(*Eighth Parliament - First Session*)

No. 195.]

MINUTES OF PARLIAMENT

Thursday, September 07, 2017 at 9.30 a. m.

PRESENT :

Hon. Karu Jayasuriya, Speaker

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 and Minister of Justice

Hon. Wajira Abeywardana, Minister of Home Affairs

Hon. John Amaratunga, Minister of Tourism Development and Christian Religious 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. 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. Dayasiri Jayasekara, Minister of Sports

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, 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 and Minister of Buddhasasana

Hon. Harin Fernando, Minister of Telecommunication and Digital Infrastructure

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

Hon. Rishad Bathiudeen, Minister of Industry and Commerce

Hon. Tilak Marapana, Minister of Development Assignments and Minister of Foreign Affairs

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

Hon. Anura Priyadharshana Yapa, Minister of Disaster Management

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

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

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. W. D. J. Senewiratne, Ministry of Labour, Trade Union Relations and Sabaragamu Development

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

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

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

Hon. Eran Wickramaratne, State Minister of Finance

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. Vasantha Senanayake, State Minister of Foreign Affairs

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 Finance and Mass Media

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

Hon. Dunesh Gankanda, Deputy Minister of Disaster Management

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 National Policies and Economic Affairs

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

Hon. Karunarathna Paranawithana, Deputy Minister of Skills Development and Vocational Training

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

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

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, Welfare and Kandyan Heritage

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

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

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Hon. Hector Appuhamy

Hon. Rohitha Abeygunawardana

Hon. Mahinda Yapa Abeywardena

Hon. Thushara Indunil Amarasena

Hon. Dilum Amunugama

Hon. J. C. Alawathuwala

Hon. Dullas Alahapperuma

Hon. Ananda Aluthgamage

Hon. Mahindananda Aluthgamage

Hon. Ranjith Aluvihare

Hon. Ravi Karunanayake

Hon. A. Aravindh Kumar

Hon. J. M. Ananda Kumarasiri

Hon. Kaveendiran Kodeeswaran

Hon. Chandrasiri Gajadeera

Hon. Chandima Gamage

Hon. Udaya Prabhath Gammanpila

Hon. Nihal Galappaththi

Hon. Dinesh Gunawardena

Hon. Bandula Gunawardane

Hon. Padma Udhayashantha Gunasekera

Hon. S. M. Chandrasena

Hon. D. V. Chanaka

Hon. Malith Jayathilake

Hon. Nalin Bandara Jayamaha

Hon. Anura Sidney Jayarathne

Hon. Piyankara Jayaratne

Hon. (Dr.) Kavinda Heshan Jayawardana

Hon. Lucky Jayawardana

Hon. K. Thurairetnasingam

Hon. Janaka Bandara Tennakoon

Hon. Arumugan Thondaman

Hon. M. S. Thowfeek

Hon. Sirinal de Mel

Hon. Piyal Nishantha De Silva

Hon. Mohan Priyadarshana De Silva

Hon. T. Ranjith De Zoysa

Hon. Anura Dissanayaka

Hon. Wimalaweera Dissanayaka

Hon. Weerakumara Dissanayake

Hon. Salinda Dissanayake

Hon. Douglas Devananda

Hon. Vasudeva Nanayakkara

Hon. I. Charles Nirmalanathan

Hon. Buddhika Pathirana

Hon. (Dr.) Ramesh Pathirana

Hon. K. K. Piyadasa

Hon. Sanath Nishantha Perera

Hon. Sujith Sanjaya Perera

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. Seyed Ali Zahir Moulana

Hon. Imran Maharoof

Hon. Abdullah Mahrooff

Hon. Ajith Mannapperuma

Hon. (Prof.) Ashu Marasinghe

Hon. Seeniththamby Yoheswaran

Hon. (Ven.) Athuraliye Rathana Thero

Hon. Bimal Rathnayake

Hon. C. B. Rathnayake

Hon. Lohan Ratwatte

Hon. Prasanna Ranatunga

Hon. Prasanna Ranaweera

Hon. Keheliya Rambukwella

Hon. Ishak Rahuman

Hon. Mujibur Rahuman

Hon. Harshana Rajakaruna

Hon. Chamal Rajapaksa

Hon. Namal Rajapaksa

Hon. Mahinda Rajapaksa

Hon. Angajan Ramanathan

Hon. Gamini Lokuge

Hon. Janaka Wakkumbura

Hon. (Mrs.) Pavithradevi Wanniarachchi

Hon. (Dr.) Jayampathy Wickramaratne

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. Heshan Withanage

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. (Dr.) S. Sivamohan

Hon. Muthu Sivalingam

Hon. M. A. Sumanthiran

Hon. Vadivel Suresh

Hon. Chathura Sandeepa Senaratne

Hon. Shehan Semasinghe

Hon. Sunil Handunnetti

Hon. Wijepala Hettiarachchi

Hon. Indika Anuruddha Herath

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 Minister of Higher Education and Highways presented the Annual Performance Report of the Ministry of Foreign Affairs for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on International Relations.

Question put, and agreed to.

(2) The Minister of Higher Education and Highways presented the Annual Performance Report of Ministry of Education for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on Education and Human Resources Development.

Question put, and agreed to.

2. Presentation of Reports from Committees : (1) Hon. Mujibur Rahuman, Member of the Committee, on behalf of Hon. C. B. Rathnayake, the Chairman of the Sectoral Oversight Committee on Youth, Sports, Arts and Heritage presented the Report of the said Committee on,

(i) Annual Report of the National Youth Services Council for the year 2012;

(ii) Annual Performance Reports of the Department of Cultural Affairs for the years 2015 and 2016;

(iii) Annual Performance Reports of the Department of National Museum for the years 2015 and 2016;

(iv) Performance Reports of the Ministry of Buddhasasana for the years 2015 and 2016;

(v) Performance Reports of the Department of Buddhist Affairs for the years 2015 and 2016;

(vi) Annual Performance Reports of the Department of Christian Religious Affairs for the years 2015 and 2016; and

(vii) Annual Performance Reports of the Department of Muslim Religious and Cultural Affairs for the years 2015 and 2016

which were referred to the said Committee.

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

(2) Hon. Vadivel Suresh, the Chairman of the Sectoral Oversight Committee on Education and Human Resources Development presented the Report of the said Committee on,

(i) Orders under Section 27 (1) of the Universities Act, No. 16 of 1978; and

(ii) Orders under Section 20(4) (b) of the Universities Act, No. 16 of 1978

which were referred to the said Committee.

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

(3) Hon. Eran Wickramaratne, Member of the Committee, on behalf of Hon. Chandima Gamage, the Chairman of the Sectoral Oversight Committee on Energy presented the Report of the said Committee on,—

(i) Annual Performance Report of the Ministry of Petroleum Resources Development for the year 2015;

(ii) Annual Report of the Sri Lanka Atomic Energy Regulatory Council for the year 2015; and

(iii) Annual Report of the Sri Lanka Sustainable Energy Authority for the year 2013

which were referred to the said Committee.

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

3. Petitions :

(1) Hon. Wasantha Aluwihare presented a petition dated 03.07.2017 from Mr. W.P.A.S. Gayan of No: 29/1, Sumedha Mawatha, Walpola, Mulleriyawa New Town.

(2) Hon. Ranjith Aluvihare presented a petition dated 24.07.2017 from Mr. S.P.D. Cyril Wijerathna of No. 244 A, Yatiwehera, Wasala Kotte.

(3) Hon. Mujibur Rahuman presented —

(i) a petition dated 13.07.2017 from Mr. B.D.B.R. Samaranayake of No. 14, Gunathilake Watta, Melegama, Wadduwa; and

(ii) a petition dated 25.06.2017 from Mr. E.M. Gamini Bandara of No: 186/A, Kandaliayaddapaluwa, Ragama.

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

4. Business of the Parliament : The Leader of the House of Parliament moved,— That the proceedings on Item No. 1 of Public Business appearing on the Order Paper be exempted at this day's sitting from the provisions of the Standing Order No. 7 of the Parliament and the motions agreed to by Parliament on 08.03.2016 and 06.09.2017.

Question put, and agreed to.

5. Inland Revenue Bill : Order for second Reading read.

The Minister of Finance and Mass Media moved,— That the Bill be now read a second time.

(At 11.06 a.m. the Deputy Chairman of Committees took the Chair.)

The State Minister of Fisheries and Aquatic Resources moved,—That Hon. Lucky Jayawardena do take the Chair.

Question put, and agreed to.

(At 1.08 p.m. Hon. Lucky Jayawardena took the Chair.)

The Minister of Lands and Parliamentary Reforms moved,—That Hon. Mujibur Rahuman do take the Chair.

Question put, and agreed to.

(At 3.26 p.m. Hon. Mujibur Rahuman took the Chair.)

(At 4.35 p.m. the Speaker took the Chair.)

Question put, and agreed to; the Parliament having divided as follows : Ayes : 100, Noes : 41.

AYES

Hon. Ranil Wickremesinghe
Hon. (Mrs.) Thalatha Atukorale
Hon. Wajira Abeywardana
Hon. John Amaratunga
Hon. Mahinda Amaraweera
Hon. Gayantha Karunatileka
Hon. Akila Viraj Kariyawasam
Hon. Lakshman Kiriella
Hon. Dayasiri Jayasekara
Hon. Palany Thigambaram
Hon. Duminda Dissanayake
Hon. Navin Dissanayake
Hon. S. B. Dissanayake
Hon. S. B. Nawinne
Hon. Gamini Jayawickrama Perera
Hon. Harin Fernando
Hon. A. D. Susil Premajayantha
Hon. Rishad Bathiudeen
Hon. Tilak Marapana
Hon. Anura Priyadharshana Yapa
Hon. Sagala Ratnayaka
Hon. Patali Champika Ranawaka
Hon. Malik Samarawickrama
Hon. Mangala Samaraweera
Hon. W. D. J. Senewiratne
Hon. Wijith Wijayamuni Zoysa
Hon. D. M. Swaminathan
Hon. Rauff Hakeem
Hon. Abdul Haleem
Hon. Kabir Hashim
Hon. Field Marshal Sarath Fonseka
Hon. Selvam Adaikkalanathan
Hon. Wasantha Aluwihare
Hon. Mohan Lal Grero
Hon. Niroshan Perera
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. A. D. Premadasa
Hon. (Mrs.) Vijayakala Maheswaran
Hon. Eran Wickramaratne
Hon. Ruwan Wijewardene
Hon. Dilip Wedaarachchi
Hon. Ravindra Samaraweera
Hon. Vasantha Senanayake
Hon. M. L. A. M. Hizbullah
Hon. A. H. M. Fowzie
Hon. Ashok Abeysinghe
Hon. Lasantha Alagiyawanna
Hon. Faizal Cassim
Hon. Dunesh Gankanda
Hon. (Mrs.) Sumedha G. Jayasena
Hon. Palitha Kumara Thewarapperuma
Hon. (Dr.) Harsha De Silva
Hon. H. R. Sarathie Dushmantha

Hon. Karunarathna Paranawithana
Hon. Ajith P. Perera
Hon. Tharanath Basnayaka
Hon. Ranjan Ramanayake
Hon. Ameer Ali Shihabdeen
Hon. Hector Appuhamy
Hon. Thushara Indunil Amarasena
Hon. Ranjith Aluvihare
Hon. Ravi Karunanayake
Hon. A. Aravindh Kumar
Hon. J. M. Ananda Kumarasiri
Hon. Chandima Gamage
Hon. Nalin Bandara Jayamaha
Hon. Anura Sidney Jayarathne
Hon. (Dr.) Kavinda Heshan Jayawardana
Hon. Lucky Jayawardana
Hon. K. Thurairetnasingam
Hon. M. S. Thowfeek
Hon. Sirinal de Mel
Hon. Douglas Devananda
Hon. Buddhika Pathirana
Hon. K. K. Piyadasa
Hon. Sujith Sanjaya Perera
Hon. Ashoka Priyantha
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. (Prof.) Ashu Marasinghe
Hon. Seeniththamby Yoheswaran
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Angajan Ramanathan
Hon. (Dr.) Jayampathy Wickramaratne
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. Chaminda Wijesiri
Hon. Sandith Samarasinghe
Hon. M. H. M. Salman
Hon. M. A. Sumanthiran
Hon. Vadivel Suresh
Hon. Chathura Sandeepa Senaratne
Hon. Wijepala Hettiarachchi

NOES

Hon. Mahinda Yapa Abeywardena
Hon. Dullas Alahapperuma
Hon. Mahindananda Aluthgamage
Hon. Chandrasiri Gajadeera
Hon. Nihal Galappaththi
Hon. Dinesh Gunawardena
Hon. Bandula Gunawardana
Hon. Padma Udhayashantha Gunasekera
Hon. D. V. Chanaka
Hon. Piyankara Jayaratne
Hon. Janaka Bandara Tennakoon
Hon. Piyal Nishantha De Silva
Hon. Mohan Priyadarshana De Silva
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Wimalaweera Dissanayaka
Hon. Weerakumara Dissanayake
Hon. Salinda Dissanayake
Hon. Vasudeva Nanayakkara
Hon. (Dr.) Ramesh Pathirana
Hon. Sanath Nishantha Perera
Hon. S. Premarathna
Hon. Tharaka Balasuriya

Hon. Vijitha Berugoda
Hon. Bimal Rathnayake
Hon. C. B. Rathnayake
Hon. Prasanna Ranatunga
Hon. Prasanna Ranaweera
Hon. Keheliya Rambukwella
Hon. Chamal Rajapaksa
Hon. Namal Rajapaksa
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura
Hon. (Mrs.) Sriyani Wijewickrama
Hon. Kanchana Wijesekera
Hon. Kumara Welgama
Hon. Jayantha Samaraweera
Hon. Shehan Semasinghe
Hon. Sunil Handunnetti
Hon. Indika Anuruddha Herath
Hon. Kanaka Herath

Bill accordingly read a second time.

The Minister of Finance and Mass Media 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 Speaker took the Chair.

Clause 1

The Minister of Finance and Mass Media proposed an amendment to insert the following immediately after line 4 in page 1 :—

"Effective date of the Act	The provisions of this Act shall be effective from April 1, 2018"

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 2 was agreed to.

Clause 3

The Minister of Finance and Mass Media proposed an amendment to leave out line 20 in page 2 and substitute the following:—

"(3) The taxable income of each person and the assessable income from each";

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 was agreed to.

Clause 5

The Minister of Finance and Mass Media proposed an amendment to leave out line 10 in page 3 and substitute the following:—

"an employment for a year of assessment the following amounts received or derived by the individual during the year of assessment from the employment shall";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 25 in page 3 and substitute the following:—

"(f) subject to paragraph (f) of subsection (3), retirement contributions";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 28 in page 4 and substitute the following:—

" share scheme (referred to in paragraph (j) of";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 4 to 6 (both inclusive) in page 5 and substitute the following:—

" provident or savings fund or savings society approved by the Commissioner-General.";

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 6

The Minister of Finance and Mass Media proposed an amendment to leave out line 11 in page 5 and substitute the following:—

" conducting a business for a year of assessment the following amounts derived by the person during the year of assessment from the business";

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 7

The Minister of Finance and Mass Media proposed an amendment to leave out line 15 in page 6 and substitute the following:—

" the following amounts received or derived by the person during the year of assessment from the investment shall be included :- ";

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 8 to 14 were agreed to.

Clause 15

The Minister of Finance and Mass Media proposed an amendment to leave out line 3 in page 12 and substitute the following:—

" (c) the purchase of livestock or poultry to be";

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 16 and 17 were agreed to.

Clause 18

The Minister of Finance and Mass Media proposed an amendment to leave out lines 11 to 13 (both inclusive) in page 14 and substitute the following:—

> "calculating an entity's income, other than a financial institution from conducting";

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 19

The Minister of Finance and Mass Media proposed an amendment to leave out line 9 in page 16 and substitute the following:—

> " an investment asset shall not be reduced by any loss on 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.

Clauses 20 to 30 were agreed to.

Clause 31

The Minister of Finance and Mass Media proposed an amendment to leave out lines 7 and 8 in page 26 and substitute the following:—

> " (5) The Commissioner-General may specify any other forms of financing that relates to interest substitutes.";

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 32 to 45 were agreed to.

Clause 46

The Minister of Finance and Mass Media proposed an amendment to leave out line 28 in page 38 and substitute the following:—

> "or a charitable institution and the requirements of subsection (3) are met-";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 1 in page 39 and substitute the following:—

> " (b) the associate or the charitable institution shall be treated as incurring";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 5 to 13 (both inclusive) in page 39 and substitute the following:—

"(a) in the case of a transfer to an associate-

(i) the associate in relation to the individual is the individual's child by marriage or adoption, spouse, parent, grandparent, grandchild, sibling, aunt, uncle, nephew, niece or first cousin; and

(ii) the asset is an interest in land or a building situated in Sri Lanka; or

(b) in the case of a transfer to a charitable institution, the transfer occurs by way of gift.";

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 47 to 49 were agreed to.

Clause 50

The Minister of Finance and Mass Media proposed an amendment to leave out lines 17 to 22 (both inclusive) in page 42 and substitute the following:—

" Payment of tax on gains from realization of an asset.

50. The manner and the procedure relating to the payment of tax on the gain from realization of an asset may be specified by the Commissioner General";

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 51 to 54 were agreed to.

Clause 55

The Minister of Finance and Mass Media proposed an amendment to leave out line 17 in page 46 and substitute the following:—

" paragraph (b) of subsection (3).";

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 56 to 61 were agreed to.

Clause 62

The Minister of Finance and Mass Media proposed an amendment to leave out line 20 in page 51 and substitute the following:—

" Act on or before the thirtieth day succeeding the date of making such remittances.";

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 63 to 66 were agreed to.

Clause 67

The Minister of Finance and Mass Media proposed an amendment to leave out lines 8 to 33 (both inclusive) in page 55 and substitute the following:—

"Insurance Business.

"67. (1) In the case of a person engaged in the business of life insurance, whether mutual or proprietary, the gains and profits from the business on which tax is payable shall be ascertained by taking the aggregate of -

(a) the surplus distributed to share holders from the life insurance policy holders fund as certified by the Appointed Actuary functioning within the Regulation of the Insurance Industry Act, No. 43 of 2000; and

(b) the investment income of the share holder fund less any expenses incurred in the production of such income,

subject to the deductions claimable under section 19 in arriving at the income from the business.

(2) For the purpose of subsection (1), the surplus distributed to a life insurance policy holder who shares the profits of a person engaged in the business of life insurance in a given year, as provided in the Regulation of Insurance Industry Act, No. 43 of 2000, shall be deemed as gains and profits of that person from the business and subject to tax accordingly.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 9 (both inclusive) in page 56 and substitute the following:—

"(3) The profits of a non-resident company whether mutual";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 27 in page 56 and substitute the following:—

"(4) Where the Commissioner-General is satisfied that by";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 4 to 20 (both inclusive) in page 57:—

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 68 was agreed to.

Clause 69

The Minister of Finance and Mass Media proposed an amendment to leave out lines 29 and 30 in page 58.

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 and 2 in page 59.

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 70 to 73 were agreed to.

Clause 74

The Minister of Finance and Mass Media proposed an amendment to leave out line 7 in page 66 and substitute the following:—

> "Division II : Double Taxation Agreements and Mutual Administrative Assistance Agreements";

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 75 was agreed to.

Clause 76

The Minister of Finance and Mass Media proposed an amendment to leave out lines 13 and 14 in page 67 and substitute the following:—

> " or accruing from, or any loss incurred by any person in Sri Lanka engaged in any international";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 20 and 21 in page 67 and substitute the following:—

> " be a person for the ascertainment of income, gains or profits arising in or derived from or any loss incurred in Sri Lanka from such";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 2 in page 69 and substitute the following :—

> " person, either one is non-resident, other";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 7 in page 69 and substitute the following:—

> " enterprises and other person and, by which";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 9 in page 69 and substitute the following :—

" between such enterprises and other person";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 22 in page 69 and substitute the following :—

" course of his audit that the income, gain or profits or the loss";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 30 and 31 in page 69 and substitute the following :—

" Pricing Officer may in writing addressed to the person referred to in subsection (1) require him to prove";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 28 in page 70:—

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 29 in page 70 and substitute the following :—

“ A person, who is dissatisfied”;

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 6 and 7 in page 71and substitute the following :—

" provisions of section 135, assess the amount of income, gain or profits and issue assessment in accordance with the final";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 9 in page 71:—

" (*l*) Such person or partner of a partnership who is aggrieved by such assessment made based on the final order, may within thirty days of the notice of assessment make an appeal to the Commissioner-General under Chapter XIII.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 21 in page 71 and substitute the following :—

" income, gain or profits by which the total income, gain or profits";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 23 in page 71and substitute the following :—

" computation of income, gain or profits under this section and in accordance";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 26 in page 71 and substitute the following :—

" between any person";

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 77

The Minister of Finance and Mass Media proposed an amendment to leave out lines 2 and 3 in page 72 and substitute the following :—

"or accruing from, or any loss incurred in by any person in Sri Lanka engaged in any transaction, other";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 8 and 9 in page 72 and substitute the following :—

" in the course of his audit, the income, gains or profits or the loss referred to in subsection (1),";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 15 in page 72 and substitute the following :—

" to the person, referred to in";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 16 in page 73 and substitute the following :—

" (h) A person, who is";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 22 in page 73 and substitute the following :—

" (i) Where a person has";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 1 in page 74 and substitute the following :—

" (k) if such person who is";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 7 in page 74 and substitute the following :—

" Where the computation of income, gain or profits under subsection (2) has";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 17 and 18 in page 74 and substitute the following :—

" profits by which the total income, gain or profits of the associated enterprises is increased after the computation of income, gain or profits" ;

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 24 in page 74 and substitute the following :—

" (a) "a person"-";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 26 and 27 in page 74 and substitute the following :—

" another enterprise, if one person participates directly or";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 30 and 31 in page 74 and substitute the following :—

" control or capital of the other person or";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 33 in page 74 and substitute the following :—

" enterprise of another person";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 1 in page 75 and substitute the following :—

" if one person";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 7 in page 75 and substitute the following :—

"(b) a person referred to in above";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 17 in page 75 and substitute the following :—

" transfer price declared by a person";

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 78 to 83 were agreed to.

Clause 84

The Minister of Finance and Mass Media proposed an amendment to leave out line 20 in page 79 and substitute the following :—

"84. (1) Subject to subsection (3), a resident person shall"

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 6 in page 80:—

"(2) The National Gem and Jewellery Authority established by the National Gem and Jewellery Authority Act, No. 50 of 1993 shall withhold tax at the rate provided in paragraph 10 of the First Schedule, from the sale price of any gem sold at an auction conducted by it, from the sum payable to the seller of such gem and at the time of such sum is paid to the seller.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 12 in page 80 and substitute the following :—

"(c) interest paid to a financial institution on the ordinary loans and advances provided by it";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 14 and 15 in page 80 and substitute the following :—

"(d) interest or discount paid to any person on Security or Treasury Bond under the Registered Stocks and Securities Ordinance (Chapter 420) or Treasury Bill under the Local Treasury Bills Ordinance (Chapter 417): or

(e) payments or allocations that are exempt amounts under section 9."

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 85

The Minister of Finance and Mass Media proposed an amendment to leave out line 16 in page 80 and substitute the following :—

" 85. (1) Subject to subsection (3), a person shall";

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 86 and 87 were agreed to.

Clause 88

The Minister of Finance and Mass Media proposed an amendment to leave out lines 17 to 24 (both inclusive) in page 84 and substitute the following :—

" (ii) a charitable institution:"

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 89

The Minister of Finance and Mass Media proposed an amendment to leave out line 27 in page 85 and substitute the following :—

" (2) A withholdee shall be"

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 6 in page 86 :—

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 90 to 96 were agreed to.

Clause 97

The Minister of Finance and Mass Media proposed an amendment to leave out lines 28 to 30 in page 93 and substitute the following:—

"‘(1) For the purposes of this Act, there shall be appointed a Commissioner-General of Inland Revenue, such number of Deputy Commissioner-Generals of Inland Revenue, Senior Commissioners of Inland Revenue, Senior Deputy Commissioners of Inland Revenue, Deputy Commissioners of Inland Revenue and Assistant Commissioners of Inland Revenue’"

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 3 in page 94:—

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 11 and 12 in page 94 and substitute the following :—

" (3) The Commissioner-General or an officer of the Department authorised by 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 98

The Minister of Finance and Mass Media proposed an amendment to leave out lines 20 to 23 (both inclusive) in page 94 and substitute the following :—

" 98. (1) The Commissioner-General may delegate to a tax official of the Department a power or duty conferred or imposed on him by this Act.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 25 and 26 in page 94 and substitute the following :—

" duty to a specific individual tax official within the Department.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 31in page 94 and substitute the following :—

" to tax officials as the Commissioner-General may";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 10 and 11 in page 95 and substitute the following :—

" (6) A tax official exercising or performing or discharging any power, duty or function conferred or imposed on or assigned to the Commissioner General by any provision of this Act, shall be deemed for all purposes to be authorised to exercise, perform or discharge that power, duty or function until the contrary is proved.

(7) A Commissioner and Senior Deputy Commissioner may exercise any power conferred on any Deputy Commissioner or Assistant Commissioner by any provision of this Act";

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 99

The Minister of Finance and Mass Media proposed an amendment to leave out line 28 in page 95 and substitute the following :—

"(4) The Commissioner General or any tax official specially authorised by him in that behalf, shall administer the Fund";

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 100

The Minister of Finance and Mass Media proposed an amendment to leave out line 8 in page 96 and substitute the following :—

"(a) the employees of the Department and";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 20 to 22 (both inclusive) in page 96 and substitute the following :—

" (e) the Attorney-General for the purpose of any criminal proceedings or civil proceedings where actions are instituted by the State or actions filed against the State or where the opinion or advice of the Attorney-General has been sought in writing by the Department of Inland Revenue;";

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

Hon. Dinesh Gunawardena proposed an amendment:—

"100 වගන්තියේ (අ) හි සඳහන් වන 'ස්වකීය කාර්ය ඉටු කිරීමේ ක්‍රියාවලියෙහි දී සහ එකී කාර්ය ඉටු කිරීමේ කාර්ය සඳහා, දෙපාර්තමේන්තුවේ සහ රේගු දෙපාර්තමේන්තුවේ අනෙකුත් නියෝජිතයන් සහ සේවා නියුක්තිකයන්ට;' යන කොටසේ 'අනෙකුත් නියෝජිතයන් සහ' යන වචන ඉවත් කළ යුතුයි කියා අපි යෝජනා කරනවා"

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

Hon. Sunil Handunnetti proposed an amendment to leave out the following lines in page 108 in Sinhala text:—

" (ආ) දෙපාර්තමේන්තුවේ අධීක්ෂණය සිදු කිරීමේ ක්‍රියාවලියකදී සහ එකී අධීක්ෂණය සිදු කරගෙන යාමේ කාර්යය සඳහා මුල්‍ය විෂයය භාර අමාත්‍යවරයාට,"

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

Hon. Sunil Handunnetti proposed another amendment to leave out the lines 8 and 9 in page 108 in Sinhala text:—

'යම් නිශ්චිත අධිකාරියක් සමග ඇතුළත් වූ ජාත්‍යන්තර ගිවිසුමකට අනුකූලව විදේශ රටක බදු අධිකාරීන්ට;'

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

Hon. Bandula Gunawardana proposed an amendment to leave out lines 10 to 12 in page 108 in Sinhala text and substitute the following:—

'රජය විසින් හෝ රජයට එරෙහිව පවරන ලද යම් අපරාධ හෝ සිවිල් නීති කෘත්‍ය සඳහා හෝ දේශීය ආදායම් දෙපාර්තමේන්තුව විසින් ලිඛිතව නීතිපතිවරයාගේ මතය හෝ උපදේශය විමසා සිටි අවස්ථාවකදී නීතිපතිවරයාට;'"

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

Question that the Clause, as amended, stand part of the Bill, put and agreed to.

Clause 101 was agreed to.

Clause 102

Hon. M. A. Sumanthiran proposed an amendment to insert the following immediately after line 12 in page 98:—

> "Every person who reaches the age of 18 years, within one year, shall register with the Commissioner-General on or before 31st day of March of the following year."

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

Hon. Sunil Handunnetti proposed an amendment to leave out lines 14 to 16 of the 102 (3) Subsection in page 110 in Sinhala text :—

> "(3) අමාත්‍යවරයා විසින්, කොමසාරිස් ජනරාල්වරයාගේ කැමැත්ත ඇතිව, මේ වගන්තිය යටතේ ලියාපදිංචි වීම සඳහා අතිරේක තැනැත්තන් පන්ති නිශ්චිතව සඳහන් කරනු ලැබිය හැකිය."

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

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

Clause 103

The Minister of Finance and Mass Media proposed an amendment to leave out line 21 in page 99 and substitute the following :—

" TIN number on returns and correspondence with 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.

Clauses 104 and 105 were agreed to.

Clause 106

The Minister of Finance and Mass Media proposed an amendment to leave out lines 30 and 31 in page 100 and substitute the following :—

" shall have effect from the date specified in the notice of withdrawal.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 3 (both inclusive) in page 101.

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 107 to 121 were agreed to.

Clause 122

The Minister of Finance and Mass Media proposed an amendment to leave out lines 14 to 22 (both inclusive) in page 112.

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 32 in page 112 and substitute the following :—

" authorised officer";

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 123

The Minister of Finance and Mass Media proposed an amendment to leave out lines 5 to 7 (both inclusive) in page 114 and substitute the following :—

"(1) For the purpose of this Act, the Assistant Commissioner may require from the tax payer or the Commissioner may require from any other person, by giving reasonable notice in writing:";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 20 in page 114 and substitute the following :—

" the Commissioner may require any bank:";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 21 in page 114 and substitute the following :—

" (a) to furnish to the Commissioner details of";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 25 and 26 in page 114 and substitute the following :—

" (b) to permit the Commissioner or Assistant Commissioner to inspect the records of the bank with";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 32 in page 114 and substitute the following :—

" of a bank before the Commissioner to give";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 6 in page 115 and substitute the following :—

" the giving of evidence to the Commissioner or Assistant Commissioner in";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 13 in page 115 and substitute the following :—

" (4) The Commissioner or Assistant Commissioner";

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 124 and 125 were agreed to.

Clause 126

The Minister of Finance and Mass Media proposed an amendment to leave out line 4 in page 119 and substitute the following :—

" this Act shall furnish to the Assistant Commissioner in";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 15 in page 119 and substitute the following :—

" (3) An Assistant Commissioner shall not be bound by a";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 17 in page 119 and substitute the following :—

" tax payer and the Assistant Commissioner may determine a";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 19 in page 119 and substitute the following :—

" available to the Assistant Commissioner."

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 27 in page 119 and substitute the following :—

"(6) An Assistant Commissioner may, by notice in writing,";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 30 in page 119 and substitute the following :—

" returns for a tax period as the Assistant Commissioner requires,";

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 127 to 129 were agreed to.

Clause 130

Hon. Sunil Handunnetti proposed an amendment to leave out the Subsection 130(1) of the Sinhala text:

> “ ‘ආදායම් බදු වාර්තා ගොනු කිරීමට නියම කරන ලද බදු ගෙවන්නා හෝ වෙනත් තැනැත්තකු කාලය දීර්ඝ කිරීමට, නියමිත දිනයට පෙර අයදුම් කරන අවස්ථාවක, කොමසාරිස් ජනරාල්වරයා විසින්, බදු වාර්තා ගොනුකිරීම සඳහා නියම කරන ලද කාලසීමාව දීර්ඝ කළ හැකිය.’”

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

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

Clauses 131 to 132 were agreed to.

Clause 133

The Minister of Finance and Mass Media proposed an amendment to leave out lines 23 and 24 in page 121 and substitute the following :—

> " for a tax period as required under this Act, the Assistant Commissioner may, based on such evidence as may be available";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 29 in page 121 and substitute the following :—

> " (2) The Assistant Commissioner shall serve a taxpayer";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 24 in page 122 and substitute the following :—

> " period shall not be a self-assessment return.";

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 134

The Minister of Finance and Mass Media proposed an amendment to leave out lines 25 and 26 in page 122 and substitute the following :—

> "134. (1) Subject to subsection (2), the Assistant Commissioner may, based on such evidence as may be available";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 29 in page 122 and substitute the following :—

> " taxpayer for a tax period.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 11 in page 123 and substitute the following :—

" (4) The Assistant Commissioner shall serve a taxpayer";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 22 in page 123 and substitute the following :—

" (5) The Assistant Commissioner may specify in a notice";

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 135

The Minister of Finance and Mass Media proposed an amendment to leave out lines 7 and 8 in page 124 and substitute the following :—

"135. (1) Subject to this section, the Assistant Commissioner may amend a tax assessment (referred to in this:";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 21 in page 124 and substitute the following :—

" (2) Subject to subsection (3), the Assistant Commissioner";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 25 in page 124 and substitute the following :—

" (b) in any other case within thirty months of:";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 30 in page 124 and substitute the following :—

" the Assistant Commissioner served notice of ";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 3 (both inclusive) in page 125 and substitute the following :—

"(3) Subject to subsection (4), where the Assistant Commissioner has served a notice of an amended assessment on a taxpayer under subsection (1), the Assistant Commissioner";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 11 in page 125 and substitute the following :—

" Assistant Commissioner served notice of the";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 13 in page 125 and substitute the following :—

"(b) one year after the Assistant Commissioner has served";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 16 in page 125 and substitute the following :—

" applies, the Assistant Commissioner is restricted to amending";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 19 and 20 in page 125 and substitute the following :—

" (5) Where the Assistant Commissioner has made an amended or";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 26 in page 125 and substitute the following :—

" (b) the amount of tax assessed and the basis upon which the amended or additional assessment has been made";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 11 in page 126 and substitute the following :—

" remain payable based on the original due date.";

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 136 to 138 were agreed to.

Clause 139

Hon. Mahindananda Aluthgamage proposed an amendment to insert the following immediately after line 26 in page 145 in Sinhala text :—

" (9) මෙම වගන්තියෙහි (1) උප වගන්තිය යටතේ ඉදිරිපත් කරනු ලැබූ යම් විරෝධතාවක් හෝ අභියාචනයක් එම වගන්තියේ (4) උපවගන්තිය යටතේ නිකුත් කරනු ලැබූ දැනුම්දීමේ ලිපියේ සඳහන් දින සිට දින 180ක් ඇතුළත කොමසාරිස් ජෙනරාල්වරයා විසින්, එම විරෝධතාව පිළිබඳව විමසා බලා තීරණයක් ලබාදිය යුතු අතර, නියමිත දිනට එකී තීරණය ලිඛිතව ලබා නොදුන් අවස්ථාවක එකී අභියාචනයෙහි හෝ විරෝධතාවෙහි සඳහන් කරුණු පිළිගත්තා සේ සලකා කටයුතු කළ යුතුය. "

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

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

Clause 140

Hon. Mahindananda Aluthgamage proposed an amendment to insert the following immediately after line 6 in page 147 in Sinhala text :—

> “ 5 වන උපවගන්තිය යටතේ, බදු කොමිෂන් සභාවට ලිඛිතව අභියාචනයක් ඉදිරිපත් කළ දින සිට දින 180ක් ඇතුළත අභියාචනා කොමිසම විසින් එම අභියාචනය විමසා බලා තීරණයක් ලබා දිය යුතු අතර, එකී තීරණය නියමිත දිනට හෝ ඊට පෙර ලබා නොදුන් අවස්ථාවක, අභියාචනයෙහි සඳහන් කරුණු පිළිගත්තා සේ සලකා කටයුතු කළ යුතුය. ”

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

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

Clauses 141 and 142 were agreed to.

Clause 143

The Minister of Finance and Mass Media proposed an amendment to leave out lines 19 and 20 in page 130 and substitute the following :—

> " (1) Subject to the right of the Assistant Commissioner to issue a new or revised assessment under section";

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 144 to 151 were agreed to.

Clause 152

The Minister of Finance and Mass Media proposed an amendment to leave out line 14 in page 140 and substitute the following :—

> " (b) received an extension pursuant to section 151 and";

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 153 to 163 were agreed to.

Clause 164

The Minister of Finance and Mass Media proposed an amendment to leave out lines 22 to 31(both inclusive) in page 144 and substitute the following :—

> " (3) The lien imposed under this section shall not be valid against the interest of a person who is a purchaser from the taxpayer, a holder of a security interest granted by the taxpayer, or other lien holder specified in regulations, if the interest arises —
>
> (a) before the person had actual knowledge of the lien; or
>
> (b) before notice of the lien has been duly registered by the Registrar of the High Court and the Registrar of Lands,
>
> whichever occurs first.";

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 165 was agreed to.

Clause 166

The Minister of Finance and Mass Media proposed an amendment to leave out lines 29 to 33 (both inclusive) in page 148 and substitute the following :—

"(13) Notwithstanding anything contained in this Act authorising the Commissioner-General to sell a property for the recovery of tax, the conveyance or assignment executed to give effect to the sale shall not affect any interest, or right of the Republic of Sri Lanka in the property.";

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 167

The Minister of Finance and Mass Media proposed an amendment to leave out lines 1 to 27 (both inclusive) in page 149 and substitute the following :—

" 167. (1) Where the Commissioner-General is of opinion that any person who is a defaulter is about to or likely to leave Sri Lanka without paying-

(a) tax that is payable by that person; or

(b) tax that is payable by a company in which that person is a controlling member,

which has become default as assessed upon him or otherwise, he may issue a certificate containing particulars of such tax and the name of such person to a Magistrate, who shall on receipt thereof issue a direction to the Controller General of Immigration and Emigration to take such measures as may be necessary to prevent such person from leaving Sri Lanka without paying the tax or furnishing security to the satisfaction of the Commissioner-General, for payment thereof.

(2)At the time of issue of the certificate to the Magistrate, the Commissioner-General shall issue to such person a notification thereof by registered post. However, the non-receipt of any such notification by such person shall not invalidate proceedings under this section.

(3)Where the Commissioner-General has reasonable grounds to believe that the departure from Sri Lanka of any person who is a defaulter referred to in subsection (1) is imminent and that sufficient time is not available to act in terms of subsection (1), the Commissioner-General may issue a departure prohibition order, in writing, to the Controller General of Immigration and Emigration stating-

(i) the name and address of the person;

(ii) the amount of tax that is or will become payable by the person or by the company in which the person is a controlling member,

and the Controller General of Immigration and Emigration shall take such measures as may be necessary to prevent such person from leaving Sri Lanka without paying the tax or furnishing security to the satisfaction of the Commissioner-General, for payment thereof.

Provided however that the Commissioner General shall, as soon as may be practicable and in any event within seventy two hours of issuing such departure prohibition Order, make an application to the Magistrate to have the Order confirmed. Such departure prohibition Order shall be treated as revoked where no application has been made to the Magistrate within the aforementioned time period.

(4) The production of a certificate signed by the Commissioner-General or a Deputy Commissioner, stating that the tax has been paid or that security has been furnished to for the payment of the tax, or payment of the tax to a police officer in charge of a police station, shall be sufficient authority for allowing such person to leave Sri Lanka. Any police officer to whom the amount of any tax has been paid shall forthwith pay such amount to the Commissioner-General.".;

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 23 (both inclusive) in page 150:—

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 168 to 171 were agreed to.

Clause 172

The Minister of Finance and Mass Media proposed an amendment to leave out line 12 in page 155 and substitute the following :—

" (5) An asset Preservation Order shall be valid for ninety";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 29 in page 155 and substitute the following :—

" by the Commissioner-General under subsection (5).";

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 173 to 175 were agreed to.

Clause 176

The Minister of Finance and Mass Media proposed an amendment to leave out lines 11 to 13 (both inclusive) in page 158 and substitute the following :—

" Act or any other law and is in addition to interest levied under Chapter XV and to a criminal sanction imposed under Chapter XVIII.";

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 177 to 180 were agreed to.

Clause 181

The Minister of Finance and Mass Media proposed an amendment to leave out line 6 in page 162 and substitute the following :—

" made, prepared, given, filed, submitted or furnished";

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 182 and 183 were agreed to.

Clause 184

The Minister of Finance and Mass Media proposed an amendment to leave out line 14 in page 163 and substitute the following :—

" with the requirements, of section 76 or 77 in relation to";

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 185 was agreed to.

Clause 186

The Minister of Finance and Mass Media proposed an amendment to leave out lines 16 and 17 in page 165 and substitute the following :—

" (b) the offence has been compounded by the Court with the consent of the Commissioner-General;";

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 187 to 192 were agreed to.

Clause 193

Hon. Sunil Handunnetti proposed an amendment to leave out following lines in pages 189, and 190 in Sinhala text :—

“ 193. (1) 191 වැනි වගන්තිය හෝ 192 වැනි වගන්තිය යටතේ ඇති යම් වරදක් හැර, මේ පරිච්ඡේදය යටතේ හෝ මෙම පනත අදාළ වන වෙනත් නීතියක් යටතේ යම් තැනැත්තකු වරදක් සිදුකර ඇති අවස්ථාවක, අධිකරණය විසින් ඊට අදාළ නඩු කටයුතු විභාග කිරීම ආරම්භ කිරීමට පෙරාතුව ඕනෑම වෙලාවක කොමසාරිස් ජනරාල්වරයා විසින් වරද සමථයකට පත් කරනු ලැබිය හැකි අතර වරද සඳහා නිශ්චිතව සඳහන් කරනු ලැබ ඇති උපරිම දඩ මුදල නොඉක්මවනු ලබන නිශ්චිතව සඳහන් කරනු ලබන යම් මුදලක් ගෙවන ලෙස කොමසාරිස් ජනරාල්වරයා විසින් එම තැනැත්තාට නියම කළ හැකිය.

(2) වරදට සම්බන්ධ පුද්ගලයා ලිඛිතව වරද සමථයකට පත් කරන ලෙස කොමසාරිස් ජනරාල්වරයාගෙන් ඉල්ලීමක් කරනු ලබන්නේ නම් පමණක් මෙම වගන්තිය යටතේ කොමසාරිස් ජනරාල්වරයා විසින් වරද සමථයකට පත් කරනු ලැබිය හැකිය.

(3) මෙම වගන්තිය යටතේ කොමසාරිස් ජනරාල්වරයා විසින් යම් වරදක් සමථයකට පත් කරනු ලබන්නේ නම්, (1) වන උපවගන්තියේ සඳහන් කර ඇති නියමය -

(අ) ලිඛිත විය යුතු අතර, (2) වන උපවගන්තියේ දැක්වෙන ලිඛිත ඉල්ලීම ඊට අමුණා තිබිය යුතු යන

(ආ) (i) කරන ලද වරද

(ii) ගෙවීමට ඇති මුදල් ප්‍රමාණය සහ

(iii) ගෙවීම සඳහා නියමිත දිනය නිශ්චිතව සඳහන් කළ යුතුය;

සහ

(ඇ) වරද සිදු කළ තැනැත්තාට එම නියමය භාර දිය යුතුය.

(4) (3) වන උපවගන්තිය යටතේ වන යම් නියමයක් අවසානාත්මක විය යුතු අතර අභියාචනයට යටත් නොවිය යුතුය.

(5) මෙම වගන්තිය යටතේ යම් වරදක් කොමසාරිස් ජනරාල්වරයා විසින් සමථයකට පත් කරනු ලබන අවස්ථාවකදී, එම වරද සම්බන්ධයෙන් නඩු පවරනු ලැබීමට හෝ දණ්ඩනයකට එම වරදකරු යටත් නොවිය යුතුය.”

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

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

Clause 194 was agreed to.

Clause 195

The Minister of Finance and Mass Media proposed an amendment to insert the following immediately after line 12 in page 171:—

> ‘Assistant Commissioner’ includes a Deputy Commissioner appointed under this Act";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 14 in page 171 and substitute the following :—

> " tax official employed in";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 14 in page 173 and substitute the following :—

> " Sri Lanka, of any of the following categories" ;

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 28 in page 173 and substitute the following :—

> " General of Inland Revenue appointed under section 97 and includes a Deputy Commissioner-General, Senior Commissioner, Commissioner or Senior Deputy Commissioner who is specially authorised by the Commissioner-General either generally or for some specific purpose, to act on behalf of the Commissioner-General.";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 12 in page 176:—

" employee means an individual engaged in employment;";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 17 in page 176 and substitute the following :—

" employee, and includes in the case of an entity specified in Column I hereunder, the person specified in the corresponding entry in Column II:

Column I	Column II
A company or a body of persons whether corporate or unincorporate	Director, Secretary, Manager or other principal officer of such company or body of persons
A partnership	The precedent partner or any active partner resident in Sri Lanka, and in the case of a partnership of which no active partner is resident in Sri Lanka, the agent of such partnership in Sri Lanka
A trust	The trustee or trustees of the trust
A non-resident person	The agent or attorney of such person in Sri Lanka
A Government Institution	Accountant or Director of Finance or Administrative Officer or Head of the Department or Institution, or Secretary to the Ministry or Chairman of Commission or Committee or any other person who pays remuneration"

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 15 in page 177:—

" export includes specified undertaking;";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 30 in page 177:—

" generally accepted accounting principles means-

(i) those adopted, from time to time, by the Institute of Charted Accountants (Sri Lanka); and

(ii) the International Financial Reporting Standards;";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 5 to 10 (both inclusive) in page 178 and substitute the following :—

" interest includes —

(a) a payment, including a discount or premium, made under a debt obligation that is not a repayment of capital; and

(b) a swap or other payment functionally equivalent to interest;";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 22 in page 181 and substitute the following :—

" does not include an approved charity;";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 5 to 7 (both inclusive) in page 185 and substitute the following :—

" (a) the person who conducts business solely in Sri Lanka other than an individual who is engaged in providing professional services individually or in partnership being an individual who is professionally qualified;";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 12 to 24 (both inclusive) in page 185 and substitute the following :—

‘ specified undertaking ’ means an undertaking which is engaged in-

(a) entrepot trade involving import, minor processing and re-export;

(b) offshore business where goods can be procured from one country or manufactured in one country and shipped to another country without bringing the same into Sri Lanka;

(c) providing front end services to clients abroad;

(d) headquarters operations of leading buyers for management of financial supply chain and billing operations;

(e) logistic services such as bonded warehouse or multi-country consolidation in Sri Lanka;

(f) transshipment operations;

(g) freight forwarding;

(h) supply of services to any exporter of goods or services or to any foreign principal of such exporter directly, being services which could be treated as essentially related to the manufacture of such goods or provision of such services exported by such exporter either directly or through any export trading house, including any service provided by an agent of a ship operator to such agent's foreign principal, and the payment for such services are made by such exporter or foreign principal to such person in Sri Lanka in foreign currency;

(i) production or manufacture, and supply to an exporter of non-traditional goods; and

(j) the performance of any service of ship repair, ship breaking repair and refurbishment of marine cargo containers, provision of computer software, computer programmes, computer systems or recording computer data, or such other services as may be specified by the Minister by notice published in the Gazette, for payment in foreign currency ; ";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 24 in page 185 :—

"(k) sale for foreign currency, of any gem or jewellery, being a sale made in Sri Lanka by any person authorized by the Central Bank of Sri Lanka to accept payment for such sale in foreign currency;";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 30 and 31 in page 186 and substitute the following :—

" (b) Deputy Commissioners General, Senior Commissioners, Commissioners, Senior Deputy Commissioners, Deputy Commissioners and Assistant Commissioners";

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.

Hon. Sunil Handunnetti proposed an amendment to leave out the following section in page 196 in Sinhala text:—

"195 පිටුවේ දක්වා ඇති "සමාගම" යන්න, 196 පිටුවේ අර්ථ දක්වා ඇත්තේ මේ විධියටයි.

(ආ) ඊට-

(i) යම් මිත්‍රශීලී සමිතියක්, ගොඩනැගිලි සමිතියක්, විශ්‍රාම වැටුප් අරමුදලක්, අර්ථසාධක අරමුදලක්, විශ්‍රාම ගැනීමේ අරමුදලක්, විශ්‍රාම පාරිතෝෂික අරමුදලක් හෝ ඒ හා සමාන අරමුදලක් හෝ සමිතියක්; සහ"

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

Hon. Sunil Handunnetti proposed another amendment to leave out the following section in page 201:—

"සිංහල පිටපතේ 201 පිටුවේ "ආයෝජනය" යන්න, 196 පිටුවේ අර්ථ නිරූපණය කර ඇත්තේ මේ විධියටයි.

(ආ) සමාන ස්වභාවයෙන් යුතු හෝ ඒකීකරණය කරන ලද ආකාරයකින් භාවිත කරනු ලබන, වත්කම් එකක් හෝ වැඩි ප්‍රමාණයක් අයිතිව සිටීම අදහස් කරන අතර, ඊට-

එහි "ඊට" කියන වචනය ඉවත් කරන ලෙස මා සංශෝධනයක් ඉදිරිපත් කරනවා."

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

Hon. Sunil Handunnetti proposed another amendment to leave out the following section in page 205 in Sinhala text:—

> “205 පිටුවේ “තැනැත්තා” යන්න, අර්ථ නිරූපණය කොට ඇත්තේ මේ විධියටයි.
>
> “තැනැත්තා” යන්නෙන් පුද්ගලයෙක් හෝ අස්ථිත්වයක් අදහස් වන අතර සංස්ථාපිත හෝ සංස්ථාපිත නොවන පුද්ගල මණ්ඩලයක්, පොල්මෘකරුවෙක්, රාජ්‍ය නොවන සංවිධානයක් සහ පුණ්‍යායතනයක් ඊට ඇතුළත් වේ;’”
>
> මෙහි “තැනැත්තා” යන්නට “පුණ්‍යායතනයක්” අදාළ කරන්න එපා කියලා මා යෝජනා කරනවා.

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

Question that the Clause, as amended, stand part of the Bill, put and agreed to.

Clause 196

The Minister of Finance and Mass Media proposed an amendment to leave out line 9 in page 189 and substitute the following :—

> " (d) in any case not covered by paragraphs (a) to (c),”

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 197 was agreed to.

Clause 198

The Minister of Finance and Mass Media proposed an amendment to leave out line 22 in page 191 and substitute the following :—

> "promissory notes, bills of exchange and bonds.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 8 to 10 (both inclusive) in page 192:—

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 199 was agreed to.

Clause 200

The Minister of Finance and Mass Media proposed an amendment to leave out lines 25 to 31 (both inclusive) in page 193:—

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 31 (both inclusive) in page 194:—

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 7 (both inclusive) in page 195:—

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 201 to 203 were agreed to.

Clause 204

The Minister of Finance and Mass Media proposed an amendment to insert the following immediately after line 18 in page 197:—

" (4) The cost of an investment asset held by a person as at, September 30, 2017 is equal to the market value of the asset at that time.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 26 in page 197 and substitute the following :—

" uplift of 5 percent. A person shall not be required to pay tax by";

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.

First Schedule

The Minister of Finance and Mass Media proposed an amendment to leave out line 5 in page 198 and substitute the following :—

" income of a resident or non-resident individual for a year of";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 8 in page 198 and substitute the following :—

"Not exceeding Rs. 600,000	4% of the amount in excess of Rs. 0";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 16 to 35 (both inclusive) in page 200 and substitute the following :—

" (4) The type of income referred to in subparagraph (2) (c) shall be income from a business consisting of betting and gaming, liquor or tobacco.

2. Tax rate for partnerships.

Where a partnership's taxable income includes gains from the realisation of investment assets, those gains shall be taxed to the partnership at the rate of 10%.

3. Tax rates for trusts.

(1) Subject to the provisions of subparagraph (2), the taxable income of a trust for a year of assessment to which subsection (1) of section 57 applies shall be taxed at the rate of [24%].

(2) Where a trust's taxable income includes gains from the realisation of investment assets, then –

(a) those gains, shall be taxed to the trust at the rate of 10%; and

(b) only the remainder of the trust's taxable income shall be taxed at the rate referred to in subparagraph (1).

(3) Where a trust's taxable income (not otherwise covered by this paragraph) includes gains from the realisation of investment assets, those gains shall be taxed to the trust at the rate of 10%.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 4 in page 201 and substitute the following :—

" (b) in the case of a company predominantly conducting a business of";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 6 in page 201 and substitute the following :—

"(c) in the case of a company predominantly conducting an agricultural";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 10 in page 201 and substitute the following :—

" (excluding such income which is merely incidental to another business) – 40%";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 11 in page 201 and substitute the following :—

" (e) in the case of a company predominantly providing educational";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 13 in page 201 and substitute the following :—

" (f) in the case of a company predominantly engaged in an undertaking";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 15 in page 201 and substitute the following :—

" (g) in the case of a company predominantly providing information";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 28 in page 201 and substitute the following :—

" Board as being in "Class A" or "Class B";";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 35 in page 201:—

" (iii) 'predominantly' means 80% or more, calculated based on gross income.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 9 in page 202 and substitute the following :—

" income of a unit trust or mutual fund to which section 59 applies for";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 20 in page 203 and substitute the following :—

" profits under section 62 shall be [14%]";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 32 to 34 (both inclusive) in page 203 and substitute the following :—

" (i) in the case of interest or discount paid to a resident person (other than to an individual who is a senior citizen in relation to a bank deposit account) - 5%;"

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 14 in page 204:—

" (3) The rate of tax to be withheld from payments to which section 84 (2) applies - 2.5%";

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

Question that the First Schedule, as amended, stand part of the Bill, put and agreed to.

Second Schedule

The Minister of Finance and Mass Media proposed an amendment to leave out lines 5 to 45 (both inclusive) in page 205 and substitute the following :—

> "1. (1) A person who invests in Sri Lanka (other than the expansion of an existing business) during a year of assessment shall be granted enhanced capital allowances computed in accordance with this paragraph, in addition to the capital allowances computed under the Fourth Schedule.
>
> (2) A capital allowance of 100% of the expenses incurred by a person on depreciable assets other than intangible assets during a year of assessment shall be granted to that person for that year if the total expenses incurred by that person during that year on depreciable assets (other than intangible assets) that are used in a part of Sri Lanka other than the Northern Province exceeds USD 3 million but does not exceed USD 100 million.
>
> (3) A capital allowance of 150% of the expenses incurred by a person on depreciable assets other than intangible assets during a year of assessment shall be granted to that person for that year if the total expenses incurred by that person during that year on depreciable assets (other than intangible assets) that are used in a part of Sri Lanka other than the Northern Province exceeds USD 100 million.
>
> (4) A capital allowance of 200% of the expenses incurred by a person on depreciable assets other than intangible assets during a year of assessment shall be granted to that person for that year where the total expenses incurred by that person during that year on depreciable assets (other than intangible assets) that are used in the Northern Province exceeds USD 3 million.
>
> (5) A capital allowance of 150% of the expenses incurred by a person on assets of a state owned company during a year of assessment shall be granted to that state owned company for that year if the total expenses incurred by that person during that year on the assets of a state owned company that are used in a part of Sri Lanka exceeds USD 250 million.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 1 to 22 (both inclusive) in page 206.

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 36 and 37 in page 206 and substitute the following :—

> " where a person has incurred more than USD 1000 million on depreciable assets (other than intangible assets) in Sri Lanka or entitled to enhanced capital allowance under sub paragraph (5) of paragraph (1) in respect";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 19 in page 207:—

> " 'state owned company' means any company, where fifty *per centum* or more of the shares are held by the Government and includes a company or which forty *per centum* or more of the shares held by the Government are acquired by a person for an amount not less than USD 250 million;"

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 23 to 35 (both inclusive) in page 207.

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 5 and 6 in page 208 and substitute the following :—

> " more than USD 1000 million on depreciable assets (other than intangible assets) in Sri Lanka or entitled to an enhanced capital allowance under subparagraph (5) of paragraph 1, and that dividend is paid out of profits";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 12 and 13 in page 208 and substitute the following :—

> " incurred more than USD 1000 million on depreciable assets (other than intangible assets) in Sri Lanka or entitled to an enhanced capital allowance under subparagraph (5) of paragraph 1, and that dividend is paid out of";

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

Hon. Dinesh Gunawardena proposed an amendment :—

> "මේ පනත් කෙටුම්පතේ දෙවන උපලේඛනයේ 1 (4) ඡේදයේ "තක්සේරු වර්ෂයක් තුළ දී උතුරු පළාත හැර ......" යනුවෙන් තිබෙනවා. ඒ ගැන කිසි ගැටලුවක් නැහැ. නමුත් මේ රටේ දුප්පත්ම පළාත ඌව පළාත. එහෙම නම් "ඌව පළාත හැර" කියලාත් දමන්න."

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

Question that the Second Schedule, as amended, stand part of the Bill, put and agreed to.

Third Schedule

The Minister of Finance and Mass Media proposed an amendment to leave out lines 11 to 13 (both inclusive) in page 209 and substitute the following :—

> " (iii) any University which is established or deemed to be established under the Universities Act, No. 16 of 1978 or the Buddhist and Pali University of Sri Lanka Act, No. 74 of 1981;

(iv) any government assisted private school other than that incorporated under the Companies Act, No. 7 of 2007 which is registered with the Ministry of Education and mandated to follow the Circulars issued by the Government and the Ministry of Education;

(v) any registered society within the meaning of the Co-operative Societies Law No. 5 of 1972."

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 31 to 36 (both inclusive) in page 209 and substitute the following :—

" (e) any amount paid to an employee at the time of retirement from-

(i) any pension fund or the Employees Trust Fund established by the Employees Trust Fund Act, No. 46 of 1980, as represents income derived by that fund, for any period commencing on or after April 1, 1987, from investments made by it; and

(ii) a provident fund approved by the Commissioner-General";"

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 39 in page 210 and substitute the following :—

" (i) gain made on realization of an asset consisting";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 31 to 33 (both inclusive) in page 211 and substitute the following :—

" (q) benefits received or derived by an employee of the government of Sri Lanka from a road vehicle permit issued to that employee;

(r) the profits and income from any property donated by royal or other grant before March 2, 1815, to any place of public worship administered by a charitable institution, in so far as such profits and income are applied to the purposes for which such grant was made;

(s) dividends from and gains on the realization of shares in a non-resident company where derived by a resident company with respect to a substantial participation in the non-resident company. In this paragraph, "substantial participation" means-

i. holding 10 percent or more of the value of shares in the company, excluding redeemable shares; together with

ii. control, either directly or indirectly, of 10 percent or more of the voting power in the company;

(t) any amount derived by a person from the sale of any gem on which tax has been deducted under subsection (2) of section 84.";

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

Question that the Third Schedule, as amended, stand part of the Bill, put and agreed to.

Fourth Schedule

The Minister of Finance and Mass Media proposed an amendment to leave out line 15 in page 213 and substitute the following :—

" intangible asset has an indefinite useful life, 20";

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

Question that the Fourth Schedule, as amended, stand part of the Bill, put and agreed to.

Fifth Schedule

The Minister of Finance and Mass Media proposed an amendment to insert the following immediately after line 34 in page 216:—

“ (e) in the case of a resident individual or partner of a partnership with income earned in foreign currency in Sri Lanka, from any service rendered in or outside Sri Lanka to any person outside Sri Lanka, Rs. 15,000,000 for each year of assessment, up to the total of such income for the year.”

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

Question that the Fifth Schedule as amended stand part of the Bill, put and agreed to.

Sixth Schedule

The Minister of Finance and Mass Media proposed an amendment to leave out line 4 to 8 (both inclusive) in page 217 and substitute the following :—

" 1. (1) A person who invests in Sri Lanka (other than expansion of existing business) on depreciable assets mentioned in subparagraph (4) during a year of assessment shall be granted enhanced capital allowances computed in accordance with this paragraph, in addition to the capital allowances computed under the Fourth Schedule.";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 11 in page 217 and substitute the following :—

" subparagraph (4) during a year of assessment shall be granted to that";

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 16 in page 217 and substitute the following :—

" on depreciable assets mentioned in subparagraph (4) during a year of”;

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

The Minister of Finance and Mass Media proposed another amendment to leave out line 21 in page 217 and substitute the following :—

" (a) Class 1 and Class 4 assets within the meaning of paragraph 1 of the";

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

The Minister of Finance and Mass Media proposed another amendment to leave out lines 27 to 29 (both inclusive) in page 217 and substitute the following :—

" (5) Depreciation allowances arising with respect to a particular year of assessment shall be taken in that year and cannot be deferred to a later year of assessment.";

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

The Minister of Finance and Mass Media proposed another amendment to insert the following immediately after line 14 in page 218:—

" Life Insurance

4. The portion of the gains and profits of an insurer engaged in the business of life insurance that is deemed as income of the life insurer under section 67(2) shall be taxed at the rate of fourteen percent for three years of assessment after the commencement of the Act.";

Information Technology

5. (1) A company is entitled to an additional deduction when calculating the company's income from business for a year of assessment equal to 35% of the total amount deducted for the year under this Act that represents payments made by the company which are to be included in calculating the taxable income of its employees (other than as a company director), where that company-

(a) conducts a business which predominately consists of providing information technology services within the meaning of the First Schedule;

(b) has at least 50 employees during the whole of the year; and

(c) reports those employees in the statement that the company, as a withholding agent, is required to file under section 86.

(2) A company which is entitled for deduction under this paragraph shall not be entitled to an enhanced capital allowance under paragraph 1 of this Schedule.

(3) Notwithstanding anything in section 19 (1) where the deduction under this paragraph results in an unrelieved loss for a company that unrelieved loss shall not be deducted in any succeeding year of assessment.

Headquarters Relocation

6. Notwithstanding anything in the First Schedule, any institution, established on or after October 1, 2017, by relocating in Sri Lanka the headquarters or regional head offices of institutions in the international network, as specified by the Commissioner-General by Notice published in the Gazette shall be taxed at the rate of Zero percent for three years of assessment after the commencement of this Act.

Renewable Energy

7. Notwithstanding anything in the First Schedule, any person, who has entered into a Standardized Power Purchase Agreement on or before November 10, 2016 with the Ceylon Electricity Board to provide electricity generated using renewable resources shall be taxed at the rate of fourteen percent for the three years of assessment after the commencement of this Act.

Research and Development

8. A person is entitled to an additional deduction when calculating the person's income from business for a year of assessment equal to 100% of the total amount of research and development expenses deducted for the year under section 15, for three years of assessment after the commencement of this Act."

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

Question that the Sixth Schedule, as amended, stand part of the Bill, 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 Finance and Mass Media moved,— That the Bill, as amended be now read the third time.

Question put, and agreed to; the Parliament having divided : Ayes : 90, Noes : 25 as follows:—

AYES

Hon. Ranil Wickremesinghe	Hon. Duminda Dissanayake
Hon. (Mrs.) Thalatha Atukorale	Hon. Navin Dissanayake
Hon. Wajira Abeywardana	Hon. S. B. Dissanayake
Hon. John Amaratunga	Hon. S. B. Nawinne
Hon. Gayantha Karunatileka	Hon. Gamini Jayawickrama Perera
Hon. Lakshman Kiriella	Hon. A. D. Susil Premajayantha
Hon. Dayasiri Jayasekara	Hon. Rishad Bathiudeen
Hon. Palany Thigambaram	Hon. Tilak Marapana

Hon. Faiszer Musthapha
Hon. Anura Priyadharshana Yapa
Hon. Sagala Ratnayaka
Hon. Patali Champika Ranawaka
Hon. Malik Samarawickrama
Hon. Wijith Wijayamuni Zoysa
Hon. D. M. Swaminathan
Hon. Abdul Haleem
Hon. Kabir Hashim
Hon. Field Marshal Sarath Fonseka
Hon. Selvam Adaikkalanathan
Hon. Wasantha Aluwihare
Hon. Mohan Lal Grero
Hon. Niroshan Perera
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. A. D. Premadasa
Hon. (Mrs.) Vijayakala Maheswaran
Hon. Eran Wickramaratne
Hon. Ruwan Wijewardene
Hon. Ravindra Samaraweera
Hon. Vasantha Senanayake
Hon. A. H. M. Fowzie
Hon. Ashok Abeysinghe
Hon. Lasantha Alagiyawanna
Hon. Faizal Cassim
Hon. Dunesh Gankanda
Hon. (Mrs.) Sumedha G. Jayasena
Hon. Palitha Kumara Thewarapperuma
Hon. (Dr.) Harsha De Silva
Hon. H. R. Sarathie Dushmantha
Hon. Karunarathna Paranawithana
Hon. Ajith P. Perera
Hon. Tharanath Basnayaka
Hon. Ranjan Ramanayake
Hon. Ameer Ali Shihabdeen
Hon. Hector Appuhamy
Hon. Thushara Indunil Amarasena
Hon. Ananda Aluthgamage
Hon. Ranjith Aluvihare
Hon. Ravi Karunanayake
Hon. A. Aravindh Kumar
Hon. J. M. Ananda Kumarasiri
Hon. Chandima Gamage
Hon. Nalin Bandara Jayamaha
Hon. Anura Sidney Jayarathne
Hon. (Dr.) Kavinda Heshan Jayawardana
Hon. Lucky Jayawardana
Hon. M. S. Thowfeek
Hon. Sirinal de Mel
Hon. Douglas Devananda
Hon. Buddhika Pathirana
Hon. K. K. Piyadasa
Hon. Ashoka Priyantha
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. (Prof.) Ashu Marasinghe
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Angajan Ramanathan
Hon. (Dr.) Jayampathy Wickramaratne
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. Chaminda Wijesiri
Hon. Sandith Samarasinghe
Hon. M. H. M. Salman
Hon. Vadivel Suresh
Hon. Wijepala Hettiarachchi

NOES

Hon. Mahinda Yapa Abeywardena	Hon. Namal Rajapaksa
Hon. Dilum Amunugama	Hon. Janaka Wakkumbura
Hon. Nihal Galappaththi	Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. Dinesh Gunawardena	Hon. (Mrs.) Sriyani Wijewickrama
Hon. Bandula Gunawardana	Hon. Kanchana Wijesekera
Hon. S. M. Chandrasena	Hon. Kumara Welgama
Hon. D. V. Chanaka	Hon. Jayantha Samaraweera
Hon. T. Ranjith De Zoysa	Hon. Shehan Semasinghe
Hon. Anura Dissanayaka	Hon. Sunil Handunnetti
Hon. Salinda Dissanayake	Hon. Indika Anuruddha Herath
Hon. Bimal Rathnayake	Hon. Kanaka Herath
Hon. Prasanna Ranatunga	Hon. Vijitha Herath
Hon. Prasanna Ranaweera	

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

6. Adjournment : It being 7.30 p.m. Hon. Speaker adjourned the Parliament without question put.

Accordingly the Parliament adjourned until 10.30 a.m. on Friday, September 08, 2017 pursuant to the Resolution of Parliament of 08^{th} March 2016.