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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 51/3-1979 අගෝස්තු 27 වැනි වැද්ද - 1979.08.27

No. 51/3-MONDAY, AUGUST, 27, 1979

(Published by Authority)

PART I: SECTION (I) - GENERAL

Government Notifications

THE LICENSING OF PRODUCE BROKERS ACT, No. 9 OF 1979

REGULATIONS made by the Minister of Plantation Industry under Section 2 (b), read with Section 9, of the Licensing of Produce Brokers Act, No. 9 of 1979.

M. D. H. JAYAWARDENE,
Minister of Plantation Industry.
Colombo, 27th August, 1979.

Regulations

1. These regulations may be cited as the Licensing of Produce Brokers (Tea) Regulations, 1979.

2. These regulations shall apply to individuals, firms and companies acting as brokers—

(a) at the Colombo tea auctions for the sale of tea; or

(b) for the sale of tea for export purposes by private treaty in accordance with the regulations made by the Sri Lanka Tea Board governing such sales.

3. Every individual, firm or company desiring to obtain a licence to carry on the business of a produce broker under these regulations shall make an application in that form, substantially in the form set out in the Schedule hereto, to the Appropriate Authority.

4. Every applicant for a licence under these regulations shall furnish to the Appropriate Authority, all such information as such Authority may require, for the purpose of dealing with the application.

5. No private company or public company with limited liability shall be eligible for a licence to carry on the business of a produce broker unless sixty per centum or more of the shares of such company are owned by citizens of Sri Lanka.

6. Any individual, firm or company carrying on the business of a produce broker under these regulations shall have a proper business place in Sri Lanka approved by the appropriate Authority and shall furnish to such authority, details of the premises in which such business is to be carried out.

7. No licence to carry on the business of a produce broker shall be issued to any individual, firm or company who applies for a licence unless—

(1) such individual, firm or company—

(i) furnishes proof of access to financial borrowings from an approved leading institution, or furnishes proof of financial resources of a sum equivalent to at least three per centum of the aggregated net sale value of teas calculated, in the case of an applicant already engaged in the business of a produce broker, on the basis of the value of teas sold by such applicant in the year preceding the year for which the licence is applied for, and, in the case of an applicant entering the business of a produce broker for the first time, the estimated value of teas due to be sold by such applicant at the Colombo tea auctions in the year for which the licence is applied for, subject to a maximum of rupees one million; and

(2) such individual, firm or company furnishes proof of warehouse and storage facilities for the use of clients, sufficient—

(i) to store a minimum of ten per centum of the total volume of teas due to be sold in the year for which the licence is applied for, by such individual, firm or company at the Colombo tea

auctions excluding teas due to be sold in the ex-estate catalogue and state owned teas; and

- (ii) to provide storage for such teas for any period of time between the despatch for sale at the Colombo tea auctions, and a period of one month after the sale of such tea at such auctions.

Every individual ~~and a company making an~~ application under these regulations for a licence to carry on the business of a produce broker, shall furnish the following information to the Appropriate Authority—

details of staff employed in the business of broking of tea exclusively, their names, designations, type of work assigned to each, and the experience of each in work relevant to his post;

the audited Balance Sheet and a Profit and Loss Statement for the three calendar years immediately preceding the year in which the application for such licence is made;

the availability of adequate facilities to clients of the applicant in regard to—

- (i) market information;
- (ii) advice on the manufacture of tea in relation to the marketing of teas; and
- (iii) such facilities for tasting and sampling as are consistent with the anticipated volume of business of the applicant;

the names, addresses, and nationality of all shareholders, the shares held by each of them at the date of such application and the transfer of shares that have taken place during the twelve months immediately preceding the date of such application.

The licence fee payable for a licence to carry on business of a produce broker shall be—

- rupees five hundred in respect of a private company with limited liability;
- rupees five hundred in respect of a public company; and
- rupees seven hundred and fifty in respect of others to whom paragraph (a) or paragraph (b) of this regulation is not applicable.

Every licence shall, unless earlier cancelled or voided, expire on the thirty-first day of December in year for such licence has been issued.

Provided however that any licence issued for the 1979 shall be valid until the thirty first day of January, 1980.

Every application for a licence for a particular year shall be submitted to the Appropriate Authority before the thirtieth day of September of the immediately preceding year and the Appropriate Authority shall determine such application on or before the thirtieth day of October of the year in which such application is made.

Provided however, that in the case of applications for the year 1979, such applications shall be submitted to the Appropriate Authority on or before the thirtieth day of September 1979 and the Appropriate Authority shall determine such application on or before thirtieth day of October, 1979.

12. No licence to carry on the business of a produce broker shall be issued to any individual, firm or company, if—

(a) such individual, firm or company, or any director, partner, proprietor, or executive, as the case may be, of such firm or company, is actually or partly engaged in the business of purchasing tea; or

(b) such individual or any director, partner, proprietor or executive of such firm or company, is a director, partner, proprietor or executive of any firm or company, wholly or partly engaged, in the business of purchasing tea; or

(c) such individual, firm or company or any director, partner, proprietor, or executive of such firm or company or the spouse or dependent child of such individual, director, partner, proprietor or executive, as the case may be, holds more than ten per centum of the shares in any firm or company wholly or partly engaged in the business of purchasing tea;

(d) such individual, firm or company, or any director, partner, proprietor or executive, as the case may be, of such firm or company, is the Agent, whether as Managing Agent or otherwise, or the Secretary of any firm or company wholly or partly engaged in the business of purchasing tea; or

(e) such firm or company, is owned wholly or partly, or is managed as Managing Agent, Secretary or otherwise by any individual, firm or company wholly or partly engaged in the business of purchasing tea; or

(f) such individual, firm or company is managed by a person who is a director, partner, proprietor, executive or shareholder holding more than ten per centum of the shares in a firm or company wholly or partly engaged in the business of purchasing tea;

(g) any individual, firm or company, wholly or partly engaged in the business of tea, or any director, partner, proprietor or executive, as the case may be, of such firm or company, is the spouse or dependent child of such director, partner, proprietor or executive, as the case may be, holds more than ten per centum of the shares of the firm or company.

13. In these regulations unless the context otherwise requires—

“approved lending institution” means the Bank of Ceylon, Commercial Bank of Ceylon Ltd., Citibank Bank Ltd., Habib Bank Ltd., Hassan National Bank Ltd., Indian Bank, Overseas Bank, Indocover Bank, People's Bank, State Bank of India, the Chartered Bank, Hong Kong and Shanghai Banking Corporation,

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Amended by

not legal

SCHEDULE

**APPLICATION FORM FOR A LICENCE TO CARRY ON
BUSINESS AS PRODUCE BROKER**

- (1) Name of applicant: _____
- (2) Registered address: _____
- (3) Address of principal place of business: _____
- (4) Nature of ownership (individual ownership, firm, private company or public company with limited liability): _____
- (5) Nature of liability: _____
- (6) Amount of authorised and issued capital: _____
- (7) Date and number of registration (under Companies Ordinance or Business Names Ordinance): _____
- (8) Names, addresses, nationality of all shareholders, the share held by each at the time of application and the share transfers that have taken place during the twelve months immediately preceding the date of application: _____
- (9) State whether—
 - (a) the applicant, or where the applicant is a firm or company, any director, partner, proprietor or executive, as the case may be thereof, is wholly or partly engaged in the business of purchasing tea: _____
 - (b) the applicant, or where the applicant is a firm or company, any director, partner, proprietor or executive, as the case may be, thereof, has shares in excess of ten per centum of the total shares in any firm or company wholly or partly engaged in the business of purchasing of tea: _____
 - (c) the applicant, or where the applicant is a firm or company, any director, partner, proprietor or executive, as the case may be, thereof, or the spouse or dependent child of such director, partner, proprietor or executive holds more than ten per centum of the total shares in any firm or company wholly or partly engaged in the business of purchasing tea: _____
- (10) State whether the applicant, or where the applicant is a firm or company, any director, partner, proprietor or executive, as the case may be, thereof, is the Agent, whether as Managing Agent or otherwise, or the Secre-

tary of any firm or company wholly or partly engaged in the business of purchasing tea or whether any business, firm or company purchasing tea acts as Managing Agent or otherwise or Secretary for the applicant firm or Company. If so give details: _____

- (11) State whether the applicant is managed by a person who is a director, partner, proprietor, executive or share-holder holding more than ten per centum of the total shares in a firm or company engaged wholly or partly in the business of purchasing tea: _____
- (12) State whether any individual, firm or company engaged wholly or partly in the purchasing of tea or any partner, director, proprietor or executive of such firm or company or the spouse or dependent child of such partner, director, proprietor or executive holds more than ten per centum of the total shares of the applicant firm or company: _____
- (13) Please give details of financial resources in terms of Regulation 7: _____
- (14) Please give details of the volume of tea dealt with by applicant in the three years immediately preceding the year in which the licence is applied for, with a breakdown separately by elevational category in respect of each such year: _____
- (15) State details of staff employed. Please give names of executive officers, their experience in such work, period of service in tea tasting, tea broking, valuing and auctioning. _____
- (16) State the warehouse facilities available for the use of clients in square feet and kg. capacity and the address of such premises: _____
- (17) Please state facilities due to be provided to customers in terms of Regulation 8 (c) _____
- (18) Please forward the audited Balance Sheet and a Profit and Loss Statement for the three calendar years immediately preceding the year in which the licence is applied for: _____

We declare that, to the best of our knowledge and belief, all the statements contained in this application are true and correct.

Signature of Applicant. _____

Date: _____
S-147

Can the applications be submitted to the
CTTA for comment & Receipt SLTB for final approval
Chairman

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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 143/12 — 1981 ජූනි 03 වැනි දින — 1981.06.03

No. 143/12 — WEDNESDAY, JUNE 03, 1981

(Published by Authority)

PART I: SECTION (I)—GENERAL

Government Notifications

L.D.—B. 7/79

THE LICENSING OF PRODUCE BROKERS ACT,
No. 9 OF 1979

REGULATIONS made by the Minister of Plantation Industries under section 2(6), read with section 9, of the Licensing of Produce Brokers Act, No. 9 of 1979.

MONTAGUE JAYAWICKREMA,
Minister of Plantation Industries.
Colombo, June 2, 1981.

Regulations

The Licensing of Produce Brokers (Tea) Regulations, 1979, published in Gazette Extraordinary No. 51/3 of August 27, 1979, are hereby amended as follows:—

(i) in regulation 8 thereof, by the substitution, for the words "firm or company making an application", of the words "firm or company other than an individual, firm or company entering the business of a produce broker for the first time, making an application";

(ii) by the insertion, immediately after regulation 8 thereof, of the following new regulation:—

"8A. Every individual, firm or company entering the business of a produce broker for the first time shall make an application for a licence under these regulations, and for the purpose shall furnish the following information to the Appropriate Authority:

(a) details of staff to be employed in the business of broking of tea exclusively, their names, their designations, the type of work proposed to be assigned to, and the experience expected of, each member of staff in work relevant to each post;

(b) facilities which are proposed to be provided to clients of the applicant in regard to—
(i) market information;

(ii) advice on the manufacture of tea in relation to the marketing of teas; and

(iii) facilities which are proposed to be established for testing and sampling of teas upon the commencement of business;

(c) the names, addresses, and nationality of all shareholders, the shares held by each of them at the date of application for a licence and the transfer of shares that have taken place during the twelve months immediately preceding the date of such application;";

(iii) in regulation 10 thereof by the substitution, for the words "the year for such licence", of the words "the year for which such licence";

(iv) by the insertion, immediately after regulation 11 thereof, of the following new regulation:

"11A. Every application for a licence made by an individual, firm or company entering the business of a produce broker for the first time, shall be determined by the Appropriate Authority within thirty days from the date on which such application was made."

(v) in regulation 13 thereof, by the substitution, for the words "the Chartered Bank or the Hongkong and Shanghai Banking Corporation", of the words "the Chartered Bank, the Hongkong and Shanghai Banking Corporation, the Bank of America, the Citibank or the Overseas Trust Bank Ltd";

(vi) in the Schedule thereto—

(c) in paragraph (15) thereof, by the substitution for the expression "and auctioning", of the following:—

"and auctioning, and in the case of an applicant entering the business of a produce broker for the first time, please state the details of staff to be employed in the business of broking of tea exclusively, their designations and the type of work proposed to be assigned to, and the experience expected of, each member of the staff in the tasting, tea broking, valuing and auctioning."; and

(d) in paragraph (16) thereof, by the substitution, for the words "square feet", of the words "square metres";

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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1055/1 - 1998 නොවැම්බර් 23 වැනි සඳුදා - 1998.11.23
No. 1055/1 - MONDAY, NOVEMBER 23, 1998

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B 7/79.

THE LICENSING OF PRODUCE BROKERS ACT, No. 9 OF 1979

Regulation made by the Minister of Public Administration, Home Affairs and Plantation Industries under Section 9 read with Section 2(6) of the Licensing of Produce Brokers Act, No. 9 of 1979.

RATHNASIRI WICKRAMANAYAKE,
Minister of Public Administration,
Home Affairs and Plantation Industries.

Colombo,
November, 1998.

Regulations

The Licensing of Produce Brokers (Tea) Regulations 1979 published in the *Gazette Extraordinary* No. 51/3 of 27, 1979, as amended by regulations published in *Gazette Extraordinary* No. 143/12 of June 03, 1981 are hereby further amended by the substitution, for regulation 11A thereof, of the following regulation :—

"11A every application for a licence for a particular year made by an individual, firm or company entering the business of a produce broker for the first time may, notwithstanding anything in regulation 11, be submitted to the Appropriate Authority at any time during the year in respect of which the licence is applied for and shall be determined by the Appropriate Authority within thirty days of the date on which such application is made, and such licence shall expire on the thirty-first day of December of the year in which it was so issued :

Provided that, notwithstanding the provisions of regulation 10, any licence issued under this regulation upon an application made on or after the first day of October in any year, by an individual, firm or company entering the business of a produce broker for the first time, shall expire on the thirty-first day of December of the succeeding year."

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අංක 1055/1 - 1998 නොවැම්බර් 23 වැනි සඳුදා - 1998.11.23

(ආණ්ඩුවේ බලපැවැත්වූ ප්‍රසිද්ධ කරන ලදී.)

I වැනි කොටස : (I) වැනි ඡේදය - සාමාන්‍ය

ආණ්ඩුවේ නිවේදන

අංක 7/79.

1979 අංක 09 දරන නිෂ්පාදන ද්‍රව්‍ය කැරැටිකරුවන්ට බලපත්‍ර දීමේ පනත

අංක 9 දරන නිෂ්පාදන ද්‍රව්‍ය කැරැටිකරුවන්ට බලපත්‍ර දීමේ පනතේ 2(6) වැනි වගන්තිය සමඟ කියවිය යුතු ඒ පනතේ වැනි වගන්තිය යටතේ රාජ්‍ය සම්පාදන, ස්වදේශ කටයුතු සහ වැවිලි කර්මාන්ත අමාත්‍යවරයා විසින් සාදන ලද නියෝගය.

රත්නසිරි වික්‍රමනායක,
රාජ්‍ය සම්පාදන, ස්වදේශ කටයුතු හා
වැවිලි කර්මාන්ත අමාත්‍ය.

නොවැම්බර් මස 23 වැනි දින,
1998 දී ය.

නියෝග

1981 ජූනි මස 3 වැනි දින අංක 143/12 දරන අති විශේෂ ගැසට් පත්‍රයේ පළ කරන ලද නියෝග මගින් සංශෝධිත 1979 අති විශේෂ ගැසට් පත්‍රයේ පළ කරන ලද 1979 නිෂ්පාදන ද්‍රව්‍ය (ආ) කැරැටිකරුවන්ට බලපත්‍ර දීමේ නියෝග, එහි 11 අ නියෝගය වෙනුවට පනත දක්වන නියෝගය ආදේශ කිරීමෙන් සම්පූර්ණ සංශෝධනය කරනු ලැබේ.

"11 අ. පළමු වගාවට නිෂ්පාදන ද්‍රව්‍ය කැරැටිකරුවකුගේ ව්‍යාපාරයකට, ඇතුළත් වන පුද්ගලයෙකු ව්‍යාපාර ආයතනයක් හෝ සමාගමක් විසින් ඉදිරිපත් කරන යම් වර්ෂයක් සඳහා වූ බලපත්‍රයක් සඳහා වූ සෑම ඉල්ලීමක් ම, 11 වැනි නියෝගයේ කුමක් සඳහන්ව ඇත ද බලපත්‍රයක් ඉල්ලීම කරනු ලබන්නේ යම් වර්ෂයක් සම්බන්ධයෙන් ද එම වර්ෂය ඇතුළත ඕනෑම වේලාවක නිසි බලධරයා වෙත ඉදිරිපත් කරනු ලැබිය හැකි අතර ඉල්ලීම ඉදිරිපත් කළ දින සිට දින තිහක් කළ දී නිසි බලධරයා විසින් ඒ ගැන තීරණය කළ යුතු ය. එවැනි ඉල්ලුම් බලපත්‍රයක කාලය එය එසේ නිකුත් කරනු ලැබූ වර්ෂයේ දෙසැම්බර් මස තිස් එක් වැනි දින ඉකුත් විය යුතු ය."

එසේ වුවද 10 වැනි නියෝගයේ විධිවිධාන කෙසේ වුවත් පළමුවන වගාවට නිෂ්පාදන ද්‍රව්‍ය කැරැටිකරුවකුගේ ව්‍යාපාරයකට ඇතුළත් වන පුද්ගලයෙකු, ව්‍යාපාර ආයතනයක් හෝ සමාගමක් හෝ විසින් යම් අවුරුද්දක ඕනෑකාලයක මෙම පළමුවන දින හෝ ඊට පසු දිනක මේ නියෝගය යටතේ ඉදිරිපත් කරන ඉල්ලීමක් මත නිකුත් කර ඇති බලපත්‍රයක වලංගු කාලසීමාව ඊළඟ වර්ෂයේ දෙසැම්බර් මස 31 වැනි දිනෙන් අවසන් විය යුතු ය."

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ශ්‍රී ලංකා රජයේ ප්‍රියං දෙසානමහේන්ද්‍රයා විසින් අවසන් වූයේ

අති විශේෂ ගැසට් අංක 1054/1 සංස්ථාව 1054/15න් අවසන් වේ.