

**CERTIFICATION MARK REGULATIONS**

**1.0** These regulations may be cited as the Sri Lanka Standards Institution (Certification Mark) Regulations (No. 01 of 1985).

**2.0** In these regulations, unless the context otherwise requires,

“Act” means the Sri Lanka Standards Institution Act No. 06 of 1984

“Institution” means the Sri Lanka Standards Institution established by sub-section (1) of section 2 of the Act.

“Mark” in relation to any commodity or product means the mark which the Institution has in terms of sub-section (1) of section 17 of the Act declared to be the certification mark in respect of that commodity or product or of the manufacture, production, processing or treatment of that commodity or product; and

“Permit” means a Permit to apply the certification mark issued by the Director General or by the Authorized Officer.

- 3.0** (1) a) Every applicant for a Permit shall pay by the Institution on application fee of such amount as may be determined by the institution with the approval of the Minister in respect of each Permit applied for
- b) The application fee shall accompany the applicant for a Permit
- c) The application fee shall not be refunded whether the application is successful or not; and
- d) Every application for a Permit shall be in such form as may be provided for the purpose by the Institution
- (2) a) Every holder of a Permit shall pay the Institution an annual fee for its services in inspecting, testing and administration in respect of each calendar year, and such fee in respect of each year, shall be based on the holder’s net sales value of the commodity or product for that calendar year, or for the balance of the calendar year remaining in the case of an application made subsequent to the first day of January;
- b) The annual fee and the manner of payment of the annual fee shall be notified in the Permit. The holder of the Permit shall submit on or before the thirty-first day of January of the ensuring year, a sworn statement declaring his actual net sales for the preceding year for the commodity or product to which the Permit has been issued.
- (3) Where the holder of a Permit to apply the mark to a particular commodity or product wishes to discontinue applying the mark to that commodity or product, and accordingly wishes to

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surrender his Permit, he shall give notice in writing to the Director General or to the Authorized officer after the said date, the holder of Permit shall be liable to pay the fees payable in respect of that Permit for the ensuring year. No refund shall be made of the fees or any portion of the fees paid on respect of a Permit which has been surrendered. The surrendered Permit shall be regarded as terminating the thirty first day of December of the year in which notice of intention to surrender the Permit is give, after which date the name of the holder of Permit shall forthwith be removed from the register of the holders of Permits in respect of the commodity or product concerned, and he shall be required forthwith to discontinue applying the mark to that commodity or product.

(4) In the event of the annual fee in respect of a particular Permit being in arrears, the Director General or the Authorized Officer shall have the right to cancel the Permit of the holder, and to remove his name from the register of holders of Permits in respect of that commodity or product, subject to holder of Permit receiving at least one month's notice of the decision of the Director General or the Authorized Officer to cancel the Permit.

(5) Every Permit issued under section 24 of the act shall be such of form as may be determined by the Institution.

**4.0** (1) Subject to the right of appeal given tin sub-section (6) of section 24 of the Act, the Director General or Authorized Officer may refuse to issue a Permit of cancel a Permit already issued.

(2) The decision of the Director General or the Authorized Officer refusing to issue a Permit or cancelling a Permit and the grounds for such a decision shall be communicated in writing by registered post to the application or holder of Permit concerned at his address given in the form of application.

(3) Any person who is aggrieved by the decision of the Director General or the Authorized Officer may appeal to the Ministry of the Minister in accordance with the provisions of section 24 (b) of the Act.