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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I: SECTION (I) – GENERAL

Government Notifications

LD-B. 1/2012 (VI)

**THE FISHERMEN'S PENSION AND SOCIAL SECURITY BENEFIT SCHEME ACT,
No. 23 OF 1990**

REGULATIONS made by the Minister of Fisheries, Aquatic and Ocean Resources under section 29 of the Fishermen's Pension and Social Security Benefit Scheme Act, No. 23 of 1990.

RAMALINGAM CHANDRASEKAR,
Minister of Fisheries, Aquatic and Ocean
Resources.

Colombo,
04th of March, 2025.

Regulations

1. These regulations may be cited as the Fishermen's Pension and Social Security Benefit Scheme Regulations, No. 1 of 2025.



2. (1) A fisherman who is eligible to join the Fishermen's Pension and Social Security Benefit Scheme (hereinafter referred to as the "Scheme") as a contributor under section 5 of the Act, shall make an application on forms obtainable from the Agricultural and Agrarian Insurance Board (hereinafter referred to as "Board") to an officer authorized for this purpose by the Director-General of the Department of Fisheries and Aquatic Resources (hereinafter referred to as "Director-General").

(2) Upon the receipt of the Application, the Authorised officer shall verify the authenticity of the information contained in the Application and certify such Application as accurate and shall forward such application to the officer specially authorized by the Director-General to recommend the granting of membership.

(3) The officer authorised by the Director-General to recommend the grant of membership shall scrutinize the application and shall forward the same to the Board together with his recommendation thereon. Once the Board approves the membership, such officer shall issue a policy to every such contributor.

(4) An authorised officer of the Department of Fisheries and Aquatic Resources or the National Aquaculture Development Authority of Sri Lanka as the case may be, shall carefully scrutinize the application for the authenticity and accuracy of the information given in the application and credibility and qualifications of the applicant as and when occasional investigations are required.

(5) In the event when occasional investigations are required under sub-regulation (4). the authorised officer shall have the power to gain access to any place in the Sri Lanka Waters at any time of the day and to inspect any fishing boat or fishing net, fishery farm fishery cage, fishing trap, fish rearing or processing place or premises or fishing or aquaculture operations.

3. A fisherman who joins the scheme at an age specified in Column I of Schedule A hereto shall pay-

- (a) the monthly installment specified in the corresponding entry in Column II thereof; or
- (b) the quarterly installment specified in the corresponding entry in Column III thereof; or
- (c) the biannual installment specified in the corresponding entry in Column IV thereof, or
- (d) the lump sum specified in the corresponding entry in Column V thereof as a one-time payment.

4. (1) A contributor who pays the contribution as referred to in regulation 3, upon reaching the specified age referred to in Column I of Schedule B hereto, shall be entitled to receive the monthly pension specified in the corresponding entry of Column II thereof.

(2) A contributor, upon reaching the specified age referred to in Column I of Schedule B hereto, shall be entitled to receive as pension multiples of the amount specified as monthly pension in the corresponding entry of Column II thereof, by paying multiples of the installments referred to in the corresponding entry of Column II or Column III or Column IV of Schedule A hereto or by paying multiples of the one-time paid contribution referred to in the corresponding entry of Column V of Schedule A hereto, relevant to the specified age referred to in Column I of that Schedule.

(3) The Board upon inquiry from Department of Fisheries and Aquatic Resources or the National Aquaculture Development Authority of Sri Lanka, based on the multiples of the installments relevant to the specified age referred to in Schedule A hereto, has the power to impose limits of minimum and maximum multiples of pension entitled, which is specifically stated in Column II of Schedule B hereto upon reaching the specified age referred to in the corresponding entry of Column I of that Schedule.

5. (1) Every contributor shall pay the due installment on or prior to the date the specified in the Policy issued to such contributor or if a concessionary period is granted by the Board, prior to the expiration of such period.

(2) A contributor may pay any number of installments prior to the due date of the payment.

6. (1) A policy issued to a contributor shall be deemed to have lapsed if the contributor fails to pay ten consecutive installments and, in such event, he shall not be entitled to receive any benefits under the Scheme.

(2) If a contributor has paid an installment after the expiration of the concessionary period, the contributor shall be deemed to have failed to make the payment of such installment and shall not be entitled to any payment other than a specified concession determined under these regulations.

(3) The Board shall send a written notice of their decision to a contributor whose policy has been lapsed and such contributor has the right to appeal to the Board within one month of receiving such notice to get his certificate validated.

7. (1) If a contributor has paid the total amount of contributions payable in installments or as a lump sum amount under the Scheme for the whole period, in accordance with the provisions of regulation 3, the contributor shall be entitled to claim the pension specified in Column II of Schedule B hereto upon reaching the age of sixty years.

(2) If a contributor has commenced paying contributions after joining, the Scheme, he shall be entitled to a pension after the relevant contributions have been paid in full and after having completed five years from the date of enrollment.

(3) If a contributor has paid less than twenty-five *per centum* (25%) of the total contributions payable by him as per the policy issued to him under the Act, he shall not be entitled to receive a pension or reclaim the total contributions or part thereof paid by him.

(4) If a contributor has paid between twenty-five *per centum* (25%) to seventy-five *per centum* (75%) of the total contributions payable by him as per the policy issued to him under the Act, on the date that his policy is deemed to have lapsed, such contributor shall be entitled to reclaim the sum of contributions paid by him and the amount of interest determined by the Board after deducting a certain percentage determined by the Board for administrative costs.

(5) If a contributor has paid seventy-five *per centum* (75%) or more of the total contributions payable by him as per the policy issued to him under the Act, on the date that his policy is deemed to have lapsed the contributor shall be entitled to a proportionate pension determined by the Board.

8. (1) A contributor to the Scheme shall be entitled to disablement benefits or a death gratuity without having to pay any additional contributions to the Scheme.

(2) If a contributor who is enrolled in the Scheme dies or is totally or partially disabled before becoming eligible to draw a pension under the Scheme-

(a) A contributor shall be entitled to receive -

- (i) at the age specified in Column I of Schedule C hereto, one-time paid cash gratuity specified in the corresponding entry of Column II of that Schedule upon the contributor becoming totally and permanently disabled;
- (ii) at the age specified in Column I of Schedule C hereto, one-time paid cash gratuity specified in the corresponding entry of Column III of that Schedule, if the contributor becomes permanently and partially disabled.

(b) if the contributor dies at the age specified in Column I of Schedule C hereto, the contributor's legal heirs shall be entitled, to a death gratuity specified in the corresponding entry of Column IV of that Schedule.

(3) The one-time paid cash gratuity referred to in sub-regulation (2) shall be paid only once in a contributor's lifetime and the disability shall be a result of any of the following incidents-

- (a) any accident occurring after the date of commencement of the policy referred to in the Schedule to that policy and caused by outward violence and such disablement occurring within ninety (90) days of the occurring of such accident; or
- (b) a disease contracted after the date of commencement of the policy.

(4) A contributor shall be entitled to receive one-time paid cash gratuity referred to in sub-regulation (2) only after one year has elapsed from the date of issuance of the policy to such contributor under the Act.

(5) A contributor suffering from a permanent and total or a partial disability shall be eligible to receive full amount of the one-time paid cash gratuity and the whole amount of contributions paid by the contributor with the interest for the amount, as may be determined by the Board and the membership shall be terminated upon the receipt of such benefits.

(6) A contributor who is willing to continue as a member of the Scheme shall have the right to continue as a member of the Scheme by paying due installments after receiving only the one-time paid cash gratuity referred to in sub-regulation (5).

(7) Death gratuity referred to in sub-regulation (2) shall not be paid if the death of a contributor is a direct or indirect result of any of the following incidents -

- (a) war, invasion, act of foreign enemy, hostilities in the event of declared or undeclared war, civil war, rebellion, revolution or insurrection; or
- (b) the contributor engaging in aviation or aeronautics or any other form of aerial flight other than as a fare paying passenger of a recognized airline; or
- (c) committing suicide consciously or unconsciously after the policy has been issued to the contributor under the Act; or
- (d) actions of the contributor whilst under the influence of liquor, drugs or narcotics; or
- (e) while committing an illegal act by the contributor or while in the custody of law enforcing officers for committing such an act.

(8) Except when the death of a contributor is due to an accident, legal heirs of the contributor shall be entitled to claim death gratuity only after one year has elapsed from the date of issuance of the policy to such contributor under the Act.

(9) Upon the death of a contributor, any legal heirs of the contributor shall be entitled to claim the whole amount of contributions paid by such contributor with the interest for such amount, as may be determined by the Board, other than the death gratuity.

9. (1) A contributor who is dissatisfied of

- (a) the termination of the policy on a decision of the Board; or
- (b) a decision of the Board under this regulation;

may make an appeal to the Secretary to the Ministry of the Minister within thirty (30) days from the date of receipt of such decision.

(2) An appeal made under sub-regulation (1) shall be in the Form specified by the Board and shall be submitted to an officer authorized by the Board in that behalf.

10. The Board has the right to receive two per centum (2%) of the investment revenue of the Scheme for administrative costs of the Scheme.

11. The Fishermen's Pension and Social Security Benefit Scheme Regulations, No. 1 of 1995 published in the *Gazette Extraordinary* No. 940/7 of September 09, 1996 are hereby rescinded.

12. In these regulations, unless the context otherwise requires -

"Act" means the Fishermen's Pension and Social Security Benefit Scheme Act. No. 23 of 1990;

"Agricultural and Agrarian Insurance Board" means the Agricultural and Agrarian Insurance Board established under section 2 of the Agricultural and Agrarian Insurance Act, No. 20 of 1999;

"legal heir" means contributor's wife or husband who are alive or one of the contributor's relatives who are alive and in the order of priority set out in the Schedule to the Act the older being preferred to the younger where there are more relatives than one in any group;

"permanent partial disability" means -

- (i) loss of sight in one eye; or
- (ii) loss of one arm; or
- (iii) loss of one leg;

"permanent total disability" means -

- (i) loss of both arms; or
- (ii) loss of both legs; or
- (iii) loss of sight in both eyes; or
- (iv) loss of one arm and one leg; or
- (v) loss of one leg and sight in one eye; or
- (vi) loss of one arm and sight in one eye; or
- (vii) the body below neck being totally paralyzed.

SCHEDULE A

(regulations 3, 4)

| Installment to be paid by the contributor according to the respective age for obtaining basic pension | | | | |
|---|---------------------------------|-----------------------------------|----------------------------------|---|
| <i>Column I</i> | <i>Column II</i> | <i>Column III</i> | <i>Column IV</i> | <i>Column V</i> |
| <i>Age at the next birthday after entollment to the Scheme</i> | <i>Monthly Installment (Rs)</i> | <i>Quarterly Installment (Rs)</i> | <i>Biannual Installment (Rs)</i> | <i>One- time paid Contribution (Rs)</i> |
| 18 | 40 | 120 | 235 | 5,285 |
| 19 | 45 | 130 | 255 | 5,770 |
| 20 | 50 | 145 | 280 | 6,295 |
| 21 | 55 | 155 | 305 | 6,870 |
| 22 | 60 | 170 | 335 | 7,500 |
| 23 | 65 | 185 | 365 | 8,185 |
| 24 | 70 | 205 | 400 | 8,930 |
| 25 | 75 | 225 | 440 | 9,745 |
| 26 | 85 | 250 | 485 | 10,630 |
| 27 | 90 | 270 | 530 | 11,600 |
| 28 | 100 | 300 | 580 | 12,660 |
| 29 | 110 | 325 | 640 | 13,815 |
| 30 | 120 | 360 | 705 | 15,075 |
| 31 | 135 | 395 | 770 | 16,450 |
| 32 | 145 | 435 | 850 | 17,950 |
| 33 | 160 | 480 | 935 | 19,585 |
| 34 | 180 | 530 | 1,035 | 21,375 |
| 35 | 195 | 580 | 1,140 | 23,330 |
| 36 | 215 | 640 | 1,260 | 25,465 |
| 37 | 240 | 715 | 1,395 | 27,795 |
| 38 | 265 | 790 | 1,545 | 30,350 |
| 39 | 295 | 875 | 1,715 | 33,140 |
| 40 | 325 | 975 | 1,910 | 36,190 |
| 41 | 365 | 1,085 | 2,130 | 39,535 |
| 42 | 405 | 1,215 | 2,380 | 43,190 |
| 43 | 455 | 1,360 | 2,665 | 47,200 |
| 44 | 510 | 1,530 | 2,995 | 51,590 |

SCHEDULE A (contd.)

| | | | | |
|----|-------|-------|--------|---------|
| 45 | 575 | 1,725 | 3,380 | 56,410 |
| 46 | 650 | 1,950 | 3,825 | 61,695 |
| 47 | 740 | 2,220 | 4,355 | 67,505 |
| 48 | 850 | 2,540 | 4,985 | 73,890 |
| 49 | 975 | 2,925 | 5,740 | 80,910 |
| 50 | 1,135 | 3,400 | 6,665 | 88,645 |
| 51 | 1,330 | 3,985 | 7,815 | 97,170 |
| 52 | 1,575 | 4,730 | 9,270 | 106,575 |
| 53 | 1,900 | 5,695 | 11,170 | 116,970 |
| 54 | 2,335 | 7,005 | 13,730 | 128,465 |
| 55 | 2,955 | 8,855 | 17,355 | 141,195 |

SCHEDULE B

(regulations 4, 7)

| <i>Column I</i> | <i>Column II</i> |
|---|------------------------------|
| <i>Range of age which becomes entitled for pension benefits</i> | <i>Monthly Pension (Rs.)</i> |
| 60 - 63 | 1,000 |
| 64 - 70 | 1,250 |
| 71 - 77 | 2,000 |
| Above 78 | 5,000 |

SCHEDULE C

(regulations 8)

| <i>Column I</i> | <i>Column II</i> | <i>Column III</i> | <i>Column IV</i> |
|---|-----------------------------------|-------------------------------------|------------------|
| <i>Age at the next birthday after the date of being disabled or death</i> | <i>Permanent Total Disability</i> | <i>Permanent Partial Disability</i> | <i>Death</i> |
| Years | (Rs.) | (Rs.) | (Rs.) |
| Until 30 | 50,000 | 25,000 | 25,000 |
| 31-35 | 40,000 | 20,000 | 20,000 |
| 36-40 | 30,000 | 15,000 | 15,000 |
| 41-45 | 20,000 | 10,000 | 10,000 |
| 46-60 | 12,000 | 6,000 | 6,000 |