

GOVERNMENT POLICIES AND
LEGISLATION ON HOUSING

The Impact of Government Policies and Legislation
on the Supply of Urban Housing
with Special Reference to the City of Colombo:
Proposals for Improvement

A Dissertation

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SYNOPSIS

The aim of this dissertation is to examine the Government Housing policies and legislation mainly since the 1940s and after an evaluation of them to put forward proposals and recommendations that might lead to a solution of the housing problem especially in the urban sector.

This dissertation is in four parts : the magnitude of the problem; review of existing policies, legislation and the institutional framework; critical evaluation of the policies and the legislation; and proposals and recommendations. The body of the dissertation is divided into six chapters.

Chapter 1 identifies the problem of housing in Sri Lanka with special references to the urban sector. It briefly traces how the problem started with the Second World War and it analyses quantitatively the housing needs in 1971. It goes on further to deal with the age and condition of the urban housing stock, its structural composition, the urban tenure pattern, housing amenities and the relation between rents and household income. It also has a section dealing with the housing situation in Colombo with special focus on the tenements, slums and shanties.

Chapter 2 deals with the Government's policies on housing. It points out the necessity of the State to intervene to solve the housing problem especially that of the lower income group. The Chapter starts with the Government's concern over the health of the people as well as over the predicament of tenants. It goes on to deal how with the establishment of the National Housing Fund and the Institution of the National Housing Department, the Government became directly involved in the provision of housing through the granting of housing loans and by the direct construction of houses. This Chapter shows that in 1970, as a manifestation of its socialist policies, the coalition Government enacted various pieces of legislation with the intention of equitable distribution in the housing sector. A summary of Government policies concludes this Chapter.

Selected pieces of legislation are summarised in Chapter 3.

It covers the evolution of rent control in Sri Lanka, from 1942 and a comprehensive survey is made of the 1972 Rent Act. The other legislation summarised in this Chapter are the Ceiling on House Property Law, the Apartment Ownership Law, the Common Amenities Board Law, the Housing Developers (Special Provisions) Law, the Protection of Tenants (Special Provisions) Act, the Local Authorities Housing Act, the National Housing Act, and the Colombo District (Low-Lying Areas) Reclamation and Development Board Act. In all these laws only the main provisions are summarised.

Chapter 4 deals with the institutional and administrative framework. It is pointed out that the main institutions that administer most of the provisions of housing legislation are the local authorities and the National Housing Department. The Common Amenities Board, the Building Materials Corporation, and the Town and Country Planning Department are some of the other institutions discussed in this Chapter.

A critical evaluation of Government policies and legislation in the field of housing is attempted in Chapter 5. Sections of certain legislation are analysed and sometimes dissected arriving at a result which proves the naivety of some of the provisions in the legislation. A major part of this Chapter is devoted to an evaluation of the rent laws. In-depth analyses and evaluations are also made of the Ceiling on House Property Law, the Housing Developers Law, and, the Government's policy of housing the lower income earners in high-rise flats.

After an examination of how much of the Government's goals and objectives are achieved (or rather not achieved), the Final Chapter spells out the various proposals and recommendations regarding a positive approach for the alleviation of the housing problem in Sri Lanka. This Chapter concludes with a list of the proposals and recommendations.