



(Eighth Parliament - First Session)

No. 108.]

MINUTES OF PARLIAMENT

Thursday, October 20, 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. (Mrs.) Thalatha Atukorale, Minister of Foreign Employment

Hon. Wajira Abeywardana, Minister of Home Affairs

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

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

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

Hon. Ravi Karunanayake, Minister of Finance

Hon. Lakshman Kiriella, Minister of Higher Education and Highways and 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. Navin Dissanayake, Minister of Plantation Industries

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

Hon. Harin Fernando, Minister of Telecommunication and Digital Infrastructure

Hon. Rishad Bathiudeen, Minister of Industry and Commerce

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

Hon. Arjuna Ranatunga, Minister of Ports and Shipping

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

Hon. Chandima Weerakkody, Minister of Petroleum Resources Development

Hon. Mangala Samaraweera, Minister of Foreign Affairs

Hon. Ranjith Siyambalapitiya, Minister of Power and Renewable Energy

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. Kabir Hashim, Minister of Public Enterprise Development

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. Mohan Lal Grero, State Minister of Higher Education

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

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

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

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

Hon. Sujeewa Senasinghe, State Minister of International Trade

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. Duneshe Gankanda, Deputy Minister of Disaster Management

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

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

Hon. Palitha Kumara Thewarapperuma, Deputy Minister of Internal Affairs, Wayamba Development and Cultural Affairs

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. Susantha Punchinilame, Deputy Minister of Public Administration and Management

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

Hon. Arundika Fernando, Deputy Minister of Tourism Development and Christian Religious Affairs

Hon. Nishantha Muthuhettigamage, Deputy Minister of Ports and Shipping Affairs

Hon. Nimal Lanza, Deputy Minister of Home Affairs

Hon. Hector Appuhamy

Hon. Thushara Indunil Amarasena

Hon. J. C. Alawathuwala

Hon. Ananda Aluthgamage

Hon. Mahindananda Aluthgamage

Hon. Ranjith Aluvihare

Hon. A. Aravindh Kumar

Hon. J. M. Ananda Kumarasiri

Hon. Nalaka Prasad Colonne

Hon. Chandrasiri Gajadeera

Hon. Chandima Gamage

Hon. Udaya Prabhath Gammanpila

Hon. Dinesh Gunawardena

Hon. Bandula Gunawardane

Hon. Edward Gunasekara

Hon. S. M. Chandrasena

Hon. D. V. Chanaka

Hon. Malith Jayathilake

Hon. (Dr.) Nalinda Jayathissa

Hon. Nalin Bandara Jayamaha

Hon. (Dr.) Kavinda Heshan Jayawardana

Hon. Lucky Jayawardana

Hon. Mylvaganam Thilakarajah

Hon. Janaka Bandara Tennakoon

Hon. Arumugan Thondaman
Hon. M. S. Thowfeek
Hon. Sirinal de Mel
Hon. T. Ranjith De Zoysa
Hon. Mayantha Dissanayake
Hon. Weerakumara Dissanayake
Hon. Salinda Dissanayake
Hon. Douglas Devananda
Hon. Mohamed Navavi
Hon. Vasudeva Nanayakkara
Hon. I. Charles Nirmalanathan
Hon. K. K. Piyadasa
Hon. Ashoka Priyantha
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
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. S. C. Mutukumarana
Hon. Bimal Rathnayake
Hon. C. B. Rathnayake
Hon. Lohan Ratwatte
Hon. Prasanna Ranatunga
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Namal Rajapaksa
Hon. Angajan Ramanathan
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga

Hon. Chaminda Wijesiri

Hon. Kanchana Wijesekara

Hon. (Mrs.) Shanthi Sriskandarasa

Hon. Sandith Samarasinghe

Hon. Rajavarothiam Sampanthan, Leader of the Opposition in Parliament

Hon. M. H. M. Salman

Hon. Dharmalingam Sithadthan

Hon. Muthu Sivalingam

Hon. M. A. Sumanthiran

Hon. Vadivel Suresh

Hon. Shehan Semasinghe

Hon. Sunil Handunnetti

Hon. Wijepala Hettiarachchi

Hon. Indika Anuruddha 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. Announcements by the Speaker : The Speaker made the following announcements:—

I

“I wish to inform the Parliament that I have received copies of three other petitions filed at the Supreme Court in terms of Article 121(1) of the Constitution in respect of the Bill entitled ‘Value Added Tax (Amendment)’, in addition to the receipt of a petition mentioned in the announcement made by me on 07.10.2016.”

II

“I wish to inform the Parliament that I have in terms of the Provisions of Article 79 of the Constitution of the Democratic Socialist Republic of Sri Lanka, endorsed the certificate on the following Bills on 17th October 2016:-

**Code of Criminal Procedure (Amendment); and
Law Commission (Amendment).”**

III

“I wish to inform the Parliament that I have received the determination of the Supreme Court in respect of the Bill entitled ‘Engineering Council, Sri Lanka’ which had been challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The Supreme Court has determined that—

- (i) the omission to nominate Engineering Technicians in the Council under Clause 3(b) is inconsistent with Article 12(1) of the Constitution;
- (ii) the failure to nominate a fair representation of all the categories of “Engineering Practitioners” referred to in Clause 41 is inconsistent with Article 12(1) and 12(2) of the Constitution;
- (iii) Clauses 3(b), 4(1), 4(2), 4(3), 4(4), 4(6), 5(1), 5(2), 8(2), 8(3), 8(4)(a), 8(4)(b), 8(5), 8(6), 11, 16(6), 20(1), 20(3), 21(1), 21(8), 29, 30(1), 30(2), 31(1), 31(2), 34(1), 34(2), 38(1), 38(2), 38(3)(a) and 38(4) are inconsistent with Articles 3, 43(1) and 43(3) and require to be passed by the special majority required in terms of Article 84(2) and approved by the people at a referendum by virtue of provisions of Article 83;
- (iv) Clause 9(3) is inconsistent with Article 12(1); and
- (v) Clause 39(2)(e) does not provide for the guidelines that are required to determine the roles, responsibilities and competence of different categories of the engineering practitioners registered under this Act and thereby it violates Article 12(1) of the Constitution.

The Supreme Court has further determined that the inconsistencies will cease if the above Clauses are amended as per the determination of the Court.

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

2. Appropriation: The Minister of Finance presented,— Bill to provide for the service of the financial year 2017; to authorize the raising of loans in or outside Sri Lanka, for the purpose of such service; to make financial provision in respect of certain activities of the Government during that financial year; to enable the payment by way of advances out of the Consolidated Fund or any other fund or moneys, of or at the disposal of the Government, of moneys required during that financial year for expenditure on such activities; to provide for the refund of such moneys to the Consolidated Fund and to make provision for matters connected therewith or incidental thereto.

The Bill was ordered to be read a second time on Thursday, November 10, 2016 and to be printed.

3. Sittings of the Parliament : The Leader of the House of Parliament moved,— That this Parliament at its rising this day do adjourn until 1.00 p.m. on Tuesday, 25th October 2016.

Question put, and agreed to.

4. Adjournment : The Leader of the House of Parliament moved,— That this Parliament do now adjourn.

Question put, and agreed to; the Parliament was at 10.37 a. m. adjourned until 1.00 p. m. on Tuesday, October 25, 2016 pursuant to the Resolution of Parliament this day.