

Driving under age children

2. Section 123 of the Motor Traffic Act (Chapter 203) (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— (1) in subsection (1) of that section- (a) in paragraph (a) thereof, by the deletion of the word “and”, appearing at the end of that paragraph; (b) in paragraph (b) thereof, by the insertion of the word “and”, at the end of that paragraph; (c) by the addition immediately after paragraph (b) thereof, of the following new paragraph:- “(c) no person shall drive a light vehicle on a road unless he has completed the age of eighteen years and shall not drive a heavy vehicle on a road unless he has completed the age of twenty-one years.”.

The rules

(2) in subsection (5) of that section- (a) by the repeal, in paragraph (a) thereof, of all the words from “to a fine not less than three Amendment of section 123 of Chapter 203. Motor Traffic (Amendment) Act, No. 10 of 2019 2 thousand rupees” to the end of that paragraph and the substitution therefor of the following words:— “to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees and on a second or subsequent conviction to a fine not less than thirty thousand rupees and not exceeding fifty thousand rupees.”; (b) by the repeal, in paragraph (b) thereof, of all the words from “to a fine not less than four thousand rupees” to the end of that paragraph and the substitution therefor of the following words:— “to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees and on a second or subsequent conviction to a fine not less than thirty thousand rupees and not exceeding fifty thousand rupees.”; (c) by the addition immediately after paragraph (b) thereof, of the following new paragraph which shall have the effect as paragraph (c) thereof:- “(c) A person who contravenes the provisions of paragraph (c) of subsection (1) shall be guilty of an offence and shall on conviction be liable to a fine not less than thirty thousand rupees and not exceeding forty thousand rupees and on a second or subsequent conviction to a fine not less than forty thousand rupees and not exceeding fifty thousand rupees.”. ‘***’

Penalty for driving at an excessive speed.

141A. (1) Any person who contravenes the provisions of sections 140, 141 and 142 or any regulation made thereunder shall be guilty of an offence and shall on conviction be liable, where the speed is - (a) in excess of the prescribed speed limit up to twenty per centum, to a fine not less than three thousand rupees and not exceeding five thousand rupees; (b) in excess of twenty per centum and less than thirty per centum of the prescribed speed limit, to a fine not less than five thousand rupees and not exceeding ten thousand rupees; (c) in excess of thirty per centum and less than fifty per centum of the prescribed speed limit, to a fine not less than ten thousand rupees and not exceeding fifteen thousand rupees; and (d) in excess of fifty per centum of the prescribed speed limit, to a fine not less than fifteen thousand rupees and not exceeding twenty five thousand rupees. (2) Notwithstanding the provisions of subsection (1), any person who contravenes the provisions of sections 140, 141 and 142 shall also be liable to on the spot fines as may be prescribed under section 215A.”. ‘***’

Precautions in crossing a railway.

148A. (1) No person shall drive a motor vehicle on or across a railway crossing— (i) when the railway gate is closed; (ii) disregarding the railway signal system; or (iii) without obeying directions of an authorized officer, to likely endanger one's own safety or that of any other person. (2) A person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall on conviction be liable to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees and on a second conviction to a fine not less than thirty thousand rupees and not exceeding forty thousand rupees and the suspension of his driving licence for a period of not exceeding six months, and on a third or subsequent conviction to a fine not less than forty thousand rupees and not exceeding fifty thousand rupees and the suspension of his driving licence for a period not exceeding twelve months." '***'

"Prohibit the use of mobile phone etc. while driving.

152A. (1) No person shall use a telephone, mobile phone or any other movable communication equipment when driving a motor vehicle on a road. (2) A person who contravenes subsection (1) shall be guilty of an offence and shall on conviction be liable to the penalty specified in section 224 and also be liable to the amount prescribed for on the spot fines under section 215A." '***'

Minimum fine

Section 216 of the principal enactment is hereby amended by the repeal of all the words from "to a fine not less than three thousand five hundred rupees" to the end of that section and the substitution of the words "to a fine not less than twenty five thousand rupees and not exceeding thirty thousand rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment and to the suspension of his driving licence for a period not exceeding twelve months." '***'

Penalty for driving without certificate of insurance.

A person who contravenes the provisions of section 99 shall be guilty of an offence and shall on conviction be liable to a fine not less than twenty five thousand rupees and not exceeding fifty thousand rupees or to imprisonment for a term not exceeding one month or to both such fine and imprisonment." '***'

Criminal laws

Unitary State

The Republic of Sri Lanka is a Unitary State'***'

Sovereignty of the People

In the Republic of Sri Lanka sovereignty is in the People and is inalienable. Sovereignty includes the powers of government, fundamental rights and the franchise.'***'

Exercise of Sovereignty

The Sovereignty of the People shall be exercised and enjoyed in the following manner:— (a) the legislative power of the People shall be exercised by Parliament, consisting of elected representatives of the People and by the People at a Referendum; (b) the executive power of the People, including the defence of Sri Lanka, shall be exercised by the President of the Republic elected by the People; (c) the judicial power of the People shall be exercised by Parliament through courts, tribunals and institutions created and established, or recognized, by the Constitution, or created and established by law, except in regard to matters relating to the privileges, immunities and powers of Parliament and of its Members, wherein the judicial power of the People may be exercised directly by Parliament according to law; (d) the fundamental rights which are by the Constitution declared and recognized shall be respected, secured and advanced by all the organs of government and shall not be abridged, restricted or denied, save in the manner and to the extent hereinafter provided; and (e) the franchise shall be exercisable at the election of the President of the Republic and of the Members of Parliament and at every Referendum by every citizen who has attained the age of eighteen years and who, being qualified to be an elector as hereinafter provided, has his name entered in the register of electors.'***'

Territory of the Republic

. The territory of the Republic of Sri Lanka shall consist of the 1 [twenty-five] administrative districts, the names of which are set out in the First Schedule and its 2 [territorial waters: Provided that such administrative districts may be subdivided or amalgamated so as to constitute different administrative districts, as Parliament may by resolution determine]'***'

The National Flag

. The National Flag of the Republic of Sri Lanka shall be the Lion Flag depicted in the Second Schedule.'***'

The National Anthem

The National Anthem of the Republic of Sri Lanka shall be “Sri Lanka Matha”, the words and music of which are set out in the Third Schedule.’***’

The National Day

The National Day of the Republic of Sri Lanka shall be the fourth day of February'***'

Freedom of thought, conscience and religion

Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice'***'

Freedom from torture

No person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment'***'

Right to equality

. (1) All persons are equal before the law and are entitled to the equal protection of the law. (2) No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds: Provided that it shall be lawful to require a person to acquire within a reasonable time sufficient knowledge of any language as a qualification for any employment or office in the Public, Judicial or Local Government Service or in the service of any Public Corporation, where such knowledge is reasonably necessary for the discharge of the duties of such employment or office: Provided further that it shall be lawful to require a person to have a sufficient knowledge of any language as a qualification for any such employment or office where no function of that employment or office can be discharged otherwise than with a knowledge of that language. (3) No person shall, on the grounds of race, religion, language, caste, sex or any one of such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of public worship of his own religion. (4) Nothing in this Article shall prevent special provision being made, by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons.'***'