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CONSTRUCTION INDUSTRY DEVELOPMENT ACT, No. 33 OF 2014

Regulations made by the Minister of Housing and Construction under subsection (2) of Section 45 of the Construction Industry Development Act, No. 33 of 2014 read with Section 58 of the aforesaid Act.

SAJITH PREMADASA,
Minister of Housing and Construction.

Colombo,
03rd January 2018.

Regulations

1. These Regulation may be cited as the Construction Industry Development (Technical Auditing Procedure and Fees) Regulation of 2017.

2. The procedure for technical auditing of any identified construction work shall be carried out in the manner as specified in the First Schedule hereto.

3. The fees for such Technical Auditing shall be levied at the rates as specified in the Second Schedule hereto.

4. In these regulations -

“Identified Construction Work” shall have the same meaning as in the Construction Industry Development Act, No. 33 of 2014 ;

“Technical Auditing” shall have the same meaning as in the Construction Industry Development Act, No. 33 of 2014 ;

THE FIRST SCHEDULE

Procedure for Technical Auditing of Any Identified Construction Work

1. Request for Technical Auditing shall be forwarded to the Authority in the form of applicant on for technical auditing available at the Authority.
2. The Authority shall ascertain whether the work referred to in the request is technically auditable or not. If the request is not technically auditable, it shall be informed to the Applicant in writing within 4 working days from the receipt of such request.
3. Authority shall within 14 working days from the date of receipt of the application, appoint Quality Management Auditor/s selected from among the persons who are listed in the Register of Quality Management Auditors maintained by the Authority.
4. The Quality Management Auditors shall study the application for audit and prepare the audit scope statement and cost proposal.
5. The scope statement and the cost proposal received shall be evaluated by an Evaluation Panel appointed by the Authority and shall be approved by the Authority after making necessary revisions, if any
6. The Authority shall enter in to an agreement with the Applicant which includes scope, cost and duration of the technical audit and responsibilities and obligations of the two parties.
7. Depending on the extent and complexity, the auditing team may consist of a maximum of three members.
8. If it is two or three member Audit Team, the Authority shall decide the leader of the team in consultation with the Quality Management Auditors selected, Decision of the Authority shall be final and binding.
9. The replacement of Quality Management Auditors shall be at the discretion of the Authority in the event that the Quality Management Auditors are unable to perform or found not suitable.
10. Authority shall have the right to terminate services of any Quality Management Auditors if he is found guilty of any misconduct with immediate effect or for other reasons such as conflict of interest as decided by the Authority with 14 working days prior notice. In such cases, works carried out by Quality Management Auditor will not be accepted.
11. In case of Quality Management Auditor withdrawing from the audit due to falling ill for a prolonged period or under any acceptable reason, the work already carried out by such Quality Management Auditor is considered valid and the Authority may or may not decide to appoint another person as a replacement as the case may be.
12. The Applicant and other related parties shall furnish all information required by the Quality Management Auditors.
13. The Quality Management Auditors may visit the sites of the Identified Construction Work and other locations as required for Technical Auditing purposes. The party who is in possession of sites and such other locations upon receipt of such written instructions by the Authority shall allow the persons authorized by the Authority to enter into such premises to carry out Technical Auditing.
14. The Quality Management Auditors may, through the Authority, summon any party who has connection with the Identified Construction. Work to obtain evidence orally, in writing by affidavit, or any other acceptable means.

15. The Technical Auditing report shall essentially include date of issue, an introduction, an executive summary, scope of the Technical Auditing, detailed descriptions of the Technical Auditing done, applicable analysis methods, standards referred for checking compliance and/or conformity, recommendations and conclusions. It shall also include copies of all relevant documents and correspondence referred to and in substantiation of the report.

THE SECOND SCHEDULE

Rates for Levying of Fees of Technical Auditing

<i>Item Description</i>	<i>Amount (Rs)</i>
1. Application fee for requesting Technical Auditing	Rs. 5,000.00
2. Advanced Payment to proceed with Technical Auditing	50% of the cost estimate
3. Payment to be made before issuing the report	Balance 50% of the cost estimate

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