

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

**COMMISSIONS OF INQUIRY (AMENDMENT) ACT, No. 3 OF 2019**

**[Certified on 01st of February, 2019]**

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| *Commissions of Inquiry (Amendment)* | 1 |

*Act, No. 3 of 2019*

[Certified on 01st of February, 2019]

L.D.—O. 1/2018.

AN ACTTOAMENDTHE COMMISSIONSOF INQUIRY ACT   
(CHAPTER 393)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

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| **1.** | This Act may be cited as the Commissions of Inquiry | Short title. |

(Amendment) Act, No. 3 of 2019.

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| **2**. | The Commissions of Inquiry Act (Chapter 393) | Insertion of new sections 24A,  24B, 24C, 24D,  and 24E in  Chapter 393. |
| (hereinafter referred to as the “principal enactment”) is hereby amended by the insertion immediately after section 24, of the following new sections and the new sections shall have | |

effect as sections 24A, 24B, 24C, 24D and 24E of that enactment:-

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| “Commission to Investigate Allegations  of Bribery or Corruption to institute  Criminal  proceedings. | 24A. (1) Notwithstanding anything to the contrary in the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law, where the Commission to Investigate Allegations of Bribery or Corruption, on a consideration of material collected in the course of an investigation or |

inquiry or both an investigation and inquiry   
as the case may be by a Commission of Inquiry   
appointed under section 2, is satisfied that an   
offence under the following laws has been   
committed, it may direct the Director General   
to institute criminal proceedings in terms of   
the -

(*a*) Bribery Act; or

(*b*) Declaration of Assets and Liabilities Law.

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(2) The Commission to Investigate   
Allegations of Bribery or Corruption may prior   
to the institution of proceedings under   
subsection (1) -

(*a*) conduct further investigations into the   
 commission of any offence;

(*b*) consider material that may have been   
collected in the course of an   
investigation conducted by the   
Commission to Investigate Allegations   
of Bribery or Corruption prior to the   
receipt of the material referred to in   
subsection (1); and

(*c*) consider material the Commission to   
Investigate Allegations of Bribery or   
Corruption may have received from any   
other law enforcement authority.

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| Commission  to Investigate  Allegations  of Bribery or  Corruption to  forward  material  collected and  received to  the relevant  authority. | 24B. Notwithstanding anything to the contrary in the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law, the Commission to Investigate Allegations of Bribery or Corruption may, if it deems appropriate, forward the material collected and received under section 24A to the Attorney-General or to any other authority to take any appropriate |

action under any other written law.

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| Commission  to Investigate  Allegations  of Bribery or  Corruption  not to record  statements or  evidence  given. | 24C. The Commission to Investigate Allegation of Bribery or Corruption shall not be required, unless it deems appropriate to, record a statement of a person who has given a statement to a Commission of Inquiry appointed under section 2 or has given evidence before such Commission. |

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| Commission to Investigate Allegations  of Bribery or Corruption to | | 24D. The Commission to Investigate Allegations of Bribery or Corruption may solicit, receive and consider the advice or opinion of the Attorney-General or any officer | Insertion of new section 27 in the principal  enactment. |
| seek advice  or opinion of the Attorney-General. | | representing the Attorney-General in giving effect to the provisions of sections 24A, 24B, or 24C. |
| Not to | | 24E. The provisions of this Act shall not |
| restrict the  powers and  functions of the  Commission to Investigate Allegations  of Bribery or Corruption | | restrict the powers and functions of the Commission to Investigate Allegations of Bribery or Corruption conferred on it by the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law.”. |
| by the  provisions of  this Act. | | |
| **3.** | The following new section is hereby inserted | |
| immediately after section 26 of the principal enactment and shall have effect as section 27 of that enactment:- | | |
| “Interpretation. | | 27. In this Act unless the context otherwise |

requires-

“Bribery Act” means the Bribery Act   
 (Chapter 26);

“Commission to Investigate Allegations of   
Bribery or Corruption Act” means the   
Commission to Investigate Allegations   
of Bribery or Corruption Act, No. 19 of   
1994;

“Commission to Investigate Allegations of   
Bribery or Corruption” means the   
Commission established by section 2 of   
the Commission to Investigate   
Allegations of Bribery or Corruption   
Act;

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“Declaration of Assets and Liabilities Law”  
means the Declaration of Assets and   
Liabilties Law, No. 1 of 1975;

“Director General” means the Director   
General for the Prevention of Bribery and   
Corruption appointed under section 16   
of the Commission to Investigate   
Allegations of Bribery or Corruption   
Act;

“law enforcement authority” means a police   
officer or any other person or authority   
that is authorized by or under any written   
law to investigate into the commission   
of an offence.”.

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| Reference to “Governor- General” to be a reference to “President”. | **4.** | (1) In the principal enactment there shall be |
| substituted for the words “Governor-General”, the word“President”.  (2) Every reference to the “Governor-General”, in any | |

regulation, rule, order, notice, notification, circular, contract, communication or other document issued under the principal enactment shall be read and construed as a reference to the“President”.

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| Sinhala text to  prevail in case  of inconsistency. | **5.** | In the event of any inconsistency between the Sinhala |
| and Tamil texts of this Act, the Sinhala text shall prevail. | |

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