

PARLIAMENT OF CEYLON

2nd Session 1953



Commissions of Inquiry (Amendment)

Act, No. 40 of 1953

Date of Assent : December 4, 1953

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

[Date of Assent: December 4, 1953.]

BE it enacted by the Queen'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. 40 of 1953.

Short title.

2. Section 11 of the Commissions of Inquiry Act, No. 17 of 1948, is hereby amended as follows:—

Amendment of
section 11 of
Act No. 17 of
1948.

- (a) by the re-numbering of that section as sub-section (1) of section 11;
- (b) by the substitution in the re-numbered sub-section (1), for the words " shall be deemed to have committed ", of the words " shall be guilty of ";
- (c) by the insertion, immediately after the re-numbered sub-section (1), of the following new sub-sections:—

" (2) Where a Commission determines that a person has committed any offence of contempt (referred to in sub-section (1)) against or in disrespect of its authority, the Commission may cause its secretary to transmit to the Supreme Court a certificate setting out such determination; every such certificate shall be signed by the Chairman of the Commission, or where the Commission consists of only one person by that person.

(3) In any proceedings for the punishment of an offence of contempt which the Supreme Court may think fit to take cognizance of as provided in section 9, any document purporting to be a certificate signed and transmitted to the Court under sub-section (2) shall—

- (a) be received in evidence, and be deemed to be such a certificate without further proof unless the contrary is proved; and

(b) be conclusive evidence that the determination set out in the certificate was made by the Commission and of the facts stated in the determination.

(4) In any proceedings taken as provided in section 9 for the punishment of any alleged offence of contempt against or in disrespect of the authority of any Commission, no member of the Commission shall, except with his own consent, be summoned or examined as a witness."