

## PART V

### CONSULTANCY WORK IN THE CONSTRUCTION INDUSTRY

Register of  
Qualified  
Persons.

27. (1) The Authority shall keep and maintain a Register (hereinafter referred to as the "Register of qualified persons") wherein shall be recorded the names and particulars of all qualified persons recommended as such by the Credential Committees in the manner set out below, representing the following disciplines:-

- (a) Engineering, in consultation with the Institution of Engineers, Sri Lanka established under the Institution of Engineers Ceylon Act, No. 17 of 1968;
- (b) Architecture, in consultation with the Sri Lanka Institute of Architects established under the Sri Lanka Institute of Architects Law No. 1 of 1976;
- (c) Quantity Surveying, in consultation with the Sri Lanka Institute of Quantity Surveyors established under the Institute of Quantity Surveyors of Sri Lanka (Incorporation) Act, No. 20 of 2007;
- (d) Environmental and Public Health Engineering, in consultation with relevant professional and academic bodies ; and
- (e) any other discipline not specified herein as may be prescribed from time to time in consultation with relevant academic and professional bodies.

(2) The qualified persons, certified and whose names are contained in the Registers provided by the professional bodies specified in paragraphs (a), (b) and (c) of subsection (1) shall be deemed to be "qualified persons" and their names shall be included in the Register of Qualified Persons in the order of the registration numbers issued to such persons by the relevant professional bodies.

(3) A Credential Committee appointed by the Authority, shall in consultation with the relevant professional and academic bodies, consider the applications of persons specified in paragraph (d) and (e) of subsection (1), for registration as qualified persons. On the basis of the recommendation made to it, the Authority shall appoint the persons whose names are contained in such recommendation as "qualified persons" and require that the names of such persons be included in the Register of Qualified Persons.

(4) A registration number shall be issued to all registered qualified persons upon their names being entered in the Register.

(5) The Register shall be available for inspection by any person free of charge, at the office of the Authority during office hours.

(6) No Government entity or local authority shall engage any qualified person in any project unless the name of such person is listed in the Register of Qualified Persons.

Composition of  
Credential  
Committees &c..

28. (1) The majority of members of Credential Committees shall be members nominated by the relevant professional bodies and the procedure for the appointment of the same, and the guidelines which identify the manner in which such Committees should act in discharging their functions shall be as prescribed.

(2) The Authority shall from time to time, by Notification published in the *Gazette*, notify all government institutions, employment agencies and the general public who employ professionals and vocational categories in the industry, of the minimum qualifications and experience required for the different levels and categories of employments.

Only qualified  
persons to engage  
in prescribed  
construction  
work.

29. (1) No person other than a qualified person whose name has been entered in the Register maintained under section 27 shall be appointed for the purpose of, or engage in the carrying out of, designing, preparation of required contract documentation and overall supervision of any prescribed construction work.

(2) If any contract for 'design and build', "build operate and own", "build operate and transfer", or "build operate own and transfer" or any other similar contract for prescribed construction works is undertaken by any person whose name is not listed in the Register, then such person shall engage the services of a qualified person or persons listed in the Register for the designing, documentation and supervision of construction work.

Records to be  
maintained.

30. The Authority may maintain records on the prescribed works of consultancy organizations employed in construction work.

Design and  
documentation  
for prescribed  
construction  
works.

31. (1) Every qualified person whose name has been included in the register maintained by the Authority under section 27, in respect of any construction works subject to the scope of any consultancy shall ensure that—

- (a) the investigation of the physical characteristics of the site and the environment in which the construction work is to be undertaken, are carried out to such degree and in

such manner and to such accepted standards as may be necessary to ascertain information for the design, documentation and inspection or execution of the respective construction work;

- (b) all investigations and design of construction works, including temporary and false work, are carried out in conformity with the relevant standards and Codes of Practice of the Sri Lanka Standards Institute or where no such standards or Codes of Practice exist, then in conformity with the standards and Codes of Practice of the British Standards Institute or of any standards organization or body approved by the Authority, or in the absence of any such standards or Codes of Practice, in accordance with the accepted engineering practices;
- (c) the design of construction works comply with recognized engineering and architectural principles and that the standards and codes of practice adopted are those relevant to the prescribed construction works to be designed as recommended to be adopted by the Sri Lanka Standards Institute or where no such standards or codes of practice exist, in conformity with the standards and codes of practice of the British Standards Institute or other standards organization or body approved by the Authority;
- (d) all Bills of Quantities prepared for prescribed construction works conform to the standard method of measurement of the Sri Lanka Standards Institute or where no such standard method of measurements exist, to conform to the relevant standard of the British Standards Institute or other standards organization or body approved by the Authority;
- (e) all specifications prepared for construction works are in conformity with the specifications developed by the Authority or where no such specification exists, to conform to the relevant international specifications as approved by the Authority;
- (f) all bidding and contract documentations for prescribed construction works is in conformity with the documentation developed by the Authority for such purpose;

- (g) all materials used in construction works are in conformity with the standards recommended or issued by the Sri Lanka Standards Institute or where no such standards exist or where there are no applicable Sri Lanka Standards, shall conform to the relevant standards recommended or issued by the British Standards Institute or any standards institute or any other standards organization or body approved by the Authority;
- (h) all drawings in respect of construction works issued to the contractors are in conformity with the relevant laws and regulations including regulations made from time to time under this Act and contain sufficient details in order to execute the construction works.

(2) Every drawing or document issued in respect of construction works to be executed shall contain the name, registration number and the signature of the qualified person of the relevant discipline to certify that such drawing or document, as the case may be, has been done in accordance with recognized professional standards.

Local authority approval for prescribed construction works.

**32.** No local authority shall entertain any application for building approval for any prescribed construction works unless the architectural, structural, electrical and water supply, sewerage and other designs and services are carried out by a qualified person.

Time to grant approvals by statutory authorities.

**33.** Every person who, having adhered to the statutory planning requirements to commence on a building project, has applied to the relevant authority through a qualified person for preliminary clearance and building approval, shall be given such approval by the relevant authority within a period of sixty days of the application or be given reasons for the disapproval so as for the applicant to rectify the shortcomings and reapply. In the event of re-application upon rectification, approval for such building project shall be given within thirty days. It shall be the responsibility of the statutory authority giving approval to verify the requirements of other authorities and utility providers.

Custody of drawings and documents of prescribed construction works.

**34.** Copies of all as built drawings of architectural, structural, electrical, water supply and sewerage and other services prepared by any qualified person in respect of prescribed construction works shall be submitted to the local authority to be retained by the local authority. Copies of all reports and records of investigations, design computations and drawings prepared for the prescribed construction works shall be preserved by the qualified person for a period of not less than ten years after the completion of the construction works.