

[Certified on 23rd October, 1987]

L.D.—O. 13/87

**AN ACT TO AMEND THE RUBBER RESEARCH ORDINANCE**

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

1. This Act may be cited as the Rubber Research (Amendment) Act, No. 39 of 1987. **Short title.**

2. Section 3 of the Rubber Research Ordinance (hereinafter referred to as the “principal enactment”) is hereby repealed and **the** following section substituted **therefor** :— **Replacement of section 3 of Chapter 43%**

“ Constitution and proceedings of the board.”

3. (1) The board shall consist of the following members :—

(a) the person for the time being holding office as the Secretary to the Ministry of the Minister in charge of the subject of Plantation Industries or any senior officer of such Ministry nominated by such Minister ;

(b) the person for the time being holding office as the Secretary to the Ministry of the Minister in charge of the subject of Finance, or any senior officer of such Ministry nominated by such Minister ;

(c) the person for the time being holding office as Chairman of the Janntha Estates Development Board established under the State Agricultural Corporations Act, No. 11 of 1972, or his nominee ;

(d) the person for the time being holding office as Chairman of the Sri Lanka State Plantations Corporation established under the State Agricultural Corporations Act, No. 11 of 1972, or his nominee ;

(e) the person for the time being holding office as the Rubber Controller ;

(f) the member of Parliament **representing** the electoral district within which the Rubber Research Institute is situated ; and

(g) five members appointed by the Minister (hereinafter referred to as "appointed members") from **among** persons who have knowledge and **experience** of the rubber **industry**, with special reference to planting, manufacturing, sale and export of rubber.

(2) Every appointed member of the board shall, unless he vacates office earlier by death, resignation or removal, or for other cause hold office for a term of four years from the date of his appointment and shall unless he has been removed from office, be eligible for reappointment.

(3) Where an appointed member of the board, by reason of illness, infirmity or absence from Sri Lanka for a period is temporarily unable to perform his duties, the Minister may, having regard to the provisions of paragraph (g) of subsection (1) appoint another person to act in his place during such period.

(4) An appointed member of the board may at any time resign from his **office** by letter to that effect addressed to the Minister and such resignation shall take effect upon it being accepted by the Minister in writing.

(5) The Minister may, by Order published in the *Gazette*, remove any appointed member of the board from office without assigning any reason therefor. A member in **respect** of whom an Order is made under this subsection, shall be deemed to have vacated office on the date of publication of the Order in the *Gazette*.

(6) In the event of the vacation of office, by death, resignation or removal ~~or~~ for other cause by any appointed member of the board, the Minister may having regard to the provisions of paragraph (g) of subsection (1), appoint another person to succeed ~~such~~ member. Any person appointed in place of such appointed member, shall hold office during the unexpired period of the term of ~~office~~ of the member whom he succeeds.

(7) The members of the board may be paid such remuneration as the Minister may, in consultation with the Minister in charge of the subject of Finance, determine.

(8) No act, decision or proceeding of the board shall be deemed to be invalid by ~~rea-~~  
~~son~~ only of the existence of a vacancy in such board or any defect in the appointment of any member thereof.

(9) Any appointed member of the board who is absent from three ordinary consecutive meetings of the board, shall be deemed to have vacated his ~~office~~ :

Provided that the board may in its discretion, restore him to his office at any time before the appointment of another member to fill the vacancy.

(10) The proceedings of the board shall be conducted in the manner specified in the Schedule to this Ordinance. ”.

3. The following *new* section is hereby inserted immediately after section 3 and shall have effect as section 3A of the principal enactment :—

Insertion of  
new section  
3A in the  
principal  
enactment.

“The Chair-  
man and  
Vice-Chair-  
man of the  
board.

3A. (1) The Minister shall appoint two of the members of the board to be the Chairman and Vice-Chairman respectively of the board.

(2) **Subject to** the ‘provisions of subsections (3) and (5) the term of ~~office~~ of the Chairman and Vice-Chairman shall be his period of membership of ~~the~~ board :

Provided, however, that where the Chairman or Vice-Chairman ceases to hold office as Chairman or Vice-Chairman prior to the expiration of the term of office as a member of the board, the Minister may appoint another member of the board as Chairman or Vice-Chairman, as the case may be, and such member shall, unless he earlier vacates **office** as Chairman or Vice-Chairman, serve as Chairman or Vice-Chairman for the unexpired period of the term of office of the Chairman or Vice-Chairman whom he succeeds.

(3) The Minister may, without assigning any reason therefor, terminate the appointment of the Chairman.

(4) If the Chairman becomes by reason of illness, absence from Sri Lanka or any other cause, temporarily unable to perform the duties of his **office**, the Minister may appoint any other member of the board to act in his place.

(5) The Chairman may at any time resign from **office** of Chairman by writing under his hand addressed to the Minister. **Such resignation** shall take effect upon it being accepted by the Minister in writing."

Amendment of section 5 of the principal enactment.

4. Section 5 of the principal enactment is hereby amended, by the substitution for the words and figures "All regulations made under section 3 (6) and all rules made under section 4 (12)", of the words and figures "All rules made under section 4 (12)".

Amendment of the Schedule to the principal enactment.

5. The Schedule to the principal enactment is hereby amended, by the deletion of items 9, 10 and 11 of that Schedule.

Members of the board holding office on the day preceding the date of commencement of this Act to cease to hold such office of the date of commencement of this Act

6. Every person holding office as a member of the board on the day immediately preceding the date of commencement of this Act, whether such person holds such office by virtue of the provisions of paragraph (a) of subsection (1) of section 3 or is nominated to such office by virtue of the provisions of paragraph (b) of subsection (1) of section 3 of the principal enactment shall, notwithstanding anything in the principal enactment, cease to hold office on the date of commencement of **this** Act.