, IX and X of the Report of the Auditor-General for the Financial Year 2014; and
- (iv) The Second Instalment – Parts XII and XIII and Third Instalment – Part IV, of the Report of the Auditor-General for the Financial Year 2015;

in terms of Article 154(6) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Ordered that the said Report to be printed and do lie upon the **Table**.

(2) The Minister of Social Empowerment, Welfare and Kandyan Heritage presented the Performance Report of the Ministry of Social Empowerment and Welfare for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on Health and Human Welfare, Social Empowerment.

Question put, and agreed to.

(3) The Minister of Lands and Parliamentary Reforms presented the Annual Report of the Sri Lanka Institute of Printing for the year 2013 and moved that this Report be referred to the Sectoral Oversight Committee on Education and Human Resources Development.

Question put, and agreed to.

2. Report under Standing Order No. 47(5) of the Parliament (No. 1) : The Minister of Women and Child Affairs presented,— that the Report of the Minister of Women and Child Affairs under Standing Order No. 47(5) of the Parliament on the Bill entitled the “Lasallian Community Education Services (Incorporation)”.

The Bill was ordered to be read a second time on Thursday, 25 May, 2017.

3. Report under Standing Order No. 47(5) of the Parliament (No. 2) : The Minister of Women and Child Affairs presented,— that the Report of the Minister of Women and Child Affairs under Standing Order No. 47(5) of the Parliament on the Bill entitled the “International Women’s and Children’s Rights (IWCRC) (Incorporation)”.

The Bill was ordered to be read a second time on Thursday, 25 May, 2017.

4. Petitions :

- (1) Hon. R. M. Ranjith Madduma Bandara presented a petition dated 19.03.2017 from Mr. N. M. Aruna Shantha of Walliyadda, Uva Paranagama, Welimada.
- (2) Hon. Sajith Premadasa presented a petition dated 09.12.2016 from Mr. R.G.R.S. Ranathunga of No. 6/62, Housing Scheme, Medical Faculty, Labuduwa, Galle.
- (3) Hon. Ranjith Aluvihare presented —
 - (i) a petition dated 22.02.2017 from Mr. C. T. Gamage of No. 40, Punchigama, Katudeniya, Matale; and
 - (ii) a petition dated 01.03.2017 from Mr. W. M. Nilantha Wickramasuriya of Kendangamuwa, Madipola.

The Petitions stood referred under Standing Order No. 25A of the Parliament, to the Committee on Public Petitions.

5. Civil Procedure Code (Amendment) Bill : Order for Second Reading read.

The Minister of Justice and Minister of Buddhasasana moved,— That the Bill be now read a second time.

(At 2.26 p.m. Hon. Deputy Chairman of Committees took the Chair.)

The Minister of Development Strategies and International Trade moved,—That Hon. Edward Gunasekara do take the Chair.)

Question put, and agreed to.

(At 3.05 p.m. Hon. Edward Gunasekara took the Chair.)

The Deputy Minister of Power and Renewable Energy moved,—That Hon. Lucky Jayawardena do take the Chair.)

Question put, and agreed to.

(At 4.37 p.m. Hon. Lucky Jayawardena took the Chair.)

(At 6.07 p.m. Hon. Deputy Speaker took the Chair.)

(At 6.47 p.m. Hon. Deputy Chairman of Committees took the Chair.)

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice and Minister of Buddhasasana moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Deputy Speaker took the Chair.

Clause 1 and 2 were agreed to.

Clause 3

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out line 9 in page 4 and insert,—

“ Attorney General may appoint a registered”;

Question that the amendment be agreed to, put, and agreed to.

Question that the clause as amended stand part of the bill, put and agreed to.

Clause 4

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out line 22 in page 4 and insert,—

“ (b) of subsection (1) of section 27 and sent to the”;

Question that the amendment be agreed to, put, and agreed to.

Question that the clause as amended stand part of the bill, put and agreed to.

Clause 5 to 8 were agreed to.

Clause 9

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 4 to 6 (both inclusive) in page 7,—

Question that the amendment be agreed to, put, and agreed to.

Question that the clause 9 leave out of the bill, put and agreed to.

Clause 10

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out line 26 and 27 in page 9 and insert,—

“the Pre-Trial hearing may exercise the powers conferred on him by section 142D and shall”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 6 in page 10 and insert,—

“opinion ; and”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 8 to 9 (both inclusive) in page 12 and insert,—

“all such Pre-Trial steps have”.

Question that the amendment be agreed to, put, and agreed to.

Question that the clause as amended stand part of the bill, put and agreed to.

Clause 11 and 12 were agreed to.

Clause 13

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out line 8 in page 14 and insert,—

“affidavit. In such event, the court may make a”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 19 in page 14 and insert,—

“the matters in the affidavit or may order the”.

Question that the amendment be agreed to, put, and agreed to.

Hon. Ajith Mannapperuma, The Chairman of the Sectoral Oversight Committee on Legal Affairs (anti- corruption) and Media proposed an amendment ,—

"14 වන පිටුවේ 32 සහ 33 ඡේද්‍ර ඉවත් කොට පහත සඳහන් වචන ආදේශ කළ යුතුය:

'දිනයට පෙර දින විසි අටකට කලින් වූ දිනයක් විය යුතුය.' "

Question that the amendment be agreed to, put, and negative.

Question that the clause 13 as amended stand part of the bill, put and agreed to.

Clause 14

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out line 32 in page 14 and insert,—

“legal representative for the purpose of proceeding with the”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 9 in page 15 and insert,—

“impose an appropriate cost on the”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 30 in page 16 and insert,—

“of such nominator party. Such application may”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 16 to 27 (both inclusive) in page 17,—

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 28 to 30 (both inclusive) in page 17 and insert,—

“Failure to file a Memorandum.

394. (1) On the death of a party to the action who had failed to file a memorandum, any party to the action may apply to the court by”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 1 in page 18 and insert,—

“(2) The court may, on being satisfied that”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 5 in page 18 and insert,—

“(3) The person so appointed shall be bound”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 29 in page 18 and insert,—

“(b) The court may, upon being satisfied that”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 10 in page 19 and insert,—

“the court may issue notice of the application”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 13 to 17 (both inclusive) in page 19 and insert,—

“(2) No proceedings shall be postponed or adjourned or any step in the action postponed by reason of the death of a nominator party.”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 19 in page 19 and insert,—

“estate” means the gross value of the”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out line 22 in page 21 and insert,—

“and shall issue notice on such legal”.

Question that the amendment be agreed to, put, and agreed to.

Hon. Ajith Mannapperuma, The Chairman of the Sectoral Oversight Committee on Legal Affairs (anti- corruption) and Media proposed another amendment ,—

"16 වන පිටුවේ, 13 වන පේළියට ඉක්බිතිව පහත සඳහන් කොටස ඇතුළත් කළ යුතුය:

'එසේ පත් කරනු ලබන නීත්‍යානුකූල නියෝජිතයා/ නියෝජිතයන් පෞද්ගලිකව වගකීමට නොබැඳෙනු ඇත.' "

Question that the amendment be agreed to, put, and negatived.

Question that the clause 14 as amended stand part of the bill, put and agreed to.

Clause 15 was agreed to.

Clause 16

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out line 12 in page 22 and insert,—

“Office, Public Corporation,”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 21 and 22 in page 22 and insert,—

“Corporation, Provincial Council or a Local”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 31 and 32 in page 22 and insert,—

“Public Corporation, Provincial Council or Local”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 35 and 36 in page 22 and insert,—

“Office, Public Corporation, Provincial Council or”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 3 to 5 (both inclusive) in page 23 and insert,—

“Public Office, Public Corporation, Provincial Council or Local Authority”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 21 and 22 in page 23 and insert,—

“Office, Public Corporation, Provincial Council or any”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice and Minister of Buddhasasana proposed another amendment to leave out lines 35 and 36 in page 23 and insert,—

“of proving the document, in addition to taxed costs, unless the court for good reason directs”.

Question that the amendment be agreed to, put, and agreed to.

Hon. Ajith Mannapperuma, The Chairman of the Sectoral Oversight Committee on Legal Affairs (anti- corruption) and Media proposed another amendment,—

"24 වන පිටුවේ, 3 වන ඡේදය ඉවත් කර ඒ වෙනුවට පහත දැක්වෙන වචන ආදේශ කළ යුතුය:

'සභාවක, පළාත් පාලන ආයතනයක හෝ වෙනත් රජයේ ඕනෑම ව්‍යවස්ථාපිත ආයතනයක සාමාන්‍ය' "

Question that the amendment be agreed to, put, and negatived.

Question that the clause 16 as amended stand part of the bill, put and agreed to.

Clauses 17 to 20 were agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported with Amendments.

The Minister of Justice and Minister of Buddhasasana moved,— That the Bill, as amended be now read the third time.

Question put, and agreed to.

Bill, as amended, accordingly read the third time and passed.

6. Adjournment (Issue of Unemployed Graduates in Northern and Eastern Provinces) : The Minister of Lands and Parliamentary Reforms moved,— That this Parliament do now adjourn.

Question proposed, and debated.

Question put, and agreed to; the Parliament was at 7.24 p.m. adjourned until 10.30 a.m. on Thursday, May 25, 2017 pursuant to the Resolutions of Parliament of 08th March, 2016.