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Ministry of Public Administration, Home Affairs,
Provincial Councils and Local Government
Independence Square
Colombo 07.

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Secretaries to Ministries
Chief Secretaries of Provinces
Heads of Departments

Granting Leave for a Public Officer for Adoption of a Child

Your attention is drawn to section 18 of Chapter XII in the Establishments Code.

02. It has been decided at the meeting of the Cabinet of Ministers held on 26.06.2023 to include new sub-sections as 18:11:4 and 18:12 to section 18 of the said Chapter.

18:11:4 A permanent public officer is entitled for a special paternity leave of 03 working days to adopt a child, and the adopted child should be less than 10 months old to obtain this leave, which should be obtained within 03 months from the date of adoption. The respective officers should submit their marriage certificate, the birth certificate of the child, and the court verdict on the adoption of the child and get the entitlement to special leave verified.

18:12 Leave for a permanent female public officer for adoption of a child

18:12:1 Leave can be granted continuously for a maximum period up to 04 months as per the following order subject to the provisions in the chapter for adoption of a child considering this as a special occasion.

18:12:1:1 Under general provisions,

- I. Leave as per section 5 and 8 of this Chapter or Leave as per section 26 in case of a minor / primary officer.
- II. Lapsed leave as per section 10
- III. Leave on half-pay as per section 21
- IV. Leave on no-pay as per section 22

18:12:1:2 In case of a female teacher,

- I. Leave as per sub-section 24:3
- II. Sick leave as per sub-section 24:4 and 24:5
- III. Leave on no-pay as per sub-section 24:6

18:12:1:3 In case of a Police Sergeant (Woman) or Police Constable (Woman)

- I. Leave as per section 8
- II. Lapsed leave as per section 10
- III. Leave on half-pay as per section 21
- IV. Leave on no-pay as per section 22

18:12:2 When making requests for leave in the above manner, the female officer should personally confirm that the following requirements and provisions have duly been satisfied.

18:12:2:1 The age of the child to be adopted should be below 10 months and a true copy of the birth certificate of the child should be submitted.

18:12:2:2 It is required to prove that the child has been adopted legally or a judicial process has been initiated to adopt the child legally.

18:12:3 This leave should commence from the date of commencing court proceedings on the legal custody of the child or from the date of granting an interim order on the legal custody of the child by the court or from the date of issuing the court verdict on the adoption of the child and it should commence before the lapse of 10 months from the date of the child's birth. However, in case where the date of fulfilling the said requirements falls after 10 months from the date of birth of the child, the officer is not entitled to obtain leave as per these provisions.

18:12:4 The female officer should ensure that a satisfactory arrangement is made to continuously pay the monthly installment of a loan or an advance obtained by her, before obtaining leave on no-pay and the Head of the Department should make sure that the said arrangement is properly implemented.

18:12:5 If the adopted child demises after granting approval for leave, this leave is cancelled after 7 days from the death of the child.

18:12:6 The leave on half-pay or leave on no-pay granted under this section should not be an obstacle for the purpose of salary increments or pension. Further, this period of leave should be treated as an active period of service for the purpose of filling vacancies and granting promotions.

18:12:7 This special leave should be granted strictly for caring the adopted child.

03. The provisions of this circular shall be effective from 26.06.2023.

Sgd/ K.D.N. Ranjith Asoka

Secretary

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