



(Eighth Parliament - First Session)

No. 94.]

MINUTES OF PARLIAMENT

Thursday, August 25, 2016 at 10.30 a. 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. Wajira Abeywardana, Minister of Home Affairs

Hon. John Amaratunga, Minister of Tourism Development and Christian Religious Affairs and Minister of Lands

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

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

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

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

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

Hon. Rishad Bathiudeen, Minister of Industry and Commerce

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

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

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. Chandima Weerakkody, Minister of Petroleum Resources Development

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

Hon. Mangala Samaraweera, Minister of Foreign Affairs

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

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

Hon. Kabir Hashim, Minister of Public Enterprise Development

Hon. Field Marshal Sarath Fonseka, Minister of Regional Development

Hon. Lakshman Yapa Abeywardena, State Minister of Finance

Hon. Wasantha Aluwihare, State Minister of Agriculture

Hon. Mohan Lal Grero, State Minister of Higher Education

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

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

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

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

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

Hon. M. L. A. M. Hizbullah, State Minister of Rehabilitation and Resettlement

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

Hon. Susantha Punchinilame, Deputy Minister of Public Administration and Management

Hon. Ajith P. Perera, Deputy Minister of Power and Renewable Energy

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

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

Hon. Nimal Lanza, Deputy Minister of Home Affairs

Hon. Eran Wickramaratne, Deputy Minister of Public Enterprise Development

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

Hon. Hector Appuhamy

Hon. Rohitha Abeygunawardana

Hon. Mahinda Yapa Abeywardena

Hon. Sisira Kumara Abeysekara

Hon. J. C. Alawathuwala

Hon. Dullas Alahapperuma

Hon. Mahindananda Aluthgamage

Hon. Ranjith Aluvihare

Hon. A. Aravindh Kumar

Hon. J. M. Ananda Kumarasiri

Hon. (Mrs.) Geetha Samanmalee Kumarasingha

Hon. Velu Kumar

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. S. M. Chandrasena

Hon. (Dr.) Nalinda Jayathissa

Hon. (Dr.) Kavinda Heshan Jayawardana

Hon. Lucky Jayawardana

Hon. Mylvaganam Thilakarajah

Hon. K. Thurairetnasingam

Hon. M. S. Thowfeek

Hon. Sirinal de Mel
Hon. Piyal Nishantha De Silva
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Wimalaweera Dissanayaka
Hon. Weerakumara Dissanayake
Hon. Douglas Devananda
Hon. Mohamed Navavi
Hon. Vasudeva Nanayakkara
Hon. Buddhika Pathirana
Hon. Ashoka Priyantha
Hon. (Mrs.) Hirunika Premachandra
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
Hon. Muhammad Ibrahim Muhammad Mansoor
Hon. S. M. Marikkar
Hon. Seyed Ali Zahir Moulana
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. Seeniththamby Yoheswaran
Hon. Bimal Rathnayake
Hon. C. B. Rathnayake
Hon. Prasanna Ranatunga
Hon. Keheliya Rambukwella
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Chamal Rajapaksa
Hon. Mahinda Rajapaksa
Hon. Angajan Ramanathan
Hon. Janaka Wakkumbura

Hon. Vidura Wickramanayaka
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Kanchana Wijesekara
Hon. Gnanamuthu Srineshan
Hon. Sandith Samarasinghe
Hon. Rajavarothiam Sampanthan, Leader of the Opposition in Parliament
Hon. M. H. M. Salman
Hon. Dharmalingam Sithadthan
Hon. (Dr.) S. Sivamohan
Hon. Muthu Sivalingam
Hon. Sivasakthy Ananthan
Hon. M. A. Sumanthiran
Hon. Mavai S. Senathirajah
Hon. Shehan Semasinghe
Hon. Sunil Handunnetti
Hon. Wijepala Hettiarachchi
Hon. Indika Anuruddha Herath
Hon. Kanaka 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,— The First Instalment – Part XIV of the Report of the Auditor-General for the Financial Year 2012; the First Instalment – Parts XI, XII and XIII of the Report of the Auditor General for the Financial Year 2013; and the First Instalment – Part III, Second Instalment – Part XIII and Fifth Instalment – Part VI of the Report of the Auditor-General for the Financial Year 2014; in terms of Article 154(6) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

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

(2) The Minister of Higher Education and Highways presented the Annual Report of the Employees' Trust Fund Board for the year 2013 and moved that this Report be referred to the Sectoral Oversight Committee on Economic Development.

Question put, and agreed to.

(3) The Minister of Higher Education and Highways presented the Annual Performance Report & Accounts of the District Secretariat, Hambantota for the year 2015 and moved that this Report be referred to the Sectoral Oversight Committee on Internal Administration and Public Management.

Question put, and agreed to.

(4) The Minister of Higher Education and Highways presented the Performance Reports of the Attorney-General's Department for the years 2014 and 2015 and moved that these Reports be referred to the Sectoral Oversight Committee on Legal Affairs (anti-corruption) and Media.

Question put, and agreed to.

2. Petitions :

- (1) Hon. S. B. Dissanayake presented a petition dated 11.10.2015 from Mr. N. Wijeratna of No. 9 E, Nelligasgodawatta, Kiribathkumbura.
- (2) Hon. Kabir Hashim presented —
 - (i) A petition dated 12.10.2015 from Mr. K. G. Rambanda of Aluth Gedara, Egalla, Beligala; and
 - (ii) A petition dated 16.01.2016 from Mr. M. S. M. Abubakkar of No. D 83, Mawanella Road, Hemmathgama.
- (3) Hon. Anura Dissanayaka presented a petition dated 18.07.2016 from Mr. K. G. Titus of No. 11, Bangalawatte, Dumkola watta, Matale.
- (4) Hon. Ajith Mannapperuma presented —
 - (i) A petition dated 18.07.2016 from Mr. A. I. Premarathne of No. 134/2 A, Gramasanwardhana Mawatha, Batuwatte, Ragama; and
 - (ii) A petition dated 25.05.2016 from Mr. M. J. Susantha serving in the Department of Fisheries and Aquatic Resources, Maligawaththa, Colombo - 10.

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

3. Leave to introduce Bill : Hon. K. Kader Masthan seconded by Hon. Kaveendiran Kodeeswaran moved,— That leave be granted to introduce the following Bill:—

“ Bill to incorporate the Berty Dissanayake Foundation.”

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 Social Empowerment and Welfare for report.

4. Registration of Deaths (Temporary Provisions) (Amendment) Bill : Order for Second Reading read.

The Deputy Minister of Home Affairs moved,— That the Bill be now read a second time.

Question proposed, and debated.

(At 11.30 a. m. the Deputy Chairman of Committees took the Chair)

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

Question put, and agreed to.

(At 1.30 p. m. Hon. Lucky Jayawardana took the Chair.)

The Minister of Higher Education and Highways moved,—That Hon. Mujibur Rahuman do take the Chair.

Question put, and agreed to.

(At 3.20 p. m. Hon. Mujibur Rahuman took the Chair.)

The Minister of Home Affairs moved,—That Hon. Lucky Jayawardana do take the Chair.

Question put, and agreed to.

(At 3.55 p. m. Hon. Lucky Jayawardana took the Chair.)

(At 4.53 p. m. the Deputy Speaker took the Chair)

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Home Affairs 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.

Clauses 1 to 4 were agreed to.

Clause 5

The Hon. M. A. Sumanthiran proposed an amendment to leave out the word “two” in Clause 5(2) (b), in line 33 in page 2 and insert the word “five”.

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.

Clauses 6 to 9 were agreed to.

Clause 10

The Minister of Home Affairs proposed an amendment to leave out lines 16 and 17 in page 11 and insert,—

“subsection (1), may be referred to the Divisional Secretary of the Divisional Secretary’s Division by the relative.”;

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

The Minister of Home Affairs proposed another amendment to leave out lines 18 to 21 (both inclusive) in page 11 and insert,—

“(b) The Divisional Secretary of the Divisional Secretary’s Division shall make a determination after having discussed the matter in dispute with the relevant Institution, within one calendar month of receiving the application.”

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

The Minister of Home Affairs proposed another amendment to leave out lines 22 to 24 (both inclusive) in page 11 and insert,—

“(c) the determination of the Divisional Secretary of the Divisional Secretary’s Division shall be in writing and be considered as conclusive thereon.”.

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.

Clauses 11 and 12 were agreed to.

Clause 13

The Minister of Home Affairs proposed an amendment to leave out lines 7 and 8 in page 14 and insert,—

“exceeding one hundred and fifty thousand rupees or to a term of imprisonment not exceeding two years and six months.”.

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.

Clauses 14 to 16 were agreed to.

NEW CLAUSE

Hon. M. A. Sumanthiran proposed to insert the following New Clause immediately after line 28 in page 12:—

“11. Section 13 of the principal enactment is hereby amended by the addition immediately after sub-section (4) thereof, of the following new sub-section:—

(5) Notwithstanding anything contrary in the preceding provisions of this Act, where —

(a) pursuant to any person having made an application in terms of Sections 2 or 8 of this Act, prior to the coming into force of this amendment;

(b) a death certificate has been issued in respect of a missing person; and

(c) an application is made by a relative of a missing person substantially in the manner specified in Section 8G(1) of this Act;

the Registrar-General shall forthwith cancel such a Certificate of Death and forthwith proceed to issue a Certificate of Absence in terms of Section 8G of this Act.”

The provisions of Sections 8D and 8F shall *mutatis mutandis* apply to an application under this sub-section.

Question that the Clause be read a second time, put, and agreed to.

Question that the Clause be added to the Bill, put, and agreed to.

General Amendment

The Minister of Home Affairs proposed the following General Amendment:—

“Whenever the expression “Certificate of Absence” appears in this Bill there shall be substituted therefor the expression “Certificate of Absence”.

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

5. Adjournment (Holding of Local Government Election Promptly) : The Leader of the House of Parliament moved,— That this Parliament do now adjourn.

Question proposed, and debated.

Question put, and agreed to; the Parliament was at 6.30 p.m. adjourned until 10.30 a.m. on Friday, August 26, 2016 pursuant to the Resolution of Parliament of 08th March, 2016.