

PARLIAMENT OF CEYLON

3rd Session 1949-50



Commissions of Inquiry (Amendment) Act, No. 8 of 1950

Date of Assent : March 9, 1950

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*Commissions of Inquiry (Amendment) Act,
No. 8 of 1950.*

L. D.—O. 36/49.

AN ACT TO AMEND THE COMMISSIONS OF INQUIRY
ACT, No. 17 OF 1948.

[Date of Assent: March 9, 1950.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Commissions of Inquiry (Amendment) Act, No. 8 of 1950. Short title.

2. The following new section is hereby inserted immediately after section 12 of the Commissions of Inquiry Act, No. 17 of 1948, and shall have effect as section 12A of that Act:— Insertion of
new section 12A
in Act No. 17 of
1948.

Special
immunity
for
witnesses.

12A. Where the Governor-General in the warrant of appointment of a Commission or by subsequent Order declares that this section shall apply in relation to such Commission, the following provisions shall have effect, that is to say:—

- (a) Subject as hereinafter provided, no person shall, in respect of any evidence, written or oral, given by that person to or before the Commission at the inquiry, be liable to any action, prosecution or other proceedings in any civil or criminal court.
- (b) Subject as hereinafter provided, no evidence of any statement made or given by any person to or before the Commission for the purposes of the Commission shall be admissible against that person in any action, prosecution, or other proceedings in any civil or criminal court:

Provided, however, that nothing in the preceding paragraphs shall—

(i) abridge or affect or be deemed or construed to abridge or affect the liability of any person to any prosecution or penalty for any offence under Chapter XI of the Penal Code, read with section 8 of this Act; or

(ii) prohibit or be deemed or construed to prohibit the publication or disclosure of the name or of the evidence or any part of the evidence of any witness who gives evidence at the inquiry, for the purpose of the prosecution of that witness for any offence under Chapter XI of the Penal Code.