



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

**CODE OF CRIMINAL PROCEDURE
(AMENDMENT)**

A

BILL

**to amend the Code of Criminal Procedure
Act, No. 15 of 1979**

Presented by the Minister of Justice on 06th of April, 2018

(Published in the Gazette on March 09, 2018)

Ordered by Parliament to be printed

[Bill No. 243]

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STATEMENT OF LEGAL EFFECT

Clause 2: This clause inserts new section 122A in the Code of Criminal Procedure Act, No. 15 of 1979 and the legal effect of the amendment is to enable the officer in charge of a police station to cause, a child of, or above twelve years of age and under fourteen, alleged to have committed an offence, to be examined with the consent of the parent or guardian of such child, by a Government medical officer or other expert in the relevant field, in order to assist the Magistrate to form his opinion on the maturity of understanding of such child, to act in compliance with the provisions of section 76 of the Penal Code.

L. D.—O. 42/2016.

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

5 **2.** The following new section is hereby inserted immediately after section 122 of the Code of Criminal Procedure Act, No. 15 of 1979 and shall have effect as section 122A of that Act:—

Insertion of new section 122A in the Act, No. 15 of 1979.

20 (a) has attained sufficient maturity of
understanding to judge, of the nature
and consequences of the alleged
offence; and

25 (b) is in need of any therapeutic
intervention.

2 *Code of Criminal Procedure (Amendment)*

5 (2) Where such parent or guardian of the child does not consent to the child being so examined, the officer in charge of the police station shall apply to the Magistrate having jurisdiction in the case, for an order authorizing such Government medical officer or other expert to examine such child.

10 (3) Such Government medical officer or other expert shall submit his report to the officer in charge of the police station who shall submit such report to the Magistrate, in order to assist him to form his opinion as referred to in subsection (1) and to make his decision, taking into consideration the provisions of
15 section 76 of the Penal Code.”.

3. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

