

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

**PENAL CODE (AMENDMENT)**   
**ACT, No. 5 OF 2021**

**[Certified on 18th of January, 2021]**

*Printed on the Order of Government*

Published as a Supplement to Part II of the **Gazette of the Democratic Socialist Republic of Sri Lanka** of January 22, 2021

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

**Price : Rs. 12.00**  **Postage : Rs. 15.00**

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| *Penal Code (Amendment) Act, No. 5 of 2021* | 1 |

[Certified on 18th of January, 2021]

L.D.—O. 43/2016

AN ACTTOAMENDTHE PENAL CODE ( CHAPTER 19 )

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 Penal Code | Short title |

(Amendment) Act, No. 5 of 2021.

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| **2.** | The word “Ceylon”, wherever it appears in the Penal | Replacement of the word “Sri Lanka” for the word “Ceylon” in  Chapter 19  Replacement of the word “Republic” for the word |
| Code (Chapter 19) (hereinafter referred to as the “principal enactment”) other than in sections 3, 18A, 120, 138, 158, 159, 160, 225 and 256A thereof, shall be substituted with the word “Sri Lanka”. | |
| **3.** | The word “Queen”, wherever it appears in the |
| principal enactment, other than in sections 19, 115 and 120 thereof, shall be substituted with the word “Republic”. | |

“Queen” in the   
principal   
enactment

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| **4.** | Section 12 of the principal enactment is hereby | | Replacement of section 12 of the principal  enactment |
| repealed and the following section is substituted therefor:- | | |
| “Republic | | 12. The word “Republic” denotes the |

Democratic Socialist Republic of Sri Lanka.”.

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| **5.** | Section 13 of the principal enactment is hereby | | Repeal of  section 13 of the principal  enactment  Replacement of section 14 of the principal  enactment |
| repealed. | | |
| **6.** | Section 14 of the principal enactment is hereby | |
| repealed and the following section is substituted therefor:- | | |
| “Government | | 14. The word “Government”, where no |

other meaning is indicated by any descriptive   
or qualifying words or by the context, and the

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expression “the Sri Lanka Government” or “the   
Government of Sri Lanka” shall mean the   
Government constituted by the Constitution   
of the Democratic Socialist Republic of Sri   
Lanka, 1978.”.

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| Replacement of section 15 of  the principal  enactment  Replacement of section 16 of  the principal  enactment | **7.** | Section 15 of the principal enactment is hereby | |
| repealed and the following section is substituted therefor:— | | |
| ““This  Island” and“Sri Lanka” | | 15. The words “this Island” and “Sri Lanka”denote respectively, the Island of Sri Lanka.”. |
| **8.** | Section 16 of the principal enactment is hereby | |
| repealed and the following section is substituted therefor:— | | |
| “President | | 16. The word “President” shall mean the |

President of the Democratic Socialist Republic   
of Sri Lanka and shall include any person duly   
appointed or designated to exercise, perform   
and discharge the powers, duties and functions   
of his office.”.

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| Amendment of section 17 of  the principal  enactment  Amendment of section 18A of the principal  enactment | **9.** | Section 17 of the principal enactment is hereby |
| amended by the ommision of illustration (*b*) thereof. | |
| **10.** | Section 18A of the principal enactment is hereby |
| amended by the substitution for all the words from “any enactment or any statute” to the end of that section, of the words, “any enactment of the legislature of Sri Lanka or | |

under the Ceylon (Parliamentary Elections) Order in Council, 1946 or any rules or regulations made thereunder.”.

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| Amendment of section 19 of  the principal  enactment | **11.** | Section 19 of the principal enactment is hereby |
| amended by— | |
| (1) | the substitution for all the words from “*Firstly*” to |

“air forces of the Queen.”, of the words:—

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| “*Firstly* | - | Every person holding any office |

in Sri Lanka by virtue of any

*Penal Code (Amendment) Act, No. 5 of 2021*  3

commission or warrant or other act   
of appointment, granted or made   
by the President or under the   
President’s authority.

*Secondly* - Every member of the Sri Lanka   
 Administrative Service.

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| *Thirdly* | - | Every commissioned officer in |

the naval, military or air forces of   
the Republic of Sri Lanka.”; and

(2) the substitution in the illustration thereof, for the   
 words “A police Vidahn”, of the words “A   
 Gramaseva Niladari”.

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| **12.** | Section 25 of the principal enactment is hereby | Amendment of section 25 of the principal  enactment  Amendment of section 53 of the principal  enactment  Amendment of section 56 of the principal  enactment |
| amended by the substitution for the word “wife”, wherever it appears in that section, of the word “spouse”. | |
| **13.** | Section 53 of the principal enactment is hereby |
| amended by the substitution for the word “Governor-General’s”, of the word “President’s”. | |
| **14.** | Section 56 of the principal enactment is hereby |
| amended in the illustration thereof, by the substitution for the words “waging war against the Government,” of the | |

words “waging war against the Republic,”.

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| **15.** | Section 115 of the principal enactment is hereby | Amendment of section 115 of the principal  enactment |
| amended by the substitution for the words “to deprive the Queen of the sovereignty of Ceylon or of any part thereof, or | |

of any of her Majesty’s Realms and Territories,”, of the words“to deprive the People of the Republic of Sri Lanka of their sovereignty in Sri Lanka or any part thereof,”.

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| Amendment  of section  119 of the  principal  enactment | 4 | *Penal Code (Amendment) Act, No. 5 of 2021* |
| **16.** | Section 119 of the principal enactment is hereby |
| amended by the substitution— | |
| (1) | for the words “Governor-General or a Senator or |
| Member of Parliament”, wherever those words | |

appear in that section, of the words “President or a   
Member of Parliament”; and

(2) in the marginal note, for the word “Governor-  
 General”, of the word “President”.

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| Amendment  of section  120 of the  principal  enactment | **17.** | Section 120 of the principal enactment is hereby |
| amended— | |
| (1) | by the substitution for the words “the Queen or to |

Her Government in Ceylon,”, of the words “the   
President or to the Government of the Republic”;

(2) by the substitution for the words “the Queen’s   
 subjects” and “subjects”, respectively, of the words,  
 “the People of Sri Lanka” and “people”; and

(3) in the explanation thereof,—

(*a*) by the substitution for the words “the   
 Queen or Her Government in Ceylon” of   
 the words “the President or the   
 Government of the Republic”; and

(*b*) by the substitution for the words “the   
 Queen’s subjects” wherever those words   
 appear in the explanation, of the words  
 “the People of Sri Lanka”.

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| Amendment  of section  138 of the  principal  enactment | **18.** | Section 138 of the principal enactment is hereby |
| amended— | |
| (1) | by the substitution for the words “Her majesty’s |

Government in Ceylon or the Senate or the House   
of Representatives”, of the words “the Government   
of the Republic or the Parliament”; and

*Penal Code (Amendment) Act, No. 5 of 2021*  5

(2) by the substitution for the words “Governor-General

of Ceylon.”, of the words “President of the

Republic.”.

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| **19.** | Section 158 of the principal enactment is hereby | Amendment of section 158 of the principal  enactment  Amendment of section 159 of the principal  enactment  Amendment of section 160 of the principal  enactment  Amendment of section 162 of the principal  enactment  Amendment of sections 191  and 192 of the principal  enactment |
| amended by the substitution for the words “Government of Ceylon”, of the words “Government of the Republic”. | |
| **20.** | Section 159 of the principal enactment is hereby |
| amended by the substitution for the words “the Senate or House of Representatives or the Executive Government of Ceylon”, of the words “the Parliament or the Executive Government of the Republic”. | |
| **21.** | Section 160 of the principal enactment is hereby |
| amended— | |
| (1) | by the substitution for the words “the Senate or |
| House of Representatives or the Executive Government of Ceylon”, of the words “the Parliament or the Executive Government of the Republic”; and | |
| (2) | in the illustration thereof, by the substitution |
| for the words “An advocate”, of the words“An attorney-at-law”. | |
| **22.** | Section 162 of the principal enactment is hereby |
| amended— | |
| (1) | by the substitution for the words “the Government”, |
| of the words “the Republic”; and | |
| (2) | in the marginal note thereof, by the substitution for |
| the words “the Government”, of the word “the Republic”. | |
| **23.** | Sections 191 and 192 of the principal enactment |
| are hereby amended by the substitution for the words “this code or the law of England”, of the words “this code or any other enactment for the time being in force”. | |

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| Amendment of section 225 of the principal  enactment  Amendment of section 256A of the principal  enactment  Amendment of section 398 of the principal  enactment  Amendment of section 449 of the principal  enactment  Amendment of section 468 of the principal  enactment | 6 | *Penal Code (Amendment) Act, No. 5 of 2021* |
| **24.** | Section 225 of the principal enactment is hereby |
| amended— | |
| (1) | by the substitution for the words “issued by the |
| authority of the Government of Ceylon or under the Currency Ordinance, No. 21 of 1941, or any enactment in operation for the time being relating to the issue of coins in Ceylon or by the authority of the Government of any part of Her Majesty’s Realms and Territories”, of the words “issued by the authority of the Government of Ceylon or under the Currency Ordinance, No. 21 of 1941 or under the Monetary Law Act (Chapter 422) or under any enactment in operation for the time being relating to the issue of coins in Sri Lanka”; and | |
| (2) | by the substitution for the words “in Ceylon or in |
| any part of Her Majesty’s Realms and Territories”, of the words “in Sri Lanka”. | |
| **25.** | Section 256A of the principal enactment is hereby |
| amended by the substitution for the words “Her Majesty’s Government in Ceylon and also the Government in any part of Her Majesty’s Realms and Territories or in any foreign country.”, of the words “the Government of any foreign country.”. | |
| **26.** | Section 398 of the principal enactment is hereby |
| amended in the illustration (*a*) thereof, the substitution for the words “Civil Service,”, of the words “Sri Lanka Adminstrative Service,”. | |
| **27.** | Section 449 of the principal enactment is hereby |
| amended by the substitution for the word “Crown.”, of the word “State.”. | |
| **28.** | Section 468 of the principal enactment is hereby |
| amended by the substitution for the words “in any part of Her Majesty’s Realms and Territories or in any foreign country”, wherever those words appear in that section, of | |

the words “in Sri Lanka or in any foreign country”.

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| *Penal Code (Amendment) Act, No. 5 of 2021* | | 7 | Amendment of section 478A of the principal  enactment |
| **29.** | Section 478A of the principal enactment is hereby | |
| amended by the repeal of paragraph (*b*) of subsection (2) thereof and the substitution therefor of the following | | |

paragraph:—

“(*b*) “currency note” means a currency note issued under the Currency Ordinance, No. 21 of 1941, or under the Monetary Law Act (Chapter 422), or any enactment in operation for the time being relating to the issue of paper currency in Sri Lanka and includes any note of a similar character, by whatever name called, issued by or on behalf of the Government of any foreign State.”.

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| **30.** | Section 485 of the principal enactment is hereby | Amendment of section 485 of the principal  enactment  Sinhala text to  prevail in case  of inconsistency |
| amended by the substitution for the words “of Her Majesty”, of the words “of the Republic”. | |
| **31.** | In the event of any inconsistency between the |
| Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | |

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| 8 | *Penal Code (Amendment) Act, No. 5 of 2021* |

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