



ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය  
අති විශේෂ

# The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

අංක 2218/68 - 2021 මාර්තු මස 12 වැනි සිකුරාදා - 2021.03.12  
No. 2218/68 - FRIDAY, MARCH 12, 2021

(Published by Authority)

## PART I : SECTION (I) — GENERAL Government Notifications

L.D.B. 11/79 (iii)

### THE PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT, No. 48 OF 1979

REGULATIONS made by the President under Section 27 of the Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979 read with paragraph (b) of Article 4 of the Constitution.

GOTABAYA RAJAPAKSA,  
President.

Colombo,  
09th March, 2021.

### Regulations

1. These Regulations may be cited as the Prevention of Terrorism (De-radicalization from holding violent extremist religious ideology) Regulations No. 01 of 2021.

2. The objective of these regulations shall be to ensure, that any person who surrenders or is taken into custody on suspicion of being a person who by words either spoken or intended to be read or by signs or by visible representations or otherwise, causes or intends to cause commission of acts of violence or religious, racial or communal disharmony or feelings of ill will or hostility between different communities or racial or religious groups after the coming into operation of these regulations is dealt with in accordance with the provisions of the Act, and that persons who have surrendered or have been



taken into custody in terms of any emergency regulation which was in force at any time prior to coming into operation of these regulations, continue in terms of these regulations, to enjoy the same care and protection which they were previously enjoying.

3. Any person who, in connection with any offence under the provisions of,

(a) the Act, or the Prevention of Terrorism (Proscription of Extremist Organizations) Regulations No. 1 of 2019 published in the *Gazette Extraordinary* No. 2123/3 of May 13, 2019, surrenders or has surrendered to, or is taken or has been taken into custody by; or

(b) the Emergency (Miscellaneous Provisions and Powers) Regulation, No. 1 of 2019 published in the *Gazette Extraordinary* No. 2120/5 of April 22, 2019, has surrendered to or has been taken into custody by,

any police officer, or any member of the armed forces, or to any public officer or any other person or body of persons authorized by the President by Order, may be referred to a rehabilitation programme in terms of the provisions of these regulations.

4. The Secretary to the Ministry of the Minister shall, from time to time approve Centres to be known as “Reintegration Centres” (hereinafter referred to as the “Centre”) for the purpose of rehabilitating the surrendees and detainees. Upon such approval the Commissioner - General of Rehabilitation shall by order published in the *Gazette* specify the category and the place of the Centres approved by the Secretary.

5. (1) Any person other than a police officer to whom a person surrenders or who takes a person into custody in terms of regulation 3 shall hand over such surrendee or person taken into custody, to the Officer in Charge of the nearest police station within twenty four hours of such surrender or taking into custody.

(2) Notwithstanding the provisions of regulation 3, where there is reasonable cause to suspect that a surrendee or detainee has committed an offence specified in regulation 3, the Officer in Charge of the police station in which such surrendee or detainee is held in custody shall submit a report to the Minister for consideration whether such surrendee or detainee shall be detained in terms of section 9 of the Act, for the purpose of conducting an investigation.

(3) Where in the course of such investigation it is disclosed that such surrendee or detainee has committed an offence specified in regulation 3 the matter shall be referred to the Attorney - General for appropriate action in terms of the law.

(4) Where the Attorney-General is of the opinion that according to the nature of the offence committed a surrendee or detainee shall be rehabilitated at a Centre *in lieu* of instituting criminal proceedings against him, such surrendee or detainee shall be produced before a Magistrate with the written approval of the Attorney-General. The Magistrate may make order, having taking into consideration whether such surrendee or detainee has committed any other offence other than offences specified in regulation 3, referring him for rehabilitation for a period not exceeding one year at a Centre.

6. (1) Where any surrendee or detainee who is referred to for rehabilitation by an order of a magistrate under sub regulation (4) of regulation 5 acts in a manner that is disruptive to the rehabilitation programme or detrimental to the interests of the other surrendees or detainees who are under rehabilitation at the Centre, the Commissioner-General of Rehabilitation shall inform in that regard in writing to the Officer in Charge of the police station who applied to the Magistrate for rehabilitation of such surrendee or detainee .

(2) Upon receipt of information from the Commissioner-General of Rehabilitation under sub regulation (1) of this regulation, the Officer in Charge of the police station who applied to the Magistrate for rehabilitation of such surrendee or detainee shall apply to the Magistrate to revoke the order for rehabilitation and refer the matter to the Attorney - General to consider whether such person shall be indicted *in lieu* of rehabilitation.

7. (1) At the end of the period of rehabilitation specified in respect of a surrendee or detainee in the order made by the Magistrate under sub Regulation (4) of regulation 5, the Commissioner-General of Rehabilitation shall, having regard to

the nature and progress of the rehabilitation of such surrendee or detainee, consider whether it is appropriate for the surrendee or detainee to be released or be subject to a further the period of rehabilitation, shall forthwith submit his recommendation to the Secretary to the Ministry of the Minister, The Secretary shall forthwith forward such report to the Minister.

(2) The Minister may, after perusal of the report submitted to him under sub regulation (1) of this regulation,

(a) order the release of such surrendee or detainee ; or

(b) extend the period of rehabilitation for a period of six months at a time, so however that the aggregate period of such extensions shall not exceed a further twelve months. Each such extension shall be made on the recommendation of the Commissioner-General of Rehabilitation.

(3) The surrendee or detainee shall, at the end of the extended period of rehabilitation, be released.

8. (1) The Commissioner-General of Rehabilitation shall provide a surrendee or detainee with psycho social assistance and vocational and other training during the period of his rehabilitation to ensure that such person is integrated back to the community and to the society.

(2) The Commissioner-General of Rehabilitation shall every three months from the date of handing over a surrendee or detainee for rehabilitation, forward to the Secretary to the Ministry of the Minister, a report on the nature and the progress of the rehabilitation programme carried out in respect of such person. The Secretary shall submit such report to the Minister.

(3) A surrendee or a detainee referred for rehabilitation to a Centre may with the permission of the officer in-charge of the Centre be entitled to meet his parents, relations or guardian as the case may be, once in every two weeks.

9. For the purpose of these regulations-

“Act” means the Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979;

“Commissioner-General of Rehabilitation” means the Commissioner-General of Rehabilitation appointed by the Cabinet of Ministers;

“detainee” means any person who is taken or has been taken into custody under regulation 3;

“Minister” means the Minister assigned the subject of Defence.

“surrendee” means any person who surrenders or has surrendered under regulation 3.