



(Eighth Parliament - First Session)

No. 197.]

MINUTES OF PARLIAMENT

Tuesday, September 19, 2017 at 1.00 p. m.

PRESENT :

Hon. Karu Jayasuriya, Speaker

Hon. Thilanga Sumathipala, Deputy Speaker and Chairman of Committees

Hon. Ranil Wickremesinghe, Prime Minister and Minister of National Policies and Economic Affairs

Hon. (Mrs.) Thalatha Atukorale, Minister of Foreign Employment and Minister of Justice

Hon. Wajira Abeywardana, Minister of Home Affairs

Hon. John Amaratunga, Minister of Tourism Development and Christian Religious Affairs

Hon. Mahinda Amaraweera, Minister of Fisheries and Aquatic Resources Development and State Minister of Mahaweli Development

Hon. Gayantha Karunatileka, Minister of Lands and Parliamentary Reforms and the Chief Government Whip

Hon. Akila Viraj Kariyawasam, Minister of Education

Hon. Lakshman Kiriella, Minister of Higher Education and Highways and Leader of the House of Parliament

Hon. Mano Ganesan, Minister of National Co-existence, Dialogue and Official Languages

Hon. Dayasiri Jayasekara, Minister of Sports

Hon. Nimal Siripala de Silva, Minister of Transport and Civil Aviation

Hon. Palany Thigambaram, Minister of Hill Country New Villages, Infrastructure and Community Development

Hon. Duminda Dissanayake, Minister of Agriculture

Hon. Navin Dissanayake, Minister of Plantation Industries

Hon. S. B. Dissanayake, Minister of Social Empowerment, Welfare and Kandyan Heritage

Hon. S. B. Nawinne, Minister of Internal Affairs, Wayamba Development and Cultural Affairs

Hon. Gamini Jayawickrama Perera, Minister of Sustainable Development and Wildlife and Minister of Buddhasasana

Hon. A. D. Susil Premajyantha, Minister of Science, Technology and Research

Hon. Rishad Bathiudeen, Minister of Industry and Commerce

Hon. (Mrs.) Chandrani Bandara, Minister of Women and Child Affairs

Hon. Tilak Marapana, Minister of Development Assignments and Minister of Foreign Affairs

Hon. Faiszer Musthapha, Minister of Provincial Councils and Local Government

Hon. Sagala Ratnayaka, Minister of Law and Order and Southern Development

Hon. Arjuna Ranatunga, Minister of Petroleum Resources Development

Hon. Patali Champika Ranawaka, Minister of Megapolis and Western Development

Hon. Chandima Weerakkody, Minister of Skills Development and Vocational Training

Hon. Malik Samarawickrama, Minister of Development Strategies and International Trade

Hon. Mahinda Samarasinghe, Minister of Ports and Shipping

Hon. W. D. J. Senewiratne, Minister of Labour, Trade Union Relations and Sabaragamu Development

Hon. Wijith Wijayamuni Zoysa, Minister of Irrigation and Water Resources Management

Hon. Rauff Hakeem, Minister of City Planning and Water Supply

Hon. Abdul Haleem, Minister of Post, Postal Services and Muslim Religious Affairs

Hon. Kabir Hashim, Minister of Public Enterprise Development

Hon. P. Harrison, Minister of Rural Economic Affairs

Hon. Field Marshal Sarath Fonseka, Minister of Regional Development

Hon. Lakshman Yapa Abeywardena, State Minister of Public Enterprise Development

Hon. Wasantha Aluwihare, State Minister of Agriculture

Hon. T. B. Ekanayake, State Minister of Lands

Hon. Dilan Perera, State Minister of Highways

Hon. Niroschan Perera, State Minister of National Policies and Economic Affairs

Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle, State Minister of City Planning and Water Supply

Hon. Palitha Range Bandara, State Minister of Irrigation

Hon. (Mrs.) Vijayakala Maheswaran, State Minister of Child Affairs

Hon. V. S. Radhakrishnan, State Minister of Education

Hon. Eran Wickramaratne, State Minister of Finance

Hon. Dilip Wedaarachchi, State Minister of Fisheries and Aquatic Resources
Development

Hon. Ravindra Samaraweera, State Minister of Labour and Trade Unions Relations

Hon. Sujeewa Senasinghe, State Minister of International Trade

Hon. Vasantha Senanayake, State Minister of Foreign Affairs

Hon. M. L. A. M. Hizbullah, State Minister of Rehabilitation and Resettlement

Hon. A. H. M. Fowzie, State Minister of National Integration and Reconciliation

Hon. Lasantha Alagiyawanna, Deputy Minister of Finance and Mass Media

Hon. Faizal Cassim, Deputy Minister of Health, Nutrition and Indigenous Medicine

Hon. (Dr.) (Mrs.) Anoma Gamage, Deputy Minister of Petroleum Resources
Development

Hon. Anuradha Jayaratne, Deputy Minister of Mahaweli Development and
Environment

Hon. (Mrs.) Sumedha G. Jayasena, Deputy Minister of Sustainable Development and
Wildlife

Hon. (Dr.) Harsha De Silva, Deputy Minister of National Policies and Economic
Affairs

Hon. Manusha Nanayakkara, Deputy Minister of Foreign Employment

Hon. Karunarathna Paranawithana, Deputy Minister of Skills Development and
Vocational Training

Hon. Susantha Punchinilame, Deputy Minister of Public Administration and
Management

Hon. Ajith P. Perera, Deputy Minister of Power and Renewable Energy

Hon. Indika Bandaranayake, Deputy Minister of Housing and Construction

Hon. Ranjan Ramanayake, Deputy Minister of Social Empowerment, Welfare and
Kandyan Heritage

Hon. Nimal Lanza, Deputy Minister of Home Affairs

Hon. Duleep Wijesekera, Deputy Minister of Post, Postal Services and Muslim
Religious Affairs

Hon. Ameer Ali Shihabdeen, Deputy Minister of Rural Economic Affairs

Hon. H. M. M. Harees, Deputy Minister of Sports

Hon. Hector Appuhamy

Hon. Rohitha Abeygunawardana
Hon. Mahinda Yapa Abeywardena
Hon. Sisira Kumara Abeyssekara
Hon. Dilum Amunugama
Hon. J. C. Alawathuwala
Hon. Dullas Alahapperuma
Hon. Ananda Aluthgamage
Hon. Mahindananda Aluthgamage
Hon. Ranjith Aluvihare
Hon. Ravi Karunanayake
Hon. A. Aravindh Kumar
Hon. J. M. Ananda Kumarasiri
Hon. Velu Kumar
Hon. Nalaka Prasad Colonne
Hon. Chandrasiri Gajadeera
Hon. Chandima Gamage
Hon. Udaya Prabhath Gammanpila
Hon. Nihal Galappaththi
Hon. Dinesh Gunawardena
Hon. Bandula Gunawardane
Hon. Edward Gunasekara
Hon. Padma Udhayashantha Gunasekera
Hon. S. M. Chandrasena
Hon. D. V. Chanaka
Hon. Sisira Jayakody
Hon. (Dr.) Nalinda Jayathissa
Hon. Nalin Bandara Jayamaha
Hon. Anura Sidney Jayarathne
Hon. Piyankara Jayaratne
Hon. (Dr.) Kavinda Heshan Jayawardana
Hon. Lucky Jayawardana
Hon. Mylvaganam Thilakarajah
Hon. K. Thuraiatretnasingam
Hon. Janaka Bandara Tennakoon
Hon. Arumugan Thondaman
Hon. M. S. Thowfeek
Hon. Sirinal de Mel

Hon. Piyal Nishantha De Silva
Hon. Mohan Priyadarshana De Silva
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Mayantha Dissanayake
Hon. Wimalaweera Dissanayaka
Hon. Salinda Dissanayake
Hon. Douglas Devananda
Hon. Mohamed Navavi
Hon. Vasudeva Nanayakkara
Hon. I. Charles Nirmalanathan
Hon. Buddhika Pathirana
Hon. (Dr.) Ramesh Pathirana
Hon. K. K. Piyadasa
Hon. Sanath Nishantha Perera
Hon. Sujith Sanjaya Perera
Hon. Arundika Fernando
Hon. Johnston Fernando
Hon. Ashoka Priyantha
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
Hon. Tharaka Balasuriya
Hon. Vijitha Berugoda
Hon. Muhammad Ibrahim Muhammad Mansoor
Hon. S. M. Marikkar
Hon. Seyed Ali Zahir Moulana
Hon. Imran Maharooof
Hon. Abdullah Mahrooff
Hon. (Prof.) Ashu Marasinghe
Hon. S. C. Mutukumarana
Hon. Seeniththamby Yoheswaran
Hon. Bimal Rathnayake
Hon. C. B. Rathnayake
Hon. Lohan Ratwatte
Hon. Prasanna Ranaweera
Hon. Keheliya Rambukwella

Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Chamal Rajapaksa
Hon. Namal Rajapaksa
Hon. Mahinda Rajapaksa
Hon. Angajan Ramanathan
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura
Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. (Mrs.) Sriyani Wijewickrama
Hon. Chaminda Wijesiri
Hon. Kanchana Wijesekara
Hon. Heshan Withanage
Hon. S. Viyalanderan
Hon. Kumara Welgama
Hon. S. Shritharan
Hon. Gnanamuthu Srineshan
Hon. (Mrs.) Shanthi Sriskandarasa
Hon. Jayantha Samaraweera
Hon. Sandith Samarasinghe
Hon. Rajavarothiam Sampanthan, Leader of the Opposition in Parliament
Hon. E. Saravanapavan
Hon. M. H. M. Salman
Hon. (Dr.) S. Sivamohan
Hon. Muthu Sivalingam
Hon. Annamalai Nadesu Sivasakthi
Hon. M. A. Sumanthiran
Hon. Vadivel Suresh
Hon. Shehan Semasinghe
Hon. Sunil Handunnetti
Hon. Wijepala Hettiarachchi

Hon. Indika Anuruddha Herath

Hon. Kanaka Herath

Hon. Vijitha Herath

Mr. Dhammika Dasanayake, Secretary-General of Parliament

Mr. Neil Iddawala, Chief of Staff and Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

Mr. Tikiri K. Jayathilake, Assistant Secretary-General

Parliament met pursuant to adjournment. The Speaker took the Chair.

1. Announcements by the Speaker : Speaker made the following announcement:-

“ I wish to announce to the House that I have received the Determination of the Supreme Court in respect of the Bill titled, ‘Twentieth Amendment to the Constitution’ which had been challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The majority of the Court has determined that Clauses 2, 3 and 4 of the Bill are inconsistent with Articles 3, 4, 12(1) and 14(1) of the Constitution and under Article 83 the Bill shall become law if the number of votes cast in favour thereof amounts to not less than two-thirds of the whole number of Members (including those not present), approved by the People at a Referendum and a certificate is endorsed thereon by the President in accordance with Article 80.

I order that the Determination of the Supreme Court be printed in the Official Report of today’s Proceedings. ”

2. Presentation of Papers : (1) The Minister of Lands and Parliamentary Reforms presented the —

- (i) Performance Report of the Ministry of Defence for the year 2016;
- (ii) Annual Performance Report of the Sri Lanka Navy for the year 2016; and
- (iii) Performance Report of the Civil Security Department for the year 2016.

and moved that these Reports be referred to the Sectoral Oversight Committee on National Security.

Question put, and agreed to.

(2) The Minister of City Planning and Water Supply presented the Annual Performance Report of the Ministry of City Planning and Water Supply for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on Sustainable Development and Environment and Natural Resources.

Question put, and agreed to.

(3) The Minister of Lands and Parliamentary Reforms presented the Order made by the Minister of Development Strategies and International Trade under Section 14 of the Sri Lanka Export Development Act, No. 40 of 1979 relating to Cess and Published in the Gazette Extraordinary No. 2030/19 of 01st August 2017 and moved that this Order be referred to the Sectoral Oversight Committee on Economic Development.

Question put, and agreed to.

3. Presentation of Reports from Committees : Hon. Chamal Rajapaksa, the Chairman of the Sectoral Oversight Committee on Transport and Communication presented the Report of the said Committee on,—

- (i) Motor Traffic (Amendment) Bill;
- (ii) Performance Report of the Ministry of Transport & Civil Aviation for the year 2016; and
- (iii) Performance Report of the Department of Sri Lanka Railways for the year 2016

which were referred to the said Committee.

Ordered that the said Report do lie upon the **Table**.

4. Petitions :

- (1) Hon. Wajira Abeywardana presented a petition dated 05.06.2017 from Mr. D.H. Jayalath Gunawardana serving in State Pharmaceutical Manufacturing Corporation, No. 11, Sir John Kothalawala Mawatha, Rathmalana.
- (2) Hon. Salinda Dissanayake presented a petition dated 24.07.2017 from Mr. K.B. Athapaththu of Wadiyagoda, Harankahagoda, Weuda.

The Petitions stood referred under Standing Order No. 25A of the Parliament, to the Committee on Public Petitions.

5. Provincial Councils Elections (Amendment) : The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs presented,— Bill to amend the Provincial Councils Elections Act, No. 2 of 1988.

The Bill was ordered to be read a second time on Tuesday, 03rd October, 2017 and to be printed and to be referred to the relevant Sectoral Oversight Committee.

6. Judicature (Amendment): The Minister of Foreign Employment and Minister of Justice presented,— Bill to amend the Judicature Act, No. 2 of 1978.

The Bill was ordered to be read a second time on Tuesday, 03rd October, 2017 and to be printed and to be referred to the relevant Sectoral Oversight Committee.

7. Sittings of the Parliament (No. 1) : The Leader of the House of Parliament moved,— That notwithstanding the provisions of Standing Order No. 7 of the Parliament and the motion agreed to by Parliament on 08.03.2016, the hours of sittings of Parliament on Wednesday, September 20th, 2017 shall be 9.30 a.m. to 6.30 p.m.. At 6.30 p.m. Mr. Speaker shall adjourn the Parliament without question put.

Question put, and agreed to.

8. Sittings of the Parliament (No. 2) : The Leader of the House of Parliament moved,— That this Parliament at its rising this day do adjourn until 9.30 a.m. on Wednesday, September 20th, 2017.

Question put, and agreed to.

9. Leave to introduce Bill : Hon. Seyed Ali Zahir Moulana seconded by Hon. M. H. M. Salman presented,— That leave be granted to introduce the following Bill:—

“ Bill to amend the Rifai Thareeq Association of Sri Lanka (Incorporation) Law, No. 29 of 1976.”

Question put, and agreed to.

Bill accordingly read the first time, and ordered to be printed.

The Bill stood referred under Standing Order No. 47(5) of the Parliament to the Minister of Post, Postal Services and Muslim Religious Affairs for Report.

10. Motor Traffic (Amendment) Bill : Order for second reading read.

The Minister of Transport and Civil Aviation moved,— That the Bill be now read a second time.

(At 2.38 p.m. the Deputy Speaker took the Chair.)

The Minister of Higher Education and Highways moved,—That Hon. Edward Gunasekara do take the Chair.

Question put, and agreed to.

(At 2.59 p.m. Hon. Edward Gunasekara took the Chair.)

The Minister of Plantation Industries moved,—That Hon. J.M. Ananda Kumarasiri do take the Chair.

Question put, and agreed to.

(At 4.13 p.m. Hon. J.M. Ananda Kumarasiri took the Chair.)

The Minister of Transport and Civil Aviation moved,—That Hon. Edward Gunasekara do take the Chair.

Question put, and agreed to.

(At 5.57 p.m. Hon. Edward Gunasekara took the Chair.)

Question proposed, and debated.

Bill accordingly read a second time.

The Minister of Transport and Civil Aviation moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Presiding Member took the Chair.

Clause 1 to 4 were agreed to.

Clause 5

The Minister of Transport and Civil Aviation proposed an amendment to leave out line 20 in page 3 and substitute the following:-

“and may include a”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out line 31 in page 3 and substitute the following:-

“and may include a”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out line 9 in page 4 and substitute the following:-

“may include a vehicle”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out line 1 in page 5 and substitute the following:-

“

9.	Hand Tractor		G1		
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Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended stand part of the Bill, put and agreed to.

Clause 6 to 12 were agreed to.

Clause 13

The Minister of Transport and Civil Aviation proposed an amendment to leave out lines 29 to 31 (both inclusive) in page 10 and substitute the following:-

“ the Deputy Inspector General of Police in charge of Ranges of each Province shall authorize an”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out line 2 in page 11 and substitute the following:-

“ The Deputy Inspector General Police”;

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended stand part of the Bill, put and agreed to.

Clause 14 to 21 were agreed to.

Clause 22

The Minister of Transport and Civil Aviation proposed an amendment to leave out line 29 in page 19 and substitute the following:-

“ (1) by the omission of Column III thereof on such date as the Minister may prescribed by regulations published in the *Gazette*”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out lines 16 to 27 (both inclusive) in page 20:-

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out lines 4 to 5 in page 22 and substitute the following:-

“

19.	Section 155A	- Excessive emission of smoke & c.
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 ”

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out lines 15 to 17 (both inclusive) in page 22 and substitute the following:-

“

24.	Section 159	- Prohibition to distribute advertisements from a vehicle in motion.
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 ”

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out lines 25 to 27 (both inclusive) in page 22 and substitute the following:-

“

28.	Section 165	- Failure to take precautions when discharging fuel into the tank.
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”

Question that the amendment be agreed to, put, and agreed to.

The Minister of Transport and Civil Aviation proposed another amendment to leave out lines 23 to 26 (both inclusive) in page 23 and substitute the following:-

“

36.	Section 196	- Failure to carry the emission certificate or the fitness certificate in the vehicle.
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”

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended stand part of the Bill, put and agreed to.

Clause 23 was agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported with Amendments.

The Minister of Transport and Civil Aviation moved,— That the Bill, as amended be now read the third time.

Question put, and agreed to.

Bill, as amended, accordingly read the third time and passed.

11. Adjournment (Establishment of Kilinochchi Urban Council and Kandawalai Pradeshiya Sabha) : The Minister of Lands and Parliamentary Reforms moved,— That this Parliament do now adjourn.

Question proposed, and debated.

Question put, and agreed to; the Parliament was at 6.36 p.m. adjourned until 9.30 a.m. on Wednesday, 20th September, 2017 pursuant to the Resolution of Parliament of this day.