

My No. CPC/A/12/90 (vii).

CENTRAL PROVINCIAL COUNCIL

IT is hereby notified that the following Statute has been unanimously passed by the Central Provincial Council on 26.11.1991 and the Honourable Governor's Assent has been received by his letter No. GCP/AS/3 of 08.01.1992.

P. R. RANASINGHA,
 Assembly Secretary,
 Central Provincial Council.

Central Provincial Council,
 Assembly Secretariat,
 P.O. Box 92,
 Palkekele,
 Kundasale,
 17th August, 1992.

Sports Statute No. 09 of 1990 of the Provincial Council of the Central Province

A STATUTE TO PROVIDE FOR THE ESTABLISHMENT OF THE PROVINCIAL SPORTS COUNCIL, DISTRICT SPORTS COMMITTEES, DIVISIONAL SPORTS COMMITTEES : FOR THE ESTABLISHMENT OF A SPORTS FUND : FOR THE REGISTRATION AND SUPERVISION OF SPORTS ORGANIZATION : FOR THE ESTABLISHMENT OF SPORTS SCHOLARSHIPS AWARDS : FOR THE ESTABLISHMENT OF SPORTS ARENAS AND TO PROVIDE FOR ALL OTHER MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Be it passed by the Provincial Council of the Central Province of the Democratic Socialist Republic of Sri Lanka as follows.

Short title

1. This statute may be cited as the Sports Statute No. 09 of 1990 of the Provincial Council of the Central Province of Sri Lanka and shall come into operation on the date of the Governor's assent.

Establishment of Sports Councils, etc.

2. For the purposes set out in this statute, there may be established in accordance with the succeeding Provisions of this statute -

- (a) A Provincial Sports Council ;
- (b) Three District Sports Committees ;
- (c) Such number of Divisional Sports Committees as the Minister may determine ;
- (d) a Fund called the "Provincial Sports Fund" ;
- (e) a Sports Scholarship Awards ;
- (f) Such number of Sports Arenas as the Minister may determine.

Appointment of Director of Sports and other officials.

3. (1) There shall be appointed a Director of Sports who shall be responsible for the due performance of the duties and functions assigned to him by the Minister under this statute.

(2) There may be appointed one or more Assistant Directors of Sports and such other officers as may from time to time be required for the purposes of this statute.

(3) All officers appointed under Sub-section (1) and (2) of this Section shall be deemed to be state officers within the meaning of the Penal Code.

(4) No suit shall lie against any officer acting under this law for anything done or omitted to be done by him in good faith.

(5) In the exercise of their powers and the carrying out of their duties and functions, all officers appointed under this Section shall comply with any general or special directions issued by the Minister or the Secretary to the Ministry.

PART I

ESTABLISHMENT OF A CENTRAL PROVINCE SPORTS COUNCIL,
DISTRICT SPORTS COMMITTEES AND DIVISIONAL SPORTS COMMITTEES

4. (1) There shall be established a Council called "The Central Province Sports Council" hereinafter referred to as the "Council" to advise the Minister on matters connected with the promotion, development, encouragement of sports, physical education and recreation in the Central Province. Establishment of the Central Sports Council.
- (2) The Council shall consist of —
- (a) Secretary to the Ministry of Sports ;
 - (b) The Provincial Director of Sports ;
 - (c) Provincial Director of Education (Physical Education);
 - (d) Provincial Director of Youth Affairs ;
 - (e) The Commissioner of Local Government ;
 - (f) The Provincial Director of Health;
 - (g) and Eleven other members appointed by the Minister.
- (3) (a) The Secretary to the Ministry of Sports shall be the Chairman of this Council.
(b) The Provincial Director of Sports shall act as the Secretary of the Council.
- (4) A member appointed to the Council shall cease to hold office in any other Provincial Sports Council/ Association of Sports,/other Sports bodies.
- (5) The function and duties of the Council and the quorum for meetings of the Council shall be prescribed by regulations.
- (6) The Council may make rule to regulate the procedure at meeting of the Council and the transaction of business at such meeting.
5. (a) The Chairman and members of the Council appointed by the Minister shall, unless they vacate office earlier by death, resignation or removal, hold office for a period of four years. Vacation of office etc, removal of members of Council.
- (b) The Minister may, if he considers it expedient to do so, remove from office any member of the Council appointed by him without any reasons stated and such removal shall not be questioned in any court of law.
- (c) Any person appointed in place of the Chairman or member who has vacated by death, resignation or removal, shall hold office only for the unexpired term of office of such person who has vacated office.
6. A person shall be disqualified from serving on the Council if he — Disqualification from serving Council.
- (a) is or has been adjudged by a competent court to be of unsound mind ; or
 - (b) is or has been adjudged by a competent court to be an insolvent or bankrupt; or
 - (c) is directly or indirectly interested in the manufacture, assembly sale or production of any sport goods, gear or equipment ; or
 - (d) is convicted in a court of law for any offence which involves moral turpitude
7. A member who vacates office by effluxion of time shall be eligible for reappointment. A member eligible for reappointment.
8. If any member appointed by the Minister 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. Appointment of acting member.
9. (1) The Minister may by appropriate notification establish a District Sports Committee to each Administrative District of the Central Province to advise and assist the Minister the Provincial Sports Council on matters connected with the promotion, development and encouragement of sports, physical education and recreational activities in the District. Establishment of District Sports Councils

(2) (a) Every District Sports Committee established for an administrative District shall consist of a chairman, a Secretary and not more than seventeen other members appointed by the Minister.

(b) The Chairman shall be the Government Agent or a nominee of the Minister.

(c) The District Sports officer shall be the Secretary of the Committee.

(b) Other member shall be from the Department of Education (Physical Education), Department of Youth Affairs, Department of Local Government and Local Sports Bodies and members of the Divisional Sports Committees.

Function of District Sports Committee.

10. Subject to the Provisions of this statute, the function and the duties of the District Sports Committee and the quorum for meetings of such Committees shall be prescribed by regulations.

Rules of District Sports Committees.

11. Every District Sports Committee may make regulations to regulate the procedure at meetings of such Committees and the transaction of business at such meetings.

Vacation of office by members.

12. (1) The Members of any District Sports Committee appointed by the Minister shall, unless they vacate office earlier by resignation or removal, hold office for a period of four Years.

(2) The Minister may, if he considers it expedient remove from office any member of the District Sports Committee appointed by him without any reasons stated and such removal of such member shall not be questioned in any court of law.

(3) Any person appointed in place of any member who has vacated office by death, resignation or removal shall hold office only for the unexpired term of office of such member who has vacated office.

Members eligible for reappointment.

13. A member who vacates office by effluxion of time shall be eligible for reappointment.

Acting members.

14. If any member is temporarily unable to discharge the duty 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.

Disqualifications for membership in District Sports Committee.

15. A person shall be disqualified from serving on any District Sports Committee if he —

(a) is or has been adjudged by a competent court to be unsound mind, or

(b) is or has been adjudged by a competent court to be insolvent or bankrupt ; or

(c) is directly or indirectly interested in the manufacture, assembly, sale or production of any sports goods, gear or equipment ; or

(d) is convicted in a court of law of any offence involving moral turpitude.

Divisional Sports Committees.

16 (1) The Minister may by appropriate notification published, establish any number of such Divisional Sports Committees as the Minister may decide to advise and assist the Minister/The District Sports Committee on matters connected with the promotion, development and encouragement of sports, physical education and recreational activities in the Divisional Secretary's Divisions.

(2) The Divisional Sports Committees shall consist of -

(a) divisional Secretaries ;

(b) the Sports Officer ;

(c) a Zonal Director of Education ;

(d) a Circuit Education Officer ;

(e) a Youth Officer ; and

(f) the Members appointed by the Minister.

(3) The Divisional Secretary shall be the Chairman of the Divisional Sports Committee.

(4) The Sports Officer shall be the Secretary of the Divisional Sports Committee.

17. Subject to the provisions of this statute, the functions and duties of the Divisional Sports Committees and the quorum of meetings of such committees shall be prescribed by regulation.

Divisional Sports Committees to make rules duration of membership.

18. Every divisional Sports Committee may make regulations to regulate the procedure at meetings of such Committees and the transactions of business at such meetings.

19. The members of any District Sports Committee appointed by the Minister shall unless they vacate office earlier by death resignation or removal, hold office for a period of four years.

20. (1) The Minister may, if he considers it expedient to do so, remove from office, any member of the Divisional Sports Committee appointed by him, without any reasons stated and such removal shall not be questioned in any court of law.

Removal from office.

(2) Any person appointed in place of any member who has vacated office by death, resignation, removal shall hold office only for the unexpired term of office of such member who has vacated office.

21. A member who vacates office by effluxion of time shall be eligible for reappointment.

22. If any 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.

23. A person shall be disqualified from serving in any Divisional Sports Committee if he—

Disqualification for membership of District Sports Committee.

- (a) is or has been adjudge by competent court to be of unsound mind ; or
- (b) is or has been adjudge by competent court to be insolvent or bankrupt ; or
- (c) is directly or indirectly interested in the manufacture, assembly, sale or production of any sports goods, gear or equipment ; or
- (d) is convicted in a court of law for any offence which in the opinion of The Minister, involves moral turpitude.

24. Minister may subject to the approval of the Provincial Council, frame regulations with regard to the working and disciplinary control of the Provincial Sports Council, District and Divisional Sports Committees.

Disciplinary control.

25. Active politicians such as Parliamentary Members, Members of Provincial Councils, Municipal and Urban Councils, Pardeshiya Sabhas shall not be selected to be members of Provincial Sports Council, District and Divisional Sports Committees.

Politicians not selected to Committees.

PART II

ESTABLISHMENT AND ADMINISTRATION OF THE PROVINCIAL SPORTS FUND

26. There shall be established a fund called the "Central Province Sports Fund" hereinafter referred to as the "Fund" for the encouragement and development of sport in the Central Province.

Establishment of Provincial Sports Fund.

27 (1) There shall be paid into the fund—

- (a) all sums of money as may from time to time be voted by the Government as grants ;
- (b) all sums of money as may from time to time be voted by the Provincial Council of the Central Province for the purpose of the fund ; and
- (c) all moneys received as aid from foreign countries ;
- (d) all money received as donations made by any person to the fund ; and
- (e) moneys received from any other sources.

Payment into the Fund.

(2) Provide however that where moneys are received under paragraphs (c), (d), and (e) of this Section on the condition that such moneys be utilized for a specific purpose the acceptance of such moneys for the credit of the Fund shall be at the sole discretion of the Minister.

(3) Provided Further that moneys be accepted at the discretion of the Minister to be utilized for granting awards and endowments or to be held in trust for any specified purposes and such moneys may not be credited to the Fund, but may be maintained separately.

(4) Regulations shall be framed and be approved by the Provincial Council for the control of moneys not credited to the fund and maintained separately at the discretion of the Minister under Sub-section 03.

28. Any donation of any movable or immovable property may be accepted by the Minister on behalf of the Fund to be used in accordance with the provisions of this statute. Any such property may, in the discretion of the Minister and in the manner determined by him, be sold and the proceeds thereof credited to the fund.

Donations of movable and immovable property.

29 (1) The fund shall be under the control and administration of the Minister and be administered by the Secretary subject to the instructions of the Minister.

Administration of the Fund.

(2) The Central Province Sports Council shall also function as the advisory Council to advise the Minister on the administration of the fund.

(3) The Secretary to the Ministry shall, as soon as possible, after the end of each calendar year, prepare a report on the administration of the fund.

(4) The Secretary to the Minister shall cause to be maintained a full and appropriate account of the Fund in respect of each calendar year.

(5) The provisions of Part 11 of the Finance Act, No. 38 of 1971 shall mutatis mutandis, apply to the financial control and accounts of the Fund.

(6) The financial year of the fund shall be the calendar year.

Report on the administration of the fund.

30. A report on the administration of the fund for each year together with a copy of the audited accounts of the fund for that year, and the report of the Auditor-General on such accounts shall as soon as possible, be placed by the Minister before the Provincial Council of the Central Province.

Payments from the Fund.

31. The Minister may pay out of the fund such sums of money, as the Minister may determine -

- (a) for the encouragement, promotion and development of any sports in the Central Province ;
- (b) as ex gratia payments to present or past participants in sports in recognition of any exceptional contribution to sports ;
- (c) for investing in any fixed deposits in any bank or in any Government Loans or debentures ; and
- (d) for the purpose of carrying out or giving effect to the provisions of this Statute.

PART III

REGISTRATION AND SUPERVISION OF SPORTS ASSOCIATIONS, CLUBS

Naming a Sports or group of sports.

32. The Minister may by Notification published in the *Gazette* name any sport or group of sports for which Local Associations may be formed.

Registration of Provincial Association of Sports.

33. When a Sport or group of sports is named by a notification under Section 32 -

- (a) any Local Association of such sports or groups which is in existence at the time of such Notification or such sport or group of sports shall apply for registration under the provisions of this statute and in like manner any Local Association of such sports or group of sports shall apply for registration.

Appeal against decision regarding registration.

34. Any person aggrieved by any decision or action in relation to such registration may appeal to the Minister whose decision shall be final.

Procedure for registration and powers and functions of a registered Provincial Association of Sports.

35. The Minister may prescribe by regulation—

- (a) the procedure for registration of Sports Organizations and the fees for such registration ;
- (b) the composition and constitution of such Sports Associations and clubs ;
- (c) the duties, powers and functions of such Sports Associations and clubs ;
- (d) the procedure in appealing against decisions or actions of such sports associations and clubs ;
- (e) the procedure for appointment of coaches, referees umpires and judges by such associations.

Refusal, suspension or cancellation of registration.

36. The Minister may refuse registration or suspend or cancel the registration of a Sports Associations—

- (a) for failing or neglecting to remedy any malpractices, misconduct or irregularities on the part of office bearers of such sports associations on being noticed to do so in writing by the Secretary to the Minister within such time as may be specified in such notice ; or
- (b) for inactivity, non-cooperation or obstruction in the implementation of the policies of the Ministry ;
- (c) for failing to carry out its duties and functions.

Interim order.

37. The Minister may make interim arrangements for continuing the functions of a Sports Association under suspension or whose registration has been refused or cancelled.

Dissolution of Provincial Association of Sports.

38. The Minister may, order the dissolution of any Sports Association which has failed to apply for registration under Section 33 or whose registration has been refused or cancelled under Section 36 and the office bearers of such Sports Association shall carry out such order by dissolving and winding up the affairs of such sports organisation within such time as shall be specified in such order.

39. No sport or a group of sports association which has not been registered in conformity with the provisions of this statute shall be entitle to any facilities, amenities or assistance under the provisions of this statute.

Dissolution of Provincial Association of Sports.

40. The Minister may, if he considers expedient to do so, revoke an order of dissolution made on a Sports Association and all upon the members of such Sports association to remedy any malpractices, misconduct or irregularities, if any, in the way the Secretary to the Ministry deems appropriate and the Minister may thereafter in his discretion permit the registration or the re-registration of such sports organisation, as the case may be.

PART IV

ESTABLISHMENT OF A SPORTS SCHOLARSHIP AWARD

41. The Minister may establish one or more sports scholarship award for the purpose of—
(a) creating awareness and interest in sports, physical education and recreation ;
(b) alleviating the anxiety and the burden on the parents of sports gifted children to provide for them ;
(c) discovering sports talent and providing opportunities for the development of the talented;
(d) channelling sports talented children to productive occupational ends ;
(e) providing required facilities to commence scientific training in sports at the most appropriate age suited to achieve optimal performance.
42. The Minister may by regulation prescribe—
(a) scheme of selection for the sports scholarship award ;
(b) the annual value of the sports scholarship Award conferred ;
(c) the scheme of appointment and payment of emoluments of the co-ordinators, lecturers, coaches, teachers and instructors and other officers employed for the purpose, the scheme of study, training and examination and completion of the sports scholarship award winners.
43. The Minister shall have the power—
(a) to provide facilities and construct, maintain and equip any building and areas at such schools and institutions to which a sports scholarship is awarded for training, residential and other purposes ;
(b) to regulate and provide for the discipline and other welfare of the Award winners and the staff employed for such purpose of such schools and institutions ;
(c) to provide for the admission of any such sports scholarship Award winners to any such school or educational institution.
44. The Minister may sponsor or cause to establish all or such complexes, stadiums, playgrounds or play areas hereinafter referred to as "Sports Arenas" for the purpose of encouraging, promoting and developing training, physical education or recreation.
45. The establishment or construction shall be financed by—
(a) the proceeds made by the Government ;
(b) the proceeds voted by the Provincial Fund of the Provincial Council ;
(c) the proceeds received as aid from foreign countries ;
(d) the proceeds received as donations ;
(e) the proceeds from any other source.
46. The Minister shall have the power to construct or establish or cause to construct or establish and maintain or cause to maintain or to equip or cause to equip any buildings for residential and other purposes of such sports arenas.
47. The Minister may by regulation prescribe—
(a) scheme of appointments and payment of administrative, technical and other officers of such sports arenas ;
(b) utilization of facilities provided in such sports arenas ;
(c) the standard of safety of the equipment used in such sports arenas.

Sports Scholarship Awards.

Regulations.

Provision of facilities, etc., by Minister.

Establishment of Arenas, Sports Complexes.

Provision of Funds.

Power of members to furnish buildings etc

Regulations.

PART V

GENERAL

48. (1) The Minister may make general or special directions in writing to Council, Committees, associations and other bodies established or registered under this statute as to the exercise, discharge, and performance of their powers functions and duties and such Councils, Committees, and association and other bodies shall give effect to such directions.
- (2) The Minister may, from time to time, direct Councils, Committee associations and other bodies established or registered under this statute to furnish to him in such form as he may require, returns, accounts and other information in respect of their property and activities and such Councils, Committees, Associations and other bodies shall carry out every such directions.

General and Special directions of Minister.

(3) The Minister may from time to time order all or any of the activities of Councils, Committees, Associations and other bodies established or registered under this statute to be investigated and reported on by such person or persons as he may specify and, upon such order being made, such Councils, Committees, Associations and other bodies shall afford all such facilities and furnish all such information as may be necessary to carry out every order.

49. The Minister may regulate and control by regulation the participation in sports either in Sri Lanka or abroad of individual participants or teams of players purporting to represent the Central Province of Sri Lanka.

50. The Minister may prescribe by regulation the minimum sports and recreational facilities a Local Government Authority, Board or an employer shall provide.

51. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this statute and for all matters which are required by this statute to be prescribed or in respect of which regulations are required to be made.

(2) Every regulations made by the Minister shall be published in an appropriate notification and shall come into operation on the date of such publication or on such later date as may be specified therein. Every regulation made by the Minister shall as soon as convenient after its publication by appropriate notification be brought before the Provincial Council for approval.

Any such regulation which is not approved shall be deemed to be rescinded as from the date of disapproval but without prejudice to anything previously done thereunder. Notification of the date on which any regulation is made by the Minister is so deemed to be rescinded shall be published by appropriate notification.

52. Members of the Provincial Sports Council established under this statute may be remunerated in such manner and at such rates as the Minister with the concurrence of the Minister in charge of the subject of Finance determine.

Interpretation.

53. In this law, unless the context otherwise requires—

“Minister” means the Minister to whom the subject or functions of Sports has been assigned by the Chief Minister of the Provincial Council of the Central Province and the Ministry shall be construed accordingly ;

“Secretary” means the Secretary to the Ministry to whom the subject of sports has been assigned in the Provincial Council of the Central Province.

“Sport” or “sports” include any form of sports, games, pastimes, physical training, body building and exercise which are recognized by the Secretary to the Ministry as a sport for the purpose of this statute.

“Associations” means a body formed to encourage to promote, to develop specific sports and recreational activities within an area, within the Province.

“Clubs” means a primary organization formed to encourage, promote and develop sports in specific village areas.

10-325/2

