



(Ninth Parliament - Second Session)

No. 23.]

MINUTES OF PARLIAMENT

Thursday, April 07, 2022 at 10.00 a.m.

PRESENT :

Hon. Mahinda Yapa Abeywardana, Speaker

Hon. Angajan Ramanathan, Deputy Chairperson of Committees

His Excellency Gotabaya Rajapaksa, President of the Democratic Socialist Republic of Sri Lanka

Hon. Mahinda Rajapaksa, Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing

Hon. Dinesh Gunawardena, Minister of Education and Leader of the House of Parliament

Hon. (Prof.) G. L. Peiris, Minister of Foreign Affairs

Hon. Johnston Fernando, Minister of Highways and Chief Government Whip

Hon. M .U. M. Ali Sabry, Minister of Finance

Hon. (Dr.) (Mrs.) Seetha Arambepola, State Minister of Skills Development, Vocational Education, Research and Innovation

Hon. Siripala Gamalath, State Minister of Canals and Common Infrastructure Development in Settlements in Mahaweli Zones

Hon. (Dr.) Nalaka Godahewa, State Minister of Urban Development, Waste Disposal and Community Cleanliness

Hon. D. V. Chanaka, State Minister of Aviation and Export Zones Development

Hon. Sisira Jayakody, State Minister of Indigenous Medicine Promotion, Rural and Ayurvedic Hospitals Development and Community Health

Hon. Anuradha Jayaratne, State Minister of Tanks, Reservoirs and Irrigation Development related to Rural Paddy Fields

Hon. Piyal Nishantha De Silva, State Minister of Women and Child Development, Preschools & Primary Education, School Infrastructure & Education Services

Hon. Mohan Priyadarshana De Silva, State Minister of Coast Conservation & Low-Lying Lands Development

Hon. Sanath Nishantha, State Minister of Rural and Divisional Drinking Water Supply Projects Development

- Hon. Arundika Fernando**, State Minister of Coconut, Kithul and Palmyrah Cultivation Promotion and Related Industrial Product Manufacturing & Export Diversification
- Hon. Tharaka Balasuriya**, State Minister of Regional Co-operation
- Hon. Vijitha Berugoda**, State Minister of Dhamma Schools, Pirivenas and Bhikkhu Education
- Hon. Prasanna Ranaweera**, State Minister of Rattan, Brass, Pottery, Furniture and Rural Industrial Promotion
- Hon. Roshan Ranasinghe**, State Minister of Provincial Councils & Local Government
- Hon. Lohan Ratwatte**, State Minister of Gem & Jewellery related Industries and State Minister of Warehouse Facilities, Container Yards, Port Supply Facilities and Boats and Shipping Industry Development
- Hon. Chamal Rajapaksa**, State Minister of Defence and State Minister of Home Affairs
- Hon. Janaka Wakkumbura**, State Minister of Development of Minor Crops including Sugarcane, Maize, Cashew, Pepper, Cinnamon, Cloves, Betel Related Industries and Export Promotion
- Hon. Vidura Wikramanayaka**, State Minister of National Heritage, Performing Arts and Rural Arts Promotion
- Hon. Kanchana Wijesekera**, State Minister of Ornamental Fish, Inland Fish & Prawn Farming, Fishery Harbour Development, Multi day Fishing Activities and Fish Exports
- Hon. Thenuka Vidanagamage**, State Minister of Rural and School Sports Infrastructure Improvement
- Hon. S. Viyalanderan**, State Minister of Backward Rural Areas Development and Promotion of Domestic Animal Husbandary & Minor Economic Crop Cultivation
- Hon. Shehan Semasinghe**, State Minister of Samurdhi, Household Economy, Micro Finance, Self Employment and Business Development
- Hon. Indika Anuruddha Herath**, State Minister of Rural Housing and Construction & Building Material Industries
- Hon. Kanaka Herath**, State Minister of Company Estate Reforms, Tea and Rubber Estates Related Crops Cultivation and Factories Modernization and Tea and Rubber Export Promotion
- Hon. D. B. Herath**, State Minister of Livestock, Farm Promotion and Dairy & Egg Related Industries

Hon. A. L. M. Athaullah

Hon. Kapila Athukorala

Hon. Sampath Athukorala

Hon. Amarakeerthi Athukorala

Hon. Tissa Attanayake

Hon. Rohitha Abegunawardhana
Hon. Mahinda Amaraweera
Hon. (Dr.) (Ms.) Harini Amarasuriya
Hon. Mayadunna Chinthaka Amal
Hon. Dilum Amunugama
Hon. Lasantha Alagiyawanna
Hon. Tiran Alles
Hon. Dullas Alahapperuma
Hon. Mahindananda Aluthgamage
Hon. Naseer Ahamed
Hon. Thisakutti Arachchi
Hon. U. K. Sumith Udukumbura
Hon. (Major) Pradeep Undugoda
Hon. Sanjeeva Edirimanna
Hon. Akila Ellawala
Hon. Lalith Ellawala
Hon. Selvarajah Kajendren
Hon. Gayantha Karunatileka
Hon. Sagara Kariyawasam
Hon. Jayantha Ketagoda
Hon. Lakshman Kiriella
Hon. Udayana Kirindigoda
Hon. Lalith Varna Kumara
Hon. Gevindu Cumaratunga
Hon. (Mrs.) Geetha Samanmale Kumarasinghe
Hon. K. P. S. Kumarasiri
Hon. Karunadasa Kodithuwakku
Hon. Nalaka Bandara Kottegoda
Hon. (Mrs.) Diana Gamage
Hon. Udaya Gammanpila
Hon. (Dr.) Upul Galappaththi
Hon. Udayakantha Gunathilaka
Hon. (Mrs.) Kokila Gunawardene
Hon. (Dr.) Bandula Gunawardana
Hon. Yadamini Gunawardena
Hon. Sivanesathurai Santhirakanthan
Hon. S. M. Chandrasena
Hon. Milan Jayathilake

Hon. Nalin Bandara Jayamaha
Hon. (Dr.) Kavinda Heshan Jayawardhana
Hon. Dayasiri Jayasekara
Hon. Premalal Jayasekara
Hon. Kulasingam Dhileeban
Hon. Janaka Bandara Thennakoon
Hon. Premitha Bandara Tennakoon
Hon. Jeevan Thondaman
Hon. Chamara Sampath Dasanayake
Hon. Nimal Siripala de Silva
Hon. (Dr.) Harsha de Silva
Hon. Anura Dissanayaka
Hon. Duminda Dissanayake
Hon. S. B. Dissanayake
Hon. (Mrs.) Manjula Dissanayake
Hon. Rohana Dissanayaka
Hon. Sarathi Dushmantha
Hon. (Major) Sudarshana Denipitiya
Hon. Douglas Devananda
Hon. Isuru Dodangoda
Hon. Premnath C. Dolawatte
Hon. H. Nandasena
Hon. (Dr.) Gayashan Nawananda
Hon. Asanka Navarathna
Hon. Manusha Nanayakkara
Hon. Vasudeva Nanayakkara
Hon. Charles Nirmalanathan
Hon. Buddhika Pathirana
Hon. (Dr.) Ramesh Pathirana
Hon. Anupa Pasqual
Hon. Nimal Piyathissa
Hon. Jagath Pushpakumara
Hon. Dilan Perera
Hon. K. Sujith Sanjaya Perera
Hon. G. G. Ponnambalam
Hon. Nalin Fernando
Hon. Harin Fernando
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. Ashoka Priyantha

Hon. (Mrs.) Muditha Prishanthi
Hon. (Dr.) Susil Premajayantha
Hon. Uddika Premarathne
Hon. (Prof.) Ranjith Bandara
Hon. Shantha Bandara
Hon. Rishad Bathiudeen
Hon. Sudath Manjula
Hon. K. Kader Masthan
Hon. Imran Maharoof
Hon. Imthiaz Bakeer Markar
Hon. Ajith Mannapperuma
Hon. S. M. M. Muszhaaraff
Hon. Mohomad Muzammil
Hon. Anura Priyadharshana Yapa
Hon. Prasanna Ranatunga
Hon. Patali Champika Ranawaka
Hon. Nipuna Ranawaka
Hon. B. Y. G. Rathnasekara
Hon. (Ven.) Athuraliye Rathana Thero
Hon. Kumarasiri Rathnayaka
Hon. C. B. Rathnayake
Hon. Keheliya Rambukwella
Hon. Ali Sabri Raheem
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. (Dr.) Suren Raghavan
Hon. Harshana Rajakaruna
Hon. Ajith Rajapakse
Hon. Gunathilaka Rajapaksha
Hon. (Dr.) Thilak Rajapakshe
Hon. Namal Rajapaksa
Hon. Upul Mahendra Rajapaksha
Hon. Basil Rohana Rajapaksa
Hon. Shasheendra Rajapaksa
Hon. Shanakiyan Rajaputhiran Rasamanickam
Hon. Nimal Lanza
Hon. Waruna Liyanage
Hon. Gamini Lokuge

Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. Gamini Waleboda
Hon. Eran Wickramaratne
Hon. Ranil Wickremesinghe
Hon. (Mrs.) Rajika Wickramasinghe
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Chaminda Wijesiri
Hon. M. W. D. Sahan Pradeep Withana
Hon. Madhura Withanage
Hon. Hesha Withanage
Hon. (Prof.) Tissa Vitarana
Hon. Chandima Weerakkody
Hon. Wimal Weerawansa
Hon. Jayantha Weerasinghe, PC
Hon. D. Weerasingha
Hon. Weerasumana Weerasinghe
Hon. (Dr.) Sarath Weerasekera
Hon. Sivagnanam Shritharan
Hon. Jayantha Samaraweera
Hon. Maithreepala Sirisena
Hon. Jagath Kumara Sumithraarachchi
Hon. Vadivel Suresh
Hon. John Seneviratne
Hon. (Dr.) Rajitha Senarathne
Hon. Rauff Hakeem
Hon. Abdul Haleem
Hon. H. M. M. Harees
Hon. (Prof.) Charitha Herath
Hon. Jayarathna Herath
Hon. Vijitha Herath
Hon. Samanpriya Herath
Hon. Marjan Faleel

Mr. Dhammika Dasanayake, Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Chief of Staff and Deputy Secretary-General of Parliament

Mr. Tikiri K. Jayathilake, Assistant Secretary-General

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

1. Presentation of Papers : (1) The Speaker presented the Tenth Instalment – Part II of the Special Audit Report of the Auditor-General on the Study of Expected Relief provided to consumers from the Reduction of Special Commodity Levy on one Kilogram of Sugar from Rs. 50 to 25 cents in terms of Article 154(6) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

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

(2) The Minister of Highways presented the Annual Reports of the Human Rights Commission of Sri Lanka for the years 2016, 2017, 2018 and 2019 and moved that those Reports be referred to the Select Committee of Parliament to consider the government business presented to Parliament by the public institutions that do not come under the preview of the existing Ministries.

Question put, and agreed to.

(3) The Minister of Education presented the Annual Report of the National Child Protection Authority for the year 2018 and moved that the Report be referred to the Ministerial Consultative Committee on Education.

Question put, and agreed to.

(4) The Minister of Education presented the Annual Performance Report of the Parliament of Sri Lanka for the year 2020.

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

2. Presentation of Reports from Committees : Hon. Anura Priyadarshana Yapa, Chair of the Committee on Public Finance presented the Report of the said Committee on—

- (i) Surcharge Tax Bill;
- (ii) Notifications under the Excise Ordinance (Chapter 52); and
- (iii) Orders under the Ports and Airports Development Levy Act, No. 18 of 2011

which were referred to the Committee.

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

3. Presentation of Public Petitions :

- (1) Hon. Gamini Lokuge presented a petition dated 10.11.2021 from Mrs. K. A. G. Neelakanthi of No. 273/2C, Kuruduwatta road, Bokundara, Piliyandala.

- (2) Hon. Nimal Lanza presented a petition dated 01.11.2021 from Mr. Janak Liyanage of No. 113, P.S. Perera Mawatha, Piliyandala.

The Petitions stood referred under Standing Order 30(10) of the Parliament, to the Committee on Public Petitions.

4. Surcharge Tax Bill : Order for Second Reading read.

The Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing on behalf of the Minister of Finance moved,— That the Bill be now read a second time.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Highways 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 was agreed to.

Clause 2

The Minister of Highways on behalf of the Minister of Finance proposed an amendment to leave out lines 22 to 29 (both inclusive) in page 1 and substitute the following:—

- “(b) each company of a group of companies, of which the aggregate of the taxable income of all subsidiaries and the holding company in that group of companies, calculated in accordance with the provisions of the Inland Revenue Act, No. 24 of 2017, exceeds rupees two thousand million, for the year of assessment commenced on April 1, 2020, at the rate of twenty five *per centum*, on the taxable income of each such company after deducting the gains and profits from dividends received from a subsidiary which is part of such taxable income of each such company, for such year of assessment, notwithstanding that the taxable income of any one of such companies does not exceed rupees two thousand million:

Provided however, if a company is liable to pay the tax in terms of paragraph (b), such company shall not be liable to pay the tax in terms of paragraph (a).”;

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out lines 1 to 7 (both inclusive) in page 2.

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out line 11 in page 2 and substitute the following:—

“of taxable income, due to losses or unrelieved losses, shall not be taken into”;

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out lines 23 and 24 in page 2 and substitute the following:—

“in two equal installments on or before, the twentieth day of April and twentieth day of July of 2022, to the Commissioner-”;

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out lines 29 to 32 (both inclusive) in page 2.

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out line 22 in page 3 and substitute the following:—

“before income tax”;

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 3

The Minister of Highways on behalf of the Minister of Finance proposed an amendment to leave out line 4 in page 4 and substitute the following:—

“prior to April 20, 2022, furnish in writing to the Commissioner-”;

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out line 7 in page 4 and substitute the following:—

“(2) The Commissioner-General shall specify-”;

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 Highways on behalf of the Minister of Finance proposed an amendment to leave out line 18 in page 5 and substitute the following:—

“first day of December, 2024:

Provided however, above time limit shall not apply for making any amended assessment based on a decision of objection or appeal.”;

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 Highways on behalf of the Minister of Finance proposed an amendment to leave out line 25 in page 5 and substitute the following:—

“ No. 24 of 2017 but does not include any Employees’ Trust Fund, Provident Fund, Pension Fund, Pension Trust Fund, Gratuity or Termination Fund including-

- (a) Employees’ Provident Fund established under section 2 of the Employees’ Provident Fund Act, No. 15 of 1958;
- (b) Employees’ Trust Fund established under section 3 of the Employees’ Trust Fund Act, No. 46 of 1980;
- (c) Ceylon Electricity Board Provident Fund and Ceylon Electricity Board Pension Fund established under paragraph (j) of section 12 of the Ceylon Electricity Board Act, No. 17 of 1969;
- (d) Universities Provident Fund established under section 90 of the Universities Act, No. 16 of 1978;
- (e) Mercantile Service Provident Society established under section 3 of the Chamber of Commerce Ordinance (Chapter 289);
- (f) Bank of Ceylon Provident Fund established by the Bank of Ceylon established under the Bank of Ceylon Ordinance (Chapter 397);
- (g) Hatton National Bank Employees’ Provident Fund established by the Hatton National Bank Public Limited Company incorporated under the Companies Act, No. 7 of 2007;
- (h) People’s Bank Pension Trust Fund established under paragraph (l) of subsection (1) of section 5 of the People’s Bank Act, No. 29 of 1961;
- (i) Sri Lanka Central Bank Employees’ Pension Fund established under paragraph (b) of section 10 of the Monetary Law Act (Chapter 422);

- (j) Sri Lanka Telecom Provident Fund established by the Sri Lanka Telecom Public Limited Company incorporated under the Companies Act, No. 7 of 2007;
- (k) National Insurance Trust Fund established under section 3 of the National Insurance Trust Fund Act, No. 28 of 2006;
- (l) Bank of Ceylon Pension Trust Fund 2014 (Post 1996) established under the Trusts Ordinance (Chapter 87); and
- (m) any provident fund or contributory pension scheme approved by the Commissioner of Labour in terms of Part IV of the Employees' Provident Fund Act, No. 15 of 1958;";

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out line 28 in page 5 and substitute the following:—

“ “holding company” means a company which as at the Thirty First day of March 2021, owns more”;

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

The Minister of Highways on behalf of the Minister of Finance proposed another amendment to leave out lines 9 to 10 in page 6 and substitute the following:—

“ “subsidiary” means a company in which as at the Thirty First day of March 2021, more than fifty *per centum* of its shares with voting rights were”.

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 was 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 Highways moved,— That the Bill, as amended, be now read the third time.

Question put, and agreed to.

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

5. Order under the Ports and Airports Development Levy Act (No.1) : The Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing on behalf of the Minister of Finance moved,— That the Order made by the Minister of Finance under Section 3(3) of the Ports and Airports Development Levy Act, No. 18 of 2011 and published in the Gazette Extraordinary No. 2261/58 of 06th January 2022, which was presented on 24.03.2022, be approved.

Question put, and agreed to.

6. Order under the Ports and Airports Development Levy Act (No.2) : The Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing on behalf of the Minister of Finance moved,— That the Order made by the Minister of Finance under Section 3(3) of the Ports and Airports Development Levy Act, No. 18 of 2011 and published in the Gazette Extraordinary No. 2262/19 of 11th January 2022, which was presented on 24.03.2022, be approved.

Question put, and agreed to.

7. Contempt of Courts Bill : Order for Second Reading read.

The Minister of Education on behalf of the Minister of Justice moved,— That the Bill be now read a second time.

Question put, and agreed to.

Bill accordingly read a second time and referred by the Speaker to the Legislative Standing Committee under Standing Order 53(3) of the Parliament.

(At 11.39 a.m. the Deputy Chairperson of Committees took the Chair.)

The Minister of Highways moved,—That Hon. (Dr.) Suren Raghavan do take the Chair.

Question put, and agreed to.

(At 1.17 p.m. Hon. (Dr.) Suren Raghavan took the Chair.)

The State Minister of Regional Co-operation moved,—That Hon. Ajith Rajapakse do take the Chair.

Question put, and agreed to.

(At 3.15 p.m. Hon. Ajith Rajapakse took the Chair.)

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

Question put, and agreed to; Parliament was at 3.55 p.m. adjourned by the Presiding Member until 10.00 a.m. on Friday, March 08, 2022.