



(Ninth Parliament - Second Session)

No. 7.]

MINUTES OF PARLIAMENT

Thursday, February 10, 2022 at 10.00 a.m.

PRESENT :

Hon. Mahinda Yapa Abeywardana, Speaker

Hon. Mahinda Rajapaksa, Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing

Hon. Rohitha Abegunawardhana, Minister of Ports & Shipping

Hon. Dullas Alahapperuma, Minister of Mass Media

Hon. Udaya Gammanpila, Minister of Energy

Hon. Dinesh Gunawardena, Minister of Education and Leader of the House of Parliament

Hon. (Dr.) Bandula Gunawardana, Minister of Trade

Hon. S. M. Chandrasena, Minister of Lands

Hon. Nimal Siripala de Silva, Minister of Labour

Hon. Vasudeva Nanayakkara, Minister of Water Supply

Hon. (Dr.) Ramesh Pathirana, Minister of Plantation

Hon. (Prof.) G. L. Peiris, Foreign Minister

Hon. Johnston Fernando, Minister of Highways and Chief Government Whip

Hon. C. B. Rathnayake, Minister of Wildlife & Forest Conservation

Hon. Chamal Rajapaksa, Minister of Irrigation and State Minister of National Security & Disaster Management and State Minister of Home Affairs

Hon. Basil Rohana Rajapaksa, Minister of Finance

Hon. (Dr.) Sarath Weerasekera, Minister of Public Security

Hon. M .U. M. Ali Sabry, Minister of Justice

Hon. (Dr.) (Mrs.) Seetha Arambepola, State Minister of Skills Development, Vocational Education, Research and Innovation

Hon. Lasantha Alagiyawanna, State Minister of Co-operative Services, Marketing Development and Consumer Protection

Hon. Siripala Gamalath, State Minister of Canals and Common Infrastructure Development in Settlements in Mahaweli Zones

- Hon. D. V. Chanaka**, State Minister of Aviation and Export Zones Development
- Hon. Sisira Jayakody**, State Minister of Indigenous Medicine Promotion, Rural and Ayurvedic Hospitals Development and Community Health
- Hon. Anuradha Jayaratne**, State Minister of Tanks, Reservoirs and Irrigation Development related to Rural Paddy Fields
- Hon. Piyanakara Jayaratne**, State Minister of Foreign Employment Promotion and Market Diversification
- Hon. Dayasiri Jayasekara**, State Minister of Batik, Handloom and Local Apparel Products
- Hon. Jeevan Thondaman**, State Minister of Estate Housing & Community Infrastructure
- Hon. Duminda Dissanayake**, State Minister of Solar Power, Wind and Hydro Power Generation Projects Development
- Hon. Sanath Nishantha**, State Minister of Rural and Divisional Drinking Water Supply Projects Development
- Hon. Tharaka Balasuriya**, State Minister of Regional Co-operation
- Hon. Vijitha Berugoda**, State Minister of Dhamma Schools, Pirivenas and Bhikkhu Education
- Hon. Prasanna Ranaweera**, State Minister of Rattan, Brass, Pottery, Furniture and Rural Industrial Promotion
- Hon. Nimal Lanza**, State Minister of Rural Roads and other Infrastructure
- Hon. Janaka Wakkumbura**, State Minister of Development of Minor Crops including Sugarcane, Maize, Cashew, Pepper, Cinnamon, Cloves, Betel Related Industries and Export Promotion
- Hon. Vidura Wikramanayaka**, State Minister of National Heritage, Performing Arts and Rural Arts Promotion
- Hon. Kanchana Wijsekera**, State Minister of Ornamental Fish, Inland Fish & Prawn Farming, Fishery Harbour Development, Multi day Fishing Activities and Fish Exports
- Hon. Thenuka Vidanagamage**, State Minister of Rural and School Sports Infrastructure Improvement
- Hon. Jayantha Samaraweera**, State Minister of Warehouse Facilities, Container Yards, Port Supply Facilities and Boats and Shipping Industry Development
- Hon. Shehan Semasinghe**, State Minister of Samurdhi, Household Economy, Micro Finance, Self Employment and Business Development
- Hon. Indika Anuruddha Herath**, State Minister of Rural Housing and Construction & Building Material Industries
- Hon. D. B. Herath**, State Minister of Livestock, Farm Promotion and Dairy & Egg Related Industries

Hon. A. L. M. Athaullah

Hon. Amarakeerthi Athukorala
Hon. (Mrs.) Thalatha Athukorala
Hon. Sampath Athukorala
Hon. Tissa Attanayake
Hon. Hector Appuhamy
Hon. Ashok Abeysinghe
Hon. Thushara Indunil Amarasena
Hon. Mayadunna Chinthaka Amal
Hon. J. C. Alawathuwala
Hon. Naseer Ahamed
Hon. Thisakutti Arachchi
Hon. M. Udayakumar
Hon. U. K. Sumith Udukumbura
Hon. Sanjeeva Edirimanna
Hon. Akila Ellawala
Hon. Selvarajah Kajendren
Hon. Gayantha Karunatileka
Hon. Sagara Kariyawasam
Hon. Faizal Cassim
Hon. Jayantha Ketagoda
Hon. Lakshman Kiriella
Hon. Lalith Varna Kumara
Hon. Gevindu Cumaratunga
Hon. (Mrs.) Geetha Samanmale Kumarasinghe
Hon. A. Aravindh Kumar
Hon. Velu Kumar
Hon. Karunadasa Kodithuwakku
Hon. Mano Ganesan
Hon. (Mrs.) Diana Gamage
Hon. (Dr.) Upul Galappaththi
Hon. (Mrs.) Kokila Gunawardene
Hon. Yadamini Gunawardena
Hon. Sivanesathurai Santhirakanthan
Hon. Milan Jayathilake
Hon. Nalin Bandara Jayamaha
Hon. (Dr.) Kavinda Heshan Jayawardhana
Hon. Premalal Jayasekara

Hon. Kulasingam Dhileeban
Hon. Premitha Bandara Tennakoon
Hon. M. S. Thowfeek
Hon. Shan Vijayalal De Silva
Hon. (Dr.) Harsha de Silva
Hon. Chamara Sampath Dasanayake
Hon. Palani Thigambaram
Hon. Anura Dissanayaka
Hon. (Mrs.) Manjula Dissanayake
Hon. Mayantha Dissanayake
Hon. Rohana Dissanayaka
Hon. Sarathi Dushmantha
Hon. (Major) Sudarshana Denipitiya
Hon. Isuru Dodangoda
Hon. Premnath C. Dolawatte
Hon. W. H. M. Dharmasena
Hon. (Dr.) Gayashan Nawananda
Hon. Asanka Navarathna
Hon. Charles Nirmalanathan
Hon. Kins Nelson
Hon. Buddhika Pathirana
Hon. Anupa Pasqual
Hon. Jagath Pushpakumara
Hon. Niroshan Perera
Hon. K. Sujith Sanjaya Perera
Hon. G. G. Ponnambalam
Hon. Nalin Fernando
Hon. Ashoka Priyantha
Hon. (Mrs.) Muditha Prishanthi
Hon. (Dr.) Susil Premajayantha
Hon. Sajith Premadasa, Leader of the Opposition in Parliament
Hon. Uddika Premarathne
Hon. R. M. Ranjith Madduma Bandara
Hon. (Prof.) Ranjith Bandara
Hon. Rohana Bandara
Hon. Shantha Bandara
Hon. Rishad Bathiudeen

Hon. Imran Maharroof
Hon. Imthiaz Bakeer Markar
Hon. Ajith Mannapperuma
Hon. S. M. M. Muszhaaraff
Hon. Mohomad Muzammil
Hon. Anura Priyadharshana Yapa
Hon. Patali Champika Ranawaka
Hon. B. Y. G. Rathnasekara
Hon. (Ven.) Athuraliye Rathana Thero
Hon. Kumarasiri Rathnayaka
Hon. Ali Sabri Raheem
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. (Dr.) Suren Raghavan
Hon. Ajith Rajapakse
Hon. Gunathilaka Rajapaksha
Hon. (Dr.) Thilak Rajapakshe
Hon. Upul Mahendra Rajapaksha
Hon. M. Rameshwaran
Hon. Shanakiyan Rajaputhiran Rasamanickam
Hon. Gamini Waleboda
Hon. Eran Wickramaratne
Hon. Ranil Wickremesinghe
Hon. (Mrs.) Rajika Wickramasinghe
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Chaminda Wijesiri
Hon. M. W. D. Sahan Pradeep Withana
Hon. Madhura Withanage
Hon. Hesha Withanage
Hon. (Prof.) Tissa Vitarana
Hon. Chandima Weerakkody
Hon. D. Weerasingha
Hon. Weerasumana Weerasinghe
Hon. Dilip Wedaarachchi
Hon. Sivagnanam Shritharan
Hon. M. A. Sumanthiran
Hon. Jagath Kumara Sumithraarachchi

Hon. Vadivel Suresh
Hon. (Dr.) Rajitha Senarathne
Hon. Rauff Hakeem
Hon. Abdul Haleem
Hon. Kabir Hashim
Hon. H. M. M. Harees
Hon. (Prof.) Charitha Herath
Hon. Vijitha Herath
Hon. Samanpriya Herath
Hon. Marjan Faleel

Mr. Dhammika Dasanayake, Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Chief of Staff and Deputy Secretary-General of Parliament

Parliament met pursuant to adjournment. The Speaker took the Chair.

1. Presentation of Papers : (1) The Minister of Highways presented the Annual Report of the Mahaweli Authority of Sri Lanka (Including the explanations to the Report of the Auditor General) for the year 2018 and moved that the Report be referred to the Ministerial Consultative Committee on Irrigation.

Question put, and agreed to.

(2) The Minister of Highways presented the Annual Report & Accounts of the National Aquatic Resources Research and Development Agency for the year 2019 and moved that the Report be referred to the Ministerial Consultative Committee on Fisheries.

Question put, and agreed to.

(3) The Minister of Highways presented the Annual Report of the Sri Lanka Sustainable Energy Authority for the year 2019 and moved that the Report be referred to the Ministerial Consultative Committee on Power.

Question put, and agreed to.

(4) The Minister of Highways presented the Annual Report of the National Human Resources Development Council of Sri Lanka for the year 2018 and moved that the Report be referred to the Ministerial Consultative Committee on Public Services, Provincial Councils & Local Government.

Question put, and agreed to.

(5) The Minister of Highways presented the Annual Report of the National Design Centre for the year 2019 and moved that the Report be referred to the Ministerial Consultative Committee on Industries.

Question put, and agreed to.

(6) The Minister of Highways presented the Annual Performance Report of the Ministry of Youth & Sports for the year 2020.

Ordered that the said Report do lie upon the **Table**.

2. Presentation of Public Petitions :

- (1) Hon. (Dr.) Ramesh Pathirana presented —
 - (i) a petition dated 02.10.2021 from Mr. Dilan Nandana Galhenage of No. 71, Sapugahawatte, Digoda, Imaduwa; and
 - (ii) a petition dated 08.08.2021 from Mrs. M. Chithra Rathnayake of No. 125/4, Opposite Pushparamaya, Polommaruwa, Tangalle.
- (2) Hon. Dayasiri Jayasekara presented a petition dated 01.11.2021 from Mr. R. M. Dingiribanda of No. 12, Amunugama, Wendesiwatta, Nikadalupotha.
- (3) Hon. (Mrs.) Rohini Kumari Wijerathna presented a petition dated 12.08.2021 from Mr. D. Gayan Sandaruwan Ranaraja of No. 12/30, Election Anniversary Houses, Elahera.
- (4) Hon. Amarakeerthi Athukorala presented a petition dated 26.07.2021 from Mr. B. K. Dharmasiri of Weerapura, Thambala, Polonnaruwa.
- (5) Hon. (Mrs.) Kokila Gunawardene presented a petition dated 21.10.2021 from Mr. G. A. Cyril Ananda of No. 17/1, Dabutuwa, Debahera.

The Petitions stood referred under Standing Order 30(10) of the Parliament, to the Committee on Public Petitions.

3. Prevention of Terrorism (Temporary Provisions) (Amendment) : The Foreign Minister presented,—“Bill to amend the Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979.”

The Bill was ordered to be read a second time on Tuesday, February 22, 2022, be printed and be referred to the Ministerial Consultative Committee on Foreign.

4. Business of the Parliament : The Leader of the House of Parliament moved,— That the proceedings on Item Nos. 1 to 5 of Public Business appearing on the Order Paper be exempted at this day’s sitting from the provisions of Standing Order 8 of the Parliament and the motion agreed to by Parliament on 19th January 2022.

Question put, and agreed to.

5. Code of Criminal Procedure (Amendment) Bill : Order read for resuming Adjourned Debate on Question (09th February, 2022).

“That the Bill be now read a Second Time.”; Question again proposed, and debate resumed.

The Minister of Mass Media moved,—That Hon. Shantha Bandara do take the Chair.

Question put, and agreed to.

(At 11.38 a.m. Hon. Shantha Bandara took the Chair.)

Hon. Premnath C. Dolawatte seconded by Hon. Samanpriya Herath moved,—That Hon. Ajith Rajapakse do take the Chair.

Question put, and agreed to.

(At 1.30 p.m. Hon. Ajith Rajapakse took the Chair.)

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Presiding Member took the Chair.

Clauses 1 and 2 were agreed to.

Clause 3

The Minister of Justice proposed an amendment to leave out lines 11 to 18 (both inclusive) in page 2 and substitute the following:—

“(a) the Attorney-General or an officer referred to in section 193 with regard to proceedings instituted by the Attorney-General or the Director-General for the Prevention of Bribery and Corruption or an officer of the Commission to Investigate Allegations of Bribery or Corruption authorised by such Commission or any other Attorney-at-Law specially authorised by such Commission with regard to proceedings instituted by such Director-General;”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out line 2 in page 3 and substitute the following:—

“permitted by the Presiding judge, with the consent of the parties to the case, to”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out line 19 in page 3 and substitute the following:—

“that of an *alibi* as specified in section 126A;”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out lines 20 to 23 (both inclusive) in page 3 and substitute the following:—

“(d) inquiring, from the accused whether or not he elects to be tried by a jury or from the prosecuting counsel or the accused whether a special jury referred to in section 208 is required, if the indictment relates to an offence triable by a jury;”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out line 33 in page 3 and substitute the following:—

“regard to the provisions of section 420:

Provided however, no admissions suggested by the prosecution shall be recorded, if the accused is not represented by an Attorney-at-Law;”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out line 11 in page 4 and substitute the following:—

“conduct a trial as specified”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out line 34 in page 4 and substitute the following:—

“trial as specified in section”;

Question that the amendment be agreed to, put, and agreed to.

The Minister of Justice proposed another amendment to leave out line 5 in page 5 and substitute the following:—

“facilitate the conduct of the”;

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended, stand part of the Bill, put, and agreed to.

Clause 4 was agreed to.

New Clause

The Minister of Justice proposed to insert the following new Clause immediately after line 21 in page 6:—

“Amendment
of section 208
of the principal
enactment

4. Section 208 of the principal enactment is hereby amended by the repeal of subsection (1) thereof and the substitution therefor of the following:-

“(1) (a) The prosecuting counsel or the accused may apply to the High Court at the pre-trial conference for an order requiring a special jury to be summoned to try the case and the Judge presiding over the pre-trial conference shall record such application.

(b) At the commencement of the trial, the trial Judge shall consider such application and where he considers that the application is just and reasonable make order accordingly.”.

Question that the Clause be read a second time, put and agreed to.

Question that the Clause be added to the Bill, put and agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported with Amendments.

The Minister of Justice moved,— That the Bill, as amended, be now read the third time.

Question put, and agreed to.

Bill, as amended, accordingly read the third time and passed.

6. Prohibition of Anti-Personnel Mines Bill : Order read for resuming Adjourned Debate on Question (09th February, 2022).

“That the Bill be now read a Second Time.”; Question again proposed, and debate resumed.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Presiding Member took the Chair.

Clauses 1 to 10 were agreed to.

Clause 11

The Minister of Justice proposed an amendment to leave out line 1 in page 5 and substitute the following:—

“(c) affix a warning relating to the anti-personnel mine in a”

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended, stand part of the Bill, put, and agreed to.

Clauses 12 to 21 were agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported with Amendments.

The Minister of Justice moved,— That the Bill, as amended, be now read the third time.

Question put, and agreed to.

Bill, as amended, accordingly read the third time and passed.

7. Judicature (Amendment) Bill : Order read for resuming Adjourned Debate on Question (09th February, 2022).

“That the Bill be now read a Second Time.”; Question again proposed, and debate resumed.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Presiding Member took the Chair.

Clauses 1 to 3 were agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported without Amendments.

The Minister of Justice moved,— That the Bill be now read the third time.

Question put, and agreed to.

Bill, accordingly read the third time and passed.

8. Civil Procedure Code (Amendment) Bill : Order read for resuming Adjourned Debate on Question (09th February, 2022).

“That the Bill be now read a Second Time.”; Question again proposed, and debate resumed.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Presiding Member took the Chair.

Clauses 1 to 3 were agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported without Amendments.

The Minister of Justice moved,— That the Bill be now read the third time.

Question put, and agreed to.

Bill, accordingly read the third time and passed.

9. Provincial Councils (Transfer of Stamp Duty) (Amendment) Bill : Order read for resuming Adjourned Debate on Question (09th February, 2022).

“That the Bill be now read a Second Time.”; Question again proposed, and debate resumed.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Highways moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Presiding Member took the Chair.

Clauses 1 to 3 were agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Bill reported without Amendments.

The Minister of Highways moved,— That the Bill be now read the third time.

Question put, and agreed to.

Bill, accordingly read the third time and passed.

10. Adjournment (A Parliamentary Select Committee to look into Issues of Prisons and Detainees) : The Minister of Highways moved,— That this Parliament do now adjourn.

Question proposed, and debated.

And it being past 5.30 p.m. Parliament was at 5.34 p.m. adjourned by the Presiding Member without Question put, pursuant to the Resolution of Parliament this day.

Parliament adjourned accordingly until 10.00 a.m. on Friday, February 11, 2022.