



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

**ARMY (AMENDMENT)
ACT, No. 38 OF 1990**

[Certified on 22nd October, 1990]

Printed on the Orders of Government

**Published as a Supplement to Part II of the Gazette of the Democratic
Socialist Republic of Sri Lanka of October 26, 1990**

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO

Price : 45 cents

Postage : Re. 1.00

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L.D.—O. 12/88.

AN ACT TO AMEND THE ARMY ACT

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

1. This Act may be cited as the Army (Amendment) Act, No. 38 of 1990. **Short title.**

2. Section 40 of the Army Act (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for paragraph (b) (iii) of subsection (1) of that section, of the following paragraph:— **Amendment of section 40 of Chapter 357.**

“ (iii) where that person is a soldier other than a warrant officer, either deal with the case summarily, or refer the case to be dealt with summarily by the Commander of the Army or by such officer not below the rank of colonel as may thereto be authorized by the Commander of the Army.”

3. Section 42 of the principal enactment is hereby amended as follows:— **Amendment of section 42 of the principal enactment**

(1) by the substitution for the expression “is a warrant officer.”, of the expression “is a soldier.” in the marginal note thereto;

(2) by the substitution for the expression “or is a warrant officer”, of the expression “or is a soldier”;

(3) by the substitution for the expression “mentioned in paragraph (b) (ii) of subsection (1) of that section”, of the expression “mentioned in paragraph (b) (ii) or (iii) of subsection (1) of that section”; and

(4) by the substitution for the words and figure “(ii) such deduction from his pay as is authorized by this Act.”, of the following:—

“ (iii) such deduction from his pay as is authorized by this Act; and

(c) where the accused is a staff sergeant inflict on him all or any of the following punishments:—

(i) a severe reprimand or a reprimand;

(ii) such deduction from his pay as is authorized by this Act; and

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(d) where the accused is of a rank of sergeant or below, inflict on him all or any of the following punishments :--

(i) order him to be reverted to the rank of corporal if the accused is a sergeant or to the rank of lance corporal if the accused is a corporal or to the rank of private if the accused is a lance corporal:

Provided, however, that if the authority mentioned in paragraph (b) (iii) of subsection (1) of section 40 is the Commander of the Army and the accused is of the rank of corporal or below may order him to be placed under detention for any period not exceeding one hundred and twelve days or, if such authority is an officer not below the rank of corporal or below may order him to be placed under detention for any period not exceeding ninety days ;

(ii) a severe reprimand or a reprimand ;

(iii) such deduction from his pay as is authorized by this Act.”.