

	<p>AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE SRI LANKA TOURISM AUTHORITY; TO VEST IN THE AUTHORITY SUCH POWERS AS ARE REQUIRED FOR FACILITATING THE PLANNING, PROMOTION AND IMPLEMENTATION OF THE GOVERNMENT POLICIES ON TOURISM DEVELOPMENT TO THE TOURISM INDUSTRY AND ITS RELATED INDUSTRIES; TO PROMOTE DOMESTIC AND INTERNATIONAL TOURISM WHILE POSITIONING THE DESTINATIONS FOR HIGHER YIELDING TOURISTS, TO MAKE PROVISION FOR THE DEVELOPMENT, REGULATION AND MONITORING OF THE TOURISM INDUSTRY; TO PROVIDE PROTOCOLS TO BE IMPLEMENTED BY THE TOURISM INDUSTRY IN SRI LANKA IN THE EVENT OF A NATIONAL OR GLOBAL DISASTER; TO PROVIDE FOR THE ESTABLISHMENT OF THE SRI LANKA INSTITUTE OF TOURISM AND HOSPITALITY MANAGEMENT; TO REPEAL THE TOURISM ACT, NO. 38 OF 2005 AND THE TOURIST DEVELOPMENT ACT, NO. 14 OF 1968; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.</p>
	<p>BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as —</p>
Short title and date of operation.	<p>1. This Act may be cited as the Sri Lanka Tourism Authority Act, No.of 2021 and shall come into operation on the date of Certification by the Speaker in terms of Article 79 of the Constitution (hereinafter referred to as “the appointed date”).</p>
	<p style="text-align: center;">PART I</p> <p style="text-align: center;">SRI LANKA TOURISM AUTHORITY</p>
Establishment of the Sri Lanka Tourism Authority	<p>2. (1) There shall be established an Authority called the Sri Lanka Tourism Authority (hereinafter referred to as “the Authority”).</p> <p>(2) The Authority shall by the name assigned to it by subsection (1) be a body corporate having perpetual succession and a common seal and may sue and be sued in such name.</p> <p>(3) The seal of the Authority shall be affixed to all instruments signed by or on behalf of the Authority in the presence of the Chairman and two</p>

	<p>members of the Authority who shall sign such instruments to attest the affixing of the seal, other than such instruments entered into by electronic means.</p> <p>(4) The seal of the Authority as determined by the Authority shall be kept in the custody of the Authority and may be altered in such manner as the Authority, may determine.</p>
<p>Objectives of the Authority.</p>	<p>3. The objectives of the Authority shall be—</p> <ul style="list-style-type: none"> (a) to promote and position Sri Lanka as a high yielding tourist and travel destination of excellence contributing to the national economy, in terms of the Tourism Development Plan; (b) To regulate the business in tourism in the country. (c) to advise the Minister in charge of the subject of Tourism on matters relating to Tourism including sustainable tourism development, regulation and monitoring of the tourism industry, within the policy framework as formulated by the Cabinet of Ministers; (c) to regulate the tourism industry in order to ensure standards and quality in par with world standards; (d) to recognise the concepts of domestic tourism and sustainable tourism and its application to the tourism industry and to advise the Minister in charge of the subject of Tourism on a suitable policy framework for its implementation; (e) to promote Sri Lanka as a destination for international, regional conventions, meetings, weddings and exhibitions and as an incentive travel destination;

	<p>(f) to specify the policy intended to ensure the coordinated development, marketing and promotion of Sri Lanka based on sustainability, as a destination for international, regional and domestic conventions, meetings and exhibitions and as an incentive travel destination;</p> <p>(g) to ensure the development of the tourism sector and provide sustainable, efficient and attractive tourist services aimed to contribute to, and advance, the interest of the national economy through the promotion of local merchandise and providing greater employment opportunities;</p> <p>(h) to encourage the private sector to participate in programmes and activities intended to promote the tourism industry, including the promotional activities connected with such industry;</p> <p>(i) to plan, organise and support tourism related international events in Sri Lanka and advise and assist other government agencies in organising similar events;</p> <p>(j) to encourage and assist the tourism industry and other related agencies and enterprises to facilitate and coordinate developments in in the tourism industry in an efficient and sustainable manner.</p> <p>h.) establish overseas office network in main source markets through representations including in Sri Lanka Missions to conduct effective destination promotions</p> <p>i) set up a campaign management unit to execute global promotional campaign with necessary professionals and experts.</p>
Composition of the Authority.	4. (1) The Authority shall consist of :-

	<p>(a) the following <i>ex-officio</i> members -</p> <ul style="list-style-type: none"> (i) the Chairman, Sri Lanka Tourism Authority, appointed by the Minister in terms of subsection (2); (ii) the Director – General, Sri Lanka Tourism Authority, appointed by the Authority in terms of section 19 of this Act; (iii) the Secretary to the Ministry of the Minister in charge of the subject of Tourism or a nominee of the Secretary; (iv) the Secretary to the Ministry of the Minister in charge of the subject of Provincial Councils or a nominee of the Secretary; (v) the Secretary to the Ministry of the Minister in charge of the subject of Foreign Affairs or a nominee of the Secretary; (vi) a representative of the General Treasury nominated by the Secretary to the Treasury; (vii) Chairman or nominee Board of Investment of Sri Lanka (viii) Chairman or nominee of the National Carrier (ix) Secretary or nominee of ICTA (X) Managing Director/DDG of Promotions Division (xi) Minister’s representative <p>(x) four persons who have gained recognition in and are qualified and have knowledge and expertise in the field of tourism, marketing, branding, architecture, technology, law and finance, nominated by tourism associations, including one member representing THASL and SLAITO each member to be on the board for accumulated period of no</p>
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	<p>more than 5 years.</p> <p>Tourism industry or in areas related thereto, appointed by the Minister (hereinafter referred to as “appointed members”.</p> <p>(2) The Minister shall appoint as the Chairman of the Authority a person from amongst the appointed members, possessing extensive knowledge and experience in relation to administrative and management and marketing and development of Tourism related services or businesses and corporate governance.</p>
<p>Term of office and removal &c., of Chairman or appointed member.</p>	<p>5. (1) The Chairman or any appointed member, as the case may be, shall, unless such Chairman or member earlier vacates office by death, resignation, disqualification or removal, hold office for a period of five (5) years from the date of appointment to such office and shall be eligible for re-appointment.</p> <p>(2) The Minister may, if it is expedient to do so, for reasons assigned, remove the Chairman or any member other than the Director General, from office.</p> <p>(3) The Chairman or any member of the Authority may resign from office, at any time by letter addressed in that behalf to the Authority.</p> <p>(4) In the event of the death, resignation or removal of the Chairman or an appointed member, as the case may be, the Minister shall appoint another person who possesses the requirements set out in subsection (2) of section 4, to succeed such Chairman or member. The person so appointed shall hold office for the unexpired portion of the term of the office of the Chairman or member whom such person succeeds and shall be eligible for re-appointment.</p>
<p>Disqualifications for being a</p>	<p>6. (1) A person shall be disqualified from being a member of the</p>

<p>member of the Authority.</p>	<p>Authority, if such person, —</p> <ul style="list-style-type: none"> (a) is or becomes the owner, partner, director, or a majority shareholder of, or in, any business which operates or provides tourism related services of any class or description as specified in this Act except the those who represent the industry through associations; (b) is, or becomes, a member of Parliament or a member of a Provincial Council or of a local authority; (c) is convicted of an offence involving moral turpitude; (d) is, or becomes, of unsound mind or physically incapacitated; (e) becomes an undischarged bankrupt or an insolvent; or (f) is absent without prior notice from three consecutive meetings of the Authority:
<p>Meetings of the Authority &c,.</p>	<p>7. (1) The Chairman shall preside at all meetings of the Authority. In the absence of the Chairman from any meeting a member elected by the members present, shall preside at such meeting.</p> <p>(2) The Chairman or the person presiding at any meeting, shall in addition to his vote, have a casting vote.</p> <p>(3) The Authority may make rules for the procedure to be followed in the conduct of meetings of the Authority and for the transaction of business at such meetings.</p>
<p>Quorum.</p>	<p>8. (1) The quorum for any meeting of the Authority shall be seven (7) members.</p>
<p>Delegation of</p>	<p>9. (1) The Authority may delegate all or any of the powers, duties or</p>

<p>the powers of the Authority</p>	<p>functions conferred on, or assigned to the Authority, by this Act or any other written law, to the Chairman. Notwithstanding such delegation, the Authority may continue to exercise, perform and discharge any power, duty or function, so delegated.</p> <p>(2) The Chairman shall, in the exercise, performance and discharge of the powers, duties and functions delegated in terms of subsection (1), be subject to such general or special directions as the Authority may impose in that behalf.</p>
<p>No act or proceeding of Authority to be invalid due to existence of vacancy &c..</p>	<p>10. No act or proceeding of the Authority shall be deemed to be invalid only by reason of the existence of a vacancy in its membership or any defect in the appointment of a member thereof.</p>
<p>Principal office of the Authority.</p>	<p>11. The principal office of the Authority shall be situated in Colombo, in Sri Lanka. The Authority may however establish and maintain additional offices within or outside Sri Lanka.</p>
<p>Remuneration of Chairman and members of the Authority.</p>	<p>12. The Chairman and members of the Authority may be paid such remuneration out of the Funds of the Authority at such rates determined by the Authority.</p>
<p>PART II</p> <p>THE POWERS, DUTIES AND FUNCTIONS OF THE AUTHORITY</p>	
<p>Formulation of the Tourism Strategic Plan.</p>	<p>13. (1) The Authority shall formulate and present to the Minister in charge of the subject of Tourism, a Tourism Strategic Plan (TSP). The Tourism Strategic Plan shall incorporate the proposed short and long term goals, which need to be implemented, for the promotion, regulation and development of the tourism industry in Sri Lanka, including domestic tourism and eco-tourism.</p>

	<p>(2) The short and long term goals so incorporated shall reflect the objectives of the Authority. Such goals should also set out methodologies which should be implemented in the event of a Tourism Crisis taking into consideration realities such as financial and human resource depletion and environmental and social impacts.</p> <p>(3) The Minister shall on receipt of the Tourism Strategic Plan under subsection (1), submit the same to the Cabinet of Ministers for approval. The Cabinet of Ministers may approve the Tourism Strategic Plan with or without amendments.</p> <p>(4) The Tourism Development Plan shall be revised in every five (5) years in order to ensure that all changes in policy are reflected therein or to include new short or long-term goals. Every such revision shall be submitted to the Cabinet of Ministers for approval.</p> <p>5. Authority shall develop its procurement Manual conducive to implement speedy, effective and efficient global and local promotional campaign in consultation with the National Procurement Committee and obtain the approval of the cabinet of ministers.</p>
Powers of the Authority	<p>14. The Authority shall be vested with the following powers: —</p> <p>(a) develop its own Procurement Guidelines and Manual in consultation with the National Procurement Committee allowing the Secretary to Ministry of Tourism to have increased Procurement Delegated Authority with the approval of the Cabinet of Ministers, provided the Tourism Authority remaining self-funded and not reliant on the Government Treasury for any funding.</p> <p>(b) obtain services of resources on contract basis at market rate to achieve development, promotional and objectives of the Authority.</p> <p>(c) prepare and submit to the Minister proposals in respect of the sustainable establishment, regulation, supervision, development and control of the tourism industry</p>

including domestic tourism and eco-tourism, the tourist services and enterprises and the persons employed in such services;

- (b) to affiliate with, obtain membership of, or enter into any agreement with, including any Association or organization engaged in developing or promoting conventions, meetings, exhibitions and incentive travel;
- (c) act with the concurrence of the Minister, as an agent of the government for the transaction of business connected with the tourism or travel industry;
- (d) to regulate the tourism industry all service providers and instigate any legal action in case of matters which involve contravention of the provisions of this Act and the commission of offenses in terms of this Act;
- (e) to be the sole Authority in licensing tourist service providers and establishments including online travel agents;
- (e) to acquire, hold, take on lease any movable or immovable property on behalf of the Authority;
- (f) to be the facilitator for sustainable tourism related investments in Sri Lanka by liaising with Ministries, government agencies, authorities and regulators, and to facilitate and assist prospective investors in the tourism industry as set out in the Tourism Development Plan, to obtain the approvals required therefor from the related authorities, in an expeditious and timely manner;
- (g) enter into agreements for the facilitation of the performance and discharge of its duties and functions and

	<p>the development of tourism support services;</p> <p>(h) to develop, maintain and strengthen the resources and infrastructure available to the tourism industry, domestic tourism and eco-tourism in an efficient and sustainable manner;</p>
	<p>(i) to provide the necessary infrastructure and guidance to the Sri Lanka Institute of Tourism and Hospitality Management to undertake necessary human resource training in and for, the tourism industry;</p> <p>(j) to prescribe and enforce the maintenance and development of, professional standards and skills, required for the delivering of related activities in connection with the conduct of conventions, meetings, exhibitions, weddings and incentive travel;</p> <p>(k) to take prompt and effective action and ensure the activation of contingency plans and protocols in the event of the declaration of a Tourism Crisis in terms of this Act; and</p> <p>(l) to do all such other acts, as may be necessary, conducive or incidental to, the exercise of the powers enumerated in this section.</p>
<p>Duties and functions of the Authority.</p>	<p>15. the Authority may perform and discharge all or any the following duties and functions: -</p> <p>(a) to engage in, assist in or promote the tourism industry, international, domestic tourism, wellness tourism and eco-tourism in Sri Lanka and in the improvement of facilities provided for tourists visiting Sri Lanka and to develop Sri Lanka as a tourist destination</p>

	<p>(b) to establish, maintain and operate support services connected with the tourism industry and to coordinate the activities of the persons providing such services in terms of the provisions of this Act and regulations made thereunder;</p> <p>(c) to prescribe, regulate, maintain and enforce the standards to be maintained by the identified Tourist Services being provided in terms of this Act;</p> <p>(d) to license Tourist Services and Enterprises based on the criteria to be determined by the Authority and to prescribe the terms and conditions applicable thereto;</p> <p>(e) to review from time to time, the compatibility of licensed tourist services and enterprises with the objectives of the Authority and ensure that the activities of such services and enterprises are within the framework of the tourism Development Plan;</p>
	<p>(f) to acquire, hold, take on lease any movable or immovable property and to sell, lease, hire, mortgage or otherwise dispose of any movable or immovable property of the Authority: provided however, immovable property may be sold or disposed of only with the prior written approval of the Minister;</p> <p>(g) to engage consultants or advisors, both local or foreign, whenever the need to do so arises for the efficient discharge of its functions and remunerate such persons out of the Fund of the Authority in such manner and at such rates as may be determined by the Secretary of the Ministry or Authority;</p>

	<p>(h) to liaise with the provincial authorities whenever the need to do so arises on any matter relating to the tourism industry;</p> <p>(i) to ensure the availability of proper transportation and other infrastructure facilities to persons visiting tourist destinations in Sri Lanka through coordination with relevant line agencies;</p> <p>(j) to invest the moneys of the Authority in any business within or outside Sri Lanka, which will promote, sponsor or be conducive to, the sustainable development and marketing of the tourism industry in Sri Lanka;</p> <p>(k) enter into any agreement or joint venture with any person or establish companies, whether in Sri Lanka or outside, to facilitate the implementation of the objectives, powers, duties or functions of the Authority;</p> <p>(l) borrow money, whether by way of overdraft, loan or otherwise to further the objectives of the Authority;</p>
	<p>(m) provide financial assistance by way of sponsorship, grant, loan or otherwise, subject to such terms and conditions as may be determined by the Secretary Ministry of Tourism or Authority, to persons engaged in the provision of tourism related services;</p> <p>(n) levy fees or other charges for services, facilities or equipment provided by the Authority;</p> <p>(o) discharge the functions, services and activities assigned to or vested in, the Authority, to the greatest extent possible by electronic means to enhance the efficiency and effectiveness of such functions, services and activities in</p>

	<p>keeping with the applicable laws regulating the same;</p> <p>(p) collect and collate data in relation to all activities of the tourism industry as provided for in this Act and to maintain a database of all such data;</p> <p>(q) designate areas to be Tourism Zones and National Holiday Resorts as may be required from time to time where Sri Lanka Tourism Authority prior approval is required for new constructions and developments;</p> <p>(r) investigate all matters which involve contravention of the provisions of this Act and the commission of offences under this Act and ensure that enforcement action shall be taken as provided in the Act and where there is continued default, to take steps to institute action against the offenders; and</p> <p>(r) do all such other acts and things as are incidental to or consequential or conducive to the exercise, performance and discharge of its powers, duties and functions under this Act.</p>
<p>Authority to seek concurrence or assistance of relevant government departments &c.,</p>	<p>16. The Authority may, in the exercise, performance and discharge of its powers, duties and functions, seek the concurrence and assistance of the relevant government departments, authorities or institutions in whom the powers, duties and functions relating to the grant of the identified permissions, approvals, permits and other clearances are vested in, or assigned to, in terms any written law. The relevant government departments, authorities or institutions from whom such concurrence or assistance is being sought by the Authority, shall as soon as practicable in the circumstances, as a matter of priority, render such assistance to the Authority.</p>

<p>Authority to make rules.</p>	<p>17. (1) The Authority may make rules relating to the exercise, performance and discharge of the powers, duties and functions vested in, or assigned to, the Authority, in respect of any matter for which rules are authorized to be made.</p> <p>(2) Every rule made under subsection (1) shall come into operation upon being approved by the Minister. Every such rule approved shall be published in the <i>Gazette</i>.</p>
<p>Minister to issue directions or guidelines.</p>	<p>18. (1) The Minister may from time-to-time issue special directions or guidelines to the Authority, in relation to the exercise, performance and discharge by the Authority of its duties and functions as are conferred on or assigned to them under the Act.</p> <p>(2) The Gazette Notification published shall give effect to the directions so issued by the Minister.</p>
	<p style="text-align: center;">PART III</p> <p style="text-align: center;">DIRECTOR – GENERAL AND THE STAFF OF THE AUTHORITY</p>
<p>Director – General of the Authority.</p>	<p>19. (1) The Authority shall appoint a person with Public Administrative experience and academic or professional qualifications and experience in the field of business management, administration, financial management, marketing, law, accounts or other related field to be the Director General of the Authority (hereinafter referred to as the “Director General”). The Director – General shall be the Chief Executive Officer of the Authority and shall be responsible for the administration, finance, human resource management and control of the staff of the Authority.</p> <p>(2) The office of the Director General shall become vacant -</p> <ul style="list-style-type: none"> (a) on death; (b) upon Director – General resignation in writing addressed to the Authority;

(c) on the Director - General attaining sixty years of age, unless the Authority extends his term of office beyond this age;

(d) on removal by the Authority in terms of subsection (6).

(3) The Authority may delegate to the Director General such powers or functions of the Authority as is deemed necessary to enable the Director General to achieve the objectives and assist in the implementation of the powers of the Authority. The Director-General shall act under the general direction and control of the Authority when exercising powers or functions delegated to him by the Authority.

(4) The Director-General may, with the approval of the Authority, whenever he considers it is necessary to do so, delegate to any officer of staff rank of the Authority, any power, function or duty conferred or imposed on or assigned to him by this Act and such officer or servant shall exercise, discharge and perform such power, function or duty subject to the general or special directions of the Director-General.

(5) The Director-General may, with the approval of the Authority, and the concurrence of the Minister in charge of Tourism and the Minister in charge of the relevant line agency, whenever he considers it is necessary to do so, delegate to any assigned officer of a government Department, any power, function or duty conferred or imposed on or assigned to him by this Act and such officer or servant shall exercise, discharge and perform such power, function or duty subject to the general or special directions of the Director-General.

(6) The Director General may with the approval of the Secretary to Ministry obtain services on contract basis resources necessary to deliver objectives and development target.

(7) The Director-General shall be remunerated at such rates and in such manner and be subject to such terms and conditions of service, as

	<p>may from time to time, determined by the Authority.</p>
	<p>(6) The Authority may remove the Director-General from office if-</p> <ul style="list-style-type: none"> (a) the Director - General is permanently incapable of discharging the functions of his office by reason of mental or physical infirmity; (b) the Director – general becomes insolvent; (c) the Director – General is found to have been engaged in misconduct or corruption involving the abuse of the powers of his office; (d) is convicted of an offence under any law, involving moral turpitude; (e) becomes a member of parliament or a member of any local or state body; (f) acts in a manner prejudicial or detrimental to the Authority; (g) upon a request of the majority of the members of the Authority that the Director-General be removed from office for reasons stated in such request. <p>(7) The Authority may in the case of a request made under paragraph (g) of subsection (6), conduct an inquiry into the reasons stated therein. The alleged reasons shall be made available to the Director General, and after affording the Director General an opportunity to be heard, it becomes apparent to the Authority that the Director – General should be removed, the Authority shall forthwith remove the Director General from office for reasons assigned. The Director General shall thereupon be deemed to have vacated office.</p>
Staff of the	<p>20. (1) The staff of the Authority shall be appointed by the Authority</p>

<p>Authority.</p>	<p>and shall consist of the following-</p> <ul style="list-style-type: none"> (a) the Director General appointed in terms of section 19 of this Act, who shall be the Chief Executive Officer of the Authority; (b) five (5) persons to be Deputy Directors General appointed by the Authority, who shall respectively be in charge of the subjects of; <ul style="list-style-type: none"> (1) Administration and Human Resources (2) Finance and procurement function as Chief Financial Officer (3) Tourism Development, Planning and Investment, Promotions, Research, Standard and Quality Assurance, (4) Tourism Promotions and Marketing, Meetings, incentives, conferencing and exhibitions (MICE); and (5) Chief Information Officer (c) such other officers and staff as the Authority deems necessary for the proper and efficient conduct of the business of the Authority.
	<p>(2) The Authority may, in order to achieve its objectives efficiently and effectively, -</p> <ul style="list-style-type: none"> (a) identify the organization structure of the Authority; (b) recruit, appoint, promote, suspend, dismiss and exercise disciplinary control over the staff of the Authority; (c) determine the salary, wages or other remuneration of such staff, which shall be paid from the Fund of the Authority: the sum payable as salary, wages or other remuneration shall be determined in order ensure the availability of efficient and effective skilled personnel; (d) determine the terms and conditions of service of such staff.

<p>Appointment of public officers to the staff of the Authority</p>	<p>21. (1) At the request of the Authority, any officer in the public service may, with the consent of that officer and the Secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the staff of the Authority for such period as may be determined by the Authority, or with like consent be permanently appointed to such staff.</p> <p>(2) Where any officer of the public service is temporarily appointed to the staff of the Authority the provisions of subsection (2) of section 14 of the National Transport Commission Act, No. 37 of 1991, shall <i>mutatis mutandis</i>, apply to and in relation to him.</p> <p>(3) Where any officer in the public service is permanently appointed to the staff of the Authority, the provisions of subsection (3) of section 14 of the National Transport Commission Act. No 37 of 1991, shall <i>mutatis mutandis</i>, apply to and in relation to him.</p> <p>(4) Where the Authority employs any public officer, who has agreed to serve the Government for a specified period, any period of service to the Authority by such officer shall be regarded as service to the Government for the purpose of discharging the obligations of such an agreement.</p>
<p>Appointment of officers and of public corporations to the staff of the Authority.</p>	<p>22. (1) At the request of the Authority any officer or servant of a public corporation may, with consent of such officer or servant and the governing board of such corporations, be temporarily appointed to the staff of the Authority for such period as may be determined by the Secretary of the Ministry or Authority with like consent or with like consent be permanently appointed to the staff of the Authority on such terms and conditions, including those relating to pension or provident fund rights, as may be agreed upon by the Authority and the governing board of such corporation.</p>

	<p>(2) Where any person is appointed whether temporarily or permanently under subsection (1) to the staff of the Authority such person shall be subject to the same disciplinary control as any other member of the staff.</p>
	<p>PART IV</p> <p>COMMITTEES OF THE AUTHORITY</p>
Committees of the Authority	<p>23. (1) The Authority may with the concurrence of the Minister appoint Committees comprising of its members or any other persons possessing appropriate expertise to assist the Authority in the discharge of its functions. Such Committees shall at all times be headed by a member of the Authority.</p> <p>(2) The Authority may make rules setting out the functions of such Committees and the procedure to be followed by such Committees in the discharge of its functions.</p>
Advisory Committee	<p>24. (1) The Minister shall appoint an Advisory Committee which shall be responsible for providing advice to the Minister on matters within respective areas of expertise of each of its members. The Minister may, request the presence of a member or members of the Advisory Committee to be present at a meeting of the Authority, when deemed necessary. The member or members being so invited would be persons whose expertise and input would be supportive of the matters to be discussed at such meeting of the Authority.</p> <p>(2) The members of the Advisory Committee shall tender their advice on the matters put to them but shall not be deemed to be members of the Authority nor shall they have a right to vote at any such meeting.</p> <p>(3) The Advisory Committee could include –</p> <p>(a) a representative of the Information and Communication</p>

	<p>Technology Agency, established by the Information and Communication Technology Agency Act, No. 27 of 2003;</p> <p>(b) two (2) persons possessing qualifications and expertise in the field of Global Marketing and Promotions;</p> <p>(c) two (2) persons to represent the National Industry Council, selected by the membership of the Council from Associations registered with the Sri Lanka Tourism Authority;</p> <p>(3) one (1) persons to represent the Online Travel Agents (OTA) having a physical presence in Sri Lanka.</p> <p>(4) One (1) person to represent Airlines</p> <p>(5) Tourism Industry expertise</p>
<p>Tourism Education and Research Committee</p>	<p>25. (1) The Minister shall appoint a Tourism Education and Research Committee which shall be responsible for providing advice in the respective areas of expertise of each of its members</p> <p>(a) to the Authority on matters relating to Education and Research connected to the subject of Tourism; and</p> <p>(b) to the Institute of Tourism and Hospitality Management established in terms of section 37 of this Act in identifying the academia to conduct its training programmes and the curricula to be taught thereat. The Authority may, request the presence of a member or members of the Tourism Education and Research Committee to be present at a meeting of the Authority, when deemed necessary. The member or members being so invited would be persons whose expertise and input would be supportive of the matters to be discussed at such meeting of the Authority.</p> <p>(2) The members of the Tourism Education and Research Committee shall tender their advice on the matters put to them but shall not be deemed to be members of the Authority nor shall they have a right to vote</p>

	<p>at any such meeting.</p> <p>(3) The Tourism Education and Research Committee shall consist of –</p> <p>(a) the Director - General of the Authority appointed in terms of section 19 of this Act;</p> <p>(b) a Senior member of the staff of the Universities Grants Commission, nominated by the Commission;</p> <p>(c) the Director – General of the Institute of Tourism and Hospitality Management appointed in terms of section of this Act; and</p> <p>(d) two senior members of the Academic Affairs Council of the of the Institute of Tourism and Hospitality Management.</p>
Rules	<p>26. The Authority may make rules setting out the mandate of the Committees, for the conduct of meetings of the Committees established under this Part of the Act and for the manner in which the matters assigned to each such Committee are to be transacted.</p>
	<p>PART V</p> <p>OFFICES, DIVISIONS AND UNITS OF THE AUTHORITY</p>
Offices and Divisions or Units of the Authority.	<p>27. (1) The Authority may establish and maintain offices within or outside Sri Lanka as it may consider necessary for the proper and efficient conduct of the affairs of the Authority.</p> <p>(2) The Authority shall also determine and establish from time to time, such Divisions or Units within the Authority, which are to be maintained at each of such offices.</p> <p>(3) The Authority may establish and maintain district and regional offices as necessary;</p>

	<p>(4) The Authority shall determine the duties and functions to be assigned to each of the Offices, Branches, Divisions or Units established under subsections (1), (2) and (3) above and staff therein.</p> <p>(5) The Authority shall establish a campaign management unit to execute global promotional campaign with necessary expertise and professionals appointed through procurement guidelines</p>
	<p style="text-align: center;">PART VI</p> <p style="text-align: center;">FUND AND ACCOUNTS OF THE AUTHORITY</p>
Fund of the Authority	<p>28. (1) The Authority shall for the purposes of this Act, establish and maintain a Fund.</p> <p>(2) There shall be paid into the Fund :—</p> <p>(a) 1/3 One Third of the Embarkation Levy from Airports and Ports in Sri Lanka</p> <p>(b) TDL of 1% of Turnover from all Registered Entities including Online Travel Agents</p> <p>(c) all such sums of money as may be voted by Parliament for the implementation, management and administration of the activities of the Authority;</p> <p>(d) all such sums of money as may be received by the Authority by way of donations, gifts or grants from any source whatsoever, whether in or outside Sri Lanka received by the Authority;</p> <p>(e) all taxes, fees, rental, lease income and charges levied by the Authority in the exercise of the powers conferred on or vested in, the Authority by or under this Act;</p> <p>(f) all revenue derived by the Authority from any property vested in or administered by the Authority;</p> <p>(g) all revenue derived by the Authority from services provided by the</p>

	<p>Authority;</p> <p>(h) all revenue received by way of charges for services provided by the Authority or on behalf of the Authority by an authorized agent, and for the grant or issue of a certificate, license or approval as the case may be, by the Authority, in terms of this Act; and</p> <p>(i) all other sums otherwise accruing to the credit of the Authority under this Act or by any other written law.</p> <p>(3) The Authority may invest any money of the Authority lying in the Fund of the Authority in such manner as may be determined by the Authority.</p>
	<p>29. (1) The Authority shall cause proper books of accounts to be kept of its assets and liabilities, income and expenditure and all other transactions of the Authority.</p> <p>(2) The provisions of Article 154 of the Constitution shall apply to the audit of the accounts of the Authority.</p> <p>(3) (a) On the completion of an audit in accordance with the provisions of subsection (2), the Auditor- General shall submit to the Authority a Report in respect of the relevant year.</p> <p>(b) On receipt of such Report, the Authority shall cause the Report of the Auditor – General in respect of the relevant year and the Report of the Director-General on the administration of the affairs of the Authority which shall contain a detailed report of the steps taken for the furtherance of the objectives of the Act, to be transmitted to the Minister along with the Balance Sheet for the relevant year.</p> <p>(c) The Minister shall cause copies of the report and documents transmitted to him under paragraph (b) to be laid before Parliament.</p> <p>(4) The financial year of the Authority shall be the calendar year.</p>

	<p>(5) The Authority may, where the Auditor General considers it to be necessary, engage the services of qualified auditors to assist in the preparation of the reports and accounts required for the purposes of this section. Such qualified auditors shall act under the direction and control of the Auditor- General.</p> <p>(6) For the purposes of this section “qualified auditor” shall have the same meaning as in paragraph (8) of Article 154 of the Constitution.</p>
	<p>PART VII</p> <p>THE TOURISM DEVELOPMENT FUND AND THE EMERGENCY FUND</p>
Tourism Development Fund	<p>30. There shall be established a fund to be called the “Tourism Development Fund” (hereinafter referred to as the “Fund”) which shall be managed and administered by the Authority and utilized for the sustainable development and promotion of the tourism industry, domestic tourism, sustainable tourism and development of tourism.</p>
Payments into Tourism Development the Fund.	<p>31. (1) There shall be paid into the Tourism Development Fund established in terms of section 29: -</p> <p>(a) one-third (1/3) of the sum collected by way of Embarkation Levy by the Competent Authority as provided for in Part I of the Finance Act, No. 25 of 2003 in consultation with this Authority under the heading “Embarkation Levy” and regulations made thereunder</p> <p>(b) the sum of one <i>per centum</i> (1%) charged as the Tourism Development Levy on the turnover of every licensed tourist service, all online bed aggregators selling tourism services and products, as provided as provided for in Part II of the Finance Act, No. 25 of 2003 under the heading “Tourism Development Levy”, and collected by the Director – General;</p>

	<p>(c) a tax payable by every Tourist Service providing accommodation in terms of the classification and rates specified by Order Made by the Minister and published in the <i>Gazette</i> (hereinafter referred to as the “Bed Tax”) collected by the Director - General;</p> <p>(d) all such other sums of money as may be required or authorized to be paid into the Tourism Development Fund by or under any applicable written law.</p> <p>(2) For the purposes of paragraph (b) of subsection (1), “turnover” means, in relation to -</p> <p>(a) a travel agent, means the total receipts from services provided in relation to the tourist industry excluding payments made by the travel agent in respect of accommodation or other services provided to the travel agent by other local service providers and the Value Added Tax charged on such services in terms of the Value Added Tax Act, No. 14 of 2002;</p> <p>(b) an online travel agent (OTA), including web based marketing portal that allows travellers to book travel products and services including hotels, flights, transport, tours, cruises, activities with travel suppliers.</p> <p>(c) a tourist shop, and all other Tourist Services (other than Travel Agents), means the amount received or receivable from the total sales of products from any such shop or the provision of any service excluding the Value Added Tax charged on such sales or services in terms of the Value Added Tax Act, No. 14 of 2002.</p>
Payments out of	32. (1) The Authority shall disburse the monies in the Tourism

<p>the Tourism Development Fund.</p>	<p>Development Fund in the following manner: -</p> <ul style="list-style-type: none"> (a) a sum amounting to five <i>per centum</i> (5%) from the total sum paid into the Tourism Development Fund to be transferred annually to the Emergency Fund to be used for the purposes and in the manner set out in the Act; (b) after the sum equivalent to five <i>per centum</i> (5%) has been paid into the Emergency Fund as provided for in paragraph (a) of this section, - <ul style="list-style-type: none"> (i) a sum amounting to eighty six <i>per centum</i> (86%) to be utilised solely for the purpose of making payments in connection with the development, promotion and marketing of Sri Lanka as a tourist and travel destination in keeping with the objectives of the Authority and the Tourism Development Plan and making payments defraying expenses of the Authority including the payment of wages and other remuneration; (ii) a sum amounting to ten <i>per centum</i> (14 %) to be paid to the Sri Lanka Institute of Tourism and Hospitality Management established under section 40, to be used for the purpose of the development, administration and management of the said Institute and to achieve the objectives of that Institute in terms of this Act or any regulations which may be made in that behalf;
	<p>(2) Until disbursement of the monies lying to the credit of the Tourism Development Fund, as herein provided for, such monies may be invested by the Authority in securities of the Government of Sri Lanka, or such</p>

	<p>other instruments as are approved by the Secretary to the Treasury.</p>
<p>Audit and Account of the Tourism Development the Fund.</p>	<p>33. (1) The Authority shall maintain Books of Accounts of all financial transactions of the Tourism Development Fund and cause an annual audit to be carries out by the Auditor General in terms of Article 154 of the Constitution.</p> <p>(2) The Auditor General may for the purpose of the performance and discharge of his duties and functions engage the services of a qualified auditor or auditors within the meaning of Article 154 of the Constitution, to be reads with procumbent Manuel duly approved by the cabinet of ministers as stated in article 13 . 5.</p> <p>(3) The report of the Auditor-General on the accounts of the Tourism Development Fund shall be placed before Parliament by the Minister.</p> <p>(4) The Minister may make regulations for the management and administration of the Tourism Development Fund.</p>
<p>Emergency Fund.</p>	<p>34. (1) There shall be a Fund called the Emergency Fund which shall be managed and administered by the Authority and the moneys belonging to this Fund shall be deposited in a dedicated account opened and operated in a designated commercial bank with the concurrence with the Secretary to the Treasury.</p> <p>(2) (a) The moneys lying to the credit of the Emergency Fund shall be utilised solely for the purpose of providing relief to persons affected by or during, a “tourism crisis” as defined in section 35 of Part VIII of this Act, having obtained the approval of the Secretary to the Treasury. The moneys in the Emergency Fund shall not be withdrawn for any purposes other than a tourism crisis:</p> <p>Provided however, if for a total period of twelve months there has been no tourism crisis which necessitated the utilization of money from the</p>

	<p>Emergency Fund, the Authority may, with the approval of the Secretary to the Treasury, utilize not more than fifty <i>per centum</i> (50%) of the moneys lying to the credit of the fund Emergency Fund for the implementation of the objectives of the Authority:</p> <p>Provided further in the event that there has been a withdrawal from the Emergency Fund for a purpose other than for a tourism crisis, there shall be no further withdrawals until the expiration of a further period of twelve (12) months calculated from the date of the previous other than for a tourism crisis.</p> <p>(3) Regulations may be made to provide for the management of the fund and the criteria applicable to the disbursement of the moneys in the Emergency Fund to persons requiring relief.</p> <p>(4) Until disbursement of the monies lying to the credit of the Emergency Fund, as herein provided for, such monies may be invested by the Authority in securities of the Government of Sri Lanka or such other instruments as are approved by the Secretary to the Treasury.</p>
	<p style="text-align: center;">PART VIII</p> <p style="text-align: center;">SPECIAL PROVISIONS APPLICABLE TO THE TOURISM INDUSTRY IN TIMES OF A NATIONAL OR INTERNATIONAL CRISIS</p>
<p>Tourism Crisis.</p>	<p>35. (1) In the event of a disaster occurring in Sri Lanka or globally, which is either a natural or man-made disaster which greatly endangers or threatens human life and the environment, causing disease, contamination and chaos which results in, or leaves behind, death and destruction of immense proportions, either nationally or globally or simultaneously to both, which results in a "Tourism Crisis" consisting of any one of the following situations -</p>

	<p>(i) "Tourism Crisis Level One" where the number of tourist arrivals into Sri Lanka at a given time, to falls below fifteen <i>per centum</i> (15%) per annum due to internal or external factors; or</p> <p>(ii) "Tourism Crisis Level Two" where the number of tourist arrivals into Sri Lanka at a given time, falls below twenty-five <i>per centum</i> (25%) per month and remains at such level for a period of three consecutive months or more; or</p> <p>(iii) "Tourism Crisis Level Three" where the tourism and travel industry suffers (and falls beyond 25%) heavy losses and the situation results in the business of tourist service providers to be badly affected due to reasons beyond their control.</p>
	<p>(2) The Authority shall, immediately upon it becoming apparent that a crisis situation as enumerated in either paragraphs (i), (ii) or (iii) of subsection (1) as the case may be, has arisen, notify the Minister in charge of the subject of Tourism of the same, who shall thereupon inform the Cabinet of Ministers that a "Tourism Crisis" amounting to either a "Tourism Crisis Level One", a "Tourism Crisis Level Two" or a "Tourism Crisis Level Three" respectively has arisen.</p>
	<p>(3) Where the Cabinet of Ministers receives the information as set out in subsection (2) it shall request the President to forthwith by Order published in the <i>Gazette</i> declare that a Tourism Crisis of either Level One, Level Two or Level Three has arisen.</p> <p>(4) The Order under subsection (3) shall specify that one or more of the levels are being invoked and the measures which are to be adopted in order to provide relief to the tourism industry. An Order shall be operative for a period of three months and shall be extended for further periods of three months as may be required. Every such Order shall within a month</p>

	of the making thereof, be placed before Parliament for information.
	<p>(5) Regulations may be made for the purpose of this Part –</p> <ul style="list-style-type: none"> (a) for identifying and specifying the Protocols which are required to operate in relation to a Tourism Crisis of either Level One, Level Two or Level Three; (b) for setting out urgent and interim measures to be implemented for the sustainable management of the Tourism industry, domestic tourism and eco-tourism, for the duration of a Tourism Crisis; (c) for specifying guidelines and codes of practise for domestic travellers, public and private tourism service providers; (d) for the development of efficient health and safety measures and facilities at all tourist destinations; and (e) designing and providing in consultation with the Ministry of Health, new tourist products and services which are compatible with crisis situations and could be safely enjoyed by tourists.
	<p>PART IX</p> <p>NATIONAL TOURISM INDUSTRY COUNCIL</p>
National Tourism Industry Council	<p>36. (1) There shall be established a Council to be called and known as the National Tourism Industry Council for the purpose of advising the Authority on any matters concerning the tourism and travel industry and the future direction and strategy to be adopted in relation to the tourism and travel industry.</p> <p>(2) The National Tourism Industry Council shall consist of-</p>

	<p>(a) the Minister; (Secretary of the Ministry of the Minister)</p> <p>(b) a representative nominated by <u>each Association</u> Registered with the Authority and appointed to the National Tourism Industry Council by the Minister;</p> <p>(3) The Minister shall be the Chairman of the National Tourism Industry Council.</p> <p>(4) The term of office of the members of the National Tourism Industry Council shall be three years: Provided that a member appointed in place of a member who resigns or otherwise vacates office, shall hold office for the unexpired part of the term of office of the member whom he succeeds.</p> <p>(5) Any member of the National Tourism Industry Council may resign from office by letter addressed to the Minister.</p> <p>(6) The Minister may for reasons assigned remove any member of the National Tourism Industry Council.</p> <p>(7) The Authority may make rules for the regulation of the procedure to be followed at the meetings of the National Tourism Industry Council and for the transaction of business at such meetings.</p>
	<p>PART X</p> <p>SRI LANKA INSTITUTE OF TOURISM AND HOSPITALITY MANAGEMENT</p>
Sri Lanka Institute of Tourism and Hospitality Management	<p>37. There shall be established an Institute called the Sri Lanka Institute of Tourism and Hospitality Management, (hereinafter referred to as the “Institute”) which shall be a body corporate with perpetual succession and a common seal and which may sue and be sued in such name.</p>
Objectives of the Institute.	<p>38. The objectives of the Institute shall be: —</p> <p>(a) the identify fields connected to the tourism industry in which</p>

training of personnel is required;

- (b) the development of a comprehensive curricula in the identified fields of study obtaining the services of academics and trainers who are professionally recognised and of good standing and who possess the required qualifications and expertise in the chosen fields;
- (c) to design, develop and conduct courses of study leading up to a diploma or degree in Tourism and Hospitality Management, as provided for in the Universities Act, No. of 1978 with the concurrence of the University Grants Commission established under the aforesaid Act;
- (d) to design, develop and conduct vocational training programmes in Tourism and Hospitality Management at both national and provincial levels, as provided for in the Vocational and Tertiary Education Act, No. of ;
- (e) to conduct the administration and management of Schools and Colleges owned and managed by the Institute, or assist and participate in the administration and management of privately owned Schools and Colleges, at both national and provincial level, for the purposes set out in paragraphs (c) and (d) above;
- (f) to co-operate with persons or organisations both local or foreign, involved in training persons to engage in work wholly or partly connected with tourism and hospitality management; and
- (g) to exercise, perform and discharge the powers, duties and functions conferred or imposed on the Institute by or under this Act or any other law in force for the time being for the purpose of the attainment of its objectives.

<p>Board of Management of the Institute.</p>	<p>39. (1) There shall be appointed by the Minister, a Board of Management of the Institute (hereinafter referred to as the “Board”) which shall be charged with the development, management and administration of the Institute and the powers, duties and functions assigned to the Institute.</p>
	<p>(2) The Board shall consist of—</p> <p>(a) The following <i>ex-officio</i> members -</p> <ul style="list-style-type: none"> (i) the Chairman, Sri Lanka Tourism Authority, appointed by the Minister in terms of subsection (2) of section 40; (ii) the Secretary to the Ministry of the Minister in charge of the subject of Tourism or a nominee of the Secretary; (iii) the Secretary to the Ministry of the Minister in charge of the subject of Finance or a nominee of the Secretary; (iv) the Director-General of the Institute, appointed by the Board in terms of section 41 of this Act; (v) the Director-General of the Authority appointed in terms of section 19; (vi) a senior officer of the University Grants Commission, established under the Universities Act, No. of 1978, possessing experience in academic and educational affairs, nominated by the Chairman; (vii) a senior officer of the Technical and Vocational Training Authority; and <p>(b) six persons appointed by the Minister in charge of the subject of Tourism, as follows : —</p>

	<ul style="list-style-type: none"> (i) two persons having experience in management and training, in the fields of tourism and hospitality management; (ii) a senior academic attached to a faculty or department conducting study programmes in tourism and hospitality management, at an University established under the Universities Act, No. of 1978 ; (iii) one person nominated by the Restaurant Association of Sri Lanka ; (iv) one person nominated by the Hotel School Graduates Association; and (v) one person who has excelled in the field of culinary art.
<p>Term of office of members of the Board of management of the Institute.</p>	<p>40. (1) The Minister shall appoint one person from amongst the appointed members of the Board to be the Chairman of the Board of Management.</p> <p>(2) The term of office of the Chairperson and members of the Board shall be five (5) years: Provided that a member appointed in place of a member who resigns or otherwise vacates office due to death or ill health, shall hold office for the unexpired part of the term of office of the member whom such member succeeds.</p> <p>(3) A person shall be disqualified from being appointed, or from continuing, as Chairman of the Institute if such person is, or becomes, the owner, a partner, a director, a majority shareholder or an employee of, or in, any business, which provides training in tourist services of any class or description and in hotel management.</p>

	<p>(4) Any member who vacates office by effluxion of time shall be eligible for re-appointment.</p> <p>(5) The Minister may remove from office, any member of the Board, other than the Director General, for reasons assigned.</p> <p>(6) The provisions of subsections (6) and (7) of section 19, which provide for the removal of the Director – General of the Authority, shall <i>mutatis mutandis</i> apply, to and in relation to, the removal of the Director - General of the Institute.</p> <p>(7) (a) Any member of the Board may resign from office by letter addressed to the Minister.</p> <p>(b) Where a member is temporarily unable to discharge the duties of his office on account of ill health, absence from Sri Lanka or any other cause, the Minister may appoint some other person to act as a member in his place for the period of his absence.</p> <p>(8) The members of the Board may be paid such remuneration out of the Fund of the Institute as may be determined by the Institute in consultation with the Authority.</p>
<p>Staff of the Institute.</p>	<p>41. (1) The staff of the Institute shall consist of: –</p> <p>(a) the Director-General of the Institute appointed by the Board and shall be a person possessing the required academic and professional qualifications and experience in Business Administration, Management, Finance, Tourism and Hospitality Management, as determined by the Authority;</p> <p>(b) such academic and professional staff as are required for the conduct of the educational and training programs of the Institute, who shall be appointed by the Board;</p>

	<p>(c) such other officers and non-academic staff as the Board shall deem necessary for effectively discharging the functions of the Institute.</p> <p>(2) The Director - General of the Institute shall be the Chief Executive Officer of the Institute. The staff of the Institute shall report to the Director - General and the Director- General shall be responsible for the administration, management and conduct of the business of the Institute. The staff of the Institute shall carry out such duties as are entrusted to them by the Director-General and in such manner as is specified by the Director-General on the recommendation of the Board.</p> <p>(3) Subject to the other provisions of this Act, the Board shall—</p> <p>(a) appoint, dismiss and exercise disciplinary control over the staff of the Institute;</p> <p>(b) determine wages and salaries or other remuneration of the staff, taking into consideration prevalent rates in relation to comparative positions in the tourist industry; and</p> <p>(c) determine the terms and conditions of service of such staff.</p>
<p>The Academic Affairs Committee of the Institute.</p>	<p>42. (1) The Board shall in consultation with the Chairman of the Authority, appoint an Academic Affairs Committee (hereinafter referred to as “the Committee”) consisting of five members.</p> <p>(2) The Committee shall be charged with the responsibility of overseeing the implementation, management and conduct of the academic activities of the Institute as are identified as objectives of the Institute and the administration and management of Schools and Colleges owned and managed by the Institute or assist and participate in the administration and management of privately owned Schools and Colleges.</p> <p>(2) All of the members of the Committee shall possess the prescribed professional or academic qualifications and in-depth knowledge,</p>

understanding and proficiency of, including related skills in development and training in, the tourism industry, domestic tourism and eco-tourism.

(3) The members of the Committee shall select one person from amongst themselves to be the Chairman of the Academic Affairs Committee.

(4) The members of the Committee shall hold office for a period of five years and shall be eligible for re-appointment.

(5) (a) Regulations may be made by the Minister in respect of the following –

- (i) identifying the procedure to be followed in appointing the members of the Committee;
- (ii) specifying the procedure to be followed and the manner in which the Schools and Colleges under the Institute should be managed, conducted and administered in providing training in tourism and hospitality management and the structure and curricula which needs to be adhered to;
- (iii) specifying the criteria required of persons seeking to establish, manage or operate privately owned Schools and Colleges in providing training in tourism and hospitality management and the structure and curricula which needs to be adhered to;
- (iv) the manner in which such Schools and Colleges should be administered.

(b) Any applicable regulation made under the Tourism Act, No. 38 of 2005, repealed as provided for in section 96 of this Act, and in force on the date of the coming into operation of this Act, shall continue to be in force and be applicable as if made under this Act, until they are rescinded and regulations for the same are made in terms of this Act.

<p>The Fund of the Institute.</p>	<p>43. (1) The Institute shall have and maintain a fund referred to as the “Fund of the Institute” into which shall be paid in –</p> <ul style="list-style-type: none"> (a) such monies as may be voted from time to time by Parliament; (b) the moneys paid into the Fund of the Institute by the Authority as provided for in sub-paragraph (ii) of paragraph (b) of subsection (1) of section 35 of this Act; (c) fees or levies that may be charged by the Institute; (c) moneys received by way of donations or grants, from local or foreign sources. <p>(2) The Institute shall utilize the moneys in the Fund of the Institute towards meeting all costs relating to the management and administration of the Institute, including the payment of remuneration to its members, academic and professional staff, and staff of the Authority, funds for carrying out its training programmes, setting up centres for training and all other expenses as may be required to be incurred by the Institute to achieve its objectives.</p> <p>(3) The provisions of section 32 of this Act shall, <i>mutatis mutandis</i> apply, to and in relation to, the audit and accounts of the Fund of the Institute.</p> <p>(4) Until disbursement of the monies lying to the credit of the Fund of the Institute, as herein provided for, such monies may be invested by the by the Institute with the approval of the Authority in securities of the Government of Sri Lanka or such other instruments as are approved by the Secretary to the Treasury.</p>
<p>Transitional provisions</p>	<p>44. (1) All of property, both movable and immovable, and all other</p>

<p>relating to the Sri Lanka Institute of Tourism and Hotel Management.</p>	<p>assets and liabilities of the Sri Lanka Institute of Tourism and Hotel Management established under the provisions of the Tourism Act, No. 38 of 2005, repealed as provided for in section 96 of this Act, shall vest in the Institute established under this Act from the date of the coming into operation of this Act.</p> <p>(2) All members of the staff of the said Institute as on the date of the coming into operation of this Act, shall with effect from such date, be deemed to be the staff of the Institute established under this Act, and shall continue on terms and conditions of service no less favourable to those previously enjoyed by such members of the staff. The period of service of those members of staff to the Institute established under the Tourism Act No, 38 of 2005, repealed as provided for in section 96 of this Act, shall be deemed to be service with the Institute established under this Act.</p> <p>(3) All moneys lying to the credit of the Hotel School established under the Tourism Act, No. 38 of 2005, repealed as provided for in section 96 of this Act, on the date of the coming into operation of this Act, shall be transferred with effect from the said date to the Fund of the Institute established under section 46 of this Act.</p>
	<p style="text-align: center;">PART XI</p> <p style="text-align: center;">REGISTRATION AND LICENSING OF TOURIST SERVICES AND TOURIST ESTABLISHMENTS AND SUSPENSION AND CANCELLATION OF LICENSES</p>
<p>Classification and Licensing of Tourist Services.</p>	<p>45. (1) The Minister may, on the recommendation of the Authority by Order published in the <i>Gazette</i> classify businesses, activities and services being operated, carried out or provided within the tourist industry as Tourist Services.</p> <p>(2) From and after the date of the coming into operation of this Act, no person shall engage in carrying on or providing a Tourist Service falling</p>

	<p>within the classification made in terms of subsection (1) unless such person has obtained from the Authority, a license in terms of the provisions of this Part, issued in the name of such Tourist Service by the Authority, specifying the classifications applicable to the service carried on by such person:</p> <p>Provided that all persons who, on the date of the coming into operation of this Act, were registered and licensed for carrying on or providing a classified Tourist Service under the Tourism Act, No. 38 of 2005 or the Tourist Development Act, No. 14 of 1968 as the case may be, repealed respectively as provided for in section and section of this Act, shall be required within a period of six (6) months from the date of the coming into operation of this Act, to apply for and register such Service and obtain a license from the Authority in terms of this section.</p>
Licensing of Tourist Establishments	<p>46. (1) From the date of the coming into operation of this Act, no person shall establish or operate a Tourist Establishment in Sri Lanka unless such person has obtained from the Authority, a license in terms of the provisions of this Part, issued in the name of such Tourist Establishment by the Authority specifying the trade or business operated by such person:</p> <p>Provided that all persons who, on the date of the coming into operation of this Act, were registered and licensed for carrying on or operating a Tourist Enterprise under the Tourism Act, No. 38 of 2005 or the Tourist Development Act, No. 14 of 1968 as the case may be, repealed respectively as provided for in section and section of this Act, shall be required within a period of six (6) months from the date of the coming into operation of this Act, to apply for and register such Enterprise as an Establishment and obtain a license from the Authority in terms of this section.</p>
Persons carrying on business as a Tourist Service or a Tourist	<p>47. (1) Any person who from and after the date of the coming into operation of this Act, engages in carrying on the business of a Tourist Service or operates a Tourist Establishment in terms of this Part of this Act,</p>

<p>Establishment without obtaining registration or a licence to be guilty of an offence.</p>	<p>without registering such Service or Establishment or obtaining a license therefor from the Authority in terms of either the provisions of section 45 or section 46 of this Act, shall be liable to an offence and be liable on conviction after summary trial be liable to a fine of not less than rupees one million and not more than rupees three million.</p> <p>(2) Any person who prior to the date of the coming into operation of this Act, was registered and licensed for carrying on the business of a Tourist Service or operated a Tourist Enterprise under the Tourism Act, No. 38 of 2005 or the Tourist Development Act, No. 14 of 1968 as the case may be, repealed respectively as provided for in section and section of this Act, and who fail to register and licence such Service or Enterprise as required by section 45 or section 46 of this Act, shall be liable to an offence and be liable on conviction after summary trial to a fine of not less than rupees one million and not more than rupees three million.</p>
<p>Procedure for Registration and Licensing of Tourist Services and Tourist Establishment.</p>	<p>48. (1) Every application for registration and a license shall made to the Authority in the prescribed form and on the payment of the Registration fee and the Licence fee as is prescribed. The procedure to be followed in registering a Tourist Service and a Tourist Establishment and issuing licenses thereto, the form of the application and documents required to be submitted, and the terms and conditions applicable shall be as prescribed.</p> <p>(2) The Authority shall maintain a Register of every Tourist Service and Tourist Establishment to which a licence has been issued in terms of this Part. The format of the Register and the matters to be included therein shall be as prescribed.</p> <p>(3) A license granted under this section by the Authority shall be in the prescribed form and unless previously revoked in accordance with any terms in that behalf contained in the license, continue to be in force for a period of twelve months. Every license shall be renewed prior to the expiration of this period, on a written application submitted to the Authority in the form prescribed for renewal and accompanied by the prescribed fee.</p>

<p>License to a tourist Service or a Tourist Enterprise to be granted on the recommendation of the Investment Promotion Division.</p>	<p>49. (1) The Authority may in granting a license referred to in section 45 or section 46, take into consideration the recommendations of the Investment Promotion Division of the Authority.</p> <p>(2) If the Relevant Division of the Authority is satisfied that the applicant has obtained all other approvals and clearances required under any other applicable written law and that the Tourist Service or Tourist Establishment as the case may be, is compliant with the requirements of the Tourism Development Plan, the Relevant Division shall recommend to the Authority that a license as provided for in this Part, be granted to the applicant.</p> <p>(3) The Investments Promotion Division of the Authority may where it considers it necessary, assist the applicant in obtaining such other approval, permit, license or clearance required under any other applicable written law, for the establishment of the Tourism Establishment.</p> <p>(4) The Authority may in the interest of the objectives of the Authority, have the right to determine whether or not to take such recommendations into consideration in making its decision to grant or refuse to grant a license or renew a licence.</p>
<p>Grant or refusal to grant a license.</p>	<p>50. (1) Where the Authority refuses an application for the grant or renew a license, the Authority shall notify the applicant of its decision by written communication, and in the case of a refusal, stating the reasons for such refusal.</p> <p>(2) Any person aggrieved by the decision of the Authority, in refusing to grant or renew a license, may appeal against such decision to the Appeals Committee constituted in terms of this Act.</p>
<p>Particulars of statement to be displayed by a Tourist Service</p>	<p>51. Every Tourist Service and Tourist Establishment licensed in terms of this Part, shall in every advertisement, communication or other notification relating to the Services being provided or the Enterprise being</p>

<p>or Establishment, to whom a valid license has been granted.</p>	<p>operated, contain a statement to the effect that such Tourist Service or Tourist Establishment is Registered with the Authority, and has been granted a license in terms of this Part. The Registration number shall also be stated therein.</p>
<p>Certificate of Standards and suspension and cancellation of a licence.</p>	<p>52. (1) Upon the grant of a license to a Tourist Service or a Tourist Establishment, the Authority shall cause an inspection to be carried out in the manner set out in section 60, in so far as it is necessary to satisfy itself that-</p> <ul style="list-style-type: none"> (a) the matters required to be complied with have been so complied in the proper manner as required for the specific type of license granted; and (b) the conditions of the relevant license have been satisfied, <p>and issue to the relevant Tourist Service or a Tourist Establishment a Certificate of Standards.</p> <p>(2) The Authority shall cause periodic monitoring and annual inspections to be conducted of all licensed Tourist Services and Tourist Establishment to ensure that the terms and conditions set out in subsection (1) are being complied in the proper manner.</p> <p>(3) Where during the monitoring of any classified Tourist Service or Tourist Establishment, the Authority discovers that the standards prevalent in a licensed Tourist Service or Tourist Establishment are below the standard specified in the Certificate of Standards issued to it, the Authority may in writing inform the relevant Tourist Service or Tourist Establishment of the steps required to be taken to improve its standards and achieve the standard specified in such Certificate.</p> <p>(4) On the receipt of an application for the renewal of a license granted to a Tourist Service or Tourist Establishment the Authority shall prior to renewing such license, cause an inspection of the applicant Service or</p>

Establishment to be carried out in the manner set out in section 60. If it appears that the standard of such Service or Establishment -

- (a) are below the standard specified in the Certificate of Standards issued; or
- (b) that no action has been taken to improve the standards as directed in writing in terms of subsection (3),

the person carrying out the inspection shall immediately notify the Authority of the same. The Authority shall thereupon suspend the license issued to the relevant Tourist Service or Tourist Establishment as the case may be and communicate its decision in writing to such Service or Establishment. Such communication shall specify a period of time of not more than thirty days within which steps shall be taken by the Service or Establishment to improve the standards as directed to ensure compliance with the Certificate of Standards.

(5) Where any Tourist Service or enterprise fails to comply with such steps as are identified by the Authority within the period specified, the Authority shall, unless on a consideration of the circumstances of each case a further extension has been granted for compliance, proceed to the cancel the license issued to such Tourist Service or Tourist Enterprise.

(6) The details of any Tourist Service or Tourist Establishment whose license is cancelled pursuant to the provisions of subsection (5) shall be entered into a Register maintained for such purpose. The Authority shall also cause a Notice to be published in a daily newspaper published in the Sinhala, Tamil and English languages, informing the public of such cancellation.

(7) Any person whose license has been cancelled in terms of this section, may submit an appeal against such cancellation, to the Appeals Committee constituted in terms of this Act.

Trade Name and Symbol of the Authority.	<p>53. (1) The Minister shall by regulation prescribe a Trade Name and Symbol which shall be the Trade Name and Symbol of the Authority. All duly licensed Tourist Services and Tourist Establishment shall be authorized to use or display the Trade Name and Symbol of the Authority in the manner prescribed by regulations made in that regard.</p> <p>(3) No Tourist Service or Tourist Establishment, not Registered with the Authority and to which a valid license has not been granted in terms of this Part, shall use or display the Trade Name and Symbol of the Authority or a representation of the Trade Name and Symbol which appears to be a representation of the Trade Name and Symbol of the Authority as prescribed by regulation, and which is designed so as to mislead or confuse a third party, shall be guilty of an offence under this Act and shall be liable on conviction to a fine not less than rupees five hundred thousand and not more than rupees one million or to imprisonment of either description for a term not exceeding one year or both such fine and imprisonment.</p>
Codes of Conduct.	<p>54. (1) The Authority shall from time to time publish Codes of Conduct which shall be applicable for the regulation, management and administration of the following classified Tourist Services:-</p> <ul style="list-style-type: none"> (a) tourist accommodations; (b) travel agents; (c) tour guides; (d) specified Tourist Services (being a tourist service consisting of services not falling within any of the above) as may be identified from time to time, by the Minister by Order published in the <i>Gazette</i> in consultation with the Authority. <p>(2) Any person who fails to comply with any matter set out in any</p>

	<p>Code of Conduct made in terms of this section shall be guilty of an offence and be liable to a fine not less than rupees one hundred thousand and not more than rupees one million and to the revocation of the license issued to such person.</p>
<p>Any person wishing to be employed in any licensed Tourist Service, shall be registered with the Authority.</p>	<p>55. (1) Any person who wishes to be employed in any licensed Tourist Service shall register themselves with the Authority in accordance with regulations which may be made in that behalf, as a fit and proper person to be so employed. All details as may be prescribed shall be entered in the registration entry.</p> <p>(2) Any person who employs a person not registered with the Authority in any Tourist Service shall be guilty of an offence.</p>
<p>Regulations for this Part of the Act.</p>	<p>56. Regulations may be made prescribing -</p> <ul style="list-style-type: none"> (a) the format to be used in making an application for the registration and licensing of a Tourist Service or a Tourist Enterprise; (b) the amount payable as Registration fee and License fee by a Tourist Service or a Tourist Establishment: provided that the license fee shall be determined according to the nature and level of operation of a Tourist Service or a Tourist Establishment in relation to which the application is made; (c) the information and documents to be presented to the Authority by an applicant Tourist Service or Tourist Establishment, when applying for a license relating to its capacity and ability to provide the service business for which the license is being sought; (d) the design and format of a Trade Name and Symbol which shall be the Trade Name and Symbol of the Authority

	<p>(e) the standards of service required to be adhered to by the different categories of classified tourist services and tourist enterprises and the format to be used for the issue of the Certificate of Standards; and</p> <p>(f) prescribing in consultation with the Authority matters to be included in the Codes of Conduct applicable to the classified Tourist Services specified in section 57;</p> <p>(g) specifying the curricula to be used in the conduct of workshops and training programmes for persons engaged in such services, the process to be adopted by the Authority or such other person or body of persons whom the Authority may designate, in the registration and licensing of Tour Guides, establishment of insurance schemes and the manner of recording and tracking tours undertaken by licensed Tour guides.</p>
<p>Authority to call for books , documents and carry out inspections, surveys &c,.</p>	<p>57. (1) The Authority or any person duly authorized in that behalf by the Authority, may carry out investigations or hold inquiries as the Authority may consider necessary under this Act and for such purpose summon or call upon any person to appear before it to give evidence, or to produce any books or documents in the possession, custody or control of such person, as are required for the purpose of such investigation or inquiry, or enter upon or into any land or structure situated in the area and may make such inspections, surveys, examinations or inquiries as may be necessary for any such purpose.</p> <p>(2) For the purpose of carrying out an investigation or inquiry under any provision of this Act, the Authority may authorize in writing any officer (hereinafter referred to as “Authorized Officer”) to enter at all reasonable hours of the day, any premises of a licensed Tourist Service or any premises of a licensed Tourist Establishment to ascertain whether, -</p> <p>(a) the person who in the opinion of the Authority is carrying on</p>

	<p>the identified Tourist Service, or the person operating the identified Tourist Establishment, is doing so without having obtained therefor a valid license in terms of this Act; or</p> <p>(b) the standards maintained in relation to a licensed Tourist Service or licensed Tourist Establishment are below the standard specified in the Certificate of Standards issued to it; or</p> <p>(c) the steps which the Authority had required a Tourist Service or Tourist Establishment to take to improve its standards and achieve the standard specified in the Certificate of Standards had been duly taken,</p> <p>and inspect and take copies of any records required to be kept under this Act or under any regulation or rule made under this Act or any other law in respect of such business.</p>
	<p>(3) For the purpose of carrying out an investigation or inquiry under subsection (1), an Authorized Officer shall have the power to -</p> <p>(a) stop, enter and inspect any vehicle or vessel, which such officer has reason to believe is transporting tourists in contravention of the provisions of this Act or any regulation made thereunder;</p> <p>(b) search any person or premises if the Authority has received any complaint that such person has contravened the provisions of this Act, regulation, rule or direction made under this Act: provided that no person being a female shall be searched by any person other than a female Authorized Officer;</p> <p>(c) interrogate any person in any such premises or in any such vehicle or vessel.</p>

	<p>(4) Any person summoned or called upon to appear before the Authority or any person duly authorized in that behalf under subsection (1), may be examined orally and any statement made by the person so examined may be reduced to writing. Every such statement reduced to writing shall be signed by the person so examined provided that prior to signing the same, such statement shall be shown or read to such person or if he does not understand the language in which it is written, it shall be interpreted to him in a language he understands and he shall be at liberty to explain, add or delete parts thereof.</p> <p>(5) Every person who fails to appear before the Authority or the person authorized, as the case may be, when required to do so under subsection (1), or who refuses to answer any question put to him by the Authority or a person duly authorized by the Authority or who refuses to produce any book or document in his possession or control when required to do so, or knowingly gives any false answer to any question put to him by the Authority or a person duly authorized by the Authority, shall be guilty of an of an offence under this Act and be liable on conviction after summary trial before a Magistrate to a term of imprisonment of either description not exceeding five years or to a fine not exceeding two Million rupees or to both such imprisonment or fine.</p>
	<p>Part XII</p> <p>PRICE REGULATION ORDERS</p>
<p>Authority to make Price Regulation Orders.</p>	<p>58 (1) The Minister shall on the advice of the Authority, by an Order to be called a "Price Regulation Order", regulate the maximum and minimum prices, rates, fees or charges that may be imposed, levied or recovered for the provision of any Tourist Service for which a license is issued in terms of this Act. Every Order so made shall be published in the <i>Gazette</i>.</p> <p>(2) Prior to tendering its advice to the Minister, the Authority shall</p>

where it appears to be expedient so to do, consult and obtain the views of the persons who would be affected by any Order so made.

(2) Any Price Regulation Order –

- (a) may be made applicable to all Tourist Services operated throughout Sri Lanka, or be limited in its operation only to Tourist Services operated in any specified place or area in Sri Lanka as may be specified in the Order;
- (b) may be limited in its application to any such description of Tourist Services as may be specified in the Order;
- (c) may regulate prices, rates, fees or charges in respect of Tourist Services of different descriptions, or different classes of tourist services of the same description as may be specified in the Order; and
- (d) may prescribe the conditions subject to which such prices, rates, fees or charges may be imposed, levied or recovered by any such Tourist Services, including conditions as to quality and standards of the amenities or facilities afforded by any such Services.

(3) (a) Without prejudice to the generality of the powers conferred by the preceding provisions of this section, the Authority shall, in making any Price Regulation Order have regard primarily, to the necessity of ensuring that any description of Tourist Services of any one class shall not be entitled to impose, levy, demand or recover higher maximum prices or charge lower prices, rates, fees or charges, than any other class of Tourist Services of the same description.

(b) For the purposes of this Part, the term “class”, in relation to any Tourist Service of any description, means the classification of Tourist Services made in terms of subsection (1) of section 48.

	<p>(4) Every Price Regulation Order made by the Minister in terms of subsection (1) of this Act, shall—</p> <ul style="list-style-type: none"> (a) be in operation immediately upon such Order being published in the Gazette; (b) as soon as convenient thereafter, be placed before Parliament for approval; (c) be approved by Resolution of Parliament; and (d) if not approved by Parliament, be deemed to be rescinded with effect from the date of such Resolution, but without prejudice to anything previously done thereunder. <p>(5) Every Price Regulation Order shall continue to be in operation until such Order is rescinded, based on the national interest and the interests of the national economy and the exigencies of the tourist industry, and a new Order is made in its place.</p> <p>(6) A Price Regulation Order may be suspended, amended or varied as may be required in the circumstances. Every suspension, amendment or variation shall be made in the same manner as provided for promulgating a Price Regulation Order in the preceding provisions of this section.</p>
<p>Duties of Proprietor or Manager of a Tourist Service in relation to a Price Regulation Order.</p>	<p>59. Where any Price Regulation Order is for the time being in operation, the proprietor or manager of every Tourist Service to which that Order relates shall—</p> <ul style="list-style-type: none"> (a) maintain, or cause to be maintained, in the prescribed format, a Register of prices, rates, fees or charges levied in respect of each of the services provided by such Tourist Service and referred to in the Order; (b) make, or cause to be made, such Register available for inspection by the Director-General of the Authority or any person authorized in writing in that behalf by the Director-General; and

	<p>(c) exhibit, in a conspicuous place and in such manner as may be directed by the Director-General, a list of the prices, rates, fees or charges referred to in that Order.</p>
<p>Acting in contravention of a Price Regulation Order to be an offence.</p>	<p>60. Any person who acts in contravention of any Price Regulation Order shall be guilty of an offence under this Act and shall be liable on conviction, in addition to any other penalty that may be imposed on him for that offence, to imprisonment of either description for a term not exceeding two years and to a fine not less than rupees one hundred thousand and not more than rupees five million or to or both such fine and imprisonment. Further, upon the conviction of the offender the license issued to such person shall be cancelled.</p>
	<p>PART XIII</p> <p>DECLARATION OF TOURISM ZONES</p>
<p>Declaration of Tourism Zones.</p>	<p>61. (1) The Minister may from time to time, on the recommendation of the Authority, in the national interest and for the promotion of tourism within Sri Lanka, declare by Order published in the <i>Gazette</i>, any area of State or private land to be a Tourism Zone. Every such Order shall be assigned a name and shall have attached thereto a survey plan setting out the extent and the boundaries of the Tourism Zone so declared and a description of the area in which such land is administratively situated.</p> <p>(2) The Authority may prior to making any recommendation under subsection (1), in such manner as shall be prescribed -</p> <ul style="list-style-type: none"> (a) conduct a public hearing after giving due notice, of its intention to declare the identified area as a Tourism Zone, to the residents of that area or any other stakeholders; (b) ascertain the views or objections on the declaration of that area as Tourism Zone.

	<p>(3) The Authority shall have jurisdiction in and over any Tourism Zone declared in terms of this section.</p> <p>(4) The Chairman shall be responsible for ensuring co-ordination of the activities within the any Tourism Zone so declared.</p> <p>(5) The Minister may, by Order published in the <i>Gazette</i>, whenever it becomes necessary in the national interest or for the public good, declare that from a date to be specified in such Order, the limits of any Tourism Zone shall be altered or varied. Every such Order shall also specify the metes and bounds of the areas as altered or varied and be accompanied by a plan depicting the new boundaries thereof.</p>
<p>Order made under section 53 to be to be published in the <i>Gazette</i> and be placed before Parliament for Approval</p>	<p>62. (1) Every Order made in terms of section 53 shall within sixty (60) days of the publication of such Orders in the <i>Gazette</i>, be placed before Parliament for its approval.</p> <p>(2) Any Order which is not approved by Parliament shall be deemed to be revoked with effect from the date of such disapproval. Such revocation shall be without prejudice to anything previously done thereunder.</p> <p>(3) In the computation of such period of fifty days no account shall be taken of any period during which Parliament is prorogued or dissolved.</p>
<p>Applicable procedures in relation to licensed Tourist Services being provided within a Tourism Zone.</p>	<p>63. Upon the declaration of any area as a Tourism Zone, the Authority may, in relation only, to licensed Tourist Services that are carried on or provided within such Tourism Zone as provided for in this Act, exercise, perform and discharge its powers, duties or functions, work in consultation with, or with the assistance of, the relevant government departments, authorities or institutions in whom the powers, duties and functions are conferred, imposed on or assigned to, in terms of any written law. The relevant government departments, authorities or institutions from whom such assistance is being sought by the Authority, shall as soon as practicable in the circumstances, as a matter of priority, render such</p>

	assistance to the Authority.
Regulations relating to a Tourism Zone.	<p>64. Regulation may be made in relation to a Tourism Zone in respect of the following: -</p> <p>(a) the conditions applicable to access to any area within a declared Tourism Zone:</p> <p>Provided that such regulations shall not limit the use of public roads, public monuments, places of worship, public parks, public offices, schools, dispensaries and other public places and facilities provided respectively by the State or a Provincial Council or a local authority, as the case may be, hitherto enjoyed by the residents;</p> <p>(b) procedures to be adopted to ensure the security and safety of the persons entering such areas;</p> <p>(c) measures required for the prevention or mitigation of health hazards within such areas;</p> <p>(c) the conditions applicable for the protection and preservation of the Tourism Zone or any historical or other sites including monuments and antiquities therein in conjunction with the regulatory bodies having rights and interests therein in terms of applicable written laws; and</p> <p>(d) the facilities and sites available within a Tourism Zone for use by tourists, including sites of interest and places of recreation and the conditions applicable to the use of those facilities and sites.</p>
	<p>PART XIV</p> <p>DECLARATION OF NATIONAL HOLIDAY RESORTS OR OTHER TOURISM RELATED AREAS</p>

<p>Declaration of Tourism Zones as National Holiday Resorts.</p>	<p>65. (1) The Minister may on the advice of the Authority, declare by Order published in the <i>Gazette</i>, any identified portion of land within a declared Tourism Zone to be-</p> <ul style="list-style-type: none"> (a) a National Holiday Resort; (b) any other identified area which is tourism related and connected to the facilities available within a Tourism Zone; <p>(2) Every Order made in terms of subsection (1) shall –</p> <ul style="list-style-type: none"> (a) specify the name to be given to the National Holiday Resort or other category so declared; (b) specify the metes and bounds of the areas to be so declared and be accompanied by a plan depicting the boundaries thereof; (c) be placed before Parliament for its approval within sixty (60) days of the publication of such Order in the <i>Gazette</i> and if not approved by Parliament shall be deemed to be revoked with effect from the date of such disapproval. Such revocation shall be without prejudice to anything previously done thereunder <p>(3) Any Order which is not approved by Parliament shall be deemed to be revoked with effect from the date of such disapproval. Such revocation shall be without prejudice to anything previously done thereunder.</p> <p>(4) In the computation of such period of fifty days no account shall be taken of any period during which Parliament is prorogued or dissolved.</p>
<p>Composition &c., of National Holiday Resorts or other</p>	<p>66. A Tourism Zone may comprise any number of National Holiday Resorts or other identified category as declared. The Authority shall be responsible for the overall administration and control of each National</p>

<p>identified category.</p>	<p>Holiday Resort or other category.</p> <p>(3) The Minister may, by Order published in the <i>Gazette</i>, whenever it becomes necessary in the national interest or for the public good, declare that from a date to be specified in such Order, the limits of any National Holiday Resort shall be altered or varied. Every such Order shall also specify the metes and bounds of the areas as altered or varied and be accompanied by a plan depicting the new boundaries thereof.</p>
<p>Functions of the Authority in relation to a National Holiday Resort.</p>	<p>67. (1) The functions of the Authority in relation to each National Holiday Resort shall be-</p> <ul style="list-style-type: none"> (a) to establish and maintain within such resort any public utility service, recreational facilities and cultural activities for the benefit of people residing in or visiting such resort; (b) to undertake and promote any development for the comfort, convenience or welfare of those residing within, or visiting, such resorts and to provide all such amenities as the Authority may deem necessary; (c) to take such steps as may be required to protect the fauna and flora, wildlife, historical sites and other monuments in such holiday resort; (d) to promote measures for public health; and (e) to levy such fees and charges as may be necessary for services and amenities provided by the Authority. <p>(2) Regulations may be made to facilitate the establishment, operation and implementation of the matters specified in subsection (1)</p>
<p>Wilful obstruction of an officer in the</p>	<p>68. Whoever shall wilfully obstruct within a declared National Holiday Resort, any officer engaged in the lawful discharge of any function</p>

<p>lawful discharge of his functions in relation to a National Holiday Resort, an offence</p>	<p>delegated to such officer by the Authority or in terms of any regulation made in relation thereto, shall be guilty of an offence under this Act, and shall be liable on conviction to be punished with a fine not exceeding two hundred and fifty thousand rupees.</p>
	<p style="text-align: center;">PART XV</p> <p style="text-align: center;">GENERAL PROVISIONS RELATING TO TOURISM ZONES AND NATIONAL HOLIDAY RESORTS OR OTHER DECLARED CATEGORY</p>
<p>Trekking routes and Nature Trails.</p>	<p>69. (1) Trekking routes and nature trails may be declared and identified for such use within any Tourism Zone. or National Holiday Resort.</p> <p>(2) A permit shall be issued by the Authority for the use of a trekking route or a nature trail. A permit shall be issued on payment of such fee as shall be prescribed by regulation. The manner in which such areas should be used shall also be prescribed. The Minister shall make regulations in consultation with or with the assistance of, the Authority and such other relevant Regulatory Authority.</p>
<p>Interfering with the privacy of any person within a Tourism Zone or a National Holiday Resort to be an offence.</p>	<p>70. (1) Any person who within a Tourism Zone or National Holiday Resort, acts in such a manner as to prevent any other person –</p> <ul style="list-style-type: none"> (a) from enjoying the facilities or sites within such Tourism Zone or National Holiday Resort unless otherwise prohibited by the Authority; (b) does any act which interferes with the privacy of any other person; (c) contravenes by any act or omission any regulation made under any law for the time being in force relating to the aforesaid matters, <p>shall be guilty of an offence and shall on conviction after trial be liable to a</p>

	<p>fine not less than rupees fifty thousand and not exceeding rupees one hundred thousand.</p> <p>(2) For the purposes of this Part, “privacy” shall include the right of any person to be left alone in his enjoyment of the environment, and the facilities and services available within a Tourism Zone or National Holiday Resort, without any intrusion or harassment, which intrusion or harassment may be considered as offensive to a reasonable person.</p>
<p>Modified application of the Municipal Councils Ordinance, the Urban Councils Ordinance and the Pradeshiya Sabha Act, within a declared Tourism Zone.</p>	<p>71. (1) From and after the date of the coming into operation of this Act, unless otherwise stated to the contrary herein –</p> <ul style="list-style-type: none"> (a) the Municipal Councils Ordinance (Chapter 252) as amended from time to time; (b) the Urban Councils Ordinance (Chapter 255) as amended from time to time; (c) the Pradeshiya Sabha Act, No. 15 of 1987 <p>shall, for the purpose of the effective implementation of the provisions of this Act, have effect within an area declared as a “Tourism Zone” as provided for in this Act, in the manner and subject to the modifications as are set out in subsection (2):</p> <p>Provided that regulations made under either the Municipal Councils Ordinance, the Urban Councils Ordinance or the Pradeshiya Sabha Act and which are in force on the date of the coming into operation of this Act, shall also be operative within the area declared as a Tourism Zone as provided for in this Act, until regulations are made under this Act:</p> <p>Provided further any regulation made under the Municipal Councils Ordinance, the Urban Councils Ordinance or the Pradeshiya Sabha Act and which is applicable within the area declared as a Tourism Zone as provided for in this Act, shall, upon the making of a corresponding regulation in terms of this Part of this Act facilitating the detailed, precise</p>

	<p>and efficient implementation of the said Laws within the area declared as a Tourism Zone as provided for in this Act, cease to be applicable within the said Tourism Zone with effect from the date of the making of the regulation under this Act.</p> <p>(2) From and after the coming into operation of this Act, the Authority shall, in any instance where the said Municipal Councils Ordinance, the Urban Councils Ordinance or the Pradeshiya Sabha Act are applicable within the area declared as a Tourism Zone as provided for in this Act, <i>mutatis mutandis</i>, exercise, perform and discharge all or any of the powers, duties or functions, vested in or assigned to, the respective local authorities, in like manner as though a reference in the aforesaid Municipal Councils Ordinance, Urban Councils Ordinance or the Pradeshiya Sabha Act -</p>
	<p>(a) to a “Municipal Council, an Urban Council or a Pradeshiya Sabha”, respectively, were a reference to the “Sri Lanka Tourism Authority” established in terms of section 2 of this Act;</p> <p>(b) to a “local authority” were a reference to a “Tourism Zone” declared in terms of section 53 of this Act;</p> <p>(c) to the “Minister” were a reference to the “Minister in charge of the subject of Local Authorities”.</p> <p>(3) The Authority may in writing designate a person or persons to exercise, discharge and perform, within a Tourism Zone, any power, duty or function vested or assigned by the Municipal Councils Ordinance, the Urban Councils Ordinance or the Pradeshiya Sabha Act respectively.</p>
<p>Regulation may be made in respect of subjects vested in or assigned to any Regulatory</p>	<p>72. (1) For the purpose of enabling the Authority to exercise, perform or discharge, within any National Holiday Resort, any power, duty or function under any written law for the time being in force and which relates to a subject or function vested in or assigned to a relevant</p>

<p>Authority in consultation with or with the assistance of such Authorities.</p>	<p>Regulatory Authority, the Minister to whom the subject of Tourism has been assigned, may make regulations in consultation with, or with the assistance of, the relevant Regulatory Authorities in whom the subjects or functions dealt with by such written laws has been vested in, or assigned to.</p>
<p>The Authority to request assistance from any local authority or Relevant Regulatory Authority where so required for its activities within a Tourism Zone.</p>	<p>73. (1) Regulations may be made from time to time, for the purposes of this Part of this Act, <i>inter alia</i>, to provide for the expeditious facilitation of the activities of the Authority, which would be implemented or executed in terms of an approved Tourism Development Plan, in consultation or with the assistance of, any local authority or other relevant Regulatory Authority having interest over or in the land comprising the Tourism Zone:</p> <p>Provided that, any regulation which is to be enacted in pursuance of this section and which seeks to amend, modify, limit or suspend the exercise of the powers, duties or functions vested in or assigned to any local authority or any relevant Regulatory Authority by or under any applicable laws set out in Schedule I to this Act, the Authority shall do so in consultation with or with the assistance of, the relevant Regulatory Authority.</p> <p>(2) The local authority or relevant Regulatory Authority from whom such assistance is being sought, shall as a matter of priority in the circumstances, render such assistance to the Authority.</p> <p>(3) To ensure the expeditious facilitation of its powers, duties and functions the Authority may require any relevant Regulatory Authority to operate an Office within the area comprising the Tourism Zone. The relevant Regulatory Authority shall ensure that such office is managed by officers of sufficient seniority and authority, to ensure expeditious implementation of the provisions of the aforesaid laws.</p> <p>(4) For the purposes of this section “relevant Regulatory Authority” includes the Registrar General of Lands, the Director-General of the</p>

	<p>Urban Development Authority, the Director-General of the Central Environmental Authority, the Director General of the Department of Coast Conservation and Coastal Resource Management, the Director General of the Department of Wild Life Protection, the Director – General of the Department of Archaeology, and the Director – General Town and Country Planning or such other regulatory authority or approving authority, and in whom the powers, duties and functions relating to the respective subjects are vested in, or assigned to, in terms any applicable written law set out in Schedule I to this Act.</p>
	<p style="text-align: center;">PART XVI</p> <p style="text-align: center;">MAINTENANCE OF JUNKYARDS</p>
<p>Protection of highways and places of scenic beauty and control of junk yards</p>	<p>74. (1) The Minister may make regulations prescribing a Code of Conduct which shall comprise all objectives, requirements and procedures to ensure that junkyards situated with a Tourism Zone or a National Holiday Resort, shall be maintained in such manner as will promote the preservation of natural and scenic beauty of the environment and safeguard the safety and recreational value of public travel in and around any area demarcated for the purpose of sustaining a junkyard:</p> <p style="padding-left: 40px;">Provided that no land demarcated for the purposes of a junkyard shall be alienated under the provisions of any written law, except with the prior written approval of the Minister.</p> <p style="padding-left: 40px;">(2) Any alienation in contravention of subsection (1) shall be null and void and of no force or effect in law.</p>
	<p style="text-align: center;">PART XVII</p> <p style="text-align: center;">RESTHOUSES</p>

<p>Resthouses to vest in Authority consequent to the making of an Order.</p>	<p>75. (I) Notwithstanding anything contained in any other written law for the time being in force, the Minister may in furtherance of the objectives of the tourism industry, by Order published in the <i>Gazette</i>, vest any Resthouse in the Authority:</p> <p>Provided that, if the management and control of any Resthouse is vested in a local authority, the Minister shall, prior to the making of such Order, obtain the concurrence of the Minister to whom the subject of Local Government has been assigned, for the making of the vesting Order in terms of subsection (1):</p> <p>Provided further, if Minister proposes to make an Order in terms of subsection (1) in respect of a Resthouse which is not vested in any local authority, the Minister shall, prior to the making of such Order obtain the concurrence of the Minister to whom the subject of Home Affairs has been assigned, for the making of the vesting Order in terms of subsection (1).</p> <p>(2) An Order made by the Minister under subsection (1) shall with effect from the date specified therein, vest absolute title to the Resthouse specified in such Order, in the Authority, including the land in or upon which such Resthouse is situated free from all encumbrances.</p>
	<p style="text-align: center;">PART XVIII</p> <p style="text-align: center;">THE FORESHORE</p>
<p>Provisions relating to the foreshore.</p>	<p>76. (1) The Minister may, with the concurrence of the Minister to whom the subject or function of State Lands has been assigned by the President under the Constitution and the Minister to whom the subject of Coast Conservation has been assigned, and for the purpose of the development of the Tourism industry by Order published in the <i>Gazette</i>, vest in the Authority the administration, control, custody and management of such part of the foreshore as shall be specified in the Order. Such Order shall come into force on the date of its publication</p>

	<p>in the <i>Gazette</i>, or on such later date as may be specified therein.</p> <p>(2) For so long, and so long only, as any Order under subsection (1) is in force in respect of any part of the foreshore, -</p> <p>(a) section 58 of the State Lands Ordinance shall have effect in such part of the foreshore as though the reference therein to the State were a reference to the Authority; and</p> <p>(b) any other enactment, the provisions of which are applicable to the foreshore, shall have effect in that part of the foreshore, subject to the modification that it shall be lawful for the Authority in consultation with the relevant regulatory authorities,-</p> <p>(i) to make or issue for that part of the foreshore any regulation under any such enactment; and</p> <p>(ii) to exercise, discharge or perform in that part of the foreshore such powers, functions or duties set out in such enactment as is connected to the tourist industry,</p>
	<p>in like manner as though reference in any such other enactment to the authority, officer or person empowered to make or issue subsidiary written law, or to exercise or discharge or perform such powers, functions or duties, includes reference to the Authority.</p> <p>(2) For so long, and so long only, as any Order under subsection (1) is for the time being in force in respect of any part of the foreshore, no authority or officer or person in whom any powers, functions or duties are conferred or imposed by any other enactment shall, within that part of the foreshore, exercise or discharge or perform any such powers, functions or duties except with the concurrence of the Authority.</p> <p>(3) Regulations may be made under this Act, with the concurrence of</p>

	<p>the Ministers to whom the subjects or functions of Fisheries, Local Government and Coast Conservation have been assigned by the President under the Constitution, for the protection of the rights of fishermen using any part of the foreshore in respect of which an Order subsection (1) is in force.</p>
	<p style="text-align: center;">PART IXX</p> <p style="text-align: center;">ACQUISITION AND VESTING OF LAND FOR TOURISM DEVELOPMENT PROJECTS</p>
<p>Acquisition of land for Tourism Development Projects under the land Acquisition Act (chapter 460).</p>	<p>77. (1) Where any land or interest in land is required by the Authority for the purpose of any Tourism Development Project, whether such project is to be carried out by the Authority or by any other person under the general direction and control of the Authority, appropriate steps may be taken to acquire such land or interest therein, in terms of the provisions of the Land Acquisition Act, (Chapter 460).</p> <p>(2) The provisions of the said Land Acquisition Ordinance shall apply to such acquisition and the Tourism Development Project for which the land is required by the Authority shall be deemed to be a public purpose within the meaning and for the purposes of the said Land Acquisition Act.</p> <p>(3) Where any land is, in pursuance of subsection (1), acquired under the Land Acquisition Act so as to be made available to the Authority for the purpose of any Tourism Development Project, the acquiring officer of the district in which that land is situated shall, after possession of that land has been taken for and on behalf of the State, by a Certificate issued under his hand, vest such land in the Authority, subject to such conditions or restrictions, if any, as may be specified in the Certificate.</p>
	<p>(4) No Order, acquisition or subsequent vesting shall be deemed to have been, and to be, invalid by reason only of the fact that such land is</p>

	<p>subsequently alienated by the Authority to any other person for the purpose of implementing the said project under and in accordance with the provisions of this Act</p> <p>(5) In section 49A of the Land Acquisition Act the expression "public corporation" shall be deemed to include the Authority and that expression shall, for the purposes of that Act, be construed accordingly.</p> <p>(6) Notwithstanding anything to the contrary in the Land Acquisition Act, where any land in any area is, in pursuance of the provisions of this Part, acquired under the Land Acquisition Act for the purpose of being made available to the Authority for any Tourism Development Project, then, in ascertaining the market value of the land for the purpose of determining the compensation payable in respect of that land, no account shall be taken of any benefit or increase which has accrued or is likely to accrue, directly or indirectly, from any work of development or any other operation carried out by the Authority in pursuance of the provisions of this Act.</p>
<p>Saving of third parties right to compensation in the case of acquisition.</p>	<p>78. Where any land is, in pursuance of section 77, acquired under the Land Acquisition Act so as to be made available to the Authority for the purpose of a Tourism Development Project and is subsequently vested in the Authority under this Act, no compensation or damages shall be payable by the Authority to any other person for any loss incurred by him, whether directly or indirectly, or by way of business or otherwise, by reason only of the fact of such compulsory acquisition and subsequent vesting and, accordingly, such other person shall not be entitled to demand or receive such compensation or damages from the Authority:</p> <p>Provided, however, that nothing in the preceding provisions of this section shall be deemed or construed to prejudice or affect the right to compensation, to which any person interested in that land within the meaning of that Act is or was entitled, from the State or any other</p>

	<p>person under the provisions of that Act in respect of such compulsory acquisition of that land.</p>
<p>Vesting of Lands under the State Lands Ordinance (Chapter)</p>	<p>79. (1) Notwithstanding anything in the State Lands Ordinance or in any other written law, where the Minister certifies that any State land is required to be made available to the Authority for the purpose of any Tourism Development Project, whether such project is to be carried out by the Authority or by any other person under the general direction and control of the Authority, the Minister may, with the concurrence of the Minister to whom the subject or function of Lands has been assigned by the President under the Constitution, by Order (hereafter in this Act referred to as a "Vesting Order ") published in the <i>Gazette</i>, vest such land in the Authority, with effect from such date as shall be specified in the Vesting Order, subject to such restrictions or conditions, if any, as may be specified therein.</p> <p>(2) A Vesting Order shall have the effect of giving the Authority absolute title, free from all encumbrances to any land specified in the Vesting Order with effect from the date specified therein.</p> <p>(3) The vesting of any State land in the Authority shall not be deemed to convey any right to any mineral, mineral product or mineral oil in, upon or under that land, unless otherwise expressly provided in the instrument of alienation and save as otherwise so expressly provided, any such mineral, mineral product and oil shall, notwithstanding any such vesting, be deemed to remain and shall remain the absolute property of the State.</p>
<p>Survey plans of land vested in the Authority to be made forthwith.</p>	<p>80. Where any State land is, in pursuance of section 77 or section 78 to be vested in the Authority, the Chairperson of the Authority may, if there is no plan of that land made by the Surveyor-General's Department, forthwith cause a survey to be carried out and a survey plan of such lands to be made by a licensed surveyor approved by the Surveyor-General.</p>

<p>Regulations for this Part.</p>	<p>81. Regulations may be made under this Part of this Act, prescribing the procedure to be followed for the acquisition and vesting of lands under this part, the matters to be included in the Certificate and the Vesting Order and the format thereof and steps to be taken to ensure the making of the survey plan.</p>
	<p style="text-align: center;">PART XX</p> <p style="text-align: center;">ALIENATION OF LAND BY THE AUTHORITY</p>
<p>Conditions to attach to the alienation of land by the Authority.</p>	<p>82. (1) Without prejudice to the generality of the powers conferred on the Authority, the Authority may for the purpose of any implementing any Tourism Development Project, with the approval of the Minister, alienate, any land held by the Authority, subject to –</p> <ul style="list-style-type: none"> (a) conditions as are specified in the succeeding provisions of this Chapter; and (b) further conditions as the Authority may, in its absolute discretion, deem necessary to specify in the instrument of alienation, and in particular, but without prejudice to the generality of the foregoing provisions of this paragraph, a condition to the effect that the alienation effected by such instrument may be cancelled or determined in the event of a failure to comply with any other condition specified in such instrument, or in the event of any money due to the Authority under such instrument remaining unpaid for any such period as may be specified therein. <p>(2) Nothing in the State Lands Ordinance shall affect, or be deemed or construed to affect, the alienation of any State land held by the Authority for the purpose of any Tourism Development Project.</p> <p>(3) No land vested in the Authority under the provisions of this</p>

	<p>Act or any other written law shall be alienated by the Authority by way of gift save to a local authority or to any Government-sponsored board or corporation constituted under any law.</p>
<p>Special conditions for alienation by way of sale and otherwise.</p>	<p>83. (1) It shall be a condition of every alienation of any land, by the Authority by way of sale, under this Part –</p> <p>(a) that the vendee shall, at his own expense, carry out the provisions of any Tourism Development Project for the time being in operation in respect of such land, and do all the necessary work and take all the necessary measures in, upon or in relation to such land or any structure thereon within the period specified by the Authority in the instrument of alienation, or such further period as the Authority may thereafter specify, from time to time;</p> <p>(b) that, in the event of the vendee failing to do so within the stipulated period or further period so specified, the sale effected by such instrument may be cancelled or terminated by the Authority; and</p> <p>(c) that the vendee shall have no right to any timber in or upon such land, and accordingly, that such timber shall, notwithstanding such alienation by way of sale, be deemed to remain the property of the Authority.</p> <p>(2) It shall be a condition of every alienation of any land by the Authority, otherwise than by way of sale, under this Part –</p> <p>(a) that the person to whom the land is alienated shall, at his own expense, carry out the provisions of any tourist development project for the time being in operation in respect of such land, and do all the necessary work and take all the necessary measures in, upon or in</p>

	<p>relation to such land or any structure thereon, within the period specified by the Authority in the instrument of alienation, or such further period as the Authority may thereafter specify, from time to time;</p> <p>(b) that, in the event of the person to whom the land is alienated failing to do so within the stipulated period or further period so specified, the alienation effected by such instrument may be cancelled or terminated by the Authority; and</p> <p>(c) that the alienee shall have no right to any timber in or upon such land, and accordingly, that such timber shall, notwithstanding such alienation, remain the property of the Authority.</p> <p>(3) Regulations may be made prescribing the matters to be included in the instrument of alienation and the procedures to be followed in complying with the alienation by way of sale or otherwise by the Authority and for the cancellation and termination of an instrument of alienation.</p> <p>(4) Regulations shall also be made facilitating the process by which the Authority should ensure that, the vendee or the person to whom land has been alienated by the Authority, is utilising any loan or other financial accommodation obtained by such vendee or person solely for the purpose of implementing the Tourism Development Project for which the land was so alienated.</p>
	<p style="text-align: center;">PART XXI</p> <p style="text-align: center;">PROSECUTION AND OFFENCES</p>

<p>Compounding of offences,</p>	<p>84. (1) Any offence under this Act may, if no prosecution for such offence is pending be compounded by the Director - General of the Authority on the payment by the accused of such sum of money as may be determined by the Director - General of the Authority or if a prosecution for such offence is actually pending, be so compounded by the Director - General of the Authority with the concurrence of the Magistrate, upon the Magistrate recording reasons for so compounding.</p> <p>(2) The compounding of an offence under this section shall have the effect of an acquittal.</p> <p>(3) Moneys paid by the accused person for the purpose of compounding an offence shall be credited to the Fund of the Authority.</p>
<p>Offences.</p>	<p>85. (1) Every person who—</p> <p>(a) contravenes any provision of this Act or any requirement imposed under the provisions of this Act or of any regulation or rules made thereunder;</p> <p>(b) furnishes or produces, for the purposes of this Act or any requirement imposed under the provisions of this Act or of any regulation or any rule made thereunder, any information which is or any return, document or statement, the contents of which are, to his knowledge, untrue, incorrect or misleading;</p> <p>(c) wilfully obstructs any member of the Authority or the Institute or any officer or member of the staff of the Authority or the Institute in the performance of their duties under the provisions of this Act</p> <p>shall be guilty of an offence.</p>
	<p>(2) Any person who is found guilty of an offence under this Act for</p>

	<p>which no penalty is expressly provided for under this Act, shall be liable on conviction after summary trial by a Magistrate to imprisonment of either description for a period not less than two years and not exceeding five years or to a fine of not less than one million rupees and not exceeding five million rupees or to both such imprisonment and fine.</p>
	<p>(3) Where any person convicted of an offence under this Act continues to commit such offence after the conviction, a Magistrate may upon an application for closure being made by the Director-General or any officer authorized in that behalf by the Authority, order the closure of the Tourist Service being carried at such premises or the Tourism Establishment, as the case may be.</p>
<p>No prosecution to be instituted other than with the sanction of the Authority,</p>	<p>86. (1) No prosecution for an offence under this Act shall be instituted in any Court except with the written sanction of the Authority or an officer of the Authority, expressly authorised in that behalf.</p> <p>(2) An officer authorised in writing by the Authority shall for the purpose of instituting proceedings in respect of offences under this Act, be deemed to be a public officer within the meaning and for the purposes of, section 136 of the Code of Criminal Procedure Act, No. 15 of 1979,.</p>
<p>Offences by a body of persons.</p>	<p>87. Where an offence under this Act is committed by a body of persons, then –</p> <p>(a) if that body of persons is a body corporate, every director and officer of that body corporate ; or</p> <p>(b) if that body of persons is a firm, every partner of that firm,</p> <p>shall be deemed to be guilty of that offence:</p> <p>Provided that, a director or an officer of such body corporate, or a partner of such firm, shall not be deemed to be guilty of such offence if he proves that such offence as committed without his knowledge or that he exercised,</p>

	due diligence to prevent the commission of such offence.
	PART XXII MISCELLANEOUS PROVISIONS
Regulations.	<p>88. (1) The Minister may make regulations in respect of matters for which regulations are authorized or required to be made or to be prescribed by this Act.</p> <p>(a) the terms and conditions subject to which alienations of land may be made by the Authority under this Part ;</p> <p>(b) prescribing the procedure for the registration of documents hereby the nomination of successors or life holders is effected or cancelled, and for matters connected therewith or incidental thereto, including the registers which shall be kept and the fees which shall be charged for such registration ;</p> <p>(c) the manner of the publication or service of notices or of the service of other process ;</p> <p>(d) the procedure for the payment of compensation by the Authority and for matters connected therewith or incidental thereto ;</p> <p>(2) Every regulation made by the Minister shall be published in the <i>Gazette</i> and shall come into operation on the date of such publication or on such later date as may be specified, in the regulation.</p> <p>(3) Every regulation made by the Minister shall as soon as convenient, after the date of its publication, be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded from the date of such disapproval but without prejudice to anything previously done thereunder.</p> <p>(4) Notification of the date on which any regulation is deemed to be so</p>

	rescinded shall be published in the <i>Gazette</i> .
Protection of actions done in good faith.	<p>89. (1) No suit or prosecution shall lie against any member, officer, staff or agent of the Authority for any act which in good faith is done or purported to be done by him under this Act or any regulation or rule made thereunder or on the direction of the Authority.</p> <p>(2) Any expense lawfully incurred by the Authority in any suit or prosecution brought by or against the Authority before any Court shall be paid out of the Fund of the Authority, and any cost paid to, or recovered by, the Authority in any such suit or prosecution shall be credited to the Fund of the Authority.</p> <p>(3) Any expenses incurred by any such person as is referred to in subsection (1) in any suit or prosecution brought against him before any court in respect of any act which is done or is purported to be done by him under this Act or any regulation or rule made thereunder or on the direction of Authority shall, if the court holds that such act was done in good faith, be paid out of the Fund of the Authority, to such person, unless such expense is recovered by him in such suit or prosecution.</p>
No writ to lie against the Authority.	90. No writ against person or property shall issue against a member of the Authority in any action brought against the Authority.
Instruments issued by or signed by the Authority to be deemed to be <i>prima facie</i> evidence.	91. Every instrument purporting to be an instrument issued by the Authority and sealed as required by this Act or signed by or on behalf of the Authority shall be admissible in evidence and be deemed to be <i>prima facie</i> evidence of the matters stated therein.
Authority to collect information required for the preparation of development plans &c.,	92. The Authority or any person authorized in that behalf by the Authority may by notice require any person to furnish to the Authority or the person so authorized, within such period as shall be specified in the notice, all such returns or information as are within the possession or knowledge of that person relating to such matters as may be required in

	<p>order to facilitate the preparation by the Authority of Tourism or other Development Plans or Schemes necessary for the implementation of the provisions of this Act.</p>
Service of documents &c.,	<p>93. (1) Any notice, order, instrument or other document required under to be served on any person, may be served-</p> <p>(a) by delivering it to that person ; or</p> <p>(b) by leaving it at the usual or last known place of abode of that person, or in the case of a body corporate, at the registered office of that body.</p> <p>(2) Any document which is served in accordance with the provisions of subsection (1) shall be deemed to have been duly served on the person to whom it is addressed.</p>
	<p>PART XXIII</p> <p>AMENDMENTS, REPEALS AND TRANSITIONAL PROVISIONS</p>
Repeal of the Tourism Act, No. 38 of 2005 and transitional and savings provisions.	<p>94. (1) Tourism Act, No. 38 of 2005 is hereby repealed with effect from the date of the coming into operation of this Act.</p> <p>(2) From and after the repeal of the Tourism Act, No. 38 of 2005,—</p>
	<p>(a) all movable and immovable property vested in the Sri Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau in terms of the repealed Tourism Act, No. 38 of 2005, on the day preceding the date of repeal, shall, with effect from the date of the coming into operation of this Act, vest in the Authority established in terms of section 2 of this Act;</p> <p>(b) all contracts and agreements entered into by or with the Sri</p>

	<p>Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau under the repealed Tourism Act, No. 38 of 2005 and subsisting on the day preceding the date of repeal, shall, with effect from the date of the coming into operation of this Act, be deemed to be contracts and agreements entered into by or with the Authority established in terms of section 2 of this Act;</p>
	<p>(c) all actions and proceedings instituted by or against the Sri Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau under the repealed Tourism Act, No. 38 of 2005 and pending on the day preceding the date of repeal, shall, with effect from the date of the coming into operation of this Act, be deemed to be actions and proceedings instituted by or against the Authority established in terms of section 2 of this Act as the case may be, and may be continued and completed accordingly;</p> <p>(d) all persons who were members, officers and staff of the Sri Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau under the repealed Tourism Act, No. 38 of 2005 on the day preceding the date of repeal, shall, with effect from the date of the coming into operation of this Act, be deemed to be members, officers and staff of the Authority established in terms of section 2 of this Act, and continue to be employed on terms no less favourable to those enjoyed by them prior to the repeal;</p>
	<p>(e) all judgments and orders entered in favour of, or against, the Sri Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau established under the repealed Tourism Act, No. 38 of 2005 and remaining unsatisfied on the date preceding the date of repeal, shall, with effect from the date of the coming into operation of</p>

	<p>this Act, be deemed to be judgments and orders made in favour of, or against, the Authority established in terms of section 2 of this Act, as the case may be, and may be enforced accordingly;</p> <p>(f) all training schools and institutes being controlled and managed by the Sri Lanka Tourism Development Authority under the repealed Tourism Act, No. 38 of 2005 on the date preceding the date of repeal, shall, with effect from date of the coming into operation of this Act, be deemed to vest in the Sri Lanka Institute of Tourism and Hospitality Management established in terms of section 37 of this Act;</p> <p>(g) all Orders, Regulations, Rules or Codes made under the repealed Tourism Act, No. 38 of 2005 and the Tourist Development Act, No. 14 of 1968 repealed in terms of section 94 of this Act, and in force on the day preceding the date of the coming into operation of this Act, shall, with effect from the date of the coming into operation of this Act, continue to be valid and effective as if made in terms of the provisions of this Act, unless expressly repealed or are inconsistent with the Orders, Regulations, Rules or Codes made in terms of this Act;</p> <p>(h) any rest house vested in the Director, Tourist Board or the Tourist Development Authority in terms of the Tourist Development Act, No. 14 of 1968 repealed in terms of section 95 of this Act, or the Sri Lanka Tourism Development Authority in terms of the repealed Tourism Act, No. 38 of 2005 respectively, as on the day preceding the date of the coming into operation of this Act, shall, with effect from the date of the coming into operation of this Act, vest free from all encumbrances in the Authority established in terms of section 2 of this Act.</p>
<p>Repeal of the Tourism Act, No. 38 of 2005 and transitional</p>	<p>95. (1) The Tourist Development Act, No. 14 of 1968 is hereby repealed with effect from the date of the coming into operation of this Act.</p>

and savings provisions.

(2) From and after the repeal of the Tourist Development Act, No. 14 of 1968,—

all movable and immovable property vested in the Sri Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau in terms of the repealed Tourism Act, No. 38 of 2005, on the day preceding the date of repeal, shall, with effect from the date of the coming into operation of this Act, vest in the Authority established in terms of section 2 of this Act;

(b) all contracts and agreements entered into by or with the Sri Lanka Tourism Development Authority, the Sri Lanka Tourism Promotion Bureau and the Sri Lanka Convention Bureau under the repealed Tourism Act, No. 38 of 2005 and subsisting on the day preceding the date of repeal, shall, with effect from the date of the coming into operation of this Act, be deemed to be contracts and agreements entered into by or with the Authority established in terms of section 2 of this Act;

all Orders, Regulations, Rules or Codes made under the repealed Tourism Act, No. 38 of 2005 and the Tourist Development Act, No. 14 of 1968 repealed in terms of section 95 of this Act, and in force on the day preceding the date of the coming into operation of this Act, shall, with effect from the date of the coming into operation of this Act, continue to be valid and effective as if made in terms of the provisions of this Act, unless expressly repealed or are inconsistent with the Orders, Regulations, Rules or Codes made in terms of this Act;

any resthouse vested in the Director, Tourist Board or the Tourist Development Authority in terms of the Tourist Development Act, No. 14 of 1968 repealed in terms of section 97 of this Act, or the Sri Lanka Tourism Development Authority in terms of the repealed Tourism Act, No. 38 of 2005 respectively, as on the day preceding the date of the coming into operation of this Act, shall, with effect from the date of the coming into

	operation of this Act, vest free from all encumbrances in the Authority established in terms of section 2 of this Act.
Amendment of the Finance Act, No, 25 of 2003 by the repeal of Part II.	96. The Finance Act, No. 25 of 2003 is hereby amended by the repeal of Part II thereof,
Amendment of the Excise Ordinance (Chapter)	<p>97. The Excise Ordinance (Chapter) is hereby amended by the addition of the following new section :</p> <p>“.... (1) The Minister, may at the request of the Minister in charge of the subject of Tourism, pursuant to an Order made by the Minister in charge of the subject of Tourism under section [] of the Sri Lanka Tourism Act No [] of 2010 categorizing Tourist Services, direct the Commissioner of Excise to issue to persons engaged in the business of providing the particular categories of tourist services, licenses to import, sell, store and serve any type of alcoholic beverage within the premises in which such person provides the said services.</p> <p>(2) The Minister may, in consultation with the Minister in charge of the subject of Tourism, make regulations relating to the terms and conditions that will be applicable to tourist services that have been granted a license in terms of subsection (1), the duration and the fees payable by such tourist services in respect of that license.”</p>
Sinhala text to prevail in case of inconsistency.	98. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
	PART XXIV
	INTERPRETATION
Interpretation	99. In this Act, unless the context otherwise requires-

	<p>“alienation” with its grammatical variations and cognate expressions, means any transaction of whatever nature affecting land or the title thereto or an interest therein, and includes any conveyance, transfer, grant, surrender, exchange, lease or mortgage of land;</p> <p>“Authority” means the Sri Lanka Tourism Authority established under section 2 of this Act;</p> <p>“Business Event” includes any public or private event hosted by an organisation or organisations, held at a specific venue or venues, where the participants share a common interest or vocation;</p> <p>“Code” means any Code prescribed by regulations made under this Act;</p> <p>“Domestic tourism”</p> <p>“Eco-tourism”</p>
	<p>“foreshore” means the shore of the Island of Sri Lanka between the high-water mark and the low-water mark;</p> <p>“land” includes -</p> <ul style="list-style-type: none"> (a) any interest in land; (b) the bed of any lake or stream; (c) things attached to the earth or permanently fastened to anything attached to the earth; (d) any resthouse; <p>“National Holiday Resort” mean any area declared to be a National Holiday Resort in terms of section 68 of this Act;</p>
	<p>“Resthouse” includes any land appertaining to any resthouse, and any <i>ambalama</i>, <i>maddum</i> or any public building used for travellers to shelter;</p>

	<p>"timber" shall have the same meaning as in the Forest Ordinance (Chapter);</p>
	<p>"tourist" means a person traveling to, from, or in Sri Lanka, whether or not such person is a resident of Sri Lanka and includes any person who uses the facilities provided by a tourist service;</p>
	<p>"Tourism Development Project" means a Project for the implementation of any Tourism Development Purpose;</p> <p>"Tourism Zone" means mean any area declared to be a Tourism Zone in terms of section 64 of this Act;</p>

Draft for discussion 001