To: Secretary to the President Secretary to the Prime Minister Secretary to the Cabinet of Ministers All Secretaries to Ministries All Secretaries to State Ministries Heads of Departments not grouped under a Ministry

PROCEDURE TO BE FOLLOWED IN PRESENTING GOVERNMENT BUSINESS TO PARLIAMENT

The Government business presented to Parliament pertaining either to a Ministry or the institutions under the purview of a Ministry and the public institutions not grouped under a Ministry is as follows:

- i. Bills
- ii. Regulations/ Rules/ Orders
- iii. Resolutions/ Determinations
- iv. Supplementary Estimates
- v. Supplementary Support Services required to be tabled and additional releases under the Contingency Liabilities Project
- vi. Government Business on matters coming under the direct purview of the President
- vii. Annual Performance Reports of Ministries and Departments and Commissions of the Government
- viii. Annual Reports and Statement of Accounts of Corporations, Boards and Statutory Bodies
 - ix. Progress Reports presented for tabling during the third reading of the Budget.
 - x. Reports called by the Committee on Public Accounts under Standing Order 119 (4), the Committee on Public Enterprises under Standing Order 120(4) and the Committee on Public Finance under Standing Order 121
- xi. Treaties/ Agreements with Foreign Governments
- xii. Other reports intended to be presented to Parliament

The procedure to be followed in presenting Government business to Parliament is set out below.

01. <u>Bills</u>

In terms of Extraordinary Gazette No. 2196/27 dated 06.10.2020, a Bill can only be presented by a **Cabinet Minister**.

Once the Bill is drafted by the Legal Draftsman, it shall be referred to the Attorney General who will examine its constitutionality.

After obtaining the Attorney General's Certificate, the Bill shall be forwarded to the Cabinet of Ministers for approval.

On receipt of the approval of the Cabinet of Ministers, the relevant Ministry shall take action to cause the Bill published in the Government Gazette.

In terms of Article 78 of the Constitution;

"Every Bill shall be published in the Gazette at least **seven days** before it is placed on the Order Paper of Parliament".

The Bill shall thereafter be presented to Parliament for the First Reading.

Provided that, the jurisdiction of the Supreme Court has been invoked in respect of the Bill, there shall be no proceedings in Parliament in relation to such Bill until the determination of the Supreme Court has been made or the expiration of a period of three weeks from the date of such reference or petition, whichever occurs first.

For the purpose of presentation to Parliament, the following documents shall be submitted:

a. A copy of the relevant Cabinet Memorandum and a copy of the Cabinet decision which approved the presenting of the Bill in Parliament.

(The short title of the Bill shall be one and the same in all documents i.e. the gazette notification, the Cabinet Memorandum, the decision of the Cabinet of Ministers and the certificate of the Attorney General and approval should have been granted in the Cabinet decision for the presentation of the Bill in Parliament)

- b. The original of the letter sent under the signature of the relevant Minister in charge of the subject to the Secretary-General of Parliament through the Secretary to the Leader of the House requesting the Bill to be presented in Parliament for approval.
- c. A copy of the certificate of the Attorney General stating whether the Bill is consistent with the provisions of the Constitution.
- d. Four Hundred (400) copies of the Gazette notification in which the Bill was published in three languages.
- e. A background note prepared in three (03) languages containing a brief overview of the introduction, objectives, socioeconomic impact and the contents of the Bill for information of the Government Parliamentary Group (Sinhala-160, Tamil-25, English-160) and a soft copy containing 5 to 10 slides designed as a trilingual PowerPoint presentation of the same.
- f. If the Ministry intends to move any amendment in compliance with the legal processes for an Act presented to Parliament for approval, four hundred (400) copies of such amendment in three languages. These documents shall be submitted to the

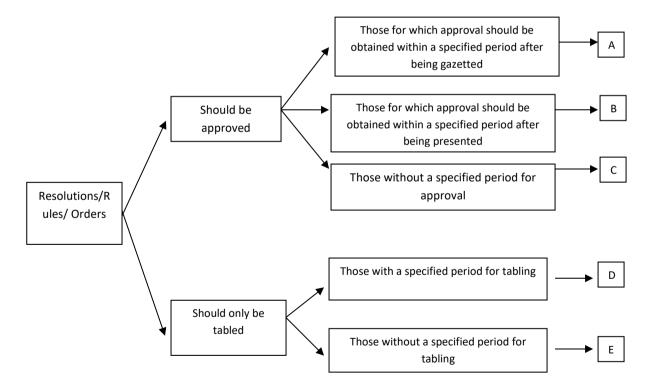
Office of the Leader of the House to be duly presented to Parliament in advance prior to the date of the Second Reading.¹

02. <u>Regulations/ Rules/ Orders</u>

In terms of Extraordinary Gazette No. 2196/27 dated 06.10.2020, a Regulation/Rule or an Order can only be presented by a Cabinet Minister.

Regulations/ Rules/Orders made under the provisions of the Constitution or made under any other Act or Law fall into any one of the following categories:

- A- Those for which approval should be obtained within a specified period after being gazette
- B- Those for which approval should be obtained within a specified period after being presented
- C- Those without a specified period for approval
- D- Those with a specified period for tabling
- E- Those without a specified period for tabling



When submitting regulations/rules/orders to Parliament by any Ministry, it shall be explicitly stated under which category above it is presented.

2.1 In submitting Regulations/ Rules/ Orders for the approval of Parliament, the under mentioned documents should be forwarded to this Office (A, B, C)

- a. A copy of the Cabinet Memorandum and a copy of the Cabinet approval where necessary in terms of the provisions of the relevant Act.
- b. A resolution prepared, in three (03) languages of Sinhala, Tamil and English, in accordance with the relevant regulation/ rule/ order in the specimen form given below for inclusion in the Order Paper of Parliament with eight (08) copies in each language.

Specimen resolution

- c. Four hundred (400) copies of the Gazette Notification in which the Orders/Regulations/ Rules have been published.
- d. If it needs to be approved by Parliament, a letter under the signature of the relevant Minister of the Cabinet addressed to the Secretary-General of Parliament through the Secretary to the Leader of the House requesting that necessary action be taken to have the regulation/ rule/ order approved by Parliament.
- e. A background note prepared in all three (03) languages containing a brief overview of the objectives, socioeconomic impact and the contents of the regulation/ rule/ order for information of the Government Parliamentary Group (Sinhala-160, Tamil-25, English-160) and a soft copy containing 5 to 10 slides designed as a trilingual PowerPoint presentation of the same.
- f. If the relevant Ministry intends to move any amendment in compliance with the legal processes to the regulation/ rule/ order presented for the approval of Parliament, four hundred (400) copies of such amendment in three languages shall be forwarded as soon as convenient to the Office of the Leader of the House before the date of the Second Reading.¹

2.2 For Regulations/Rules/Orders that need to be tabled only (D,E)

- a. A copy of the Cabinet Memorandum and a copy of the Cabinet approval where necessary in terms of the provisions of the relevant Act.
- A letter under the hand of the relevant Cabinet Minister addressed to the Secretary

 General of Parliament through the Secretary to the Leader of the House requesting
 that necessary action be taken to have the regulation/ rule/ order tabled in
 Parliament.
- c. Four hundred (400) copies of the Gazette Notification in which the regulation/ rule/ order/ have been published.¹

03. <u>Resolutions/ Determinations</u>

In terms of Extraordinary Gazette No. 2196/27 dated 06.10.2020, a resolution/determination can only be presented by a Cabinet Minister.

All resolutions/ determinations requiring Parliamentary approval shall have the prior approval of the Cabinet of Ministers.

The following documents shall be forwarded to this Office when a resolution/ determination is laid before Parliament for approval.

- a. A copy of the Cabinet Memorandum and the Cabinet approval.
- b. A letter under the signature of the relevant Cabinet Minister addressed to the Secretary General of Parliament through the Secretary to the Leader of the House requesting that necessary action be taken to have the resolution /determination approved by Parliament.
- c. Eight (08) copies of the resolution/determination in the three languages of Sinhala, Tamil and English.
- d. A background note prepared in three (03) languages containing a brief overview of the objectives, socioeconomic impact and the contents of the resolution/ determination for information of the Government Parliamentary Group (Sinhala-160, Tamil-25, English-160) and a soft copy containing 5 to 10 slides designed as a trilingual PowerPoint presentation of the same.
- e. If the Ministry intends to move any amendment in compliance with the legal processes to the resolution/ determination presented for the approval of Parliament, four hundred (400) copies of such amendment in three languages shall be forwarded to the office of the Leader of the House.¹

04. <u>Supplementary Estimates</u>

In terms of Extraordinary Gazette No. 2196/27 dated 06.10.2020, a Supplementary Estimate can only be presented by a Cabinet Minister.

Any Ministry seeking approval of Parliament for additional financial provision required for an unforeseen expenditure, shall in the first instance, obtain the approval of the Cabinet of Ministers and make its application to Parliament in the form of a Supplementary Estimate in terms of the Financial Regulations 74.

When submitting a Supplementary Estimate to Parliament, the under mentioned documents should be forwarded to the Secretary- General of Parliament through Secretary to the Leader of the House:

- a. A copy of the Cabinet Memorandum and a copy of the Cabinet approval.
- b. The letter submitted under signature of the relevant Minister addressed to the Secretary General of Parliament through Secretary to the Leader of the House with a request to take necessary action to have the Supplementary Estimate approved by Parliament.

c. A motion prepared in three languages of Sinhala, Tamil and English in the specimen form given below for inclusion in the Order Paper of Parliament with four hundred (400) copies in each language.

Specimen Resolution

Resolution				
The Minister of Supplementary Estimate				
Head	11 +	ramme No:		
The Minister of				
Head Min Programme	nistry of			
	Recurrent Expenditure Capital Expenditure Total Expenditure (Rs			

- d. Four Hundred (400) copies of the Supplementary Estimate prepared in each language as mentioned above.
- e. Four Hundred (400) copies prepared in all three languages of Sinhala, Tamil and English of a summarized explanation of the objectives of the Supplementary Estimate signed by the relevant Cabinet Minister for distribution among the Hon. Members of Parliament.

(This should be sent annexed to the Supplementary Estimate).

- f. A background note prepared in all three (03) languages containing a brief overview of the objectives, socioeconomic impact and the contents of the Supplementary Estimate for information of the Government Parliamentary Group (Sinhala-160, Tamil-25, English-160) and a soft copy containing 5 to 10 slides designed as a trilingual PowerPoint presentation of the same.
- g. If the Ministry intends to move any amendment in compliance with the legal processes to the Supplementary Estimate presented for the approval of Parliament, four hundred (400) copies of such amendment in three languages shall be forwarded to the office of the Leader of the House prior to the day on which it will be taken up for debate.¹

05. <u>Additional releases under the Supplementary Support Services and</u> <u>Contingency Liability Project</u>

- a. The letter submitted under signature of the relevant Minister addressed to the Secretary-General of Parliament through Secretary to the Leader of the House with a request to take necessary action to table additional releases under the Supplementary Support and Contingency Liability Project in Parliament.
- b. Four Hundred (400) copies of the report on additional releases under the Supplementary Support and Contingency Liability Project prepared in three languages shall be forwarded to the Office of the Leader of the House of Parliament.

06. <u>Items of Government Business relating to matters coming directly</u> <u>under the President</u>

Action in respect of any item of Government business that needs to be laid before Parliament relating to any subject matter coming directly under the President has to be initiated in Parliament by the Prime Minister.

The following procedure should be followed in respect of such items of Government business that need to be presented to Parliament:

- a. A copy of the Cabinet Memorandum and a copy of the Cabinet approval where necessary in terms of the provisions of the relevant Act.
- b. Four hundred (400) copies prepared in three languages on the Government business.
- c. The letter under the signature of the Hon. Prime Minister addressed to the Secretary-General of Parliament through the Secretary to the Leader of the House requesting that action be taken to present in Parliament such items submitted to the Hon. Prime Minister under the signature of His Excellency the President requesting that necessary action be taken to present them in Parliament.
- d. A background note prepared in all three (03) languages containing a brief overview of the objectives, socioeconomic impact and the contents of the submission of the abovementioned item for information of the Government Parliamentary Group (Sinhala-160, Tamil-25, English-160) and a soft copy containing 5 to 10 slides designed as a trilingual Power Point Presentation of the same.
- e. If any amendment is expected to be moved in compliance with the legal processes to the item of Government Business presented for the approval of Parliament, four hundred (400) copies in all three languages shall be forwarded to the office of the Leader of the House prior to the day on which it will be taken up for debate.

07. <u>Annual Performance Reports of Ministries, Departments and</u> <u>Commissions of the Government</u>

- a. The letter requesting to take necessary action to table in Parliament the Annual Performance Reports of Independent Commissions and other public sector institutions coming under the purview of His Excellency the President under the signature of the Hon. Prime Minister and the Annual Performance Reports of all Ministries and Departments under the signature of the relevant Cabinet Ministers addressed to the Secretary General of Parliament through Secretary to the Leader of the House.
- b. If all three languages of the Annual Performance Report are printed in the same book, two hundred and seventy (270) copies of report or if separate books have been printed for each language two hundred and ten (210) copies of Sinhala language, fifty five (55) copies of Tamil language and ninety five (95) copies of English language of the report prepared as per the format of Annual Performance Report given in Circular No. PFD/RED/VOPA/ 2019/01 dated 30.01.2020 of the Public Finance Department shall be forwarded to the Office of the Leader of the House of Parliament to be tabled in Parliament and for the use of the relevant Committees.

It is also required to submit two (02) soft copies in CD/DVDs in three folders in the PDF format in three languages in addition to the printed copies specified above.

(The report should have been signed in the relevant places by the Chief Accounting Officer, Accounting Officer and other relevant officers)

c. The name of the report, the year and the Ministry/Department shall be indicated in Sinhala, Tamil and English languages on the cover page of the printed copy. The format of the cover page is given in Annex 1.

All institutions shall take maximum possible measures to print the reports at a minimal cost.

Prior to the arrival for the delivery of Performance Reports, the officer in the charge of the relevant subject should be contacted on 011 2777467 to have a date and time allocated.

08. <u>Annual Reports and Accounts of Corporations, Boards and Statutory</u> <u>Bodies</u>

Annual reports and accounts of corporations, boards and statutory bodies established by various Acts shall be submitted to Parliament in terms of the provisions prescribed in the relevant Act.

Further, each such Annual Report and Accounting Statement shall obtain the approval of the relevant Committee.

It should be noted that certain Annual Reports need to be tabled only in Parliament (in terms of the provisions of the relevant Act) and other reports need to be approved by Parliament.

Therefore the Secretary of the Ministry shall be aware under which of the above categories the Annual Report will be submitted and this office too shall be informed of the same.

The documents required in submitting Annual Reports to Parliament under each category are given below.

All institutions shall take maximum possible measures to print the reports at a minimal cost.

Prior to the arrival for the delivery of Annual Reports, the officer in the charge of the relevant subject should be contacted on 011 2777467 to have a date and time allocated.

8.1 <u>Annual Reports which need to be approved by Parliament</u>

- a. A copy of the Cabinet Memorandum and Cabinet decision which granted approval to present the Annual Reports and Statements of Accounts to Parliament.
- b. A copy of the letter under the signature of the relevant Cabinet Minister addressed to the Secretary-General of Parliament through Leader of the House with a request to take necessary action to table the Annual Report in Parliament and to refer the same to be considered by the relevant Committee in Parliament.
- d. If all three languages of the Annual Report are printed in the same book, two hundred and seventy (270) copies of Annual report or if separate books have been printed for each language two hundred and ten (210) copies of Sinhala language, fifty five (55) copies of Tamil language and ninety five (95) copies of English language of the report shall be forwarded to the Office of the Leader of the House of Parliament to be tabled in Parliament and for the use of the relevant Committees.

It is also required to submit two (02) soft copies in CD/DVDs in three folders in the PDF format in three languages in addition to the printed copies specified above.

The format of the specimen cover page is given in Annex 2.

e. Eight (08) copies in each language of a Motion prepared in Sinhala, Tamil and English languages as per the specimen Motion given below for inclusion in Order Paper of Parliament.

Specimen Motion

8.2 Annual Reports which need to be tabled only in Parliament

The following documents shall be submitted to the Officer in submitting reports which need to be tabled in Parliament.

a. A copy of the Cabinet Memorandum and Cabinet decision which granted approval to present Annual Reports and Statements of Accounts to Parliament.

- b. A copy of the letter under the signature of the relevant Cabinet Minister addressed to the Secretary General of Parliament through Leader of the House with a request to take necessary action to table the Annual Report and refer the same to be considered by the relevant Committee in Parliament.
- c. If all three languages of the Annual Report are printed in the same book, two hundred and seventy (270) copies of Annual report or if separate books have been printed for each language two hundred and ten (210) copies of Sinhala language, fifty five (55) copies of Tamil language and ninety five (95) copies of English language of the report shall be forwarded to the Office of the Leader of the House of Parliament to be tabled in Parliament and for the use of the relevant Committees.

It is also required to submit two (02) soft copies in CD/DVDs in three folders in the PDF format in three languages in addition to the printed copies specified above.

The format of the specimen cover page of the printed copies of the Annual Report is given in Annex 2.

09. <u>Progress Reports submitted at the Committee Stage debate of the</u> <u>Budget</u>

Every Ministry shall present the Progress Report of that Ministry for the Committee Stage debate of the budget at least two weeks before the Head of the Expenditure of the relevant Ministry is taken up for debate.

It should be submitted as set out below:

- a. The letter submitted under the signature of the Secretary of the Ministry addressed to the Secretary-General of Parliament through the Secretary to the Leader of the House with a request to take necessary action the Progress Report to Parliament during the committee stage of the budget, and
- b. If all three languages of the Progress Report are printed in the same book, two hundred and seventy (270) copies of Progress report or if separate books have been printed for each language two hundred and ten (210) copies of Sinhala language, fifty five (55) copies of Tamil language and ninety five (95) copies of English language of the report shall be forwarded to the Office of the Leader of the House of Parliament to be tabled in Parliament and for the use of the relevant Committees. It is also required to submit two (02) soft copies in CD/DVDs in three folders in the PDF format in three languages in addition to the printed copies specified above.
- c. The printed copies shall carry the name of the relevant Ministry/Department, the name of the report and the year respectively in Sinhala, Tamil and English languages on the cover page.

The format of the specimen cover page of the printed copies of the Annual Report is given in Annex 3.

10. <u>Reports called by the Committee on Public Accounts under Standing</u> Order 119 (4), the Committee on Public Enterprises under Standing

Order 120(4) and the Committee on Public Finance under Standing Order 121

The above reports shall be submitted under the signature of the **relevant Minister or the Secretary of the Ministry** together with the following documents to the Office of the Leader of the House of Parliament.

- *a.* The letter requesting to take necessary action to table in Parliament the reports of Independent Commissions and other public sector institutions coming under the purview of His Excellency the President under the signature of the Hon. Prime Minister and the reports of all Ministries and Departments under the hand of the relevant Cabinet Ministers addressed to the Secretary-General of Parliament through Secretary to the Leader of the House.
- b. If all three languages of the report are printed in the same book, two hundred and seventy (270) copies of report or if separate books have been printed for each language two hundred and ten (210) copies of Sinhala language, fifty five (55) copies of Tamil language and ninety five (95) copies of English language of the report shall be forwarded to the Office of the Leader of the House of Parliament to be tabled in Parliament and for the use of the relevant Committees.

It is also required to submit two (02) soft copies in CD/DVDs in three folders in the PDF format in three languages in addition to the printed copies specified above.

- c. The printed copies shall carry the name of the relevant Ministry/Department, the name of the report and the year respectively in Sinhala, Tamil and English languages.
- d. Where there are more than one institution under the supervision of the relevant Ministry, the observations relevant to all institutions shall be included in one report in the three languages and shall be submitted with the list of such institutions.
- e. The cover page of the report shall be prepared according to the following format.

ආයතනයේ නම පුකාශන මාලා අංකය පාර්ලිමේන්තුවේ රජයේ ගිණුම් පිළිබඳ කාරක සහාව විසින් සහාගත කරන ලද වාර්තා සම් ස්ථාවර නියෝග අංක 119(4) / 120(4) /121 යටතේ ගරු අමාතාාවරයාගේ නිරීක්ෂණ හා පියවර පාර්ලිමේන්තුව වෙත ඉදිරිපත් කිරීම.	
நிறுவனத்தின் பெயர் : பாராளுமன்றத்தின் அரச கணக்குக் குழுவினால் முன்வைக்கப்பட்ட அறிக்கை நிலையியற் கட்டளை இலக்கம் 119(4)/120(4)/121 இன் கீழ் கௌரவ உ அவதானிப்புக்களும் மற்றும் அது தொடர்பாக எடுக்கப்படும் நடவடி பாராளுமன்றத்திற்கு சமர்ப்பித்தல்.	, அமைச்சரின்
Name of the institution: Publication Series No:	
Submission of the observations of the Hon. Minister and steps taken with regard to abled by the Committee on Public Accounts of Parliament in terms of Standing $4/120(4)/121$.	-

11. Other reports intended to be presented to Parliament

The other reports (not specified above - e.g. Reports submitted by Commissions, Reports published by the Ministries with regard to a current matter/issue) shall be submitted as set out below.

It is sufficient to forward the following to the Office of the Leader of the House of Parliament.

a. The letter under the signature of the relevant Cabinet Minister addressed to the Secretary General of Parliament through Leader of the House with a request to take necessary action to table the report in Parliament.

(It shall be clearly stated in the letter whether the report should be submitted for the approval of or for tabling in Parliament)

b. If all three languages of the report are printed in the same book, two hundred and seventy (270) copies of the report shall be forwarded to the Office of the Leader of the House of Parliament and if separate books have been printed for each language it is required to submit two hundred and ten (210) copies of Sinhala language, fifty five (55) copies of Tamil language and ninety five (95) copies of English language.

It is also required to submit five (05) soft copies in CD/DVDs in three folders in the PDF format in three languages in addition to the printed copies specified above.

c. The printed copies shall carry the name of the relevant Ministry/Department/ Commission and the name of the report respectively in Sinhala, Tamil and English languages on the cover page.

12. Agreements and Treaties

In terms of the provisions of Article 157 of the Constitution, the international treaties/ agreements between the Government of Sri Lanka and the Government of a Foreign State shall be presented to Parliament for approval.

The under mentioned documents shall be forwarded to the Office of the Leader of the House of Parliament in presenting such agreements/ treaties to Parliament.

- a. A copy of the Cabinet Memorandum and the Cabinet decision which granted approval to present the treaty/agreement in Parliament.
- b. A copy of the certificate of the Attorney General stating whether the agreement/ treaty is in consistent with the provisions of the Constitution.
- c. A copy of the letter under the signature of the Cabinet Minister addressed to the Secretary –General of the Parliament through the Secretary of the Leader of the House of Parliament, with a request that necessary action be taken to have the treaty/ agreement laid before Parliament for approval.

(It shall be clearly stated in the letter whether the above agreement/treaty should be submitted for the approval of or for tabling in Parliament)

- d. Eight (08) copies of the relevant Motion to be included in the Order Paper of Parliament prepared in all three languages.
- e. Four Hundred (400) copies of the treaty/agreement prepared in all three languages.¹

It shall be responsibility of the Secretary of the Ministry to cause necessary action to be taken to obtain the due approval of Parliament with regard to the international agreements/ treaties entered into by institutions under the purview of his/her Ministry and the Secretary of the Ministry shall advise whether agreements submitted for the approval of Parliament shall be approved by a special majority of Parliament.

Harsha Wijewardana Secretary of the Leader of the House of Parliament.

20.05.2021

¹The number of soft and hard copies to be presented to Parliament may vary as per the decisions taken from time to time by the Parliament or the Committees of Parliament and action will be taken to brief the Ministries of such change.

Annex 01

Format of the cover page of Performance Reports

<u> කාර්යසාධන වාර්තාව 2020*</u> <u>செயலாற்றுகை அறிக்கை 2020</u> <u>Performance Report 2020</u>		
අමාතාහංශය/දෙපාර්තමේන්තුව Ministry /Department of		

*Indicate the relevant year

Annex 02

Format of the cover of the CDs and printed copies of Annual Reports

<u>වාර්ෂික වාර්තාව 2020*</u> <u>ஆண்டறிக்கை 2020</u>		
Annual Report 2020		
සංස්ථාව/පෞද්ගලික ආයතනය/ ඒජන්සිය/ මණ්ඩලය/		
පරමුදල		
டெடுத்தாபனம்		
Corporation/Pvt/Ltd/Agency/Board/Fund		

*Indicate the relevant year

Annex 03

Format of the cover page of the CDs and printed copies of Progress Reports

<u>*2020 පුගති වාර්තාව</u> <u>2020 முன்னேற் அறிக்கை</u> <u>Progress of 2020</u>	
අමාතාහංශය அமைச்சு Ministry of	

*Indicate the relevant year