



(Ninth Parliament - Fifth Session)

No. 4.]

MINUTES OF PARLIAMENT

Tuesday, February 20, 2024 at 9.30 a.m.

PRESENT :

Hon. Ajith Rajapakse, Deputy Speaker and the Chair of Committees

Hon. Dinesh Gunawardena, Prime Minister and Minister of Public Administration,
Home Affairs, Provincial Councils and Local Government

Hon. (Dr.) Bandula Gunawardana, Minister of Transport and Highways and
Minister of Mass Media

Hon. Jeevan Thondaman, Minister of Water Supply and Estate Infrastructure
Development

Hon. Nimal Siripala de Silva, Attorney at Law, Minister of Ports, Shipping and
Aviation

Hon. Douglas Devananda, Minister of Fisheries

Hon. Manusha Nanayakkara, Minister of Labour and Foreign Employment

Hon. (Dr.) Ramesh Pathirana, Minister of Industries and Minister of Health

Hon. (Dr.) Susil Premajayantha, Attorney at Law, Minister of Education and
Leader of the House of Parliament

Hon. Prasanna Ranatunga, Minister of Urban Development and Housing and Chief
Government Whip

Hon. (Mrs.) Pavithradevi Wanniarachchi, Attorney at Law, Minister of Wildlife
and Forest Resources Conservation and Minister of Irrigation

Hon. Kanchana Wijsekera, Minister of Power and Energy

Hon. Sajith Premadasa, Leader of the Opposition in Parliament

Hon. Ranjith Siyambalapitiya, Non Cabinet Minister of State Plantation
Enterprises Reforms and State Minister of Finance

Hon. Dilum Amunugama, State Minister of Investment Promotion

Hon. (Dr.) (Mrs.) Seetha Arambepola, State Minister of Health

Hon. Lasantha Alagiyawanna, State Minister of Transport

Hon. (Mrs.) Diana Gamage, State Minister of Tourism

Hon. Siripala Gamalath, State Minister of Highways
Hon. Sivanesathurai Santhirakanthan, State Minister of Rural Road Development
Hon. Sisira Jayakody, Attorney at Law, State Minister of Indigenous Medicine
Hon. Anuradha Jayaratne, State Minister of Justice and Prison Affairs
Hon. Chamara Sampath Dasanayake, State Minister of Primary Industries
Hon. Rohana Dissanayaka, State Minister of Sports and Youth Affairs
Hon. Anupa Pasqual, State Minister of Social Empowerment
Hon. Jagath Pushpakumara, State Minister of Foreign Employment Promotion
Hon. Ashoka Priyantha, State Minister of Home Affairs
Hon. Vijitha Berugoda, State Minister of Piriven Education
Hon. K. Kader Masthan, State Minister of Rural Economy
Hon. Prasanna Ranaweera, State Minister of Small and Medium Enterprises Development
Hon. Lohan Ratwatte, State Minister of Plantation Industries and Mahaweli Development
Hon. Shasheendra Rajapaksa, State Minister of Irrigation and Water Supply
Hon. Janaka Wakkumbura, State Minister of Provincial Councils, Local Government and Environment
Hon. S. Viyalanderan, State Minister of Trade
Hon. Indika Anuruddha Herath, State Minister of Power and Energy
Hon. Kanaka Herath, State Minister of Technology
Hon. D. B. Herath, State Minister of Livestock Development

Hon. Amirthanathan Adaikkalanathan
Hon. A. L. M. Athaullah
Hon. (Mrs.) Thalatha Athukorala, Attorney at Law
Hon. Sampath Athukorala
Hon. Hector Appuhamy
Hon. Rohitha Abegunawardhana
Hon. Wajira Abeywardana
Hon. Ashok Abeysinghe
Hon. Mayadunna Chinthaka Amal
Hon. Thavaraja Kalai Arasan
Hon. J. C. Alawathuwala
Hon. Dullas Alahapperuma

Hon. Mahindananda Aluthgamage
Hon. Thisakutti Arachchi
Hon. U. K. Sumith Udukumbura
Hon. M. Udayakumar
Hon. (Dr.) Major Pradeep Undugoda
Hon. Sanjeeva Edirimanna
Hon. Akila Ellawala
Hon. Selvarajah Kajendren
Hon. Gayantha Karunatileka
Hon. Sagara Kariyawasam, Attorney at Law
Hon. Faizal Cassim
Hon. Jayantha Ketagoda
Hon. Lakshman Kiriella, Attorney at Law
Hon. Udayana Kirindigoda
Hon. Lalith Varna Kumara
Hon. Gevindu Cumaratunga
Hon. K. P. S. Kumarasiri
Hon. Velu Kumar
Hon. Nalaka Bandara Kottegoda
Hon. Mano Ganesan
Hon. Udaya Gammanpila
Hon. (Dr.) Upul Galappaththi
Hon. Udayakantha Gunathilaka
Hon. (Mrs.) Kokila Gunawardene
Hon. Yadamini Gunawardena
Hon. (Dr.) Nalaka Godahewa
Hon. S. M. Chandrasena
Hon. Milan Jayathilake
Hon. M. S. Thowfeek
Hon. Kulasingam Dhileeban
Hon. Shan Vijayalal De Silva
Hon. (Dr.) Harsha de Silva
Hon. Anura Dissanayaka
Hon. Duminda Dissanayake
Hon. (Mrs.) Manjula Dissanayake

Hon. (Major) Sudarshana Denipitiya
Hon. Isuru Dodangoda
Hon. Premnath C. Dolawatte, Attorney at Law
Hon. W. H. M. Dharmasena
Hon. (Dr.) Gayashan Nawananda
Hon. Asanka Navarathna
Hon. Charles Nirmalanathan
Hon. Kins Nelson
Hon. Nimal Piyathissa
Hon. (Prof.) G. L. Peiris
Hon. Nirosan Perera
Hon. K. Sujith Sanjaya Perera
Hon. G. G. Ponnambalam
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. Jagath Priyankara
Hon. (Mrs.) Muditha Prishanthi
Hon. Rohana Bandara
Hon. R. M. Ranjith Madduma Bandara
Hon. (Prof.) Ranjith Bandara
Hon. Rishad Bathiudeen
Hon. Sudath Manjula
Hon. S. M. Marikkar
Hon. Seyed Ali Zahir Moulana
Hon. Imran Maharroof
Hon. Imthiaz Bakeer Markar
Hon. Ajith Mannapperuma
Hon. Mohomad Muzammil
Hon. Wasantha Yapabandara, Attorney at Law
Hon. Patali Champika Ranawaka
Hon. Nipuna Ranawaka
Hon. (Ven.) Athuraliye Rathana Thero
Hon. Kumarasiri Rathnayaka
Hon. Ishak Rahuman
Hon. Harshana Rajakaruna
Hon. Namal Rajapaksa, Attorney at Law

Hon. Mahinda Rajapaksa
Hon. Upul Mahendra Rajapaksha
Hon. (Dr.) V. Radhakrishnan
Hon. Shanakiyan Rajaputhiran Rasamanickam
Hon. Nimal Lanza
Hon. Gamini Lokuge
Hon. Gamini Waleboda
Hon. Eran Wickramaratne
Hon. (Mrs.) Rajika Wickramasinghe
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. M. W. D. Sahan Pradeep Withana
Hon. Madhura Withanage, Attorney at Law
Hon. Hesha Withanage
Hon. (Prof.) Tissa Vitarana
Hon. Chandima Weerakkody, Attorney at Law
Hon. Wimal Weerawansa
Hon. D. Weerasingha
Hon. Weerasumana Weerasinghe
Hon. (Dr.) Sarath Weerasekera
Hon. Dilip Wedaarachchi
Hon. Sivagnanam Shritharan
Hon. Jagath Samarawickrama
Hon. Jayantha Samaraweera
Hon. Dharmalingam Sithadthan
Hon. Maithreepala Sirisena
Hon. Jagath Kumara Sumithraarachchi
Hon. W. D. J. Seneviratne, Attorney at Law
Hon. Rauff Hakeem, Attorney at Law
Hon. H. M. M. Harees
Hon. (Prof.) Charitha Herath
Hon. Vijitha Herath
Hon. Jayarathna Herath
Hon. Samanpriya Herath
Hon. A. H. M. Fowzie

Mrs. Kushani Rohanadeera, Secretary-General of Parliament

Mr. Chaminda Kularathne, Chief of Staff and Deputy Secretary-General of Parliament

Mr. Hansa Abeyrathne, Assistant Secretary-General

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

1. Announcements by the Speaker : The Deputy Speaker made the following announcements:—

I

“I wish to inform Parliament that Hon. Speaker has received the Determination of the Supreme Court in respect of the Bill titled “Microfinance and Credit Regulatory Authority” which was challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The determination of the Supreme Court as to the Constitutionality of the Bill concludes as follows:—

Clause 5(3)(b), Clause 20(3)(i) read together with Clause 3(c), Clause 20(3)(j) read together with Clause 70, Clause 20(3)(k), Clause 20(3)(p) read together with Clause 3 (c), Clause 20(3)(q), Clause 20(4)(c), Clause 32(1), Clause 60, 76 and Clause 84 of the Bill are inconsistent with Article 12(1) of the Constitution and could be validly passed only with the special majority provided for in Article 84(2) of the Constitution. However, the Supreme Court has stated that the said inconsistencies can be ceased if the said Clauses are amended as per the Determination of the Court.

Clause 39(2) and clause 60 of the Bill are inconsistent with Article 76 read with Article 3 and 4 of the Constitution and can only be passed with special majority required under paragraph (2) of Article 84 and approved by the People at a Referendum by virtue of the provisions of Article 83. However, the Supreme Court has stated that the said inconsistencies can be ceased if the said Clauses are amended as per the Determination of the Court.

Clause 65 of the Bill is inconsistent with Article 14A of the Constitution and can only be passed with special majority required under paragraph (2) of Article 84. However, the Supreme Court has stated that the said inconsistencies can be ceased if the said Clauses are amended as per the Determination of the Court.

In the circumstances, the Supreme Court is of the view that, the amendments suggested by the Supreme Court are made at the Committee Stage to the respective Clauses of the Bill, then the Microfinance and Credit Regulatory Authority Bill will cease to be inconsistent with the provisions of the Constitution.

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

II

“I wish to inform Parliament that Honourable Speaker has received the Determination of the Supreme Court in respect of the Bill titled ‘**Anti-Terrorism**’ which was challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The determination of the Supreme Court as to the Constitutionality of the Bill concludes as follows:—

Clause 3, Clause 42, Clause 53, and Clause 70 of the Bill are inconsistent with Article 12(1) of the Constitution and required a Special Majority to be passed by Parliament. However, the Supreme Court has stated that the said inconsistencies can be ceased if the said Clauses are amended as per the Determination of the Court.

Clause 4 has to be suitably amended as per the Supreme Court Determination.

Clause 72 (1) is unconstitutional and needs to be passed by a Special Majority and a Referendum. The unconstitutionality will cease if this Clause is amended as per the Determination of the Supreme Court. Correspondingly, Clause 72(2) must be amended in accordance with the Determination.

Clause 75 (3) infringe the Article 4 (c) read with Article 3 of the Constitution and required 2/3rd Majority and a Referendum. The invalidity will cease upon the amendments suggested in the Determination.

Clause 83 (7) requires a Special Majority to be passed into law. It has to be suitably amended as per the Supreme Court Determination.

Further, the Supreme Court has determined that subject to the amendments that have adumbrated to the provisions of the Bill by the Supreme Court, the Bill could be enacted into law with a Simple Majority only if the amendments determined by the Supreme Court are introduced to the provisions.

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

III

“I wish to inform that Hon. Speaker in terms of the provisions of Article 79 of the Constitution of the Democratic Socialist Republic of Sri Lanka, I have endorsed the certificate on the Bills titled ‘Heart to Heart Trust Fund (Incorporation)’, ‘Sri Lanka Baptist Sangamaya (Incorporation) (Amendment)’, ‘Sri Balabhivurdhi Wardana Samithiya (Incorporation)’, ‘Samadhi Community Development Foundation (Incorporation)’ and ‘Dassana Bauddha Sanvidhanaya (Incorporation)’ on 19 February 2024.”

2. Presentation of Papers : (1) The Minister of Urban Development and Housing presented the Report on the submission of observations and steps taken in terms of the Standing Order 119(4) of the Parliament with regard to the matters mentioned on the Public Service Commission in the report of the Committee on Public Accounts which was presented to Parliament and moved that those Report be referred to the Committee on Public Accounts

Question put, and agreed to.

(2) The Minister of Urban Development and Housing presented the Regulations made by the Minister of Investment Promotion in consultation with the Colombo Port City Economic Commission and relevant Regulatory Authorities under Section 71 of the Colombo Port City Economic Commission Act, No. 11 of 2021 and published in the Gazette Extraordinary No. 2358/70 of 17th November 2023 and moved that those Regulations be referred to the Committee on Public Finance.

Question put, and agreed to.

(3) The Minister of Urban Development and Housing presented the—

- (i) Proclamation made and Published in the Gazette Extraordinary No. 2371/11 of 13th February 2024 and Schedule thereto, by virtue of the powers vested with the president in terms of Section 2 of the Essential Public Services Act, No. 61 of 1979;
- (ii) Proclamation made and Published in the Gazette Extraordinary No. 2371/16 of 13th February 2024 and Schedule thereto, by virtue of the powers vested with the president in terms of Section 2 of the Essential Public Services Act, No. 61 of 1979;
- (iii) Note on Supplementary Allocations from the Supplementary Support Services and Contingent Liabilities Project appearing under Expenditure Head No. 240 of the Department of National Budget for the period from 21.12.2023 to 31.12.2023 under Section 6(1) of the Appropriation Act, No. 43 of 2022; and
- (iv) Recommendations submitted to the Hon. President by the Finance Commission in terms of Article 154R (4) of the Constitution of the Democratic Socialist Republic of Sri Lanka for the year 2024.

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

(4) The Minister of Transport and Highways and Minister of Mass Media presented the Annual Reports of the National Film Corporation of Sri Lanka for the years 2018, 2019 and 2020 and moved that the Reports be referred to the Sectoral Oversight Committee on Media, Youth, Heritage and New Citizen.

Question put, and agreed to.

(5) The Minister of Urban Development and Housing presented the Annual Report of the National Authority for the Protection of Victims of Crime and Witnesses for the year 2022 and moved that the Reports be referred to the Sectoral Oversight Committee on Just and Law – Abiding Society.

Question put, and agreed to.

(6) The Minister of Urban Development and Housing presented the Report on the submission of observations and steps taken in terms of the Standing Order 119(4) of the Parliament with regard to the matters mentioned on the Ministry of Justice, Prisons Affairs and Constitutional Reforms in the report of the Committee on Public Accounts which was presented to Parliament and moved that those Report be referred to the Committee on Public Accounts

Question put, and agreed to.

(7) The Minister of Urban Development and Housing presented the—

- (i) Order made by the Minister of Tourism and Lands under Section 26(1) of the Tourism Act, No. 38 of 2005 on the recommendation of the Sri Lanka Tourism Development Authority with regard to the declaration of a tourist development area and published in the Gazette Extraordinary No. 2352/47 of 06th October 2023; and
- (ii) Order made by the Minister of Tourism and Lands under Section 26(1) of the Tourism Act, No. 38 of 2005 on the recommendation of the Sri Lanka Tourism Development Authority with regard to the declaration of a tourist development area and published in the Gazette Extraordinary No. 2352/48 of 06th October 2023

and moved that those Orders be referred to the Ministerial Consultative Committee on Tourism and Lands

Question put, and agreed to.

(8) The Minister of Urban Development and Housing presented the Annual Reports of the Industrial Technology Institute for the years 2019, 2020 and 2021 and moved that those Reports be referred to the Sectoral Oversight Committee on Education.

Question put, and agreed to.

(9) The Minister of Minister of Urban Development and Housing presented the Annual Report of the Kahatagaha Graphite Lanka limited for the year 2020/2021 and moved that this Report be referred to the Sectoral Oversight Committee on National Economic and Physical Plans.

Question put, and agreed to.

(10) The Minister of Urban Development and Housing presented the Report on the Submission of observations and steps taken in terms of the Standing Order 120(4) of the Parliament with regard to the matters mentioned on Sri Jayewardenepura General Hospital Board in the report of the Committee on Public Enterprises which was presented to Parliament and moved that those Report be referred to the Committee on Report be referred to the Committee on Public Enterprises

Question put, and agreed to.

(11) The Minister of Urban Development and Housing presented the Orders made by the Minister of Foreign Affairs under Section 4 of the Diplomatic Privileges Act, No. 9 of 1996 relating to privileges and immunities of the Host Country Agreements and published in the Gazette Extraordinary No. 2348/48 of 08th September 2023 and moved that those Orders be referred to the Ministerial Consultative Committee on Foreign Affairs.

Question put, and agreed to.

(12) The Minister of Power and Energy presented the Report on the submission of observations and steps taken in terms of the Standing Order 119(4) of the Parliament with regard to the matters mentioned on the Ministry of Power and Energy in the report of the Committee on Public Accounts which was presented to Parliament and moved that those Report be referred to the Committee on Public Accounts.

Question put, and agreed to.

(13) The Minister of Labour and Foreign Employment presented the Annual Report of the Employees' Provident Fund for the year 2021 and moved that this Report be referred to the Sectoral Oversight Committee on Foreign Employment & Labour.

Question put, and agreed to.

(14) The Minister of Labour and Foreign Employment presented the Annual Report of the National Institute of Labour Studies for the year 2022 and moved that this Report be referred to the Sectoral Oversight Committee on Education.

Question put, and agreed to.

(15) The Minister of Urban Development and Housing presented the Annual Performance Reports of the National Intellectual Property Office of Sri Lanka for the years 2021 and 2022 and moved that those Reports be referred to the Sectoral Oversight Committee on National Economic and Physical Plans.

Question put, and agreed to.

3. Presentation of Reports from Committees : (1) Hon. (Dr.) Harsha de Silva, Chair of the Committee on Public Accounts present the Report of the Committee on -

(i) Secured Transactions Bill and supplementary Bills i.e. Companies (Amendment) Bill, Finance Leasing (Amendment) Bill, Inland Trust Receipts (Amendment) Bill, Mortgage (Amendment) Bill, Registration of Documents (Amendment) Bill, Trust Receipts (Amendment) Bill;

(ii) Order under Strategic Development Projects Act, No. 14 of 2008; and

(iii) Regulations under Imports and Exports Control Act, No. 1 of 1969

which were referred to the said Committee.

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

4. Sri Lanka National Commission for UNESCO : The Minister of Education presented,—“Bill to provide for the United Nations Educational, Scientific and Cultural Organization (UNESCO); and for matters connected therewith or incidental thereto.”

The Bill was ordered to be read a second time on Tuesday, March 05, 2024, be printed and be referred to the Sectoral Oversight Committee on Education.

5. Secured Transactions Bill : Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Industries and Minister of Health moved,—That Hon. Imran Maharooft do take the Chair.

Question put, and agreed to.

(At 11.32 p.m. Hon. Imran Maharooft took the Chair.)

(At 1.00 p.m. Deputy Speaker took the Chair.)

The State Minister of Plantation Industries and Mahaweli Development moved,— That Hon. Samanpriya Herath do take the Chair.

Question put, and agreed to.

(At 1.28 p.m. Hon. Samanpriya Herath took the Chair.)

The State Minister of Investment Promotion moved,—That Hon. Jagath Samarawickrama do take the Chair.

Question put, and agreed to.

(At 3.20 p.m. Hon. Jagath Samarawickrama took the Chair.)

(At 4.34 p.m. Deputy Speaker took the Chair.)

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on a future date.

6. Trust Receipts (Amendment) Bill : Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on future date.

7. Mortgage (Amendment) Bill : Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on future date.

8. Finance Leasing (Amendment) Bill : Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on future date.

9. Inland Trust Receipts (Amendment) Bill: Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on future date.

10. Companies (Amendment) Bill : Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on future date.

11. Registration of Documents (Amendment) Bill: Order for Second Reading read.

The Minister of Education on behalf of the Minister of Finance, Economic Stabilization and National Policies moved,— That the Bill be now read a second time.

The Minister of Education moved,—That the debate be now adjourned.

Question put, and agreed to.

debate to be resumed on future date.

12. Order under the Strategic Development Act: The Minister of Education on behalf of the Prime Minister and Minister of Public Administration, Home Affairs, Provincial Councils and Local Government moved,— That the Order made by the Minister of Investment Promotion under Section 3(4) of the Strategic Development Act, No. 14 of 2008 and published in the Gazette Extraordinary No. 2360/36 of 28th November 2023, which was presented on 23.01.2024, be approved.

Question put, and agreed to.

13. Regulations under the Imports and Exports (Control) Act: The Minister of Education on behalf of the Prime Minister and Minister of Public Administration, Home Affairs, Provincial Councils and Local Government moved,— That the Regulations made by the Minister of Finance, Economic Stabilization and National Policies under Section 20 of the Imports and Exports (Control) Act, No. 1 of 1969 amended by Acts, No. 48 of 1985 and No. 28 of 1987 read with Sections 4(1) and 14 of the aforesaid Act and published in the Gazette Extraordinary No. 2366/19 of 11th January 2024, which were presented on 08.02.2024, be approved.

Question put, and agreed to.

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

Question put, and agreed to; Parliament was at 4.51 p.m. adjourned by the Deputy Speaker until 9.30 a.m. on Wednesday, February 21, 2024.