



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**INFORMATION AND COMMUNICATION
TECHNOLOGY (AMENDMENT)
ACT, No. 33 OF 2008**

[Certified on 26th September, 2008]

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*Information and Communication Technology
(Amendment) Act, No. 33 of 2008*

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L.D.—O. 30/2008.

AN ACT TO AMEND THE INFORMATION AND COMMUNICATION
TECHNOLOGY ACT, No. 27 OF 2003

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows:—

1. This Act may be cited as the Information and
Communication Technology (Amendment) Act, No. 33 of
2008.

Short title.

2. The long title to the Information and Communication
Technology Act, No. 27 of 2003 (hereinafter referred to
as the “principal enactment”) is hereby amended by the
substitution for the words “TO PROVIDE FOR THE
ESTABLISHMENT OF THE NATIONAL COMMITTEE ON INFORMATION AND
COMMUNICATION TECHNOLOGY OF SRI LANKA; TO PROVIDE FOR THE
SETTING OUT OF A NATIONAL POLICY ON INFORMATION AND
COMMUNICATION TECHNOLOGY AND FOR THE PREPARATION OF AN ACTION
PLAN; TO PROVIDE FOR THE APPOINTMENT OF A TASK FORCE FOR
INFORMATION AND COMMUNICATION TECHNOLOGY; TO PROVIDE FOR THE
ESTABLISHMENT OF THE INFORMATION AND COMMUNICATION
TECHNOLOGY AGENCY OF SRI LANKA CHARGED WITH THE
IMPLEMENTATION OF THE NATIONAL POLICY IN BOTH THE PUBLIC
AND PRIVATE SECTORS” of the words “TO PROVIDE FOR THE
ESTABLISHMENT OF AN INTER-MINISTERIAL COMMITTEE ON
INFORMATION AND COMMUNICATION TECHNOLOGY; TO PROVIDE FOR
THE FORMULATION AND APPROVAL OF A NATIONAL POLICY; TO PROVIDE
FOR THE ESTABLISHMENT OF THE INFORMATION COMMUNICATION
TECHNOLOGY AGENCY OF SRI LANKA WITH AUTHORITY TO DEVELOP AND
IMPLEMENT STRATEGIES AND PROGRAMMES ON INFORMATION AND
COMMUNICATION TECHNOLOGY IN BOTH THE PUBLIC AND PRIVATE
SECTORS”.

Amendment of
the long title to
the Information
and
Communication
Technology Act,
No. 27 of 2003.

3. Section 1 of the principal enactment is hereby
amended as follows:—

Amendment of
section 1 of the
principal
enactment.

(1) by the substitution for the words and figures “1. (1)
This Act may be cited as” of the words and figures
“1. This Act may be cited as”;

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(2) by the repeal of subsection (2) of that section; and

(3) by the repeal of the marginal note of that section and the substitution therefor of the following:—

“Short title and the date of operation.”.

Replacement of the heading appearing immediately before section 2.

4. The heading appearing immediately before section 2 of the principal enactment is hereby repealed and the following new heading substituted therefor:—

“FORMULATION AND APPROVAL OF NATIONAL POLICY ON
INFORMATION AND COMMUNICATION TECHNOLOGY”.

Replacement of sections 3, 4 and 5 of the principal enactment.

5. Sections 3, 4 and 5 of the principal enactment are hereby repealed and the following sections substituted therefor:—

“Inter-Ministerial Committee.

3. There shall be established an Inter-Ministerial Committee (hereinafter referred to as the “Committee”) appointed by the Cabinet of Ministers which shall consist of—

- (a) the Minister in charge of the subject of Information and Communication Technology or his nominee;
- (b) the Minister to whom the Information and Communication Technology Agency is assigned or his nominee;
- (c) the Minister in charge of the subject of Education and Higher Education or Education or Higher Education, or his nominee or their nominees as the case may be ;
- (d) the Chairman of the Board of Directors of the Information and Communication Technology Agency

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of Sri Lanka and one other member of the Board, nominated by the Chairman; and

- (e) such other number of persons representing the fields of public administration and telecommunications, and such other category of stakeholders, as may be determined by the Cabinet of Ministers.

Powers &c.,
of the
Committee.

4. (1) The Committee shall be charged with the task of advising the Government on the formulation of policies in relation to Information and Communication Technology, which may be approved by the Cabinet of Ministers under section 2.

(2) The Committee shall meet at least once every year.

(3) The procedure to be followed at the meetings of the Committee shall be prescribed.

Functions of
the
Committee.

5. Without prejudice to the generality of the powers conferred on the Committee by section 4, the functions of the Committee shall be, to—

- (a) formulate, on the recommendation of the Information and Communication Technology Agency of Sri Lanka, the National Policy Framework for submission to the Cabinet of Ministers for their approval under section 2;
- (b) periodically review the National Policy Framework and advise the Cabinet of Ministers of any changes which may become necessary to the same;

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- (c) provide guidance and facilitate the implementation of programmes and strategies by the Information and Communication Technology Agency of Sri Lanka, in both public and private sectors, as approved by the Cabinet of Ministers and were necessary issue directions from time to time to the relevant implementing agencies and stake holders;
- (d) identify, develop and cause to be adopted appropriate standards and recommend best practices for human resources development and market creation relevant to the field of Information and Communication Technology and services;
- (e) take steps to develop and deploy interoperable information technology systems, and improve the infrastructure facilities necessary for the development of the Information and Communication Technology sector in Sri Lanka;
- (f) promote and conduct research into all aspects of Information and Communication Technology;
- (g) to do such other things as may be necessary for the performance and discharge of the functions of the Committee and for the development of Information and Communication Technology in Sri Lanka; and

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(h) recommend where necessary the making of regulations to give effect to the provisions of the Act.”.

6. Section 6 of the principal enactment is hereby amended as follows:—

Amendment of section 6 of the principal enactment.

(1) in subsection (1) thereof by the substitution for the words “the Task Force and the Committee” of the words “the Committee and implement strategies and programmes on Information and Communication Technology. The Agency shall render all assistance as shall be required by the Committee in the exercise of its powers and the discharge of its functions and shall also function as the Secretariat to such Committee.”; and

(2) in subsection (2) of that section—

(i) by the omission of the words “and action plan” in paragraphs (b), (c), (d) and (g) thereof; and

(ii) by the repeal of paragraph (f) thereof and the substitution therefor of the following:—

“(f) identify the matters which need to be taken into consideration in the preparation and amendment or revision of the National Policy;”;

(iii) by the repeal of paragraph (h) thereof.

7. Section 7 of the principal enactment is hereby amended as follows:—

Amendment of section 7 of the principal enactment.

(1) by the repeal of subsections (1) and (2) of that section and the substitution therefor of the following:—

“(1) The Minister may, from time to time, in consultation with the stakeholders and consequent

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to the decisions made by the Committee, issue to the Agency and other public entities such directions and guidelines on matters relating to the development of Information and Communication Technology.”;

(2) by the re-numbering of subsection (3) of that section as subsection (2) thereof; and

(3) in subsection (2) of that section, by the omission of the words “the Task Force”.

Sinhala text to prevail in case of inconsistency.

8. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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