



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

**REGISTRATION OF ELECTORS
(SPECIAL PROVISIONS)**

A

BILL

**to make Special Provision to exempt internally displaced persons from
certain requirements of the Registration of Electors Act, No. 44 of 1980;
and to provide for matters connected therewith or incidental thereto.**

Presented by the Minister of Justice on 06th June, 2013

Ordered by Parliament to be printed

[Bill No. 246]

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Registration of Electors (Special Provisions)

L.D.—O. 32/2013.

AN ACT TO MAKE SPECIAL PROVISION TO EXEMPT INTERNALLY
DISPLACED PERSONS FROM CERTAIN REQUIREMENTS OF THE
REGISTRATION OF ELECTORS ACT, NO. 44 OF 1980; AND TO PROVIDE
FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS certain persons have been internally displaced Preamble.
owing to the armed conflict which prevailed in Sri Lanka
during the recent past:

5 AND WHEREAS the State has formulated a policy to enable
internally displaced persons and their children eligible to
vote to exercise their right to franchise in the electoral district
in which their permanent places of residence were situated
prior to being internally displaced;

10 AND WHEREAS it had now become necessary to make special
legal provision in order to give effect to such policy:

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

1. This Act may be cited as the Registration of Electors Short title.
(Special Provisions) Act, No. of 2013.

15 2. (1) Notwithstanding anything to the contrary in the Internally
Registration of Electors Act, No. 44 of 1980, any citizen of displaced
Sri Lanka— persons
eligible to be
registered.

(a) who is an internally displaced person;

20 (b) whose name appeared in the register of electors for
any electoral district in the Northern Province or
Eastern Province for any year, until the end of the
year 2009; and

(c) whose name has not been entered in any register in
operation subsequent to the year 2009,

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shall on proof of the matters specified in paragraphs (a), (b) and (c) and on production of a certificate issued by the Grama Niladhari of the area in which he is presently residing to the effect that he is an internally displaced person, be entitled to
5 apply to the registering officer of the electoral district within which he was permanently resident prior to May 18, 2009, to be registered in the register of electors of such electoral district.

(2) The application referred to in subsection (1), shall be
10 made on or before the date specified by the Commissioner of Elections by notice published in the *Gazette*.

(3) Notwithstanding the provisions of subsection (1), the entitlement granted under that subsection shall be extended to the children of a citizen referred to in subsection (1) —

15 (a) who had not attained the age of eighteen years on the date on which such citizen became an internally displaced person;

(b) who were born after such citizen became an internally displaced person and have attained the
20 age of eighteen years or more on the date of operations if this Act; and

(c) whose name has not been entered in any register in operation subsequent to the year 2009,

on production of the birth certificate of such child sought to
25 be registered and a certificate issued by the Grama Niladhari of the area in which he is presently residing on proof of the matters specified in paragraphs (a) or (b) and (c) above.

3. (1) The registering officer shall prepare a list of names of persons referred to in section 2 and shall give notice in the
30 *Gazette* and in at least one newspaper each in the Sinhalese, English and Tamil languages that such list has been completed and is open for inspection at all reasonable hours of the day at the office of the registering officer.

List of
Claims.

(2) (a) Any person who has applied to be registered in ny register of electors for any electoral district in the Northern Province or Eastern Province and whose name has not appeared in the list referred to in subsection (1) may appeal
5 in writing to the registering officer within one week of the notice published in the *Gazette*.

(b) The provisions of subsection (8) to (16) of section 14 of the Registration of Electors Act, No. 44 of 1980 shall *mutatis mutandis* apply to appeals against decisions of the
10 registering officer.

(c) If upon such appeal and inquiry, the registering officer decides not to include the name of such appellant in the Supplementary Register referred to in section 4, the aggrieved appellant may appeal to the revising officer within one week
15 of the decision of the registering officer and the provisions of subsection (2) to (5) of section 15 of the Registration of Electors Act, No. 44 of 1980 shall *mutatis mutandis* apply to an appeal made under this paragraph.

4. The registering officer of each Electoral District shall
20 prepare and certify a Supplementary Register containing the names of the persons whose names appear in the list prepared under section 3 after inquiry and adjudication if any, and finalize such Register in terms of that section: Supplementary Register.

Provided that the registering officer may certify the
25 Supplementary Register during the pendency of an appeal to the revising officer and shall thereafter enter in, or expunge from, such Register, the name of any person in accordance with the decision of the revising officer on the determination of such appeal.

30 5. (1) No person whose name appears in the Supplementary Register shall be entitled to have his name entered in any other register of electors notwithstanding that he may be qualified to have his name entered in two or more registers. Offences.

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(2) No person shall be entitled to have his name entered more than once in the same register, notwithstanding that he may be qualified to have his name so entered.

5 (3) Notwithstanding the provisions of this Act, if a person whose name appears in the Supplementary Register has his name appearing in any other register of electors and uses his vote in two or more electoral districts, he shall be guilty of an offence and shall on conviction be liable to imprisonment for a term of two years or to a fine not exceeding Rupees
10 One Hundred Thousand or to both such imprisonment and fine.

(4) Any person referred to in section 2, who furnishes false information or forge documents for any purpose referred to in this Act, shall be guilty of an offence and shall on
15 conviction be liable to imprisonment for a term of one year or to a fine not exceeding Rupees fifty thousand or to both such imprisonment and fine.

6. (1) This Act shall be in operation for a period of two years commencing from the date of operation of this Act.

Period of
operation of
the Act and
extension
thereof.

20 (2) The Minister may, at any time within one month prior to the expiration of the period of operation of this Act, by Order published in the *Gazette*, extend for a further period the operation of the Act, so however that the aggregate period of any one extension shall not exceed two years from the
25 date of the extension so granted.

(3) The Order made under subsection (2) shall be operative when the signature of the Minister is affixed thereto and every such Order shall be published in the *Gazette*.

30 (4) Every Order made under subsection (3) shall be placed before Parliament within three months from the date of publication of such Order in the *Gazette*.

(5) A notification specifying of the date on which Parliament has approved the Order shall be published in the *Gazette*.

7. 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.

8. In this Act— Interpretation.

5 “Commissioner of Elections” has the same meaning as in the Registration of Electors Act, No. 44 of 1980;

10 “internally displaced person” means a citizen of Sri Lanka who was permanently resident in the Northern Province or Eastern Province and who was forced or obliged to leave from his residence at any time prior to May 18, 2009, as a result of the armed conflict which took place in Sri Lanka, and currently resides in Sri Lanka outside his original place of residence in the Northern Province or Eastern Province;

15 “registering officer” has the same meaning as in the Registration of Electors Act, No. 44 of 1980;

“register in operation” has the same meaning as in the Registration of Electors Act No. 44 of 1980;

20 “revising officer” has the same meaning as in the Registration of Electors Act, No. 44 of 1980;

ENDORSEMENT UNDER ARTICLE 122 OF
THE CONSTITUTION

It is hereby certified that in the view of the Cabinet of Ministers the above Bill is urgent in the national interest.

S. Abeyasinghe,

Secretary to the Cabinet of Ministers.

May 26, 2013

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