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

**SUPPRESSION OF TERRORIST BOMBINGS
ACT, No. 11 OF 1999**

[Certified on 24th May, 1999]

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Suppression of Terrorist Bombings
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L.D.-O.17/98.

AN ACT GIVE EFFECT TO THE CONVENTION FOR THE SUPPRESSION
OF TERRORIST BOMBINGS; AND FOR MATTERS CONNCECTED
THEREWITH OR INCIDENTAL THERETO

WHEREAS a Convention for the suppression of terrorist bombings was adopted by the United Nations General Assembly on the Fifteenth Day of December Nineteen Hundred and Ninety Seven and opened for signature in New York on the twelfth day of January, Nineteen Hundred and Ninety Eight :

AND WHEREAS the Government of Sri Lanka became a signatory to the aforesaid Convention on the Twelfth Day of January Nineteen Hundred and Ninety Eight :

AND WHEREAS it is necessary for the Government of Sri Lanka to ratify the aforesaid Convention and to make legal provision to give effect to the provisions of the aforesaid Convention is Sri Lanka :

NOW THEREFORE be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Suppression of Terrorist bombings Act, No.11 of 1999 and shall come into operation on such date as the Minister, by Order published in the Gazette, certifies as the date on which the Convention for the Suppression of Terrorist Bombings signed at New York on January 12, 1998 (hereinafter reffered to as “ the Convention”) enters into force in respect of Sri Lanka.

Short title and
date of operation.

2. The Minister may, from time to time, by Order published in the Gazette, certify the States Which are parties to the Convention. A state in respect of which an Order is made under this section is hereinafter referred to as “a Convention State”.

Convention
States.

Offence of
Terrorist Bombing

3. (1) Any person who unlawfully and intentionally, delivers, places, discharges or detonates, an explosive or other lethal device in, into, or against, a place of public use, a state or government facility, a public transportation system or an infrastructure facility with intent to -

- (a) cause death or serious bodily injury; or
- (b) cause extensive destruction of such place, facility or system, where such destruction results in, or is likely to result in, major economic loss,

shall be guilty of an offence under this Act and shall on conviction after trial on indictment by the High Court, be punished with imprisonment for a term not less than fifteen years and not exceeding twenty years.

(2) Any person who -

- (a) attempts to commit an offence under subsection (1) ;
- (b) aids or abets in the commission of an offence under subsection (1) ;
- (c) conspires with another person or a group of persons to commit on offence under subsection (1),

shall be guilty of an offence under this Act and shall on conviction, after trial on indictment by the High Court, be liable to the same punishment as is prescribed for an offence under subsection (1)

In this subsection, “abet” has the same meaning as in sections 100 and 101 of the Penal Code.

(3) The High Court shall have the jurisdiction to try an offence under subsection (1) or subsection (2) committed in any place outside the territory of Sri Lanka, in any of the following cases, that is to say where -

- (a) the person alleged to have committed the offence is a citizen of Sri Lanka or is a stateless person who has his habitual residence in Sri Lanka;

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- (b) the offence is committed against a citizen of Sri Lanka ;
- (c) the offence is committed against an embassy, diplomatic or consular premises or other property, of the Government of Sri Lanka in any other country;
- (d) the offence is committed with the intention of compelling the Government of Sri Lanka to do, or to refrain from doing, any act;
- (e) the offence is committed on board an aircraft operated by the Government of Sri Lanka.

4. The jurisdiction vested in the High Court to try offences under this Act shall be exercised by the High Court of Sri Lanka holden at Colombo or the High Court established by Article 154P of the Constitution for the Western Province.

Jurisdiction of the High Court.

5. Where a person who is not a citizen of Sri Lanka is arrested for an offence under this Act, such person shall be entitled -

Rights of certain persons arrested for offences under this Act.

- (a) to communicate without delay, with the appropriate representative of the State of which he is a national or which is otherwise entitled to protect his rights, or if he is a stateless person, with the nearest appropriate representative of the State in the territory of which he was habitually resident;
- (b) to be visited by a representative of that State; and
- (c) to be informed of his rights under paragraphs (a) and (b)

6. Where a request is made to the Government of Sri Lanka, by or on behalf of the Government of a Convention State for the extradition of any person accused or convicted of an offence specified in the Schedule to this Act, the Minister shall, on behalf of the Government of Sri Lanka, forthwith notify the Government of the requesting State of the measures which the Government of Sri Lanka has taken, or proposes to take, for the prosecution or extradition of that person for that offence.

Minister to notify requesting country, of measures taken against persons for whose extradition request is made.

Existing extradition arrangement with convention States deemed to provide for offences in the Schedule.

7. Where there is an extradition arrangement made by the Government of Sri Lanka with any Convention State in force on the date on which this Act comes into operation, such arrangement shall be deemed, for the purposes of the Extradition Law, No. 8 of 1977, to include provision for extradition in respect of the offences specified in the Schedule to this Act.

Minister may treat Convention as an extradition arrangement between Sri Lanka and certain Convention States, in respect of offences in the Schedule.

8. Where there is no extradition arrangement made by the Government of Sri Lanka with any Convention State, the Minister may, by Order published in the Gazette, treat the Convention, for the purposes of the Extradition Law, No.8 of 1977, as an extradition arrangement made, by the Government of Sri Lanka with that Convention State providing for extradition in respect of the offences specified in the Schedule to this Act.

Amendment of Extradition Law, No.8 of 1977.

9. The Extradition Law, No.8 of 1977 is hereby amended in the Schedule to that Law, by the insertion immediately before Part B of that Schedule, of the following item:-

“ 41. The unlawful and intentional delivery, placing, discharging or detonation, of any explosive or other lethal device, within the meaning of the Convention on the Suppression of Terrorist Bombings in, into, or against, a place of public use or state or government facility a public transportation system or infrastructure facility, with intent –

- (a) to cause death or serious bodily injury;
- (b) to cause extensive destruction of such place, facility or system, where such destruction results in, or is likely to result in major economic loss.”

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10. Notwithstanding anything in the Extradition Law, No.8 of 1977, an offence specified in Part B of the Schedule to that Law and the Schedule to this Act shall for the purposes of that Law, be deemed not to be an offence of a political character or an offence connected with a political offence or an offence inspired by political motives, for the purposes only of extradition of any person accused or convicted of any such offence, as between the Government of Sri Lanka and any Convention State or of affording assistance to a Convention State under section 11.

Offences under this Act deemed not to be political offences &c., for the purposes of the Extradition Law.

11. The Government of Sri Lanka shall afford all such assistance to, and may through the Minister request all such assistance from, a Convention State as may be necessary for the investigation and prosecution of an offence under section 3 or of an offence specified in the Schedule to this Act, including, where there is an agreement to that effect between the Government of Sri Lanka and a Convention State, assistance relating to the taking of evidence and statements and the serving of process.

Assistance to Convention States

12. The Government of Sri Lanka shall take appropriate measures to prevent any person or group of persons from committing or encouraging, instigating, organizing or knowingly financing the commission of an offence under this Act, or of an offence specified in the Schedule to this Act, whether in or outside Sri Lanka.

Government to take measures to prevent offences.

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

Sinhala Text to prevail in case of inconsistency.

14. In this Act unless the context otherwise requires –
“explosive or other lethal device” means :

Interpretation.

- (a) an explosive or incendiary weapon or device that is designed or has the capability, to cause death, serious bodily injury or substantial material damage; or

- (b) a weapon or device that is designed, or has the capability to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material ;

“infrastructure facility” means any publicly or privately owned facility providing or distributing services for the benefit of the public, such as water, sewage, energy, fuel or communications ;

“place of public use” means those parts of any building, land, street, water way or other location that are accessible or open to members of the public, whether continuously, periodically or occasionally, and includes any commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational or similar place that is so accessible or open to the public ;

“public transportation system” means all facilities, conveyances and instrumentalities, whether publicly or privately owned, that are used in or for publicly available services for the transportation of persons or cargo;

“State or government facility” includes any permanent or temporary facility or conveyance that is used or occupied by representatives of a State, members of Government, the legislature or the judiciary or by officials or employees of the State or any other public authority or entity or by employees or officials of an intergovernmental organization, in connection with their official duties.

SCHEDULE (Sections 6,7,8 and 10)

1. The unlawful and intentional delivery, placing, discharge or detonation, of an explosive or other lethal device, in, into, or against, a place of public use, a State or government facility, a public transportation system or an infrastructure facility with intent —

- (a) to cause death or serious bodily injury ;
- (b) to cause extensive destruction of such place, facility or system, where such destruction result in, or is likely to result in, major economic loss.

2. Attempting to commit an offence referred to in paragraph (1).

3. Aiding or abetting the commission of an offence referred to in paragraph (1).

4. Conspiring with another person or group of persons to commit an offence referred to in paragraph (1).

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