



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

**PARLIAMENTARY COMMISSIONER
FOR ADMINISTRATION
ACT, No. 17 OF 1981**

[Certified on 12th March, 1981]

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L.D.—O. 86/79.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE OFFICE OF PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (OMBUDSMAN) IN TERMS OF ARTICLE 156 OF THE CONSTITUTION, TO DEFINE HIS POWERS, DUTIES AND FUNCTIONS, AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Parliamentary Commissioner for Administration Act, No. 17 of 1981, and shall come into operation on such date as may be appointed by the President by Order published in the Gazette.

Short title
and date of
operation.

PART I THE OMBUDSMAN

2. There shall be a Parliamentary Commissioner for Administration (hereinafter referred to as "the Ombudsman").

Establishment
of the office
of the Parlia-
mentary
Commissioner
for Adminis-
tration.

3. (1) The Ombudsman shall be appointed by the President and shall hold office during good behaviour.

Appointment
and term of
office.

(2) The Ombudsman shall not be a member or an officer of Parliament or of any public corporation, local authority, or other like institution.

(3) The Ombudsman shall not, except with the written consent of the President, hold any other office (whether paid or not) or accept any place of profit or emolument or engage in any occupation for reward outside the duties of his office.

(4) The salary of the Ombudsman shall be determined by Parliament, shall be charged on the Consolidated Fund and shall not be diminished during his term of office.

(5) The office of the Ombudsman shall become vacant—

(a) upon his death;

(b) on his resignation by writing addressed to the President;

(c) on his attaining the age of sixty-eight years;

(d) on his removal by the President on account of ill health or physical or mental infirmity; or

(e) on his removal by an order of the President made after an address of Parliament.

(6) If the Ombudsman is temporarily unable to exercise, perform and discharge the powers, duties and functions of his office, the President may appoint a person to act in the place of the Ombudsman during that period and while so acting such person shall have and may exercise all the powers, and perform and discharge all the duties and functions of the Ombudsman under this Act in all respects as if he were the Ombudsman.

(7) The procedure for the presentation and passing of an address of Parliament for the removal of a Judge of the Supreme Court or the Court of Appeal shall apply in all respects to the presentation and passing of an address of Parliament for the removal of the Ombudsman.

Where public
officer is
appointed as
Ombudsman.

4. Every person who, immediately before his appointment as Ombudsman was a public officer, shall, when such appointment takes effect, cease to hold such office :

Provided that—

(a) he shall retain his existing and accruing rights as such public officer ; and

(b) for the purpose of determining those rights, his service under this Act shall be taken into account as if it were service in the public service.

Official oath
or affirmation.

5. A person appointed to the office of Ombudsman shall not enter upon the duties of his office until he takes and subscribes the oath or makes and subscribes the affirmation set out in the Schedule hereto, before the President.

Duty to
maintain
secrecy.

6. (1) The Ombudsman shall, while he holds office and after he ceases to hold office, maintain secrecy in respect of all matters that come to his knowledge in the exercise, performance and discharge of his powers, duties and functions, except for the purposes of any investigation and of any report or recommendation to be made thereon under this Act.

(2) The Ombudsman shall not enter upon the duties of his office unless he takes and subscribes an oath or makes and subscribes an affirmation before the President, that he will not divulge any information, received by him, or coming to his knowledge, in the exercise, performance and discharge of his powers, duties and functions under this Act, except for the purposes of giving effect to this Act.

7. No person who has held office as Ombudsman shall hold office as a public officer at any time without the written consent of the President.

Ombudsman
not to hold
public office
without
consent after
ceasing to
be Ombuds-
man.

PART II

STAFF OF THE OMBUDSMAN

8. (1) The President may from time to time, in consultation with the Ombudsman, appoint one or more Deputy Ombudsmen.

Deputy
Ombudsman

(2) The Ombudsman may, by writing under his hand, delegate to a Deputy Ombudsman any of his powers, duties and functions under this Act, except the power of delegation under this section and the power to make a report under section 18, in relation to any particular matter or class or category of matters, subject to such restrictions and conditions as may be specified therein. The Ombudsman may at any time, revoke, vary or otherwise amend such delegation.

(3) A Deputy Ombudsman may, subject to any restriction or condition contained in the instrument of delegation, exercise, perform and discharge all the powers, duties and functions of the Ombudsman in relation to any matter delegated to him.

(4) Where a delegation of any power, duty or function is made under this section, the Ombudsman may, notwithstanding such delegation, exercise, perform or discharge such power, duty or function.

(5) A Deputy Ombudsman may continue to exercise, perform and discharge the powers, duties and functions delegated to him by the Ombudsman, notwithstanding the vacation of office by such Ombudsman, until such delegation is revoked, varied or otherwise amended by any successor in office to such Ombudsman.

(6) The provisions of section 3, 4, 5, 6 and 7 shall, *mutatis mutandis*, apply to, and in relation to, a Deputy Ombudsman:

Provided however, that a Deputy Ombudsman shall vacate office on his attaining the age of sixty-five years.

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Act, No. 17 of 1981

Other staff.

9. (1) There shall be appointed such number of officers and servants as may be necessary to aid and assist the Ombudsman and Deputy Ombudsman in the exercise, performance and discharge of their powers, duties and functions under this Act.

(2) The provisions of sections 5 and 6 shall, *mutatis mutandis*, apply to, and in relation to, all officers and servants appointed under subsection (1) :

Provided, however, that such officers and servants shall take and subscribe the oath or make and subscribe the affirmation referred to in section 6 before the Ombudsman.

(3) The Ombudsman may, by instrument in writing, authorize, subject to such restrictions or conditions as he deems fit, any officer appointed under this section, to exercise, perform or discharge any of the powers, duties or functions conferred or imposed on, or assigned to the Ombudsman by this Act, except the power of delegation under section 8, the power of making any report under section 18, and the power of issuing a certificate under section 20.

(4) Any person purporting to exercise, perform or discharge any power, duty or function of the Ombudsman by virtue of an instrument referred to in subsection (3) shall, when required to do so, produce such instrument as evidence of his authority to exercise, perform or discharge such power, duty or function

PART III

POWERS, DUTIES AND FUNCTIONS OF THE OMBUDSMAN

Functions of
the
Ombudsman

10. (1) Where the Committee of Parliament set up to consider petitions presented by Members of Parliament (hereinafter referred to as the "Public Petitions Committee") is of the view that any petition presented to it by a Member of Parliament discloses an infringement of a fundamental right or other injustice by a public officer, or officer of a public corporation, local authority, or other like institution, it may refer such petition to the Ombudsman for investigation and report.

(2) The Ombudsman may investigate and report on any matter under the preceding provisions of this section notwithstanding anything in any other written law which provides that any decision, recommendation, act or omission shall not be called in question in any court or other tribunal by way of writ or otherwise.

(3) In this section, "injustice" includes any injustice alleged to have been or to be likely to be caused by any decision or recommendation (including a recommendation to a Minister) or by any act or omission, and the infringement of any right recognized by the Constitution.

11. Nothing in this Act shall authorize the Ombudsman to investigate or report upon—

Matters not
subject to
investigation.

(a) any complaint or allegation of the infringement of a fundamental right or other injustice alleged to have occurred prior to the commencement of the Constitution;

(b) any allegation of an injustice not amounting to an infringement of a fundamental right, relating to—

(i) the exercise, performance or discharge of any power, duty or function under the Public Security Ordinance or the law for the time being in force relating to public security;

(ii) any decision, recommendation, act or omission of any attorney-at-law acting as legal advisor to, or appearing in any proceeding for, the State, any public corporation, local authority or other like institution, including the Attorney-General, Solicitor-General or any legal officer of the department of the Attorney-General, or any attorney-at-law acting under the special authority of the Attorney-General;

(iii) any person who is or was a member of the Armed Forces, Police Force or other Forces charged with the maintenance of public order, so far as the matter relates to—

(a) the terms and conditions of his service;

or

(b) any order, command, decision, penalty or punishment given to him in his capacity as such member;

(iv) the institution of civil or criminal proceedings or the conduct thereof, and any decision or recommendation therefor;

(v) the appointment, transfer, dismissal or disciplinary control of public officers;

(vi) any decision, recommendation, act or omission of the Auditor-General;

(vii) any decision, recommendation, act or omission of the Commissioner of Elections ; or

(viii) any decision, determination, recommendation, act or omission of the Ombudsman or of any Deputy Ombudsman.

Reference
of certain
questions
to Supreme
Court.

12. (1) If, during the course of an investigation under this Act, any question of law of exceptional public importance arises—

(a) relating to the interpretation of the Constitution ; or

(b) as to whether in relation to any particular facts there has been or is likely to be an infringement of a fundamental right by a public officer, or officer of a public corporation, local authority, or other like institution,

the Ombudsman may state a case for the opinion of the Supreme Court upon such question.

(2) The case stated shall contain a statement of the facts on which the question of law arises and such facts shall not be liable to be questioned in proceedings before the Supreme Court under this section.

(3) The Attorney-General and the complainant, if any, shall be served with notice of any such case stated and shall be entitled to make submissions at the hearing of any such case.

(4) The Ombudsman may at such hearing, make submissions through an attorney-at-law.

Ombudsman
may dis-
continue
investigation
in certain
cases.

13. (1) The Ombudsman may discountinue an investigation commenced by him under this Act if he is of the view—

(a) that in respect of the matter under investigation the complainant or person aggrieved has or had, under the law or existing administrative practice, an adequate remedy or right of appeal to which it is, or would have been, reasonable to resort to ; or

(b) that the complainant has not a sufficient interest in the subject-matter of the complaint or allegation ; or

(c) that the complainant has been guilty of unreasonable delay in making the complaint or allegation ; or

(d) that such investigation may be prejudicial to the security, defence or international relations of Sri Lanka including the relations of Sri Lanka with any international organization or agency ; or

(e) that such investigation may be prejudicial to the maintenance of discipline or order in any prison or place of detention.

(2) Where, in the exercise of the discretion vested in him by subsection (1), the Ombudsman discontinues an investigation, he shall inform the Public Petitions Committee of his decision to discontinue such investigation, together with his reasons therefor.

14. The refusal by the Ombudsman to investigate, or to investigate further, as the case may be, any matter on the ground that such matter is not within his jurisdiction by virtue of the provisions of section 11, or the discontinuation of an investigation by the Ombudsman in the exercise of his discretion under section 13, shall be final and shall not be called in question in any court or tribunal, or be reviewed or quashed in proceedings for orders in the nature of writs of *certiorari*, *prohibition*, *mandamus*, *procedendo* or otherwise.

Refusal to investigate not to be questioned.

15. (1) Before investigating any matter under this Act, the Ombudsman may inform the Head of the Institution concerned, of his intention to conduct such investigation.

Conduct of investigation by Ombudsman.

(2) Every investigation by the Ombudsman under this Act shall be conducted in private and no person shall be entitled as of right to be present at such investigation.

(3) The Ombudsman shall make all such inquiries as he considers necessary, but shall not be obliged to hold any hearing. He may hear the evidence of, or obtain information or entertain representations from, such persons as he thinks fit. Subject to the provisions of subsection (4), no person shall be entitled as of right to give evidence or to make representations to the Ombudsman.

(4) (a) The Ombudsman shall not make any report or recommendation adverse to any person, unless he had, in the course of his investigation, given such person an opportunity to be heard in respect of the matter to which such adverse report or recommendation relates.

(b) No person shall be represented by any other person at any investigation.

(c) The Head of the Institution concerned shall be entitled to make representations either orally or in writing to the Ombudsman.

(d) Subject to the provisions of this Act, the Ombudsman may regulate his procedure in such manner as he thinks fit.

Evidence.

16. (1) The Ombudsman shall have power for the purposes of any investigation—

(a) to procure and receive all such evidence, written or oral, and to examine all such persons as witnesses, as he may think necessary or desirable to procure, receive or examine ;

(b) to require the evidence, whether written or oral, of any witness to be given on oath or affirmation, such oath or affirmation to be that which would be required of the witness if he were giving evidence in court, and to administer an oath or affirmation to every such witness ;

(c) to summon any person to give evidence, or to produce any document or other thing in his possession or control, and to examine him as a witness or to require him to produce any document or other thing in his possession or control ;

(d) to direct any person in charge of a prison, house of observation, mental hospital, or other place of detention, to produce any person in his custody or charge before the Ombudsman for the purpose of being examined or to produce any document or other thing in the possession or control of such person ; and

(e) notwithstanding any of the provisions of the Evidence Ordinance or of any other written law but subject as hereinafter provided, to admit any evidence, written or oral, which might in the opinion of the Ombudsman be of assistance in the investigation.

(2) Every such examination of a witness shall be deemed to be a judicial proceeding for the purposes of Chapter XI of the Penal Code.

(3) A person who is bound by the provisions of any special law to maintain secrecy in relation to, or to refrain from disclosing, any matter, shall not give evidence or information, or answer any question, or produce any document or other thing relating to such matter, if by so doing he would be acting in breach of such obligation of secrecy or non-disclosure :

Provided that, any such person may be required by the Ombudsman to give evidence or information, or to answer any question, relating to any statement made, or to produce any document or other thing furnished, to such person by the complainant or person aggrieved or by any other person, relating only to the complainant or person aggrieved, notwithstanding such obligation and with the previous consent of the complainant or person aggrieved or such other person.

(4) (a) No person shall give any evidence or answer any question or produce any document or other thing, if the Attorney-General certifies that the giving of such evidence or information, the answering of such question, or the production of such document or other thing, as the case may be, will or is likely to—

(i) prejudice the security, defence or international relations of Sri Lanka (including the relations of Sri Lanka with any international organization or agency) ;

(ii) involve the disclosure of deliberations or proceedings of the Cabinet, or of any committee of the Cabinet, relating to matters of a secret or confidential nature ;

(iii) obstruct or hinder the investigation or detection of offences ; or

(iv) contravene the provisions of the Official Secrets Act.

(b) Subject to the provisions of this Act, any rule of law which authorizes or requires the withholding of any document, or the refusal to give any evidence or information or to answer any question, on the ground that the disclosure of such document, the giving of such evidence or information, or the answering of such question, would be injurious to the public interest, shall not apply in respect of any investigation by the Ombudsman.

(5) Except as otherwise provided in subsections (3) and (4), every person shall have, in relation to the giving of evidence or information, the answering of questions, and the production of documents and other things, the same privileges and immunities as he would be entitled to if he were a witness giving evidence in a court of law.

(6) (a) No person shall, in respect of any evidence, information or answer given, or any document or other thing produced, to or before the Ombudsman, be liable to any action, prosecution or other proceeding, civil or criminal, in any court or tribunal.

(b) No evidence of a statement made or answer given by any person, to or before the Ombudsman, shall be admissible against such person or any other person in any action, prosecution or other proceeding, civil or criminal, in any court or tribunal.

(c) No evidence of any document that is sent to the Ombudsman or his officers, or by the Ombudsman or his officers, in the course of, or for the purposes of, an investigation under this Act and was prepared specifically for the purposes of an investigation shall be admissible in evidence in any proceeding, civil or criminal, in any court or tribunal :

Provided that, nothing in the preceding provisions of this subsection shall—

(i) abridge or affect, or be deemed or construed to abridge or affect, the liability of any person to any action, prosecution or penalty for any offence under Chapter XI of the Penal Code read with subsection (2) of this section, or for any offence under section 20, or for the breach of his obligation of secrecy or non-disclosure under this Act ; or

(ii) prohibit or be deemed or construed to prohibit the publication or disclosure of the nature of the evidence or any part of the evidence of any person for the purposes of any such action or prosecution.

**Determination
of
Ombudsman.**

17. (1) Upon the conclusion of his investigation, the Ombudsman shall determine whether there has been, or is likely to be, any infringement of a fundamental right or other injustice, including the question as to whether any decision, recommendation, act or omission which was the subject-matter of the investigation—

(i) was contrary to law ;

(ii) was based wholly or partly on a mistake of fact or of law ;

(iii) was unreasonable, unjust, oppressive or improperly discriminatory or otherwise wrong ;

(iv) was in accordance with a practice that is, or may be, unreasonable, unjust, oppressive or improperly discriminatory ;

(v) was made or done in the exercise of a discretion—

(a) which has been exercised for an improper purpose or on irrelevant grounds or by reference to irrelevant considerations, or by failing to take account of material considerations ; or

(b) without giving reasons, although reasons ought, in the opinion of the Ombudsman, to have been given ; or

(vi) was unreasonably delayed,

and shall report his determination, together with his reasons therefor, to the Public Petitions Committee and may recommend that—

(i) the matter be reconsidered ;

(ii) the omission be rectified ;

(iii) the decision be cancelled or varied ;

(iv) the practice on which such decision, recommendation act or omission was based, be altered ;

(v) reasons be given for such decision, recommendation, act or omission.

(2) The Public Petitions Committee may, after consideration of a report made to it by the Ombudsman under subsection (1), report to Parliament its opinion on the action to be taken on the Ombudsman's report.

PART IV

GENERAL

18. The Ombudsman shall, at least once in every calendar year, send to the President and to Parliament, a report of the work done during the preceding calendar year in the exercise, performance and discharge of his powers, duties and functions under this Act.

Annual
report by
Ombudsman.

19. (1) For the purposes of this Act, the Ombudsman may at any time and at any reasonable hour of the day or of the night, enter upon any premises or place used or occupied by any Government department, public corporation, local authority, or other like institution and inspect such premises or place and anything for the time being therein or thereon and subject to the provisions of section 15, conduct therein any investigation that is within his jurisdiction.

Power of
entry on
premises.

(2) Before entering upon any such premises or place, the Ombudsman shall notify the Head of the Institution concerned.

(3) Nothing in subsection (1) shall authorize the Ombudsman or any other person to enter any premises or place, ship or aircraft which is a prohibited place within the meaning of the Official Secrets Act.

Offences.

20. (1) Any person who—

- (i) fails without reasonable cause, to appear before the Ombudsman at the time and place mentioned in a summons served under this Act ;
- (ii) refuses to be sworn or affirmed or, having been duly sworn or affirmed, refuses or fails without reasonable cause to answer any question put to him touching the matters being investigated by the Ombudsman ;
- (iii) refuses or fails without reasonable cause to produce and show to the Ombudsman any document or other thing which is in his possession or control and which he had been requested to produce for the purposes of the investigation ;
- (iv) wilfully makes any false statement to the Ombudsman or any other officer on his staff for the purposes of an investigation under this Act ;
- (v) obstructs without reasonable cause, the Ombudsman or any other officer on his staff, in the exercise of his duties and functions under this Act ;
- (vi) acts in contravention of the duty to maintain secrecy under this Act ;
- (vii) intentionally offers any insult or causes any interruption to the Ombudsman while the Ombudsman is making any investigation or conducting any inquiry under this Act ; or
- (viii) by words spoken or intended to be read, makes or publishes any statement or does any other act, which is calculated to bring the Ombudsman into disrepute,

shall be guilty of an offence and shall, on conviction by the High Court after a trial without jury, be liable to imprisonment of either description for a term not exceeding one year or to a fine not exceeding five thousand rupees, or to both such imprisonment and such fine.

(2) In a prosecution for an offence referred to in paragraph (i) or paragraph (ii) or paragraph (iii) or paragraph (v) of subsection (1), a certificate under the hand of the Ombudsman to the effect that any person has

failed without reasonable cause to appear before the Ombudsman at the time and place mentioned in the summons served on such person, or has failed or refused without reasonable cause to answer any question put to him touching the matters being investigated by the Ombudsman, or has refused or failed without reasonable cause to produce and show to the Ombudsman any document or other thing which is in his possession or control and which he has been required to produce for the purposes of the investigation made by the Ombudsman, or has obstructed without reasonable cause the Ombudsman or any other officer or servant of his staff, in the exercise of his powers or the performance and discharge of his duties and functions under this Act, shall be received in evidence as prima facie evidence of the facts stated therein.

(3) In this section and in section 21, the expression "Ombudsman" includes a Deputy Ombudsman.

21. (1) No suit or prosecution shall lie against the Ombudsman or any officer on his staff for any act which in good faith is done or purported to be done by the Ombudsman or such officer under this Act.

Protection
against
suit or
prosecution.

(2) The Ombudsman or any officer on his staff shall not be called to give evidence in any court or in any proceedings of a judicial nature, in respect of any report made by the Ombudsman under this Act, or against any other person in respect of the publication by such person of a substantially true account of such report.

(3) No action, prosecution or other proceeding, civil or criminal, shall be instituted in any court or tribunal against the Ombudsman in respect of any report made by the Ombudsman under this Act, or against any other person in respect of the publication by such person of a substantially true account of such report.

22. (1) The Minister may, in consultation with the Ombudsman, make rules in respect of the costs of travelling and other expenses which may have been reasonably incurred by any witness appearing before the Ombudsman.

Rules.

(2) Every rule made by the Minister under subsection (1) shall be published in the *Gazette* and shall come into operation on the date of its publication in the *Gazette* or on such later date as may be specified in that rule.

(3) Every rule made by the Minister under subsection (1) shall, as soon as convenient after its publication in the *Gazette*, be brought before Parliament for approval. Any

such rule which is not so approved shall be deemed to be rescinded as from the date of disapproval but without prejudice to anything previously done thereunder. Notification of the date on which a rule is so deemed to be rescinded shall be published in the *Gazette*.

Complaints
regarding
matters
occurring
before
operation of
this Act.

23. Subject to the provisions of paragraph (a) of section 11, the Ombudsman may investigate any complaint or allegation of the infringement of a fundamental right, or other injustice alleged to have occurred before the date of coming into operation of this Act.

Savings.

24. The provisions of this Act shall be in addition to the provisions of any other enactment or any rule of law under which any remedy or right of appeal or objection is provided to any person, or any procedure is provided for the inquiry into, or investigation of, any matter, and nothing in this Act shall limit or affect the seeking of any such remedy or right of appeal or objection or procedure as aforesaid.

Interpreta-
tion.

25. (1) In this Act, unless the context otherwise requires—

“Head of an Institution” in relation to—

- (a) a public officer serving in a Government department, means the Head of that department or where such public officer is the Head of that department, means the Secretary to the Ministry to which that department has been assigned ;
- (b) a public officer who is serving in a Ministry, means the Secretary to the Ministry, or where such public officer is the Secretary means the Minister in charge of that Ministry ;
- (c) a scheduled public officer, means the Judicial Service Commission appointed under Article 112 of the Constitution ;
- (d) any other public officer, means the principal executive officer under whose general direction and control that public officer is serving ;
- (e) an officer of a public corporation, local authority or other like institution, means the principal executive officer of that public corporation, local authority or other like institution, or where such officer is the principal executive officer of that public corporation, local authority or institution, means the Secretary to the Ministry under which such public corporation, local authority or institution functions ;

"local authority" means any Development Council, Municipal Council, Urban Council, Town Council or Village Council and includes any Authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council ;

"officer" includes an employee or servant ;

"Ombudsman" includes a Deputy Ombudsman and any other officer of the staff of the Ombudsman exercising any power, duty or function of the Ombudsman under any delegation made by the Ombudsman under section 8 or section 9 ;

"President" means the President of the Democratic Socialist Republic of Sri Lanka ;

"public corporation" means any corporation, board or other body which was or is established by or under any written law other than the Companies Ordinance, with funds or capital wholly or partly provided by the Government by way of grant, loan or otherwise ;

"public officer" means a person who holds any paid office under the Republic, other than a judicial officer but does not include—

- (a) the President ;
- (b) the Speaker ;
- (c) a Minister ;
- (d) a Member of the Judicial Service Commission ;
- (e) a member of the Public Service Commission ;
- (f) a Deputy Minister ;
- (g) a Member of Parliament ;
- (h) the Secretary-General of Parliament ;
- (i) a member of the President's staff ;
- (j) a member of the staff of the Secretary-General of Parliament.

(2) In this Act "officer" used with reference to any other like institution shall mean an officer of an institution established by or under any written law, who is in receipt of any remuneration, allowance or other benefit out of funds provided by Parliament and includes an officer of any business undertaking that is, or may be, vested in, or

acquired by the Government under the Business Undertakings (Acquisition) Act, No. 35 of 1971, and accordingly, any reference to "other like institution" shall mean any institution to which such officer belongs.

SCHEDULE

(Section 5)

"I,, do solemnly declare and affirm/swear that I will faithfully perform the duties and discharge the functions of the office of Ombudsman/Deputy Ombudsman in accordance with the Constitution of the Democratic Socialist Republic of Sri Lanka and the law, and that I will be faithful to the Republic of Sri Lanka and that I will, to the best of my ability, uphold and defend the Constitution of the Democratic Socialist Republic of Sri Lanka."