**08. Issue of Trade License – Flow Chart**

Use of digitized data

Electronic messages/transactions (SMS / WhatsApp / e-mail)

Distribute trade license applications in parallel with revenue source survey

ආදායම් ප්‍රභව සමීක්ෂණයට සමගාමීව වෙළෙඳ බලපත්‍ර ඉල්ලුම් පත් බෙදා දීම

Responsibility: Revenue Inspector

Compare particulars of application with last year’s revenue source survey information

Responsibility: Revenue Inspector

Refer applications for which his recommendation is sufficient to the Technical Officer of the local authority and applications need his recommendation to the Medical Officer of Health

Responsibility: Revenue Inspector

වගකීම: ආදායම් පරීක්ෂක

Conduct the site inspection with regard to applications received, confirm whether a valid EPL has been obtained in case of activity to which provisions of By-laws are applicable and an EPL is required, and refer application to the officer in charge of subject together with his observations and recommendations

Responsibility: Public Health Inspector /Technical Officer

Refer recommendation to Municipal Commissioner/Secretary

Responsibility: Officer in charge of subject

Inform applicant to rectify shortcomings

Responsibility: Officer in charge of subject

වගකීම: විෂය භාර නිලධාරි

Reminding rectification

Responsibility: Officer in charge of subject

Next Page

Application recommended?

Shortcomings rectified before prescribed date?

Report rectification done

Responsibility: Applicant

Approve recommendation

Responsibility: Municipal Commissioner / Secretary

Submit License for signature

Responsibility: Officer in charge of subject

Sign and refer License to Officer in charge of subject

Responsibility: Municipal Commissioner / Secretary

වගකීම: නාගරික කොමසාරිස් / සභාපති

From previous page

Reminding rectification

අඩුපාඩු නිවැරදි කිරීමට සිහි කැඳවීම

Responsibility: Officer in charge of subject

වගකීම: විෂය භාර නිලධාරි

Refer recommendation to Municipal Commissioner/Secretary

Responsibility: Officer in charge of subject

Refer signed License to Front Office and inform applicant to obtain application on payment of relevant fees

Responsibility: Officer in charge of subject

Pay the fee and collect the License (Online, if electronic transaction facilities available, otherwise in person at Front Office)

Responsibility: Applicant

Charge License fee and hand over receipt and license to applicant

Responsibility: Officer of Front Office

Accounting revenue and updating license fee register

Responsibility: Officer of Front Office

If rectifications not completed by prescribed date, inform the Revenue Inspector to take court action

Responsibility: Officer in charge of subject

Performance Indicator

**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 15th November every year  | Revenue Inspector  |
| Collect perfected applications  | Before 20th November every year  | Revenue Inspector  |
| Compare particulars of application with last year’s revenue source survey information  | Before 20th 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 30th 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 15th December every year  | Public Health Inspector / Technical Officer |
| Refer recommended applications to Municipal Commissioner/Chairperson  | Before 15th December every year  | Officer in charge of subject  |
| Approve recommendation  | Before 15th December every year  | Municipal Commissioner/Chairperson  |
| Prepare License (Annexure 02) and submit for Signature  | Before 15th December every year  | Officer in charge of subject  |
| Sign license and refer it to Officer in charge of subject  | Before 15th December every year  | Municipal Commissioner/Chairperson  |
| Refer signed application to Front Office and inform applicant to pay the fee and collet license  | Before 15th 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 01st January every year  | Applicant |
| Charge fee and handover receipt and license (Annexure 02) to applicant  | Before the 01st 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 23O 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 15th December every year  | Public Health Inspector / Technical Officer  |
| Inform applicant to rectify shortcomings  | Before 15th December every year  | Officer in charge of subject  |
| Report that shortcomings rectified  | Before 15th December every year  | Applicant ඉල්ලුම්කරු |

**Annexure** 01

**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.: |  |  |  |  |  |  |  |  |  |  |  |  |

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.: |  |  |  |  |  |  |  |  |  |  |  |  |

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:

 \* Arrears rates / acreage tax (with warrant fees) Rs. . . . . . . . . . . . . . . . . . . . . .

 \* Arrears water supply fees (with late fee, if any) Rs. . . . . . . . . . . . . . . . . . . . . .

 \* Arrease waste disposal fee (arears ) Rs. . . . . . . . . . . . . . . . . . . . . .

 \* License fee 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. . . . . . . . .

QR Code

 . . . . . . . . . . . . . . . . . . . . . . . .

 Municipal Comissioner/Chairperson සාරිස් / සභාපති

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

 (Official Stamp)

Date: . . . . . . . . . . . . . . 20. . .