

National Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996

L-D.-O. 4Z96.

[Certified on 13th November, 1996]

AN ACT TO AMEND THE NATIONAL AQUATIC RESOURCES

RESEARCH AND DEVELOPMENT AGENCY ACT, No. 54

OF 1981

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

. This Act may be cited as the National Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996.

2. Section 2 of the National Aquatic Resources Research and Development Agency Act, No. 54 of 1981 (hereinafter referred to as the “ principal enactment “) is hereby amended by the substitution for the words “ and management activities on the subject of aquatic resources “, of the words “ management and conservation activities on the subject of aquatic resources, hydrographic surveying and nautical charting “.

3. Section 4 of the principal enactment is hereby amended as follows :-

i) in paragraph (b) of that section-

a) by the substitution for the words “ management and development “, of the words

“ management, conservation and development “ ;

(b) in subparagraph (i) of that paragraph by the substitution for the word “ oceanography “, of the words “ oceanography and hydrography “ ;

Short title.

Amendment of section 2 of Act No. 54 of 1981.

Amendment of section 4 of the principal enactment.

(c) in subparagraph (iv) of that paragraph by the substitution for the words “ fish and related products “, of the words “ fish and aquatic products “ ;

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' 2 National Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996

(ii) in paragraph (c) of that section by the substitution for the words “ management and development “, of the words “ management, conservation and development “ ;

(iii) in paragraph (d) of that section by the substitution for the words “ control and management “, of the words “ conservation, control and management “ ;

(iv) in paragraph (e) of that section by the substitution for the words “ for the development “, of the words “ for the management, conservation and development “ ;

(v) by the insertion, immediately after paragraph (e) of that section, of the following paragraph :-.

“(ee) to undertake the collection, processing and publication of hydrographic data and nautical information on the near shore and off shore areas and inland waters, and to have overall control of such activities in Sri Lanka ; “.

Amendment of section 5 of the principal enactment.

4. Section 5 of the principal enactment is hereby amended as follows :-

a) in paragraph (g) of that section, by the substitution for the words “ management and development “, of the words “ management, conservation and development ” ;

(6) in paragraph (i) of that section, by the substitution in subparagraph (i) of that paragraph for the words “ to which the subject of Fisheries “*, of the words “ to whom the subject of Fisheries and Aquatic Resources Development ” ;

(c) in paragraph (j) of that section, by the substitution in subparagraph (ii) of that paragraph for the words “ management and development “, of the words

“ management, conservation and development ” ; *National Aquatic Resources Research and Development Agency (Amendment) Act, No. 32 of 1996*

(cf) in paragraph (k) of that section, by the substitution

for the words “ Management, Development, “* of the words “ Management, Conservation, Development, ” ;

(e) by the renumbering of paragraphs (m) and (n) of that section as paragraphs (a) and (b) respectively, of that section ; and

U, by the substitution for paragraph (I) of that section, of the following new paragraphs :-“

(f) to initiate and conduct surveys of national aquatic resources and off-shore areas of Sri Lanka ;

(m) to establish standards and procedures for gathering, processing and presenting, of hydrographic data and nautical information ;

(n) to train personnel, conduct examinations, establish national professional standards and issue licences to persons to function as hydrographic surveyors ;

(O) to control and co-ordinate all hydrographic surveying and nautical charting activities in Sri Lanka ; “,

5. Section 6 of the principal enactment is hereby amended in subsection (1) of that section as follows :-

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**principal**

enactment.

: (a) by the substitution in paragraph (a) of that subsection for the words “ management, research “, of the words “ management, conservation, research “\*,

(b) by the substitution for paragraph (b) of that subsection, of the following new paragraph :- **7.4 NutiodA~‘c-‘ l&search aad Develop-~ ment A,gemy fAmemhtent)Act, No. 32 of&B%**

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**6. Section. 7 of the principal enac-tment is hereby Amendrr%Wot**

**amended in subsection (1) of that section, by the substitution section 7 of the**

**for paragraph. (g) of that subsection; of the follo.wing princim’**

**paragraphs :-**

**enactment.**

**“ (g) advise and make recommendations to the Minister**

**on matters relating to the management, develop-ment**

**and conservatiottof aquatic resources in Sri .I . Lanka ; “.**

**(h) prepareand4ceepundereontinualreview,theAquatic**

**Resources. Management, Development, Conser-vation:**

and Reseach Plan;

(i) appoint a competent person to certify hydrographic surveys, hydrographic fairways, charts and nautical publications ;

(j) delegate to the Chairman or the Director-General, any of its powers or duties relating to the appointment, dismissal or disciplinary control of the staff of the Agency ;

(k) administer and manage the affairs of the Agency. “.

7. Sections 13, 14, 15 and 16 of the principal enactment are hereby repealed.

8. Section 17 of the principal enactment is hereby repealed and the following section substituted therefor :-

“

principle enactment.

” scientific and 17. (1) The following shall constitute

**TCCH**

**committee.** a Standing Committee of the Agency

known as the Scientific and Technical Committee

(hereinafter referred to as the ‘Committee’):-*h Natiand Aqwtic Kesorrr-cqjs Hesecurl~ cm1 De~\*clop-went*  
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(c) the Heads of Research Divisions, and 01’  
the Hydrographic Office, of the  
Agency ;

(d) the Director of Coast Conservation ;

(e) two representatives from the Ministry of  
the Minister to be nominated by the  
Secretary to such Ministry ;

U, two representatives from the aquatic  
industry to be appointed by the  
Minister ;

(g) two eminent members of the scientific  
community to be appointed by the  
Minister ; and

(h) two members of the Board to be  
nominated by the Board.

(2) Every member of the Committee  
appointed under paragraphs U, and (g) of  
subsection (1) shall, unless he earlier vacates  
office by death, resignation or removal, hold  
office for a period of two years and shall be  
eligible for reappointment.

(3) Where any member appointed under  
paragraphs v) and (g) of subsection ( 1) vacates  
office prior to the expiration of his term of  
office, the Minister shall appoint another  
person in his place to hold office for the  
unexpired period of the term of office of the  
member whom he succeeds. \*\*.

**Amendment of  
section 18 of the  
principal  
enactment.**

9. Section 18 of the principal enactment is hereby  
amended in paragraph (c) of that section, by the substitution

for the words “ Board or the Council, as the case may be \*”, of the word “ Board “\*.

**Amendment of section 19 of the principal enactment.**

10. Section 19 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the word “ two “, of the word “ three “\*..*National Ayrccrtic Resources Re.wwrcl~ md De~~4op- 7 went Agency (Amenhent)Act. No. 32 of 10%*

11. Section 20 of the principal enactment is hereby amended as follows :- *section 20 of the . principal*

(a) by the substitution for the word “ Council “, of the word “ Committee ” ; and

(b) in the marginal note to that section, by the substitution for the word “ Council”, of the word “ Committee “.

12. Section 21 of the principal enactment is hereby amended as follows :- *section 21 of the principal*

(a) by the substitution for the word “ Council.” wherever it occurs in that section, of the word “ Committee “\* ;

(b) by the substitution for the words and figures “\* appointed under paragraph (a) of subsection (2) of section 13 “, of the words and figures “appointed under paragraphs u> and (g) of subsection (1) of section 17 ” ; and

(c) in the marginal note to that section, by the substitution for the word “ Council”\*, of the word “ Committee “.

13. Section 22. of the principal enactment is hereby amended as follows :- *section 22 of the principal*

(a) by the substitution for the word “ Council “\* wherever it occurs in that section, of the word “ Commit-tee ” ; and

(6) in the marginal note to that section, by the substitution for the word “ Council “, of the word “ Committee “.

14. Section 23 of the principal enactment is hereby amended as follows :- *section 23 of the principal*

(a) by the substitution for the word “ Council “\*, of the word “ Committee “\* ; and

(b) in the marginal note to that section, by the substitution for the word “ Council “\*, of the word “ Committee “..*Insertion of new section 38~ in the principal enactment.*

**Amendment of section 42 of the principal enactment.**

**Sinhalt text to prevail in case of inconsistency.**

15. The following new section is hereby inserted after section 38 of the principal enactment, and shall have effect as section 38~ of, the principal enactment :-

‘ Restriction on 38~. No officer of the Agency shall publish publication of

report, and  
or cause to be prepared, any report or  
research finding of the Agency, without  
obtaining the prior written permission of the  
Director-General. “.

16; Section 42. of the principal enactment is hereby  
amended as follows :-

(a) by the repeal of the definitions of the  
expressions “Ceylon Fisheries Corporation” and  
“Ceylon Fishery Harbours, Port and  
Fisheries”;

(b) by the insertion of the definition of  
the expression “coastal wetlands” of the following  
new definition :-

“Exclusive Economic Zone” means the area  
defined to be the Exclusive Economic  
Zone of Sri Lanka by the law made  
under section 5 of the Maritime Zones Law,  
No. 22 of 1976; and

(c) by the insertion immediately after the definition  
of the expression “inland waters”, of the following  
new definition, :-

“Minister” means the Minister appointed under  
Article 44 of the Constitution to be in-charge  
of the subject of Fisheries and Aquatic  
Resources Development; and

(d) by the substitution in the definition of the  
expression “Maritime Zones  
Law, No. 22 of 1976”, of the words “Maritime  
Zones Law, No. 22 of 1976 and includes the  
Exclusive Economic Zone”; and

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