



(Eighth Parliament - First Session)

No. 49.]

MINUTES OF PARLIAMENT

Wednesday, February 10, 2016 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. John Amaratunga, Minister of Tourism Development and Christian Religious Affairs

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

Hon. Ravi Karunanayake, Minister of Finance

Hon. Akila Viraj Kariyawasam, Minister of Education

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

Hon. Daya Gamage, Minister of Primary Industries

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

Hon. Palany Thigambaram, Minister of Hill Country New Villages, Infrastructure and Community Development

Hon. Duminda Dissanayake, Minister of Agriculture

Hon. Navin Dissanayake, Minister of Plantation Industries

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

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

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

Hon. Anura Priyadharshana Yapa, Minister of Disaster Management

Hon. Arjuna Ranatunga, Minister of Ports and Shipping

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

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

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

Hon. Mangala Samaraweera, Minister of Foreign Affairs

Hon. Mahinda Samarasinghe, Minister of Skills Development and Vocational Training

Hon. W. D. J. Senewiratne, Minister of Labour and Trade Unions Relations

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

Hon. D. M. Swaminathan, Minister of Prisons 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. P. Harrison, Minister of Rural Economic Affairs

Hon. Lakshman Yapa Abeywardena, State Minister of Finance

Hon. Wasantha Aluwihare, State Minister of Agriculture

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

Hon. Piyanakara Jayaratne, State Minister of Provincial Councils and Local Government

Hon. Dilan Perera, State Minister of Highways

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

Hon. Ashok Abeysinghe, Deputy Minister of Transport and Civil Aviation

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

Hon. Faizal Cassim, Deputy Minister of Health, Nutrition and Indigenous Medicine

Hon. Dunes 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. (Dr.) Harsha De Silva, Deputy Minister of Foreign Affairs

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

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

Hon. Lakshman Wasantha Perera, Deputy Minister of Plantation Industries

Hon. Indika Bandaranayake, Deputy Minister of Housing and Construction

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

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

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

Hon. Ameer Ali Shihabdeen, Deputy Minister of Rural Economic Affairs

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

Hon. Hector Appuhamy

Hon. Rohitha Abeygunawardana

Hon. Mahinda Yapa Abeywardena

Hon. Sisira Kumara Abeysekara

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. (Mrs.) Geetha Samanmalee Kumarasingha
Hon. Nalaka Prasad Colonne
Hon. Kaveendiran Kodeeswaran
Hon. Chandrasiri Gajadeera
Hon. Chandima Gamage
Hon. Udaya Prabhath Gammanpila
Hon. Nihal Galappaththi
Hon. Dinesh Gunawardena
Hon. Bandula Gunawardane
Hon. Edward Gunasekara
Hon. Padma Udhayashantha Gunasekera
Hon. S. M. Chandrasena
Hon. D. V. Chanaka
Hon. Sisira Jayakody
Hon. (Dr.) Nalinda Jayathissa
Hon. Anura Sidney Jayarathne
Hon. (Dr.) Kavinda Heshan Jayawardana
Hon. Lucky Jayawardana
Hon. Premalal Jayasekara
Hon. Mylvaganam Thilakarajah
Hon. Janaka Bandara Tennakoon
Hon. M. S. Thowfeek
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Mayantha Dissanayake
Hon. Wimalaweera Dissanayaka
Hon. Weerakumara Dissanayake
Hon. Douglas Devananda
Hon. Mohamed Navavi
Hon. Manusha Nanayakkara
Hon. Vasudeva Nanayakkara
Hon. I. Charles Nirmalanathan
Hon. Buddhika Pathirana
Hon. K. K. Piyadasa
Hon. Sanath Nishantha Perera
Hon. Sujith Sanjaya Perera

Hon. Johnston Fernando
Hon. Ashoka Priyantha
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
Hon. Tharaka Balasuriya
Hon. Vijitha Berugoda
Hon. Muhammad Ibrahim Muhammad Mansoor
Hon. S. M. Marikkar
Hon. K. Kader Masthan
Hon. Imran Maharoof
Hon. Abdullah Mahrooff
Hon. Ajith Mannapperuma
Hon. Tilak Marapana
Hon. (Prof.) Ashu Marasinghe
Hon. S. C. Mutukumarana
Hon. Bimal Rathnayake
Hon. C. B. Rathnayake
Hon. Lohan Ratwatte
Hon. Prasanna Ranaweera
Hon. Roshan Ranasinghe
Hon. Keheliya Rambukwella
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Chamal Rajapaksa
Hon. Namal Rajapaksa
Hon. Angajan Ramanathan
Hon. Gamini Lokuge
Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. (Mrs.) Sriyani Wijewickrama
Hon. Chaminda Wijesiri
Hon. Kanchana Wijesekara

Hon. Thenuka Vidanagamage
Hon. Wimal Weerawansa
Hon. Kumara Welgama
Hon. S. Shritharan
Hon. Gnanamuthu Srineshan
Hon. (Mrs.) Shanthi Sriskandarasa
Hon. Sandith Samarasinghe
Hon. Rajavarothiam Sampanthan, Leader of the Opposition in Parliament
Hon. M. H. M. Salman
Hon. Sivasakthy Ananthan
Hon. M. A. Sumanthiran
Hon. Vadivel Suresh
Hon. Lakshman Senewiratne
Hon. Ali Zahir Moulana Seyed
Hon. Mavai S. Senathirajah
Hon. Chathura Sandeepa Senaratne
Hon. Shehan Semasinghe
Hon. Sunil Handunnetti
Hon. Wijepala Hettiarachchi
Hon. Indika Anuruddha Herath
Hon. Kanaka Herath
Hon. Vijitha Herath
Hon. Gardihewa Sarath Chandralal Fonseka

Mr. Dhammika Dasanayake, Secretary-General of Parliament
Mr. Neil Iddawala, Deputy Secretary-General
Mrs. Kushani Rohanadeera, Assistant Secretary-General
Mr. Tikiri K. Jayathilake, Assistant Secretary-General

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

1. Announcements by the Speaker : The Speaker made the following announcements :-

I

“I wish to inform the Parliament that I have received the determination of the Supreme Court in respect of the Bill entitled “Theravadi Bhikku Kathikawath (Registration)” which has been challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The Supreme Court has determined that Clauses 2(2), 2(3), 2(4) and 11(2) are inconsistent with Articles 9, 10, and 14(1)(e) of the Constitution, Clauses 4, 5 and 13(1) are inconsistent with Article 9 of the Constitution and Clause 12 is inconsistent with Articles 9, 10, 12 and 14(1)(e) of the Constitution and could only be passed with a special majority prescribed in Article 83 of the Constitution and approved by the people at a Referendum.

The Court further stated that the inconsistency of the above Clauses would cease if amended, as follows:—

- a) by deleting clauses 2(3), 2(4), 4 and 5; and
- b) by amending clauses 2(2), 11(2) and Clause 13(1) as suggested in the determination.

Subject to foregoing the other provisions of the Bill are not inconsistent with the Constitution.

I order that the determination of the Supreme Court be printed in the Official Report of today's proceedings.”

II

“I wish to inform the Parliament that I have received the Determination of the Supreme Court in respect of the Bill entitled “Microfinance” which has been challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The Supreme Court has determined that none of the functions stated in Clauses 9(1), 9(3) and 11(b) of the said Bill fall within the ambit of the said Provincial Council List and the provisions of the Bill are not inconsistent with the Constitution.

I order that the determination of the Supreme Court be printed in the Official Report of today's proceedings.”

2. Presentation of Papers : (1) The Minister of Parliamentary Reforms and Mass Media presented,—

- (i) the Annual Report of the Defence Services Command and Staff College for the year 2013; and
- (ii) the Performance Report of the Ministry of Defence and Urban Development for the year 2014.

Ordered that the said Reports do lie upon the **Table**.

(2) The Minister of Parliamentary Reforms and Mass Media presented the Annual Report of the Lanka Phosphate Limited for the year 2013/14.

Ordered that the said Report do lie upon the **Table**.

(3) The Minister of Parliamentary Reforms and Mass Media presented,—

- (i) the Order made by the Minister of Development Strategies and International Trade under Section 14(1) of the Sri Lanka Export Development Act, No. 40 of 1979, relating to Cess and published in the Gazette Extraordinary No. 1941/32 of 20th November 2015;
- (ii) the Order made by the Minister of Development Strategies and International Trade under Section 14(1) of the Sri Lanka Export Development Act, No. 40 of 1979, relating to Cess and published in the Gazette Extraordinary No. 1941/33 of 20th November 2015; and
- (iii) the Order made by the Minister of Development Strategies and International Trade under Section 14(1) of the Sri Lanka Export Development Act, No. 40 of 1979, relating to Cess and published in the Gazette Extraordinary No. 1944/54 of 11th December 2015.

Ordered that the said Papers do lie upon the **Table**.

3. Petitions :

- (1) Hon. Dilan Perera presented—
 - (i) a petition dated 28.10.2015 from Mr. B. S. De Silva of No. 55/1, Ihala Aluth-ela Road, Badulla; and
 - (ii) a petition dated 28.10.2015 from Mr. J. H. Siripala of No. 73, Kendagahaella, Dulgolla, Bandarawela.
- (2) Hon. Mayantha Dissanayake presented a petition dated 05.10.2015 from Mrs. B. P. Mallika of No. 365, Henawala, Kadugannawa.
- (3) Hon. Indika Anuruddha Herath presented a petition dated 23.09.2015 from Mr. P. P. Nelson Chandrathilaka of No. 62, Soratha Mawatha, Mugurugampola, Mirigama.

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

4. National Minimum Wage of Workers : The Minister of Higher Education and Highways on behalf of the Minister of Labour and Trade Unions Relations presented,— “Bill to provide for the payment of National Minimum Wage by employers to workers and for matters connected therewith or incidental thereto.”

The Bill was ordered to be read a second time on Tuesday, February 23, 2016 and to be printed.

5. Budgetary Relief Allowance of Workers : The Minister of Higher Education and Highways on behalf of the Minister of Labour and Trade Unions Relations,— Bill to provide for the payment of a Budgetary Relief Allowance by employers to workers and for matters connected therewith or incidental thereto.

The Bill was ordered to be read a second time on Tuesday, February 23, 2016 and to be printed.

6. Leave to introduce Bill : Hon. M. A. Sumanthiran seconded by Hon. Gnanamuthu Srineshan moved,— That leave be granted to introduce the following Bill:—

“ Bill to amend the Fisheries and Aquatic Resources Act, No. 2 of 1996.”

Question put, and agreed to.

Bill accordingly read the first time, and ordered to be printed.

The Bill stood referred under Standing Order No. 47(5) of the Parliament, to the Minister of Fisheries and Aquatic Resources Development for report.

The Speaker made the following Announcement :

“The Attorney-General has expressed that the provisions of the Fisheries and Aquatic Resources (Amendments) Bill which was presented in the House today by the Hon. Member of Parliament M. A. Sumanthiran, are subject to Article 154G (5) (a) of the Constitution. I, therefore, direct the Secretary-General of Parliament to forward the copies of the said Bill to each Provincial Council for report to Parliament in accordance with the Standing Order No. 46A (2) (a).”

7. Leave to introduce Bill : Hon. Harshana Rajakaruna seconded by Hon. Sandith Samarasinghe moved,— That leave be granted to introduce the following Bill:—

“ Bill to incorporate the Institute of Environmental Professionals, Sri Lanka.”

Question put, and agreed to.

Bill accordingly read the first time, and ordered to be printed.

The Bill stood referred under Standing Order No. 47(5) of the Parliament, to the Minister of Mahaweli Development and Environment for report.

8. Regulations under the Registration of Persons Act : The Minister of Internal Affairs, Wayamba Development and Cultural Affairs moved,— That the Regulations made by the Minister of Internal Affairs, Wayamba Development and Cultural Affairs under subsection (1) of Section 52 of the Registration of Persons Act, No. 32 of 1968 and published in the Gazette Extraordinary No. 1946/31 of 22nd December 2015, which were presented on 26.01.2016, be approved.

(At 3.45 p. m. the Deputy Speaker took the Chair.)

(At 4.31 p. m. the Deputy Chairman of Committees took the Chair.)

Question put, and agreed to.

9. Adjournment (Dumping of Colombo Solid Waste at Aruwakkalu, Puttalam) : The Minister of Internal Affairs, Wayamba Development and Cultural Affairs moved,— That this Parliament do now adjourn.

Question proposed, and debated.

Question put, and agreed to; the Parliament was at 5.45 p.m. adjourned until 1.00 p.m. on Thursday, February 11, 2016.