

# **Sri Lanka Accreditation Board for Conformity Assessment**

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE SRI LANKA ACCREDITATION BOARD FOR CONFORMITY ASSESSMENT; AND TO FROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

**[23<sup>rd</sup> September  
, 2005 ]**

Short title. **1.** This Act may be cited as the Sri Lanka Accreditation Board for Conformity Assessment Act, No. 32 of 2005.

## **PART I**

### **ESTABLISHMENT OF THE SRI LANKA ACCREDITATION BOARD FOR CONFORMITY ASSESSMENT**

Establishment of the Sri Lanka Accreditation Board for Conformity. **2.**

(1) There shall be established a Board which shall be called the Sri Lanka Accreditation Board for Conformity Assessment (hereinafter referred to as “the Board”). The Board shall be the national accreditation authority for Sri Lanka,

(2) The Board shall by the name assigned to it by subsection (1) be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.  
Functions of the Board.

The functions of the Board. **3.** The functions of the Board shall be of the Board.

(a) to grant accreditation, in accordance with national standards based on the relevant international standards, to laboratories, certification and inspection bodies, training institutions and other persons required to carry out conformity assessments;

(b) to promote accreditation activities in conformity with the guidelines laid down in the National Quality Policy as approved by the Cabinet of Ministers;

(c) to ensure competence in internationally accepted accreditation practices and to facilitate international co-operation in accreditation;

(d) to encourage and promote the use of accreditation, the training of assessors, the conduct of seminars, and the dissemination of information, on accreditation;

(e) to conclude agreements on mutual recognition with regard to areas related or connected to accreditation with foreign and international bodies ; and

(f) to do all such other acts as may be necessary or conducive in discharging any or all of the above functions. Powers of the Board.

Powers of the Board. **4.** The Board shall have and may exercise all or any of the following powers

(a) to hold, take or give on lease or hire, mortgage,pledge, sell or otherwise dispose of, any moveable or immovable property;

(b) to undertake to execute any trusts, or any agency business which may seem to the Board conducive to the discharge of its functions;

(c) to borrow and raise loans for the discharge of its functions and for the purpose of raising such loans to offer by way of mortgage or collateral, such property owned by the Board, as is considered necessary;

(d) to invest any moneys of the Board not immediately required for the discharge of its functions in such manner as may, from time to time be determined by the Board;

(e) to charge such fees as may be determined by the Board for any services rendered by the Board ;

(f) to enter into such contracts as may be necessary for the discharge of its functions; and

(g) to do all such other things as are necessary for, or incidental, or conducive to the discharge of the functions of the Board.

Governing Council. **5.**

(1) The Board shall have a (herein- Governing Council. after referred to as “the Council”), consisting of thirteen members appointed by the Minister, of whom –

(a) three members shall be from amongst persons who have distinguished themselves in the fields of science, technology, education, trade, industry or administration or any other relevant field.

(b) one member who shall be the representative of the Sri Lanka Standards Institution established by the Sri Lanka Standards Institution Act, No.6 of 1984, nominated by the Chairman of that Institution;

(c) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Science and Technology and the Departments and statutory bodies

assigned to such Minister, appointed in consultation with that Minister;

(d) one member who shall be the representative of the General Treasury, appointed in consultation with the Minister in charge of the subject of Finance;

(e) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Trade and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;

(f) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Industrial Development and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;

(g) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Health and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;

(h) one member who shall be the representative of the Department of Measurement Units, Standards and Services, appointed in consultation with the Minister, to whom that Department has been assigned;

(i) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Agriculture and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister ;

(j) one member to be selected by the Minister from a panel of three names submitted to the Minister, by the National Academy of Sciences, Sri Lanka; and

(k) one member to be selected by the Minister from a panel of three names submitted to the Minister, by the Federation of Chambers of Commerce and Industry.

(2) Where a member of the Council is, by reason of illness, absence from Sri Lanka, or for any other cause, temporarily unable to perform the duties of his office, for a period exceeding three months, the Minister may, on the recommendation of the Chairman and having regard to the provisions of subsection (1), appoint some other person to act in his place.

(3) The exercise of the powers of the Board and the general superintendence, direction and management of affairs of the Board, shall vest with the Council.

Chairman and vice Chairman of the Council. **6.**

(1) The Minister shall appoint one of the members of the Council as the Chairman of the Council,

(2) The functions of the Chairman shall be to guide the Council in its activities and to preside at the meetings of the Council.

(3) The Minister shall appoint one of the members of the Council as the Vice Chairman of the Council. The Vice Chairman shall perform the duties of the Chairman in the absence of the Chairman or whenever there is a vacancy in the office of the Chairman.

Disqualification for being a member of the Council. **7.** A person shall be disqualified from being appointed or continuing as a member of the Council if he

(a) is a member of Parliament, a member of a Provincial Council or a member of a local authority;

(b) directly or indirectly, by himself or by any other person on his behalf, holds or enjoys any right or benefit under any contract made by or on behalf of the Board;

(c) is under any law in force in Sri Lanka or any other country, found or declared to be of unsound mind;

(d) is a person who, having been declared an insolvent, or a bankrupt under any law in force in Sri Lanka or in any other country, is an undischarged insolvent or bankrupt; or

(e) is a person who has been convicted of any offence by any court in Sri Lanka or any other country.

Term of office of members of the Council. **8.**

(1) A member of the Council may resign from office by a letter in that behalf addressed to the Minister.

(2) The Minister may for reasons assigned, remove any member of the Council from office.

(3) Subject to the provisions of subsections (1) and (2) the term of office of a member of the Council shall be three years :

Provided that a member of the Council appointed in place of a member who dies, resigns or is removed from office, shall hold office for the remainder of the term of office of the member whom he succeeds.

(4) The Chairman and Vice Chairman of the Council may resign from the offices respectively, of Chairman and Vice Chairman, by letter in that behalf addressed to the Minister and the resignation shall be effective from the date on which such letter is accepted by the Minister.

(5) The Minister may for reasons assigned, remove the Chairman and Vice Chairman of the Council from the offices respectively, of Chairman and Vice Chairman.

(6) Subject to the provisions of subsections (4) and (5), the terms of office of the Chairman and Vice Chairman of the Council shall be their respective periods of membership of the Council.

Eligibility for re-  
appointment.

**9.** A member of the Council who vacates office by affluxion of time shall be eligible for re-appointment.

Remuneration of  
members of the  
Council.

**10.** All members of the Council may be paid remuneration out of the Fund of the Board at such rates as the Minister may determine with the concurrence of the Minister in charge of the subject of Finance.

Meetings of **11.**  
the Council.

(1) Five members shall form a quorum for any meeting of the Council.

(2) If at least five members of the Council are present in Sri Lanka, any question may be decided by the circulation of the relevant papers to the members present in Sri Lanka and by such members recording, in writing, their views thereon, and by their recording their votes on that question in the presence of each other and in every such case, a report of such question, views and votes shall be recorded in the minutes book of the Council. If there is an equality of such votes, such question shall be submitted for decision to a meeting of the Council.

(3) Subject to the other provisions of this section, the Council may regulate the procedure with regard to its meetings and the transaction of business at such meetings.

(4) No act, decision or proceedings of the Council shall any vacancy in the Council or any defect in the appointment of a member thereof.

Seal.**12.**

(1) The affixing of the seal of the Board to any Seal, instrument, other than an instrument referred to in subsection (2), shall be in the presence of, and be attested by

(a) the Chairman of the Council and the Director; or

(b) the Chairman of the Council or the Director and any other member of the Council; or

(c) the Director and such officer or servant of the Board as may have been specially authorized by the Council to act on its behalf.

(2) The affixing of the seal of the Board to an instrument containing an agreement for the rendering of any service by the Board shall be in the presence of, and be attested by, the Director or in his absence, by any officer or servant of the Board who has been specially authorized, by the Council to act on its behalf.

Delegation of powers and duties of the Council, **13.**

(1) The Council may delegate any of its powers and duties, to the Director, a member of the Council or to any committee appointed under this Act, or to any officer or servant of the Board.

(2) The Director, member of the Council or officer or servant of the Board or committee to whom any of the powers and duties of the Council have been delegated under subsection (1), shall exercise and perform the powers and duties so delegated, subject to the special or general directions of the Council.

Appointment of committees, **14.**

(1) The Council may appoint committees to assist it in the performance of its duties consisting of such persons (whether officers or servants of the Board or not) as it considers necessary to be members of any such committee.

(2) The Council may assign to a committee so appointed such of its powers as it may deem fit, but may exercise any powers so assigned, notwithstanding such assignment. The Council may amend or revoke any decision made by any such committee.

(3) The members of every such committee may be paid out of the Fund of the Board, such remuneration and allowances as the Council may determine with the concurrence of the Minister.

## PART II ACCREDITATION

Determination of criteria &c or accreditation.

**15.** The Minister may make regulations specifying the criteria and requirements for accreditation of laboratories, certification and inspection bodies, training institutions and other persons required to carry out conformity assessments.

Application for Accreditation to be in prescribed form.

**16.** The Administrative Officer or Chief Executive Officer as the case may be, of a laboratory or a certification or inspection body, training institution or any person required to carry out conformity assessments may apply to the Board for accreditation to carry out the tests or other activities required by this Act, in the manner and form as shall be prescribed by regulations made in that behalf.

Grant of Accreditation

**17.** Where the Board is satisfied, after consideration of the applications forwarded to it under section 16 by any laboratory, certification or inspection body, training institution, or person seeking accreditation and upon such examinations and assessments as it may consider necessary and after consultation with the relevant committee appointed under section 14, that the applicant satisfies the criteria and requirements for accreditation prescribed under section 15, the Board shall grant accreditation to such laboratory, certification or inspection body, training institution or person, as the case may be.

Certificate and use of Accreditation Mark-

**18.**

(1) Where the Board grants accreditation to a laboratory, certification or inspection body, training institution or other person required to carry out conformity assessments, under section 17, it shall issue a Certificate signed by the Director, specifying the tests or other activities which such laboratory, certification or inspection body, training institution or person is accredited, to carry out or perform, and also permit such laboratory, certification or inspection body, training institution or person to use the prescribed Accreditation Mark, in the manner hereinafter set out.

(2) The Certificate issued under subsection (1), shall be prominently displayed in the –

(a) laboratory; or

(b) registered place of business of the certification or inspection body, training institution or person, as the case may be, of the institution to whom or the person to whom such Certificate has been issued.

(3)

(a) Subject to the provisions of the Intellectual Property Act, No. 36 of 2003, no person other than a laboratory, certification or inspection body, training institution or person, granted accreditation under section 17 shall use the prescribed Accreditation Mark.

(b) A laboratory, certification or inspection body, training institution or person may use the prescribed Accreditation Mark for so long only as the accreditation granted to it under section 17 is in force and only in relation to the tests and other specific activities it is accredited to carry out or perform under this section.

Duty to inform Board of changes in states & c.

**19.** It shall be the duty of a laboratory, a certification or inspection body, training institution or other accreditation under section 17, to forthwith inform

the Board, of any changes in its status or operations. Suspension and revocation of Accreditation.

Suspension and  
revocation of  
Accreditation. **20.**

(1) Where the Board is satisfied

(a) that any laboratory, certification or inspection body, training institution or person granted accreditation under section 17, no longer satisfies the criteria and requirements prescribed under section 15 for accreditation; or

(b) that there is a false statement in, or the omission of any material particular from, the application for accreditation made in respect of such laboratory, certification or inspection body, training institution or a person, as the case may be, or in any other document submitted in connection with such application,

the Board may suspend or revoke the accreditation granted to such laboratory, certification or inspection body, training institution or person, as the case may be, and shall forthwith inform such laboratory, certification or inspection body, training institution or person, as the case may be, of such suspension or revocation, as the case may be.

(2) Any person aggrieved by an order of suspension or revocation made under subsection (1) may, appeal therefrom to the Council in the prescribed manner and within the prescribed period. The decision of the Council on any such appeal shall be final.

Board to  
maintain a  
register. **21.**The Board shall maintain a Register of the laboratories, certification and inspection bodies training maintain a register, institutions and persons granted accreditation under section 17, and of the tests and the scope of the activities which such laboratories, certification and inspection bodies, training institutions and persons are accredited to carry out or perform.

### PART III STAFF OF THE BOARD

Director of **22.**  
the Board.

(1) The Minister shall in consultation with the Council appoint a person who is suitably qualified in the , field of Science and Technology to be the Director of the Board (in this Act referred to as “the Director”).

(2) The terms and conditions of employment of the Director shall be determined by the Minister.

(3) The remuneration of the Director shall be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

(4) Whenever the Director is by reason of illness or absence from Sri Lanka or for any other cause, unable to perform the duties of his office, the Minister may appoint another person to act in his place, during such absence.

(5) The functions of the Director, who shall be the Chief Executive Officer of the Board, shall be to organize, and direct the work of the Board under the directions of and in accordance with the policies adopted by the Council and he shall function as the Secretary to the Council.

Power of the Council to exercise disciplinary control over officers and servants of the Board.

**23.** The Council shall have the power to appoint, and exercise disciplinary control (including dismissal) over the officers and servants of the Board, other than the Director,

Delegation of powers of the Council. **24.**

(1) Subject to the provisions of subsection (3), the Council may delegate to the Director all or any of its powers relating to the appointment and dismissal, of other officers or servants of the Board. The conditions of employment, including remuneration, of every officer or servant appointed by the Director in the exercise of the powers delegated to him hereunder, shall be determined by him with the concurrence of the Council.

(2) The Director shall not, except with the prior approval of the Board, appoint, any person who is not a citizen of Sri Lanka, as an officer or servant of the Board.

(3) The dismissal by the Director of any officer or servant of the Board, shall be with the prior approval of the Board.

Appointment of Assessors. **25.**

(1) The Director shall, with the approval of the Council appoint a panel of Assessors from amongst officers and servants of the Board or any other persons who are suitably qualified, to function as Assessors for the purpose of making the assessments required under the provisions of this Act.

(2) The Director shall, with the approval of the Council lay down the procedure for the selection of Assessors from the Panel of Assessors, to function in respect of any particular assignment.

(3) Every Assessor shall be issued with a letter of appointment by the Board to the effect that he has been appointed as an Assessor for the purposes of this Act.

(4) A person who has been appointed as an Assessor in terms of the provisions of this section may be paid out of the Fund of the Board, remuneration or allowances in respect of assignments carried out by

him, at such rates as may be determined by the Director with the concurrence of the Council.

PART IV  
FINANCE

Fund of **26.**  
the  
Board.

- (1) The Board shall have its own Fund.
- (2) There shall be paid into the Fund of the Board,
  - (a) all such sums of money as may be voted by Parliament, for the use of the Board;
  - (b) all such sums of money as may be received by the Board in respect of services rendered by it under this Act;
  - (c) all such sums of money as may be received by the Board as donations or grants from any source whatsoever, whether in Sri Lanka or abroad;
  - (d) all such sums of money as may be received by the Board in the exercise of its' powers, and the performance of its' duties, under this Act, including any sums of money realized by the sale of any movable or immovable property of the Board.
- (3) There shall be paid out of the Fund of the Board –
  - (a) all such sums of money as are required to defray any expenditure incurred by the Board in the exercise of its' powers and the performance of its' duties, under this Act; and
  - (b) all such sums of money as are required, by any provision of this Act, to be paid out of the Fund of the Board; and
  - (c) all such sums as are required under the Employees Provident Fund Act, No. 15 of 1958 and the Employees Trust Fund Act, No. 46 of 1980 to be paid as contributions respectively, to the Employees Provident Fund and the Employees Trust Fund established by the aforesaid Acts.

Budget of **27.** The Board shall cause to be prepared, a budget in respect of every financial year the Board. and such budget shall be approved by the Council not later than three months prior to the commencement of the financial year to which the budget relates.

Charging fees for **28.** Subject to the provisions of any regulations made under section 39, the services rendered. Board may, in respect of any services rendered by it under this Act, charge such fees as may be prescribed.

Financial year and **29.**  
the audit of  
accounts.

- (1) The financial year of the Board shall be the calendar year.

(2) The Council shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions, of the Board.

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to the audit of the accounts of the Board.

(4) The provisions of Part II of the Finance Act, No. 38 of 1971, shall mutatis mutandis apply to, and in relation to, the Board.

(5) The Council shall be responsible for the submission of final accounts and the annual reports in due time in accordance with the provisions of the Finance Act, No.38 of 1971.

#### PART V GENERAL

**30.** Every member of the Council or any Committee thereof, every officer and servant of the Board and every Assessor appointed under this Act shall, before entering upon his duties sign a declaration pledging not to disclose any matter which may come to his knowledge in the exercise and performance of his powers and duties under this Act except

—

(a) when required to do so by a court of law;

(b) in order to comply with any of the provisions of this Act or other written law.

**31.** All members of the Council, officers and servants of the Board and all assessors appointed under this Act shall be deemed to be public officers within the meaning and for the purposes of the Penal Code.

**32.** The Board shall be deemed to be a scheduled institution within the meaning of the Bribery Act and the provisions of that Act shall be construed accordingly.

**33.** Protection of action taken under this Act.

(1) No action or prosecution shall be instituted (a) against the Board for any act which in good faith is done or purported to be done by the Board under this Act; (b) against any member of the Council, any officer or servant of the Board or a member of any committee thereof or any assessor appointed under this Act for any act which in good faith is done, or purported to be done, by him under this Act or on the direction of the Board or Council.

(2) Any expenses incurred by the Board or the Council in any action or prosecution instituted by or against the Board or Council in any Court shall be paid out of the Fund of the Board and any costs paid to, or recovered by, the Board or the Council in any such action or prosecution shall be credited to the Fund of the Board.

(3) Any expenses incurred by any such person as is referred to in paragraph (b) of subsection (1), in any action or prosecution instituted against him in respect of any act done, or purported to be done, by him under this Act or on the direction of the Board or the Council shall be paid out of the Fund of the Board if the court held that the act was done in good faith, unless such expense is recovered by him in such action or prosecution.

**Power 34.** An officer of the Board or an Assessor appointed under this Act, authorized in writing of entry by the Board, may enter the registered place of business of any person granted accreditation under section 17, and

(a) make such inquiries and investigations thereon in so far as it is required for the purpose of ascertaining whether the criteria for accreditation has been satisfied; or

(b) require such person to furnish such information or returns as may be necessary to ascertain whether he is complying with the provisions of this Act and the regulations made thereunder or the terms of the Certificate issued to him under section 18.

**Prohibition of the use of any name assigned to the Board by the Act. 35.** Subject to the provisions of subsections (2) and (3), of section 36, no person shall carry on any activity, business, trade or occupation under any name assigned to the Board by subsection (1) of section 2 this Act, or under any acronym thereof.

**Restrictions on the use of the words ‘Sri Lanka Accreditation Board for Conformity Assessment’ or ‘Accreditation’.** 36.

(1) Except with the written approval of the Minister and subject to the provisions of subsections (2) and (3)

(a) no trade mark, device, brand, heading, label, ticket, pictorial representation, name, signature, letter, numeral or any combination thereof which contains the words “Sri Lanka Accreditation Board for Conformity Assessment” or any other name or acronym adopted by the Board shall be registered under the Intellectual Property Act, No. 36 of 2003 ;

(b) no person shall unless granted accreditation under section 17, sell any commodity or product or offer any service or facility under a mark which contains the word “Accreditation” or under a description in which that word is used in such a manner as may create the impression that such person has been granted accreditation under section 17.

(2) Any person who on date of commencement of this Act carried on any activity, business, trade or occupation, or is registered under any such name as is referred to in section (35) may, notwithstanding the provisions of section (35), continue to carry on such activity, business, trade or occupation or be registered, as the case may be, under such name.

(3) The provisions of paragraphs (a) and (b) of subsection (1) shall not affect any trade mark registered on the date of the commencement of this Act, or the sale of any commodity or product under any such trade mark.

(4) The Minister may at any time withdraw any approval given by him under subsection (1) if, in his opinion, it is necessary to do so in order to avoid abuse.

**Offences.37.** Any person who

- (a) contravenes the provisions of subsection (3) of section 18 ;
  - (b) contravenes the provisions of section 30 or section 35 or paragraphs (a) or (b) of subsection (1) of section 36;
  - (c) resists or obstructs a member of the Council or an officer of the Board or an Assessor appointed under this Act in the exercise by such officer or Assessor, of the powers conferred on him by the Act; or
  - (d) wilfully makes any false statement in, or omits any material particular from, any return or information furnished by him under section 34,
- shall be guilty of an offence under this Act.

**Penalties.38.**

(1) Notwithstanding anything contained in any provisions of any other law, every person guilty of an offence under this Act shall, on conviction after summary trial before a Magistrate, be liable –

(a) in the case of an offence referred to in paragraph (a) or (c) or (d) of section 37, to a fine not less than ten thousand rupees and not exceeding five hundred thousand rupees ; and

(b) in the case of an offence referred to in paragraph (b) of section 37, to a fine not less than five thousand rupees and not exceeding two hundred and fifty thousand rupees.

(2) Wherever any person is convicted of an offence referred to in section 37, the court may in addition to any other penalty which it may impose for such offence, order that all or any part of the products in respect of which the offence was committed be forfeited to the State and the products so

ordered to be forfeited shall be disposed of in such manner as the Court may direct.

Offences by body **39.** where an offence under this Act is committed by a body of persons, then –  
of persons.

(a) if that body is a body corporate, every person who at the time of the commission of the offence was a director of that body corporate;  
and

(b) if that body is a firm, every person who at the time of the commission of the offence was a partner of that firm,

shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

Regulations. **40.**

(1) The Minister may make regulations on the recommendations of the Council in respect of all matters, for which regulations are authorized or required by this Act to be made or which are required by this Act to be prescribed.

(2) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified therein.

(3) Every regulation made by the Minister shall as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Every regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to the validity of anything done thereunder.

(4) Notification of the date on which any regulation is deemed to be rescinded shall be published in the Gazette.

Accreditation granted by the Sri Lanka Standards Institution to be valid for six months.

**41.** Any accreditation granted under Accreditation Scheme for Testing Laboratories, by the Sri Lanka Standards Institution established by the Sri Lanka Standards Institution Act, No. 6 of 1984 and in force on the day preceding the date of commencement of this Act shall be valid and effectual for a period of six months from the date of commencement of this Act-

Sinhala text to prevail in case of inconsistency.

**42.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Interpretation. **43.** In this Act, unless the context otherwise requires “accreditation” means the recognition by the Board, that a laboratory, certification or inspection body, training institution or person required to conduct conformity assessments is competent to carry out or perform the tests and activities which are specified in the Certificate

issued with respect to such laboratory, certification or inspection body, training institution or person, as the case may be;

“Accreditation Mark” means a mark prescribed by regulations made under this Act;

“Certificate” means a Certificate of Accreditation issued by the Board under section 18;

“conformity assessment ” means the determination directly or indirectly that any process, system, commodity, product or service conforms to the standards and other technical requirements (including requirements relating to manufacture, production, processing or treatment) specified by, or under, any written law, with respect to such process, system, commodity, product or service;

“local authority” means a Municipal Council, Urban Council or Pradeshiya Sabha and includes any authority created or established by or under any law, to exercise, perform and discharge, powers, duties and functions corresponding to, or similar to the powers, duties and functions exercised, performed and discharged by any such Council or Sabha;

“person” includes a body of persons;

“prescribed” means prescribed by regulations made under this Act; “Provincial Council” means a Provincial Council established under Chapter XVIIIA of the Constitution.