



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

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**OFFENCES AGAINST PUBLIC PROPERTY  
ACT, No. 12 OF 1982**

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**[Certified on 25th March, 1982]**

*Printed on the Orders of Government*

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**Offences Against Public Property  
Act, No. 12 of 1982**

[Certified on 25th March, 1982]

**L.D. O. 92/79.**

**AN ACT TO MAKE PROVISION IN RESPECT OF CERTAIN OFFENCES  
COMMITTED IN RELATION TO PUBLIC PROPERTY AND 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 Offences against Public  
Property Act, No. 12 of 1982.**

**Short title.**

**2. Any person who commits the offence of mischief to  
public property shall be guilty of an offence and shall upon  
conviction be punished with imprisonment of either  
description for a term not less than one year but not  
exceeding twenty years, and with a fine of one thousand  
rupees or three times the amount of the loss or damage  
caused to such property, whichever amount is higher.**

**Mischief to  
public  
property.**

**3. Any person who commits the offence of theft of  
public property shall be guilty of an offence and shall upon  
conviction be punished with imprisonment of either  
description for a term not less than one year but not  
exceeding twenty years, and with a fine of one thousand  
rupees or three times the value of the property in respect  
of which such offence was committed, whichever amount  
is higher.**

**Theft of  
public  
property.**

**4. Any person who commits the offence of robbery of  
public property shall be guilty of an offence and shall upon  
conviction be punished with imprisonment of either  
description for a term not less than one year but not  
exceeding twenty years, and with a fine of one thousand  
rupees or three times the value of the property in respect  
of which such offence was committed, whichever amount  
is higher.**

**Robbery of  
public  
property.**

**5. (1) Any person who dishonestly misappropriates or  
converts to his own use any movable public property or  
commits the offence of criminal breach of trust of any  
movable public property shall be guilty of an offence and  
shall upon conviction be punished with imprisonment of  
either description for a term not less than one year but not  
exceeding twenty years, and with a fine of one thousand**

**Dishonest  
misappropria-  
tion,  
criminal  
breach of  
trust, cheat-  
ing, forgery  
and falsifica-  
tion of  
accounts.**

rupees or three times the value of the property in respect of which such offence was committed, whichever amount is higher.

(2) Any person who commits the offence of cheating, forgery or falsification of accounts in relation to public property shall be guilty of an offence and shall upon conviction be punished with imprisonment of either description for a term not less than one year but not exceeding twenty years and with a fine of one thousand rupees or three times the amount in relation to which such offence was committed, whichever amount is higher.

**Recovery of  
fine by  
forefeiture  
of property.**

6. Where any fine imposed on any person under sections 2, 3, 4, 5 or 10 is in default, the court may order all such property of the defaulter, movable or immovable, as it considers equivalent in value to the amount of such fine to be forefeited to the Republic, and any sum realised on the sale of such property which is in excess of the amount of such fine shall be refunded to such person.

**Community  
service  
order.**

7. Where the forfeiture of property under section 6 is impracticable or inexpedient, the court may, in lieu of making such order of forfeiture, make a community service order under section 18 of the Code of Criminal Procedure Act, No. 15 of 1979.

**Provisions  
relating to  
the  
granting  
of bail.**

8. (1) The provisions of the Code of Criminal Procedure Act, No. 15 of 1979, in relation to bail shall apply where any person surrenders himself or is produced on arrest on an allegation that he has committed or has been concerned in committing or is suspected to have committed or to have been concerned in committing an offence under this Act:

Provided, however, that where a *Gazetted* officer not below the rank of Assistant Superintendent of Police certifies that the value of the subject-matter in respect of which the offence was committed, exceeds five thousand rupees such person shall be kept on remand until the conclusion of the trial. It shall be competent for the court in exceptional circumstances to release such person on bail after recording reasons therefor.

(2) Every person convicted by the court of any offence under this Act shall, notwithstanding that he has lodged a petition of appeal against his conviction or the sentence imposed on him, be kept on remand until the determination of the appeal:

Provided, however, that it shall be competent for such court in exceptional circumstances to release such person on bail after recording reasons therefor.

9. The court shall give priority to the trial of any person charged with any offence under this Act and to the hearing of any appeal from the conviction of any such offence and sentence imposed on such conviction.

Priority to be given to the hearing of trials of offences under this Act and appeals from convictions.

10. Any person who attempts to commit an offence punishable under this Act, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall be punished with such imprisonment of either description as is provided for the offence and with such fine, as is provided for the offence.

Attempts to commit offences.

11. Where a person, who in the opinion of the court is below the age of sixteen years, commits an offence under section 2, 3, 4 or 5 or who under section 10 attempts to commit or causes an offence to be committed, the court shall have the discretion to impose a punishment disregarding the minimum punishment set out for that offence.

Punishment of persons below the age of sixteen years.

12. In this Act unless the context otherwise requires—

Interpretation.

“bank” means—

- (a) any agency or institution acting on behalf of the Government (whether established under any written law or otherwise) which grants loans, advances or investments, or accepts deposits of money from the public; and

(b) any other person or body of persons declared by the Minister in charge of the subject of Finance by Order published in the Gazette to be a bank for the purposes of this Act ;

"cheating" has the same meaning as in the Penal Code ;

"co-operative society" means any society registered or deemed to be registered under the Co-operative Societies Law, No. 5 of 1972, or under any law in force for the time being in relation thereto ;

"co-operative union" means any union registered or deemed to be registered under the Co-operative Societies Law, No. 5 of 1972, or under any law in force for the time being in relation thereto ;

"criminal breach of trust" has the same meaning as in the Penal Code ;

"dishonestly" has the same meaning as in the Penal Code ;

"falsification" has the same meaning as in the Penal Code ;

"forgery" has the same meaning as in the Penal Code ;

"mischief" has the same meaning as in the Penal Code ;

"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 property" means the property of the Government, any department, statutory board, public corporation, bank, co-operative society or co-operative union ;

"robbery" has the same meaning as in the Penal Code ;

"theft" has the same meaning as in the Penal Code.