

REGULATIONS FRAMED UNDER SECTION 54 (1) AND 54 (2) OF THE MAHAWELEI AUTHORITY OF SRI LANKA ACT, No. 23 OF 1979

BY virtue of powers vested in me under Sections 54 (1) and 54 (2) of the Mahaweli Authority of Sri Lanka Act, No. 23 of 1979, I, Lionel Gamini Dissanayake, Minister of Mahaweli Development, do hereby order the publication of the following Regulations pertaining to the control of activities related to the reservoirs falling within the Special Areas of the Mahaweli, which will come into operation on the date of its Publication.

GAMINI DISSANAYAKE,
 Minister of Mahaweli Development.

Ministry Reference—MD/WB/GEN 14/86,
 10th December, 1986.

Regulations for the Control of Activities related to Reservoirs falling within the Special Area of the Mahaweli

Regulations made by the Minister of Lands and Land Development and Mahaweli Development under Section 54 of the Mahaweli Authority of Sri Lanka Act, No. 23 of 1979.

Colombo.

1. These Regulations may be cited as the Regulations for the control of Reservoirs, natural and artificial waterways and other water bodies and their environs and will apply to the reservoirs, waterways and other water bodies falling within the areas declared as Special Areas under the MASA Act, No. 23 of 1979, and will include highways on or around such reservoirs, waterways or water bodies together with the land set apart as reservations and other prescribed uses.

2. Recreation.—Water Sports and Camping:

No person shall engage in any sport such as swimming, diving, waterskiing, boating, yachting, and sailing either as an organised sport or activity or for individual purposes unless prior permission has been obtained from an Authorised Officer.

Where such authorisation has been issued for an event pursuant to sub-section (1) the event shall be subject to such terms and conditions as the Authorised Officer may specify in the authorisation.

Camping:

(i) No person shall camp on the property of a reservoir unless authorised to do so by a permit issued by the Authorised Officer.

(ii) No person shall light or maintain a fire on or around the reservoir except—

(a) a stove, fire place or other receptacle or place provided by an Authorised Officer;

(b) in a portable stove or other similar device in a place designated by an Authorised Officer.

(iii) Every person who lights or maintains a fire on or around a reservoir shall extinguish it when it is no longer required.

(iv) Any person using or occupying the property of a reservoir shall, before vacating the property restore the property to the condition in which it was found, as nearly as possible.

No person shall discharge waste except in the receptacles provided for that purpose.

3. Fishing:

(a) No person shall engage in fishing other than rod and line without prior approval from an Authorised Officer.

(b) Where such authorisation has been issued for fishing pursuant to sub-section (a) such operation (fishing) shall be subject to such terms and conditions as the Authorised Officer may specify.

4. Transportation.—Aquatic:

(a) No person shall engage in any form of transport service for passenger and/or cargo without the prior permission of the Authorised Officer.

(b) Where such authorisation has been given any person engaged in loading and unloading of cargo will conform to the following:—

(i) No vessel or a launch shall load or unload cargo at any place in a reservoir other than an authorised platform or quay without the written approval of the Authorised Officer.

(ii) Loading and unloading of cargo on a reservoir shall be carried out in a manner satisfactory to the officer on duty.

(iii) No cargo shall be deposited on or occupy any portion of a reservoir without the written approval of the Authorised Officer.

(c) Fees.—For the purpose of levying charges on a vessel and cargo—

(i) a fee will be levied with respect to loading and unloading and transhipment and storage in any portion or property of the reservoir;

(ii) the payment of fees shall conform to such terms and conditions as may be specified with respect to each operation by an Authorised Officer.

(d) No person shall be allowed to have launches in the reservoir:—

(i) unless it has been constructed with a view to securing the safety and for the prevention of danger to persons on board or to other persons or to any property.

(ii) Unless the operator bears the certificate of competence issued by the Master Attendant of the Ports Authority.

(iii) Unless it has been licensed for the current year with the proper Authority.

(iv) Unless it has been properly equipped and provided with the sufficient safety equipment.

(e) Inspection.—For purpose of inspections—

(i) The owner or person in charge of a vessel or a launch in a reservoir shall make available on the request of an authorised officer all documents relating to that vessel, its cargo or crew including the vessel's licence, manifest inspection certificate, crew list and permit.

(ii) An Authorised Officer may stop and board any vessel or a launch in a reservoir for the purpose of—

(a) examining the condition of the vessel or the launch;

(b) determining if the vessel is adequately manned; or

(c) verifying any document referred to in sub-section (1).

(iii) The Authorised Officer may refuse entry of a vessel or a launch to a reservoir where—

(a) the vessel/launch is not equipped properly;

(b) the vessel/launch and its equipment or machinery is not in a condition that will not permit passage through the reservoir (by the vessel) in a safe and controlled manner.