

- (b) if he is not, or ceases to be a citizen of Sri Lanka; or
- (c) if he is under any law in force in Sri Lanka or in any other country found or declared to suffer from unsoundness of mind; or
- (d) if he is serving or has served a sentence of imprisonment imposed by any Court in Sri Lanka or any other country; or
- (e) if he holds or enjoys any right or benefit under any contract made by or on behalf of the Authority; or
- (f) if he has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Board.

(5) Every appointed member shall, unless he vacates office earlier by death, resignation or removal, hold office for a term of three years from the date of his appointment and shall, unless he has been removed from office, be eligible for re-appointment.

(6) (a) The Minister may by Order published in the *Gazette* remove any appointed member from office for reasons assigned. A member in respect of whom an Order is so made under this section shall be deemed to have vacated office on the date of publication of that Order in the *Gazette*.

(b) Any appointed member may at any time resign from office by a letter to that effect, addressed to the Minister and sent by registered post.

(c) In the event of a vacation of office by death, resignation or removal of any appointed member nominated by an organization set out in subsection (1) of section 9, the Minister may appoint any other person to succeed such member as nominated by such organization. If such member was not nominated by an organization, then the Minister may appoint a suitable person from such Organization to succeed such member. Any member so appointed shall hold office for the unexpired term of office of the member whom he succeeds.

(d) In the case of a member nominated by an organization, on the nomination of such a member being withdrawn by the relevant organization, such member shall cease to function as a member of the Board.

(e) Where an appointed member, by reason of illness, infirmity or

absence from Sri Lanka for a period of not less than three months, is temporarily unable to perform his duties, it shall be the duty of such member to inform the Minister in writing of such inability. Thereupon, the Minister may, appoint some other person nominated by the relevant organization or any suitable person if such member was not nominated by any organization, to act in his place.

(7) The Minister may, for reasons assigned, remove the Chairman of the Board.

(8) If the Chairman, by reason of illness, infirmity or absence from Sri Lanka, is temporarily unable to perform the duties of his office, the Minister may nominate another member of the Board to act in his place.

(9) The Chairman may, at any time resign from office of Chairman by a letter addressed to the Minister. Such resignation shall take effect upon it being accepted by the Minister in writing.

(10) Subject to the provisions of subsections (2) and (7), the term of office of the Chairman shall be three years. The Chairman shall be eligible for reappointment.

(11) The Chairman, Working Director and the appointed members of the Board may be paid such remuneration out of the fund of the Authority as the Minister may determine in consultation with the Minister in charge of the subject of Finance.

(12) The Chairman of the Board shall preside at every meeting of the Board. In the absence of the Chairman at any meeting, the members present shall elect one among their members to preside at such meeting.

Meetings of the Board.

10. (1) The quorum for a meeting of the Board shall be five members and the Board may subject to other provisions of this Act, regulate the procedure in respect of meetings of the Board and the transaction of business at such meetings.

(2) The Chairman or the member presiding at any meeting of the Board, shall, in addition to his own vote, have a casting vote where there is an equality of votes.

(3) The Board shall meet at least once in every month.

(4) No act, decision or proceeding of the Board shall be deemed to be invalid by reason only of the existence of any vacancy in the Board or any defect in the appointment of any member thereof.

Seal of the  
Authority.

**11. (1) The seal of the Authority—**

- (a) shall be in the custody of the Director-General of the Authority;
- (b) may be altered in such manner as may be determined by the Authority; and
- (c) shall not be affixed to any instrument or document except with the sanction of the Authority and in the presence of the Chairman and another member of the Authority who shall sign the instrument or document in token of their presence and such signing shall be independent of the signing of any person as a witness.

(2) The Authority shall maintain a register of the instruments and documents to which the seal of the Authority is affixed.

Objects of the  
Authority.

**12. The objects of the Authority shall be—**

- (a) to promote the construction industry in meeting national construction demand and in advancing—
  - (i) the national, social and economic development in the field of construction;
  - (ii) the performance, efficiency and competitiveness of the industry ; and
  - (iii) the value of the Industry in development sphere.
- (b) to provide strategic leadership to construction industry stakeholders to stimulate sustainable growth, reform and improvement of the construction sector;
- (c) to implement the national policy on construction;
- (d) to determine and establish best practice that promotes—
  - (i) sound industry stability, performance, efficiency and effectiveness;
  - (ii) sound procurement and delivery management;
  - (iii) national, social and economic objectives including—

- (a) growth of the emerging sector;
- (b) labour intensification in the construction industry;
- (c) improve labour relations ; and
- (d) safety, health and environmental standards;
- (iv) human resource development in the construction industry;
- (e) to promote the development and implementation of appropriate programmes and measures aimed at best practice and enhanced performance in the Industry, contractors and other participants in the construction delivery process in the public and private sector;
- (f) to promote uniform application of the construction industry policy in all Government projects and undertakings;
- (g) to promote and establish –
  - (i) uniform standards;
  - (ii) ethical and social responsibility standards; and
  - (iii) technical and environmental standards,
 that regulate the actions, practices and procedures of parties engaged in construction projects and programmes;
- (h) to promote sustainable growth of the construction industry with special attention to the design and development of energy efficient buildings and structures;
- (j) to promote appropriate research and dissemination and publication of research work on any matter relating to the construction industry and its development.

Functions of the  
Authority.

**13. The functions of the Authority shall be–**

- (a) to administer the Act and any regulation made there under and implement the National Policy on Construction formulated under section 2;

- (b) to formulate strategies for the development of the construction industry;
- (c) to collate and publish materials and information pertaining to the construction industry;
- (d) to promote and regulate best practices relating to the construction industry;
- (e) to formulate and maintain standards in construction work including quality of materials used and workmanship;
- (f) to formulate national procurement guidelines related to procurement of works, goods and services in relation to construction industry, with an effective directive towards generating more opportunities for construction industry craftsmen and medium scale contractors, small scale suppliers and producers ;
- (g) to provide for and regulate the presentation of national awards for construction excellence for outstanding achievements in different fields of construction and national awards for design and development of energy efficient buildings, structures and construction techniques;
- (h) to promote and raise the standards of professionalism in the construction industry, and to co-ordinate the activities of professional bodies and other related associations in the construction industry and encourage the formation of bodies of specialists;
- (i) to foster and promote entrepreneurship in construction contractors of Sri Lanka;
- (j) to provide for and regulate the registration and grading of construction contractors;
- (k) to provide for and regulate the registration of specialist contractors for electromechanical installations, other building fixtures and other services in the field;
- (l) to provide for and regulate the registration of property developers to grade them under financial and marketing capabilities ;

- (m) to provide for and regulate the registration of importers, manufacturers and suppliers of construction materials and construction components used in the construction industry, as may be prescribed by the Authority ;
- (n) to maintain a Register of qualified persons in such professional fields as may be prescribed;
- (o) to provide for and regulate the registration of persons competent to function as adjudicators on contractual disputes;
- (p) to provide for and regulate the registration and licensing of workers skilled in construction trades as may be prescribed by the Authority under specific trades;
- (q) to register specified heavy construction plant, machinery and equipment available in the country;
- (r) undertake and facilitate the human resources development and training required for construction industry and to develop national standards for training and assessment in concurrence with relevant national agency;
- (s) to make assessments and issue certificates of competence to skilled workers engaged in the construction industry, who do not possess such certificates;
- (t) to review and monitor the human resource requirements of the construction industry and to facilitate the development of curricula for newly emerging trades;
- (u) to provide for and regulate the registration of any other category of employees in the construction industry other than qualified persons and vocational categories;
- (v) to improve and regulate the conditions of employment of persons who are engaged in the construction industry;

- (w) to promote and facilitate local consultancy services pertaining to construction industry and the undertaking of consultancy services in other countries by local consulting firms;
- (x) to promote and facilitate locally registered contractors undertaking construction works in other countries;
- (y) to provide information, advisory and conciliation services on matters relating to the construction industry;
- (z) to promote and encourage the adoption and propagation of new technologies related to environmentally friendly, appropriate, cost efficient and affordable innovations;
- (aa) to review and monitor any material, plant and machinery requirement of the construction industry and to encourage the development and use of local products in the construction works;
- (bb) to recommend concessions for the import of construction machinery, plant, equipment, spares and other materials for the construction works;
- (cc) to undertake, promote and co-ordinate research in various branches of the construction industry and to conduct training programmes for the improvement of quality and productivity of the construction industry;
- (dd) to assist institutions concerned with the construction industry in the development of their activities;
- (ee) to undertake or assist any other activity for the promotion of the construction industry;
- (ff) to regulate the health and safety standards and the use of hazardous material in construction industry;
- (gg) to establish and regulate technical auditing and monitoring of the construction and management processes as well as the outcome of construction works which include compliance with stipulated conditions and approved standards;