



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

**CODE OF CRIMINAL PROCEDURE
(AMENDMENT)**

ACT, No. 49 OF 1985

[Certified on 27th December, 1985]

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Code of Criminal Procedure (Amendment)
Act, No. 49 of 1985.

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L. D.—O. 44/84.

AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE ACT,
No. 15 OF 1979

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

1. This Act may be cited as the Code of Criminal Procedure (Amendment) Act, No. 49 of 1985. Short title.

2. Section 18 of the Code of Criminal Procedure Act, No. 15 of 1979, is hereby repealed, and the following section substituted therefor :— Replacement of section 18 of Act No. 15 of 1979.

“ Community Service Orders.

18 (1) The court may, in lieu of imposing a sentence of imprisonment on conviction of an accused person, or in lieu of imposing a sentence of imprisonment on a convicted person in default of payment of a fine, enter an order (hereinafter referred to as a “Community Service Order”) in the prescribed form, directing such convicted person to perform such services as may be specified in such order, at a named place—

- (a) in a State or State-sponsored project ;
- (b) in a Government department, public corporation, statutory board or any local authority ; or
- (c) in a charitable institution, social service organization or a place of religious worship, with the consent of the person in charge of such institution, organization or place, as the case may be,

under the direction and supervision of an authorized officer.

(2) The duration of the Community Service Order shall be for such number of hours being in the aggregate not less than forty hours and not more than two hundred and forty hours, as may be specified in such order, to be served within a period of one year commencing from the date on which the order is entered.

(3) Where a convicted person in respect of whom a Community Service Order has been entered, fails to perform during the number of hours specified in the order, the services he had been directed to perform, or does not perform such service to the satisfaction of the authorized officer or otherwise fails in any manner to comply with such Community Service Order, it shall be lawful for the Court which entered the Community Service Order to—

- (a) vary the Community Service Order ;
- (b) enter a fresh Community Service Order in the manner referred to in subsection (1) of this section ; or
- (c) revoke the Community Service Order and deal with him for the offence in respect of which the Community Service Order was made.

(4) During the period of the Community Service Order, the authorized officer shall forward to court which entered such Community Service Order, on such date or dates as may be determined by court, a report on the performance of services by the convicted person and stating whether the Community Service Order is being or has been complied with.

(5) The Minister may by regulations prescribe the form in which a Community Service Order should be entered and the manner of carrying out of Community Service Orders.

(6) For the purposes of this section, "authorized officer" means—

- (a) in relation to a State or State sponsored project, the officer in charge of such project ;
- (b) in relation to a Government department the head of that department ;

- (c) in relation to a public corporation, or a statutory board, the General Manager or the Chief Executive Officer of such public corporation or statutory board ;
- (d) in relation to a local authority, the Commissioner or Secretary of such local authority ; and
- (e) in relation to a charitable institution, social service organization or a place of religious worship, the person in charge of such institution, organization or place.'.