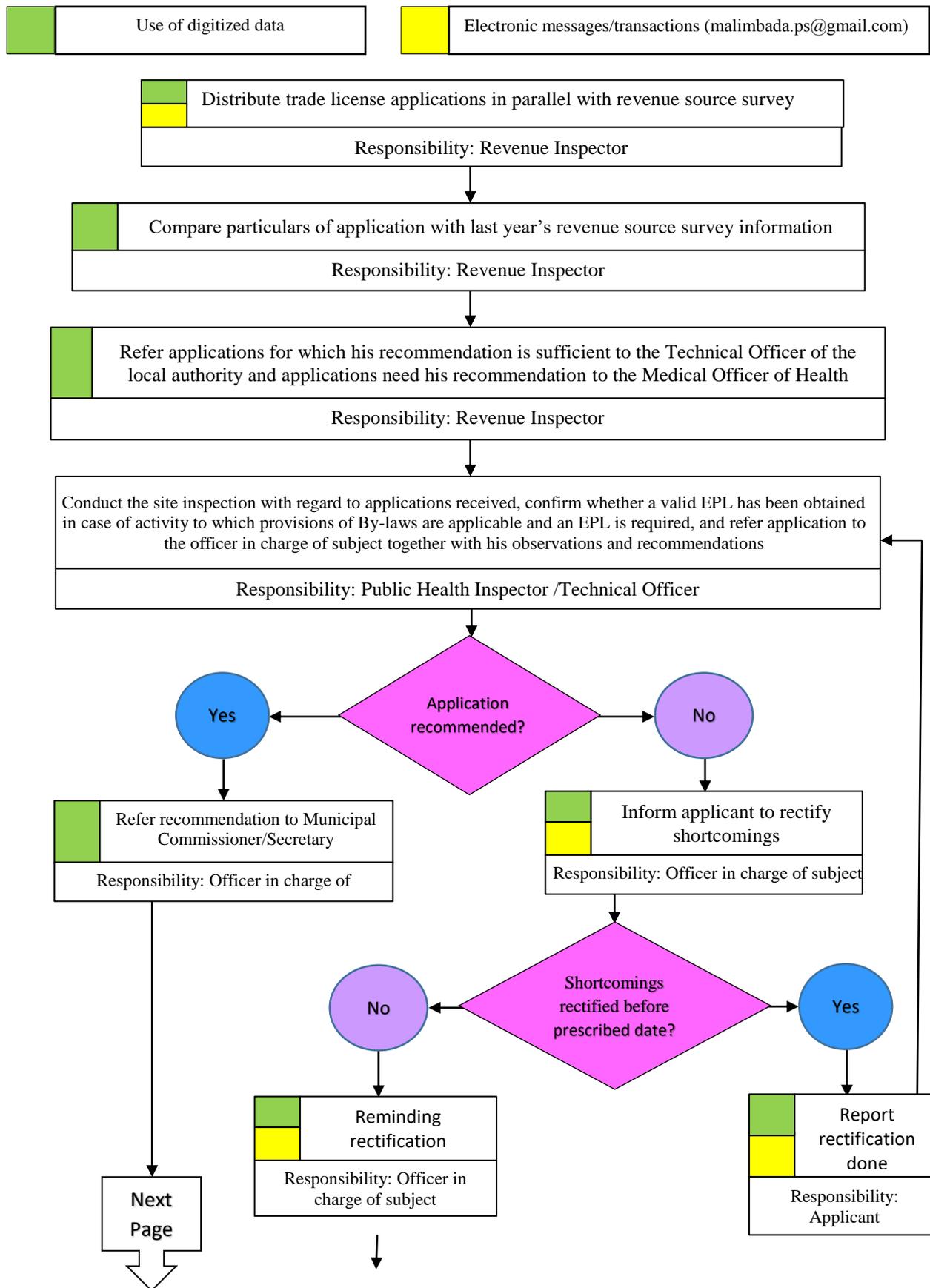
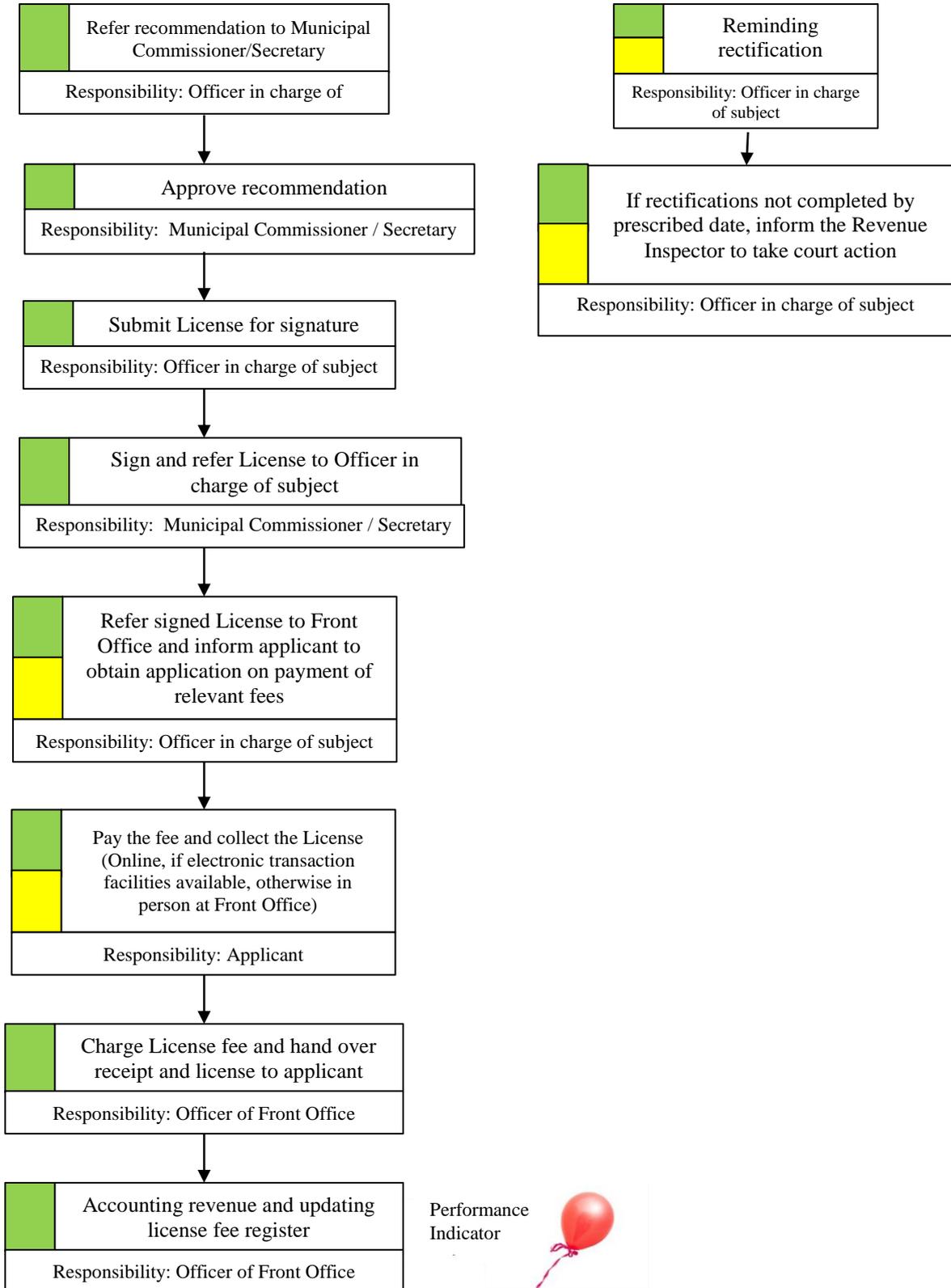


08. Issue of Trade License – Flow Chart



From previous page



08. Issuance of Trade Licenses

1. Introduction

The main function assigned to the local authorities is to regulate, control and administer all matters relating to public health, public utility services, and generally with the protection and promotion of the comfort, convenience, and welfare of the people and all amenities within the limits of local authority. In terms of the provisions of By-laws made by the respective local authority under Municipal Council Ordinance (Chapter 252) / Urban Council Ordinance (Chapter 255) and Pradeshiya Sabha Act, No. 15 of 1987 to regulate and control trades or businesses carried on within the area of the local authority that may have any adverse effect on public health, hygiene, convenience, and well-being, a license issued by the Municipal Commissioner / Chairman of the local authority concerned should be obtained for the place where such trade or business is carried on. Regulation of the issue of the license is the responsibility of that local authority.

Note: By-laws adopted by the local authority should also be considered as by-laws made by that local authority.

2. Applicable Legislation

- (a) By-laws made under Section 267 of the Municipal Council Ordinance / Section 153 of the Urban Council Ordinance / Section 122 of the Pradeshiya Sabha Act, No. 15 of 1987 and by-laws deemed to have made thereunder or By-laws adopted by the local authority;
- (b) Section 247A of the Municipal Council Ordinance / Section 148A of the Urban Council Ordinance / Section 167 of the Pradeshiya Sabha Act;
- (c) Section 247A of the Municipal Council Ordinance / Section 164 of the Urban Council Ordinance / Section 149 of the Pradeshiya Sabha Act;
- (d) When the industry to which the trade license applies, requires an environmental protection license, Section 23 (o) of the National Environmental Act, No. 47 of 1980 quires.

3. Eligibility

- (a) be a trade or business which, under the provisions of any bye-law, requires a license from the Council.
- (b) In case of a trade or business requiring an environmental protection permit as per orders made under the National Environment Act, there should be a valid environmental protection permit. (Section 23o of the National Environment Act No. 47 of 1980)

4. Fee

- (a) The fee varies according to the annual value of the place where the industry is carried on.
- (b) The annual value of the place where the industry is carried on—

- (i) when the place is situated within the limits of a Municipal Council -

Amount of annual value of the place	Tax amount
Less than Rs. 1,500.00	Rs. 2,000.00
More Rs. 1,500.00 and less than Rs. 2,500.00	Rs. 3,000.00

More than Rs. 2,500.00

Rs. 5,000.00

(iii) when the place is situated within the limits of an Urban Council or Pradeshiya Sabha -

Amount of annual value of the place

Tax amount

Less than Rs. 750.00

Rs. 500.00

More than Rs. 750.00 and less than Rs. 1,500.00

Rs. 750.00

More than Rs. 1,500.00

Rs. 1,000.00

5. Documents to be submitted.

(a) The application in the form in Annexure 01 hereof;

(b) A valid environmental protection license, in case of activities for which an environmental protection license is required in terms of regulations made under the National Environment Act.

6. Procedure.

Procedure	Duration	Responsibility
Distribution of trade license applications in parallel with revenue source survey	Before 15 th November every year	Revenue Inspector
Collect perfected applications	Before 20 th November every year	Revenue Inspector
Compare particulars of application with last year's revenue source survey information	Before 20 th November every year	Revenue Inspector
Separate applications for which the recommendation of the Technical Officer is sufficient and the applications that require the recommendation of the Medical Officer of Health of local authority and hand them over to Officer in charge of subject	Before 30 th November every year	Revenue Inspector
Forward to Technical Officer of local authority the applications for which his recommendation is sufficient and to Medical Officer of Health the applications that require his recommendation through Municipal Commissioner/Secretary	On the day the Revenue Inspector handed in the application.	Officer in charge of subject
Visit the premises relevant to the application, conduct the site inspection and forward application with recommendations and observations to Officer in charge of subject	Before 15 th December every year	Public Health Inspector / Technical Officer

Procedure	Duration	Responsibility
Refer recommended applications to Municipal Commissioner/Chairperson	Before 15 th December every year	Officer in charge of subject
Approve recommendation	Before 15 th December every year	Municipal Commissioner/Chairperson
Prepare License (Annexure 02) and submit for Signature	Before 15 th December every year	Officer in charge of subject
Sign license and refer it to Officer in charge of subject	Before 15 th December every year	Municipal Commissioner/Chairperson
Refer signed application to Front Office and inform applicant to pay the fee and collect license	Before 15 th December every year	Officer in charge of subject
Pay the fee and collect license (Online, if electronic transaction facilities available, otherwise in person at Front Office)	Before the 01 st January every year	Applicant
Charge fee and handover receipt and license (Annexure 02) to applicant	Before the 01 st January every year	Officer of Front Office
Accounting revenue and updating license fee register	Immediately upon issuing license	Officer of Front Office

Note: When the activity related to the license issued as above is an activity that requires an environmental protection license, the local authority should not issue the trade license for the place where the work is performed until an environmental protection license is obtained. [Section 230 of the National Environment Act No. 47 of 1980 as amended by the National Environment (Amendment) Act No. 56 of 1988]

7. Instances where Public Health Inspector/Technical Officer should not recommend the issue of license -

Procedure	Duration	Responsibility
Refer application to Officer in charge of subject mentioning that issue of license cannot be recommended with reason for rejection	Before 15 th December every year	Public Health Inspector / Technical Officer
Inform applicant to rectify shortcomings	Before 15 th December every year	Officer in charge of subject
Report that shortcomings rectified	Before 15 th December every year	Applicant ඉල්ලුම්කරු



..... Municipal /Urban Council/Pradeshiya Sabha

Application for a Trade License for the year 20....

1. Name of the Owner of Industry/Trade:

2. Personal Address:

.....

3. National Identity No.: [table with 12 empty cells]

4. Telephone No: Mobile: Residence:

.

5. Name of the Industry/Trade:

6. Nature of the industry/ /trade
.....

7. Of the place Industry/ Trade carried on කර්මාන්තය / වෙළෙඳාම කරන ස්ථානයේ -

(a) Address:

(b) Street/Road name:

(c) Assessment No.:

(e) Telephone No:

8. Grama Niladari Division to which the place where Industry/Trade is carried on belongs -

GN Division No.:GN Division name:

9. Ref. No. if business registration has been obtained:

10. Name of Manager/Agent at the place of industry/trade:
.....

11. National Identity Card No.: [table with 12 empty cells]

12. Telephone No: Mobile: Residence:

Municipal Commissioner/Chairperson,

.....Municipal/ Urban Council/ Pradeshiys Sabha

I request that an Industrial (Trade) License be issued to me in respect of the place of the industry/trade
aforementioned for the year 20.... I agree with the provisions of the by-laws made in this regard.

Date: 20..

.....
Applicant's Signature

For Office use only

Public Health Inspector/Technical Officer,

You are kindly requested to submit to me your observations and recommendations expeditiously on the issue
of a trade license in respect of the application overleaf.

Date: 20..

.....
Municipal Commissioner/Secretary

Municipal Commissioner/Secretary,

1. By-law applicable to industry/trade: Section: Name:
2. Whether it is an activity that needs/does not* need an environmental protection license.
3. the place of the industry/trade is in compliance with the provisions of the By-law./Followings are to be
rectified.*
 - (a)
 - (b)
 - (c)
 - (d)
4. I recommend the issue of the License/ to inform to rectify shortcomings.*

Date: 20..

.....
Public Health Inspector/Technical Officer

Public Health Inspector/Technical Officer,

It has been informed that the above shortcomings had been rectified. Check and report.

.....
Municipal Commissioner /Chairperson

Municipal Commissioner /Chairperson,

As per provisions of By-laws relating to, the necessary requirements to
issue the license have been fulfilled. The issue of the License is recommended.

Date: 20..

.....
Medical Officer of Health /Technical Officer

(place official stamp)

Municipal Commissioner /Chairperson,

1. Particulars in 7 (b), 7 (c), and 7 (d) in the application above match with the registers of the local authority./ Rectification has been done.
 2. The annual value of the place of the industry/trade is Rs.
 3. Amounts outstanding are as follows:
 - * (fees warrant tax (with acreage / rates Arrears) Rs.
 - * (water supply fees (with late fee, if any Arrears) Rs.
 - * Arrease wastedisposal fee (arrears) .Rs
 - * icense feeL Rs.
 - * .Tax and fees prescribed by the government from time to time Rs. _____
- Total Rs. _____

Date: 20. Officer in charge of subject

Officer in charge of subject,

Prepare and submit the License

Date: 20. Municipal Commissioner /Chairperson

Municipal Commissioner /Chairperson,

- (a) No. of the license prepared:
- (b) Serial No. of the License Fee Register:
- (c) particulars relevant to the license were entered as per the serial number of the list of institutions from which licenses are to be obtained.

I submit the License prepared as per the above order for the signature, please.

Date: 20. Officer in charge of subject

Officer in charge of subject,

Signed the License. Charge outstanding rates and other dues, if any, and the license fee, and issue the license.

Date: 20....

Municipal Commissioner /Chairperson
(place official stamp)



Annexure 02

License No.:

..... Municipal /Urban Council/Pradeshiya Sabha Trade License for the year 20....

This application is issued to the person mentioned at No. 3 below for the use of the place mentioned at No. 2 below to carry on the industry/trade of the name and nature mentioned at No. 1 below, under the By-law applicable to the area of the Municipal /Urban Council/Pradeshiya Sabha

1. (a) Name of Industry/Trade:
- (b) Nature of Industry/Trade:

2. Of the Place of the Industry/Trade -
 - (a) Address:
 -
 - (b) Assessment No.:

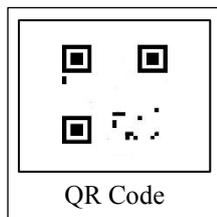
3. (a) name f the Owner of Industry/Trade:
- (b) National identity card No.:

This license shall terminate to be effective on the 31 of December 20... unless canceled earlier under the said By-laws or on the expiry of the validity period of the environmental protection license issued to such industry/trade when the industry/trade comes under the control of the regulations made under the National Environment Act, No. 47 of 1980, whichever occurs earlier.

And this license is issued only to use the aforementioned place for carrying on the said industry/trade. By virtue of the issuance of this license, the licensee shall not be deemed to have a legal right to the place where the industry is to be carried on, nor shall there be any evidence to establish such right.

This license should be displayed at the forementioned place to be clearly visible to the public.

Fee paid Rs.: Receipt No.: Date: 20.....



.....
Municipal Comissioner/Chairperson

..... Municipal /Urban Council/Pradeshiya

(Official Stamp)

Date:20...