



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

**COMMISSIONS OF INQUIRY (AMENDMENT)
ACT, No. 3 OF 2019**

[Certified on 01st of February, 2019]

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L.D.—O. 1/2018.

AN ACT TO AMEND THE COMMISSIONS OF INQUIRY ACT
(CHAPTER 393)

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

1. This Act may be cited as the Commissions of Inquiry (Amendment) Act, No. 3 of 2019. Short title.

2. The Commissions of Inquiry Act (Chapter 393) (hereinafter referred to as the “principal enactment”) is hereby amended by the insertion immediately after section 24, of the following new sections and the new sections shall have effect as sections 24A, 24B, 24C, 24D and 24E of that enactment:- Insertion of new sections 24A, 24B, 24C, 24D, and 24E in Chapter 393.

“Commission to Investigate Allegations of Bribery or Corruption to institute Criminal proceedings. 24A. (1) Notwithstanding anything to the contrary in the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law, where the Commission to Investigate Allegations of Bribery or Corruption, on a consideration of material collected in the course of an investigation or inquiry or both an investigation and inquiry as the case may be by a Commission of Inquiry appointed under section 2, is satisfied that an offence under the following laws has been committed, it may direct the Director General to institute criminal proceedings in terms of the -

(a) Bribery Act; or

(b) Declaration of Assets and Liabilities Law.

2 *Commissions of Inquiry (Amendment)*
 Act, No. 3 of 2019

(2) The Commission to Investigate Allegations of Bribery or Corruption may prior to the institution of proceedings under subsection (1) -

- (a) conduct further investigations into the commission of any offence;
- (b) consider material that may have been collected in the course of an investigation conducted by the Commission to Investigate Allegations of Bribery or Corruption prior to the receipt of the material referred to in subsection (1); and
- (c) consider material the Commission to Investigate Allegations of Bribery or Corruption may have received from any other law enforcement authority.

Commission to Investigate Allegations of Bribery or Corruption to forward material collected and received to the relevant authority.	24B. Notwithstanding anything to the contrary in the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law, the Commission to Investigate Allegations of Bribery or Corruption may, if it deems appropriate, forward the material collected and received under section 24A to the Attorney-General or to any other authority to take any appropriate action under any other written law.
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Commission to Investigate Allegations of Bribery or Corruption not to record statements or evidence given.	24c. The Commission to Investigate Allegation of Bribery or Corruption shall not be required, unless it deems appropriate to, record a statement of a person who has given a statement to a Commission of Inquiry appointed under section 2 or has given evidence before such Commission.
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Commissions of Inquiry (Amendment) 3
Act, No. 3 of 2019

Commission to Investigate Allegations of Bribery or Corruption to seek advice or opinion of the Attorney-General. 24D. The Commission to Investigate Allegations of Bribery or Corruption may solicit, receive and consider the advice or opinion of the Attorney-General or any officer representing the Attorney-General in giving effect to the provisions of sections 24A, 24B, or 24C.

Not to restrict the powers and functions of the Commission to Investigate Allegations of Bribery or Corruption by the provisions of this Act. 24E. The provisions of this Act shall not restrict the powers and functions of the Commission to Investigate Allegations of Bribery or Corruption conferred on it by the Commission to Investigate Allegations of Bribery or Corruption Act or any other written law.”.

3. The following new section is hereby inserted immediately after section 26 of the principal enactment and shall have effect as section 27 of that enactment:-

Insertion of new section 27 in the principal enactment.

“Interpretation. 27. In this Act unless the context otherwise requires-

“Bribery Act” means the Bribery Act (Chapter 26);

“Commission to Investigate Allegations of Bribery or Corruption Act” means the Commission to Investigate Allegations of Bribery or Corruption Act, No. 19 of 1994;

“Commission to Investigate Allegations of Bribery or Corruption” means the Commission established by section 2 of the Commission to Investigate Allegations of Bribery or Corruption Act;

4 *Commissions of Inquiry (Amendment)*
Act, No. 3 of 2019

“Declaration of Assets and Liabilities Law”
means the Declaration of Assets and
Liabilities Law, No. 1 of 1975;

“Director General” means the Director
General for the Prevention of Bribery and
Corruption appointed under section 16
of the Commission to Investigate
Allegations of Bribery or Corruption
Act;

“law enforcement authority” means a police
officer or any other person or authority
that is authorized by or under any written
law to investigate into the commission
of an offence.”.

Reference to
“Governor-
General” to be a
reference to
“President”.

4. (1) In the principal enactment there shall be
substituted for the words “Governor-General”, the word
“President”.

(2) Every reference to the “Governor-General”, in any
regulation, rule, order, notice, notification, circular, contract,
communication or other document issued under the principal
enactment shall be read and construed as a reference to the
“President”.

Sinhala text to
prevail in case
of inconsistency.

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

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