



(Ninth Parliament - Fourth Session)

No. 42.]

MINUTES OF PARLIAMENT

Wednesday, July 19, 2023 at 9.30 a.m.

PRESENT :

Hon. Mahinda Yapa Abeywardana, Speaker

Hon. Ajith Rajapakse, Deputy Speaker and the Chair of Committees

Hon. Angajan Ramanathan, Deputy Chairperson of Committees

Hon. Dinesh Gunawardena, Prime Minister and Minister of Public Administration,
Home Affairs, Provincial Councils and Local Government

Hon. Tiran Alles, Minister of Public Security

Hon. Naseer Ahamed, Minister of Environment

Hon. (Dr.) Bandula Gunawardana, Minister of Transport and Highways and Minister
of Mass Media

Hon. Jeevan Thondaman, Minister of Water Supply and Estate Infrastructure
Development

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

Hon. (Dr.) Susil Premajayantha, Attorney at Law, Minister of Education and Leader
of the House of Parliament

Hon. Prasanna Ranatunga, Minister of Urban Development and Housing and Chief
Government Whip

Hon. Keheliya Rambukwella, Minister of Health

Hon. (Dr.) Wijeyadasa Rajapakshe, PC, Minister of Justice, Prisons Affairs and
Constitutional Reforms

Hon. Kanchana Wijsekera, Minister of Power and Energy

Hon. Sajith Premadasa, Leader of the Opposition in Parliament

Hon. Lasantha Alagiyawanna, State Minister of Transport

Hon. A. Aravindh Kumar, State Minister of Education

Hon. (Mrs.) Diana Gamage, State Minister of Tourism

Hon. Siripala Gamalath, State Minister of Highways

Hon. Sivanesathurai Santhirakanthan, State Minister of Rural Road Development

Hon. D. V. Chanaka, State Minister of Power and Energy

Hon. Sisira Jayakody, Attorney at Law, State Minister of Indigenous Medicine
Hon. Anuradha Jayaratne, State Minister of Justice and Prison Affairs
Hon. Premitha Bandara Tennakoon, State Minister of Defence
Hon. Chamara Sampath Dasanayake, State Minister of Primary Industries
Hon. Piyal Nishantha De Silva, State Minister of Fisheries
Hon. Mohan Priyadarshana De Silva, Attorney at Law, State Minister of Agriculture
Hon. Rohana Dissanayaka, State Minister of Sports and Youth Affairs
Hon. Sanath Nishantha, State Minister of Water Supply
Hon. Anupa Pasqual, State Minister of Social Empowerment
Hon. Jagath Pushpakumara, State Minister of Foreign Employment Promotion
Hon. Arundika Fernando, State Minister of Urban Development and Housing
Hon. Ashoka Priyantha, State Minister of Home Affairs
Hon. Shantha Bandara, State Minister of Mass Media
Hon. Vijitha Berugoda, State Minister of Piriven Education
Hon. K. Kader Masthan, State Minister of Rural Economy
Hon. Lohan Ratwatte, State Minister of Plantation Industries
Hon. Shasheendra Rajapaksa, State Minister of Irrigation
Hon. Janaka Wakkumbura, State Minister of Provincial Councils and Local Government
Hon. Kanaka Herath, State Minister of Technology
Hon. D. B. Herath, State Minister of Livestock Development

Hon. Amirthanathan Adaikkalanathan
Hon. A. L. M. Athaullah
Hon. Kapila Athukorala
Hon. (Mrs.) Thalatha Athukorala, Attorney at Law
Hon. Sampath Athukorala
Hon. Hector Appuhamy
Hon. Rohitha Abegunawardhana
Hon. Wajira Abeywardana
Hon. Ashok Abeysinghe
Hon. (Dr.) (Ms.) Harini Amarasuriya
Hon. Thushara Indunil Amarasena
Hon. Mayadunna Chinthaka Amal
Hon. Thavaraja Kalai Arasan
Hon. J. C. Alawathuwala
Hon. Dullas Alahapperuma
Hon. Thisakutti Arachchi

Hon. U. K. Sumith Udukumbura
Hon. M. Udayakumar
Hon. (Dr.) Major Pradeep Undugoda
Hon. Sanjeeva Edirimanna
Hon. Akila Ellawala
Hon. Selvarajah Kajendren
Hon. Govindan Karunakaram
Hon. Gayantha Karunatileka
Hon. Sagara Kariyawasam, Attorney at Law
Hon. Jayantha Ketagoda
Hon. Lakshman Kiriella, Attorney at Law
Hon. Udayana Kirindigoda
Hon. Lalith Varna Kumara
Hon. Gevindu Cumaratunga
Hon. K. P. S. Kumarasiri
Hon. Velu Kumar
Hon. Karunadasa Kodithuwakku
Hon. Nalaka Bandara Kottegoda
Hon. Mano Ganesan
Hon. Udaya Gammanpila
Hon. (Dr.) Upul Galappaththi
Hon. Udayakantha Gunathilaka
Hon. (Mrs.) Kokila Gunawardene
Hon. Yadamini Gunawardena
Hon. (Dr.) Nalaka Godahewa
Hon. S. M. Chandrasena
Hon. Milan Jayathilake
Hon. Nalin Bandara Jayamaha
Hon. Piyanakara Jayaratne
Hon. (Dr.) Kavinda Heshan Jayawardhana
Hon. Dayasiri Jayasekara
Hon. M. S. Thowfeek
Hon. Kulasingam Dhileeban
Hon. Janaka Bandara Thennakoon
Hon. Shan Vijayalal De Silva
Hon. (Dr.) Harsha de Silva
Hon. Palani Thigambaram

Hon. Anura Dissanayaka
Hon. Duminda Dissanayake
Hon. S. B. Dissanayake
Hon. Wimalaweera Dissanayake
Hon. Sarathi Dushmantha
Hon. (Major) Sudarshana Denipitiya
Hon. Isuru Dodangoda
Hon. Premnath C. Dolawatte, Attorney at Law
Hon. W. H. M. Dharmasena
Hon. H. Nandasena
Hon. (Dr.) Gayashan Nawananda
Hon. Asanka Navarathna
Hon. Vasudeva Nanayakkara
Hon. Charles Nirmalanathan
Hon. Kins Nelson
Hon. Buddhika Pathirana
Hon. Nimal Piyathissa
Hon. Dilan Perera
Hon. Niroshan Perera
Hon. K. Sujith Sanjaya Perera
Hon. G. G. Ponnambalam
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. (Mrs.) Muditha Prishanthi
Hon. Rohana Bandara
Hon. R. M. Ranjith Madduma Bandara
Hon. (Prof.) Ranjith Bandara
Hon. Rishad Bathiudeen
Hon. Sudath Manjula
Hon. S. M. Marikkar
Hon. Imran Maharoof
Hon. Imthiaz Bakeer Markar
Hon. Ajith Mannapperuma
Hon. Mohomad Muzammil
Hon. Anura Priyadharshana Yapa, Attorney at Law
Hon. Wasantha Yapabandara, Attorney at Law
Hon. Patali Champika Ranawaka
Hon. Nipuna Ranawaka

Hon. (Ven.) Athuraliye Rathana Thero
Hon. B. Y. G. Rathnasekara
Hon. Kumarasiri Rathnayaka
Hon. Ishak Rahuman
Hon. Harshana Rajakaruna
Hon. Gunathilaka Rajapaksha
Hon. Chamal Rajapaksa
Hon. (Dr.) Thilak Rajapakshe
Hon. Mahinda Rajapaksa
Hon. Upul Mahendra Rajapaksha
Hon. (Dr.) V. Radhakrishnan
Hon. M. Rameshwaran
Hon. Nimal Lanza
Hon. Waruna Liyanage
Hon. Gamini Lokuge
Hon. Gamini Waleboda
Hon. Eran Wickramaratne
Hon. C.V. Wigneswaran
Hon. Chaminda Wijesiri
Hon. M. W. D. Sahan Pradeep Withana
Hon. Madhura Withanage, Attorney at Law
Hon. Hesha Withanage
Hon. (Prof.) Tissa Vitarana
Hon. Chandima Weerakkody, Attorney at Law
Hon. Jayantha Weerasinghe, PC
Hon. Weerasumana Weerasinghe
Hon. (Dr.) Sarath Weerasekera
Hon. Dilip Wedaarachchi
Hon. Kumara Welgama
Hon. Sivagnanam Shritharan
Hon. Jagath Samarawickrama
Hon. Dharmalingam Sithadthan
Hon. Maithreepala Sirisena
Hon. M. A. Sumanthiran
Hon. Jagath Kumara Sumithraarachchi
Hon. Vadivel Suresh
Hon. W. D. J. Seneviratne, Attorney at Law

Hon. (Dr.) Rajitha Senarathne
Hon. Rauff Hakeem, Attorney at Law
Hon. Abdul Haleem
Hon. (Prof.) Charitha Herath
Hon. Samanpriya Herath
Hon. Marjan Faleel
Hon. A. H. M. Fowzie
Hon. Field Marshal Sarath Fonseka

Mrs. Kushani Rohanadeera, Secretary-General of Parliament

Mr. Hansa Abeyrathne, Assistant Secretary-General

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

1. Announcements by the Speaker : The Speaker made the following announcements:—

I

“I wish to inform Parliament that I have received a copy of a petition filed at the Supreme Court under Article 121(1) of the Constitution in respect of the Bill titled ‘Fisheries and Aquatic Resources (Amendment)’.”

II

“A motion may be moved to refer the question of privilege raised by the Hon. G. G. Ponnambalam, M.P. in Parliament on 08th June 2023 to the Committee on Ethics and Privileges.”

2. Presentation of Papers : (1) The Minister of Urban Development and Housing presented the Proclamation made and Published in the Gazette Extraordinary No. 2341/03 of 17th July 2023 and Schedule thereto, by virtue of the powers vested with the president in terms of Section 2 of the Essential Public Services Act, No. 61 of 1979.

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

(2) The Minister of Education presented the—

- (i) Annual Report of the Skills Development Fund Limited for the year 2020; and
- (ii) Annual Report and Annual Financial Statements of the Institute of Human Resources Advancement of the University of Colombo for the year 2021.

and moved that those Reports be referred to the Sectoral Oversight Committee on Education.

Question put and, agreed to.

(3) The Minister of Urban Development and Housing presented the Annual Performance Report of the Department of National Botanic Gardens for the year 2022 and moved that the Report be referred to the Sectoral Oversight Committee on National Economic and Physical Plans.

Question put and, agreed to.

(4) The Minister of Urban Development and Housing presented the Performance Report of the Department of the Registrar of Companies for the year 2022 and moved that the Report be referred to the Sectoral Oversight Committee on National Economic and Physical Plans.

Question put and, agreed to.

(5) The Minister of Urban Development and Housing presented the Annual Report of the Mahaweli Authority of Sri Lanka for the year 2017 and moved that the Report be referred to the Sectoral Oversight Committee on Food Security & Agriculture.

Question put and, agreed to.

3. Presentation of Public Petition :

Hon. (Mrs.) Kokila Gunawardene presented a petition dated 03.05.2023 from Mr. I.D. Chaminda of No29/A/101, Rajamal Uyana, Horagasmulla, Divulapitiya.

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

4. Anti-Corruption Bill : The Minister of Justice, Prisons Affairs and Constitutional Reforms 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 Speaker took the Chair.

Clause 1

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 6 to 10 (both inclusive) in page 1 and substitute the following:—

“come into operation on such date as the Minister may by Order published in the Gazette appoint.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 12 in page 1 and substitute the following:—

“into operation not later than eighteen months from the date of coming”;

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 2

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 14 and 15 in page 3 and substitute the following:—

“and stability.”;

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 3

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to insert the following immediately after line 30 in page 3:—

“(4) The Commission shall exercise and perform its powers and functions without being subject to any direction or other interference proceeding from any other person except a court or tribunal entitled under law to direct or supervise the Commission in the exercise or performance of such powers or functions.

(5) Every person who, without legal authority, interferes or attempts to interfere with the exercise or performance of the powers of functions of the Commission as referred to in subsection (4) of this section shall be guilty of an offence punishable by the High Court on conviction after trial without a jury with imprisonment of either description for a term which may extend to a period of one year or with fine or with both such imprisonment and fine and may, in addition-

(a) be disqualified for a period not exceeding seven years from the date of such conviction from being an elector and from voting -

(i) at a referendum;

(ii) at any election of the President of the Republic;

(iii) at any election of a Member of Parliament, Provincial Council or any local authority; or

(b) be disqualified from holding any public office or from being employed as a public officer.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 3 to 7 (both inclusive) in page 4 and substitute the following:—

“Constitutional Council from among the following:-

- (a) a person who has expertise, reached eminence and has at least twenty years of experience in law; and
- (b) two persons who have expertise, reached eminence and have at least twenty years of experience in one or more of the following fields:-
 - (i) investigation of crime and law enforcement;”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 15 in page 5 and substitute the following:—

“appointed by the President on the recommendation of the Constitutional Council to be the Chairman 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 5 was agreed to.

Clause 6

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 15 in page 6 and substitute the following:—

“physical, mental or other incapacity of a permanent nature or a disqualification under section 5 of this Act.”;

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 7 was agreed to.

Clause 8

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 18 to 21 (both inclusive) in page 7 and substitute the following:—

“(2) Where a vacancy arises in the office of a member of the Commission due to the expiration of his period of office, such member shall continue in such office until a new member is appointed in his place by the President on the recommendation of

the Constitutional Council within three months of the occurring of such vacancy.”;

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 9 to 12 were agreed to.

Clause 13

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 26 in page 8 and substitute the following:—

“provisions of this Act and shall forward to Parliament in”;

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 14

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 7 in page 9 and substitute the following:—

“of section 65, shall be three members and in the event of any disagreement, the majority decision shall prevail.”;

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 15 was agreed to.

Clause 16

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 1 to 5 (both inclusive) in page 10.

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 17

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 9 in page 10 and substitute the following:—

“the Constitutional Council and after consulting the members of the Commission appoint a Director-General”;

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 18 was agreed to.

Clause 19

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 9 and 10 in page 11 and substitute the following:—

“(c) be an Attorney-at-Law with at least fifteen years of experience in conducting criminal prosecutions;”;

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 20 was agreed to.

Clause 21

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 23 to 27 (both inclusive) in page 12 and substitute the following:—

“Removal of
the Director-
General

21. The President may, in consultation with the Commission, on any one or more grounds for disqualification set out in subsection (2) of section 19 or where the conduct of the Director-General negatively impacts on the exercise of the powers and functions of the Commission and after giving the Director-General an opportunity to be heard in person or by a duly appointed representative, remove him from office, subject to the approval of the Constitutional Council.”;

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 22 was agreed to.

Clause 23

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to insert the following immediately after line 13 in page 13:—

“(3) The President shall on the recommendation of the Constitutional Council appoint a new Director-General, within three months of such expiration.”;

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 24 and 25 were agreed to.

Clause 26

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 27 and in page 15 and substitute the following:—

“consent of such member and the Audit Service Commission be temporarily appointed to the”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 33 and 34 in page 15 and substitute the following:—

“the Audit Service Commission.”;

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 27 to 30 were agreed to.

Clause 31

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 19 to 27 (both inclusive) in page 18 and substitute the following:—

“(2) Subject to the provisions of the Constitution and notwithstanding the provisions of subsection (1), all expenses for inquiries, investigations and prosecutions on any offence conducted by the Commission shall be charged on the Consolidated Fund.”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 20 in page 19:—

“(6) Where any money is received by way of donations, gifts, bequests or grants under paragraph (b) of subsection (4), the source and purpose for which such donation, grant, bequests or gift was made available shall be made public within one month or such receipt.”;

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 32

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out leave out lines 23 and 24 in page 19 and substitute the following:—

“32. (1) The appointment, promotion, disciplinary control and dismissal of the officers and employees of the Commission”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 31 in page 19 and substitute the following:—

“control, dismissal, conduct and grant of leave.”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 1 to 5 (both inclusive) in page 20.

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to insert the following immediately after line 29 in page 21 of the Bill in Sinhala Language :—

“(4) කොමිෂන් සභාවේ සේවා නියුක්තිකයෙකුගේ සේවය අවසන් කළ විටකදී එම සේවා නියුක්තිකයා හට කාර්මික ආරවුල් පනත යටතේ කම්කරු විනිශ්චය සභාව වෙත අයදුම්පතක් ඉදිරිපත් කළ හැක.”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 23 in page 21 of the Bill in Sinhala Language and substitute the following :—

“‘විම්, පාරිශ්‍රමික, විනය පාලනය, දුක්ගැනවිලි සම්බන්ධයෙන් කටයුතු කිරීමේ කාර්ය පරිපාටිය, වර්ගාව සහ නිවාඩු ප්‍රදානය කිරීම’ ”

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

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

Clause 33

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 8 in page 20 and substitute the following:—

“ Act and for such purpose shall exercise the powers, discharge the duties and perform the functions of the Central Authority under this Act.”;

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 34 to 38 were agreed to.

Clause 39

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 5 in page 21 and substitute the following:—

“39. (1) The Commission may make recommendations to”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 9 in page 21:—

“(2) The Commission shall promote active participation of civil society, non-governmental and community based organizations, in the prevention of and the fight against corruption to raise public awareness regarding the existence of, causes and gravity of and threats posed by corruption.”;

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 40

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 6 in page 22 and substitute the following:—

“(g) to introduce codes of conduct for prevention and eradication of bribery and corruption which shall be adhered”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 9 in page 22:—

“(h) to introduce codes of conduct for prevention and eradication of bribery and corruption in the public sector which shall be adhered to in the public administration;”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 14 in page 22:—

“(k) recruit interns and apprentices as the Commission may consider necessary for the effective discharge of its powers, duties and functions subject to such conditions of service as may be determined by the Commission.”;

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 41

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 22 in page 22 and substitute the following:—

“(a) an offence under Part II, and Chapter I and Chapter II of Part III of this Act other than any offence”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 4 to 7 (both inclusive) in page 23 and substitute the following:—

“an offence in terms of this Act; or

(d) an offence specified in Schedule B to this Act, where”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 10 in page 24 of the Bill in Sinhala Language and substitute the following:—

“41 (1) කොමිෂන් සභාව විසින්, මේ පනතේ විධිවිධාන යටතේ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to insert the following immediately after line 7 in page 25 of the Bill in Sinhala Language :—

“(2) 43 වගන්තිය යටතේ පැමිණිල්ලක් සිදුකොට ඇති යම් පුද්ගලයෙකු විසින් ඒ උදෙසා ඉල්ලීමක් කරනු ලැබුවහොත්, කොමිෂන් සභාව විසින් එම පුද්ගලයා වෙත යම් ලිපි ගොනුවක් වසා දැමීම සම්බන්ධයෙන් සවිස්තරාත්මක සාධාරණීකරණයක් ලබාදිය යුතුය.”

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

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

Clause 42

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 25 to 27 (both inclusive) in page 23 and substitute the following:—

“been committed.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 3 to 6 (both inclusive) in page 24 and substitute the following:—

“section 41 has been committed, the Commission shall direct the Director General to conduct an investigation;” and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 8 to 10 (both inclusive) in page 24 and substitute the following:—

“exist reasonable grounds to believe the committing of an offence referred to in section 41, the”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 25 to 30 (both inclusive) in page 25.

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 25 to 26 in page 26 and substitute the following:—

“reasons for such decision shall be recorded in writing and be communicated by the Commission to the person who made the complaint.”;

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 43

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 20 in page 27 and substitute the following:—

“offence under the provisions of this Act”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 27 and 28 in page 29 of the Bill in Sinhala Language and substitute the following:—

“ ‘යටතේ යම් අල්ලස් හෝ දූෂණ ක්‍රියාවක් සිදුව තිබිය හැකි හෝ සිදු කරනු ලැබ ඇතැයි සැක කරනු ලැබිය හැකි හෝ සිදු කිරීමේ හැකියාවක් ඇති බව එකී මතය වන ’ ”

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

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

Clause 44

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 25 to 30 (both inclusive) in page 27 and substitute the following:—

“section 43 shall be provided with an update of the basic steps taken in relation to an investigation conducted under section 42 in a manner which does not hinder the progress of such investigation.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 34:—

“(3) Any person who has made a complaint under section 43 shall be provided with a detailed justification by the Commission for the closure of a file, upon a request made on that behalf by such person.”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 5 in page 30 of the Bill in Sinhala Language and substitute the following:—

“සපයනු ලැබිය යුතුය. කොමිෂන් සභාව විසින් විමර්ශනයට අදාළව”

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

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

Clause 45

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 14 in page 29 and substitute the following:—

“bank, the provisions of subsections (2), (3), (4), (5) and (6) of section 49 shall”;

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 46

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 28 and 29 in page 29 and substitute the following:—

“46. The Director-General shall issue to any officer of the Commission a warrant card which shall be”;

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 47 was agreed to.

Clause 48

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 17 in page 32 and substitute the following:—

“the case forthwith.”;

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 49

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 6 in page 33 and substitute the following:—

“procure, receive or examine:

Provided, the Commission may video record the examination of any person under the provisions of this paragraph;”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 20 in page 34 and substitute the following:—

“or document which is in his possession or under his control or a certified copy thereof or any entry therein for the purpose of conducting an”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 24 in page 36 and substitute the following:—

“authority; or

(xxi) the Head of any scheduled institution under this Act;”;

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 50

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 11 and 12 in page 39 and substitute the following:—

“(a) summon the person to be examined with the consent of such person, to be”;

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 51

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 26 to 28 (both inclusive) in page 41 and substitute the following:—

“ blood sample, finger, palm or foot impression or an impression of any part of the body under subsection (1) or the taking of a non-intimate sample under subsection (4), the Commission may apply to the Magistrate for an order for the taking of the same from him.”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 11 in page 42 and substitute the following:—

“(13) The Minister shall make regulations in consultation with the Commission on the privacy and the limitations”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 3 and 4 in page 47 of the Bill in Sinhala Language and substitute the following:—

“ ‘කිරීම පිළිබඳව වන රහස්‍යභාවය සහ සීමා සම්බන්ධයෙන් අමාත්‍යවරයා විසින් නියෝග සාදනු ලැබිය යුතුය.’ ”

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

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

Clause 52 was agreed to.

Clause 53

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 27 in page 44 and substitute the following:—

“(2) The Commission shall, within seven days during”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 31 in page 44 and substitute the following:—

“request an extension of the original period of seven days.”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 3 and 4 (both inclusive) in page 47 and substitute the following:—

“or a fine not exceeding one million rupees.”;

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 54 was agreed to.

Clause 55

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 30 in page 48 and substitute the following:—

“(e) using bugging devices; or

(f) controlled deliveries:

Provided that, the Commission shall specify by way of rules, the procedures to be followed on the use of investigative techniques under this section.”;

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 56 to 61 were agreed to.

Clause 62

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 19 in page 54 and substitute the following:—

“compelled to reveal the source of”;

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 63 and 64 were agreed to.

Clause 65

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 6 to 24 (both inclusive) in page 58 and substitute the following:—

“against such person in the appropriate court.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 8 and 9 in page 60 and substitute the following:—

“written law, and officer of the Commission authorized by the Commission, the Attorney-General upon request 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 66 was agreed to.

Clause 67

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 19 to 20 in page 61.

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 13 in page 62 and substitute the following:—

“with the said conditions, the Director-General shall file a fresh”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 28 and 30 in page 67 of the Bill in Sinhala Language .

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out lines 1 and 28 in page 68 of the Bill in Sinhala Language.

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out lines 1 and 12 in page 69 of the Bill in Sinhala Language.

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

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

Clause 68 was agreed to.

Clause 69

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 3 to 7 in page 64.

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 70 was agreed to.

Clause 71

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 9 in page 65 and substitute the following:—

“into an agreement with any person referred to in subsection (8) of this section alleged to have committed”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 7 to 9 (both inclusive) in page 66.

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 28 in page 66 and substitute the following:—

“such conditions, the Commission shall upon making an”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 5 to 10 (both inclusive) in page 67 and substitute the following:—

“(8) Where the person referred to in this section is a body corporate, an agreement under this section shall be entered into between the Director-General and such body corporate.”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 21 and 30 in page 72 of the Bill in Sinhala Language and substitute the following:-

“ (3) මේ පනත යටතේ වරදක් සිදු කර ඇතැයි කියනු ලබන යම් තැනැත්තකුට එරෙහිව අපරාධ නඩු කටයුත්තක් කල් තැබීමට හෝ අත්හිටුවීමට (1) වන උපවගන්තියේ නියමයන් ප්‍රකාර කොමිෂන් සභාව එකඟ වන අවස්ථාවකදී, ඒ තැනැත්තාට එරෙහිව අපරාධ නඩු කටයුත්තක් අත්හිටුවීමට සහ කල්තැබීම සඳහා සලකා බැලීමක් ලෙස ඒ තැනැත්තා වෙත නියම කරන කාලයක් තුළ සම්පූර්ණ කළ යුතු (අ) සහ (ආ), (ඇ), (ඈ), (ඉ), (ඊ) හි එකක් හෝ ඊට වැඩි ගණනක් පැනවීම සඳහා මහාධිකරණයේ අවසරය ලබා ගැනීමට කොමිෂන් සභාව විසින් මහාධිකරණය වෙත ඉල්ලීමක් ඉදිරිපත් කළ යුතුය. ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 7 in page 73 of the Bill in Sinhala Language and substitute the following:—

“ ‘දැරීමෙන් වැළකීමට’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 8 in page 73 of the Bill in Sinhala Language and substitute the following:—

“ (ඉ) විමර්ශන පැවැත්වීමේ කාර්යය සහ එයට ආනුෂංගික කරුණු සඳහා පමණක් වරදට අදාළ මුළු මුදල වන්දි ලෙස රජයට ගෙවීමට සහ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to insert the following immediately after line 10 in page 73 of the Bill in Sinhala Language :—

“ (ඊ) අධිකරණය විසින් තීරණය කරනු ලබන මුදලක් වන්දි වශයෙන් අපරාධයේ වින්දිතයන් වෙත ගෙවීමට. ”

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

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

Clause 72 was agreed to.

Clauses 73

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 26 in page 75 of the Bill in Sinhala Language and substitute the following:—

“මිලියනයක් නො ඉක්මවූ දඩයකට හෝ මාස තිහක් නොඉක්මවන කාලයක්”

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed the following amendment to the Bill in Sinhala Language :—

“දඩය රුපියල් පහස් දහස වෙනුවට රුපියල් ලක්ෂයක් විය යුතුය.”

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 74 to 79 were agreed to.

Clause 80

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 13 in page 75 and substitute the following:—

“(m) staff officers of the Central Bank of Sri Lanka and State Banks;” and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 11 and 12 in page 77 and substitute the following:—

“(dd) office bearers of National Associations of Sports established in terms of the Sports Law, No. 25 of 1973; and

(ee) such categories of other officers as may be prescribed by regulations as high risk categories by taking into consideration the”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 21 in page 83 of the Bill in Sinhala Language and substitute the following:—

“‘ශ්‍රී ලංකා මහ බැංකුවේ සහ රජයේ බැංකුවල මාණ්ඩලික නිලධාරීන්;’”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to insert immediately after line 25 in page 85 of the Bill in Sinhala Language.:—

“‘(ඉඉ) ඒකාබද්ධ අරමුදලින් වෙන්කළ මුදලකින් යම් ආකාරයේ පාරිශ්‍රමිකයක් ලබාගන්නා ඕනෑම අයෙකු.’”

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

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

Clause 81

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 19 in page 77 and substitute the following:—

“81. Every person to whom this Part applies shall”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 7 and 11 (both inclusive) in page 78.

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 18 to 22 in page 86 of the Bill in Sinhala Language and substitute the following:—

“(2) මේ වගන්තියේ කාර්යය සඳහා, “වත්කම් සහ බැරකම්” යන්නෙන්, සමස්තයක් ලෙස හෝ කොටසක් ලෙස ප්‍රකාශක සතුව ශ්‍රී ලංකාව තුළ හා ඉන් පිටත පවත්නා බැරකම් හෝ බැංකු තැන්පතුවක් ලෙස හෝ යම් ආකාරයකින් ප්‍රකාශක විසින් රඳවා තිබෙන වංචල හෝ නිශ්චල දේපළ හෝ ප්‍රකාශක වෙත ප්‍රයෝජනවත් ප්‍රතිලාභ සැලසෙන්නා වූ යම් දේපළක් හා ප්‍රකාශය අදාළ වන කාලසීමාව තුළ ප්‍රකාශක විසින් හෝ ඔහුගේ කලත්‍රයා හෝ දරුවෙකුගේ නමට අත්පත් කරගෙන ඇති යම් දේපළක්, ආයතනික කොටස් හිමිකම්, ප්‍රත්‍යාදේශ්‍ය නොවන ටෝකන, ක්‍රිප්ටොකරන්සි සියලු ගුප්තකේතන හා ඩිජිටල් වත්කම්, සමාගම්වල අධ්‍යක්ෂ ධුර, ප්‍රතිලාභදායක සමාගම් හිමිකාරිත්වයන්, මූල්‍ය බැඳීම්, සමගාමී කටයුතු, අභිලාෂයන් අතර පිළිගැනුම්, සංවිධානවල හා ඒවාහි පාලන ආයතනයන්හි සාමාජිකත්වයන් අදහස් වේ.”

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

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

Clause 82

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 8 and 9 in page 79 and substitute the following:—

“person to who this Part applies, he shall on the date on which he becomes a person to whom this Part”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 13 in page 79 and substitute the following:—

“referred to in paragraph (w) subsection (1) of section 80”; and

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 31 in page 87 of the Bill in Sinhala Language and substitute the following:—

“ ‘එසේ වුවද, 80 වන වගන්තියේ (1) වන උපවගන්තියේ (ඊ)’ ”

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

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

Clause 83 was agreed to.

Clause 84

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 30 in page 81 and substitute the following:—

“investigation under section 42.”;

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 85 to 87 were agreed to.

Clause 88

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 7 in page 83 and substitute the following:—

“public within one month of its submission through the”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 17 in page 83 and substitute the following:—

“Passport Number or any other number recognized”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 21 in page 83 and substitute the following:—

“(d) bank account numbers; or

(e) any other deposit details.”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 1 in page 92 of the Bill in Sinhala Language and substitute the following:—

“ ‘කළ පිටපතක් කොමිෂන් සභාවේ නිල වෙබ් අඩවියට පිවිස, පූර්වයෙන් ලියාපදිංචි වූ විද්‍යුත් තැපැල් ගිණුමක් මගින් එය’ ”

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

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

Clause 89

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 30 in page 83 and substitute the following:—

“(w) of section 80 shall, submit a copy of the form and 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 90

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 30 to 33 in page 84 and insert the following:—

“(4) Where any person fails to submit his declaration of assets and liabilities along with his application form for nomination for an election, such application form for nomination shall be deemed to be invalid.”

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

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

Clause 91 was agreed to.

Clause 92

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 27 and 28 in page 87 and substitute the following:—

“expenditure, and interests directly or beneficially owned in or outside Sri Lanka, the details”;

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 93

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 7 in page 88 and substitute the following:—

“Officer, or a member of a tribunal or an institution or a person exercising quasi-judicial power, or a Member of Parliament, or a member of a Provincial Council or a local authority as an inducement”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 12 to 14 (both inclusive) in page 88 and substitute the following:—

“Appeal, High Court or a judicial officer, or a member of a tribunal or an institution or a person exercising quasi-judicial power, or a Member of Parliament, or a member of a Provincial Council or a local authority solicits or accepts any”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 20 to 25 (both inclusive) in page 88.

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out marginal note in page 88 and substitute the following :—

“Bribery of Judges of the Supreme Court, Court of Appeal, High Courts, judicial officers, members of tribunals or institutions and persons exercising quasi-judicial powers and Members of Parliament, Provincial Councils and local authorities”

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 94

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 26 in page 88 and substitute the following :—

“94. A Member of Parliament, a member of a Provincial Council or a local authority who solicits or accepts any”;

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 95 to 98 were agreed to.

Clause 99

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 1 to 5 (both inclusive) in page 92 and substitute the following :—

“Provided that, section 35 of the Medical Ordinance”;

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 100 was agreed to.

Clause 101

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 1 to 6 (both inclusive) in page 94.

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 102 to 107 were agreed to.

Clause 108

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to insert the following immediately after line 8 in page 101:—

“(4) Notwithstanding anything to the contrary in this section, the offences of Chapter 1 of Part II of the Prevention of Offences relating to Sports Act, No. 24 of 2019, shall have the same meaning as in the respective sections and shall carry the same punishment as specified in the respective sections.”;

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 109

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment in line 9 and 10 in page 101 and substitute the following:—

“Accumulation of wealth by an offence under this Act 109.(1) Where a person has or had acquired any property, and such property-”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 5 in page 102 and substitute the following:—

“an offence under this Act.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 7 and 8 in page 102 and substitute the following:—

“from proceeds of an offence under this Act, and “receipts” do not include receipts from proceeds of an offence under this Act.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 15 in page 104:—

“(10) A person, who conceals or retains proceeds or any part thereof of an offence committed under this Act, knowing that property is the result of proceeds of an offence under this Act shall commit an offence and shall be liable on conviction to a rigorous imprisonment for a term not exceeding seven years or to a fine not exceeding one million rupees or to both such fine and imprisonment:

Provided that, a person conceals or retains proceeds or any part thereof whether or not he conceals or retains such proceeds directly or indirectly through intermediaries or for his own benefit or for the benefit of another or of an entity.”;

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 110

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 9 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘හෝ වැළකී සිටින හෝ වාසියක් දීමට, සැපයීමට හෝ වැළකී’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 11 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘තැනැත්තකු වාසියක් පිරිනමනු ලබයි.’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 15 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘සඳහා කෙළින්ම හෝ අන්‍යාකාරයෙන් යම් වාසියක් ඉල්ලා,’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 17 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘ඇත්නම් එකී යම් තැනැත්තා වාසියක් ඉල්ලා සිටිනු ලබයි.’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 21 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘කෙළින්ම හෝ අන්‍යාකාරයෙන් යම් වාසියක් ගන්නේ නම්, භාර’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 23 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘හෝ ලබා ගැනීමට එකඟ වන්නේ නම්, එකී තැනැත්තා වාසියක්’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 25 in page 115 of the Bill in Sinhala Language and substitute the following:—

“ ‘මේ පනත යටතේ වරදක් වන වාසියක් පිරිනැමීම, ඉල්ලා’ ”

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

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

Clause 111 was agreed to.

Clause 112

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 7 and 8 in page 106 and substitute the following:—

“of 2006, such person may be charged for an offence under that Act in addition to an offence under this Act.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 10 and 11 in page 106 and substitute the following:—

“Act, No. 5 of 2006 shall, *mutatis mutandis*, apply to the inquiries, investigations and proceedings in respect of such offence under that Act and any”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 14 in page 106 and substitute the following:—

“as a reference to an officer designated by the Commission”;

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 113 was agreed to.

Clause 114

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 3 in page 110 and substitute the following:—

“or a Provincial Council from the date of such conviction or finding and, if at that date”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to insert following immediately after line 14 in page 122 of the Bill in Sinhala Language :—

“ (8) මේ පනතේ වෙන යම් විධිවිධානයක පැවැත්වූ කවරක් සඳහන් වුවද, මේ පනතේ 111 වගන්තිය යටතේ යම් වරදක් සම්බන්ධයෙන් අධිකරණය විසින් රජයේ නිලධාරියෙකු වැරදිකරු බවට ප්‍රකාශයට පත් කරන විටදී, එම

රජයේ නිලධාරියා වෙත ලබාදී ඇති යම් ප්‍රදානයක්, පත්වීමක් හෝ වෙනයම් ප්‍රතිලාභයක් නීති විරෝධී සහ ශූන්‍ය හා බලරහිත බවට අධිකරණය විසින් නියෝග කළ හැක.

(9) 111 වගන්තිය යටතේ යම් වරදක් සම්බන්ධයෙන් රජයේ නිලධාරියෙකු වැරදිකරු බවට පත් වුවහොත්, අධිකරණය විසින් එම නිලධාරියා හට රජයට සිදුවූ අලාභය ගෙවන ලෙස නියෝග කළ හැක.

(10) රජයේ පාසැලකට දරුවෙකු ඇතුළත් කිරීම උදෙසා,

(අ) පෙළඹවීමක් හෝ ත්‍යාගයක් වශයෙන් රජයේ නිලධාරියෙකු වෙත යම් තුටු පඩුරක් පිරිනමන;හෝ

(ආ) රජයේ නිලධාරියෙකු වශයෙන් කටයුතු කරමින්, පෙළඹවීමක් හෝ ත්‍යාගයක් වශයෙන් යම් තුටු පඩුරක් ඉල්ලා සිටින හෝ පිළිගනු ලබන ඕනෑම පුද්ගලයෙකු මෙම පනත යටතේ අල්ලස් වරදක් සිදුකරන අතර මහෙස්ත්‍රාත්වරයෙකු ඉදිරියේ වරදකරු කරනු ලැබීමෙන් අනතුරුව රුපියල් මිලියන එකකට නොවැඩි දඩයකට සහ වසර හතක් නොඉක්මවන කාලසීමාවක් සඳහා බරපතළ වැඩ සහිත බන්ධනාගාරගත කිරීමකට යටත් විය යුතුය.”

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

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

Clause 115

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 15 in page 111 and substitute the following:—

“(4) The Director-General shall give notice in writing”;

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 116

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 5 in page 125 of the Bill in Sinhala Language and substitute the following :—

“ ‘අදාළ වරද සම්බන්ධයෙන් නිශ්චිතව දක්වා ඇති දඩයකට හෝ බන්ධනාගාරගත කිරීමකට යටත්’ ”

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

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

Clauses 117 and 118 were agreed to.

Clause 119

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 25 in page 116 and substitute the following:—

“exceeding three years or to both such fine and imprisonment”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 1 to 14 in page 129 of the Bill in Sinhala Language and substitute the following :—

“ ‘එකී චෝදනාව අසත්‍ය බව දැන දැනම 43 වන වගන්තිය යටතේ ඔහු විසින් කොමිෂන් සභාව වෙත යොමු කරනු ලබන යම් තොරතුරකදී හෝ පැමිණිල්ලකදී යම් අසත්‍ය චෝදනාවක් කරන සෑම තැනැත්තකුම මහෙස්ත්‍රාත්වරයෙකු ඉදිරියෙහි පවත්වනු ලබන ලඝු නඩු විභාගයකින් පසු වරදකරු කරනු ලැබූ විට රුපියල් ලක්ෂ පහක් නොඉක්මවන දඩයකට හෝ වසර දෙකක් නොඉක්මන කාලයක් සඳහා වූ බන්ධනාගාරගත කිරීමකට හෝ එම දඩය සහ බන්ධනාගාරගත කිරීමකට හෝ එම දඩය සහ බන්ධනාගාර ගත කිරීම යන දඬුවම් දෙකටම හෝ යටත් විය යුතු අතර, ඊට අමතරව, එම චෝදනාව සිදු කරන ලද්දේ යම් තැනැත්තකු සම්බන්ධයෙන් ද, එම තැනැත්තාට අධිකරණය විසින් සුදුසු යැයි සලකනු ලැබිය හැකි යම් මුදලක් වන්දියක් ලෙස ගෙවීමට ද යටත් විය යුතුය.’ ”

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

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

Clause 120

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 18 to 20 in page 129 of the Bill in Sinhala Language and substitute the following :—

“ ‘කරනු ලබන අතර, මහාධිකරණයක් ඉදිරියෙහි පවත්වනු ලබන ලඝු නඩු විභාගයකින් පසු වරදකරු කරනු ලැබූ විට රුපියල් මිලියනයක් නොඉක්මවන දඩයකට හෝ වසර පහක් නොඉක්මවන’ ”

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

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

Clauses 121 to 124 were agreed to.

Clause 125

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 9 in page 132 of the Bill in Sinhala Language and substitute the following :—

“ ‘පසු වරදකරු කරනු ලැබූ විට රුපියල් මිලියනයක් නොඉක්මවන දඩයකට යටත්’ ”

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed the following amendment to the Bill in Sinhala Language:—

“ ‘දඩය රුපියල් පනස් දහස වෙනුවට රුපියල් ලක්ෂයක් විය යුතුය.’ ”

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 126 agreed to.

Clause 127

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 7 in page 122 and substitute the following:—

“to be prejudiced; or

(n) conceals or retains proceeds or any part thereof of the results of the proceeds of an offence under this Act, whether or not he conceals or retains such proceeds directly or indirectly through intermediaries or conceals or retains for his own benefit or for the benefit of another person or an entity,”;

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 128 agreed to.

Clause 129

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 11 in page 137 of the Bill in Sinhala Language and substitute the following :—

“නඩු විභාගයකින් පසු වරදකරු කරනු ලැබූ විට රුපියල් මිලියනයක්”

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed the following amendment to the Bill in Sinhala Language :—

“දඩය රුපියල් පනස් දහස වෙනුවට රුපියල් ලක්ෂයක් විය යුතුය.”

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 130 to 135 were agreed to.

Clause 136

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed amendment to leave out lines 23 to 28 (both inclusive) in page 125 and substitute the following:—

“(3) The offences specified in Schedule A and Schedule B to this Act, where such offences has been committed in the same transaction together with an act which constitutes an offence in terms of this Act, shall have the same meaning assigned to such offences in those respective enactments and shall carry the same punishments as specified in those enactments:

Provided however, where the punishment for any offence specified in those respective enactments is less than a fine not exceeding one million rupees or a term of imprisonment not

exceeding seven years or both such fine and imprisonment, a fine not exceeding one million rupees or a term of imprisonment not exceeding seven years or both such fine and imprisonment shall apply to such offence.

(4) Notwithstanding anything to the contrary in the Penal Code (Chapter 19), for the purposes of this Act, the word “property” shall mean and include assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible and legal documents or instruments evidencing title to or interest in such assets.

(5) The provisions of the Right to Information Act, No. 12 of 2016 shall apply to this Act.

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 137 to 140 were agreed to.

Clause 141

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 21 to 24 (both inclusive) in page 126 and substitute the following:—

“141. In the interest of the national economy, to foster integrity, transparency and accountability in governance and to promote integrity in the affairs of the private sector, considering the gravity and impact on the State, the proceedings in a court for offences under this Act shall be taken before any other business of the court unless in the opinion of the court special circumstances of urgency in such other business prevents it”;

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 142

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 4 in page 127 and substitute the following:—

“Act may be held *in camera*, subject to Article 106 of the Constitution.”;

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 143 to 148 were agreed to.

Clause 149

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 27 to 32 (both inclusive) in page 129 and substitute the following:—

“Bail 149. (1) All offences under this Act shall be cognizable and non-bailable and where any person suspected or accused of, being concerned in committing or having committed an offence under this Act, appears, is brought before or produces or surrenders before a Magistrate, the Magistrate shall grant bail as per the provisions of the Bail Act, No. 30 of 1997:

Provided, any person detected of having committed an offence under this Act consisting of soliciting, accepting or offering a gratification is brought before or produced or surrenders before any Magistrate with a certificate of the Director-General confirming such detection, the Magistrate shall remand such person until the conclusion of the trial:

Provided however, that the Magistrate may, in exceptional circumstances and for reasons to be recorded release such person on bail at any time prior to the conclusion of the trial.

(2) Notwithstanding the provisions of subsection (1), in any proceeding under such subsection, where the Commission informs the Magistrate that it does not intend to institute proceedings against the person in custody, such person shall be discharged forthwith.”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 1 to 8 (both inclusive) in page 130.

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 150 to 155 were agreed to.

Clause 156

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 8 in page 134 and substitute the following:—

“156. (1) The Minister may make regulations in consultation with the Commission in respect of”;

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 157 and 158 were agreed to.

Clause 159

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 15 in page 135 and substitute the following:—

“official website of the Commission with due regard to privacy and personal data.”;

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 160 and 161 were agreed to.

Clause 162

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 5 to 7 in page 136 and substitute the following:—

“(b) every reference in this Act to the Government shall be construed in a manner that does not cause interference with the judiciary and shall be subject to Article 111C of the Constitution.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 13 in page 136 :—

“ “associated offences” mean offences referred to in section 41 of this Act other than any offence specified in this Act;”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to insert the following immediately after line 14 in page 139 :—

“local or foreign expert” includes any expert specified in section 45 of the Evidence Ordinance (Chapter 14);”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 18 in page 140 and substitute the following:—

“ “Person” includes both natural and legal persons;”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 2 and 3 in page 141 and substitute the following:—

“Government Department, Provincial Council, Local Authority or public corporation;” and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 19 in page 141 and substitute the following:—

“public official” include the President, the Prime Minister, a”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 9 to 12 (both inclusive) in page 143 and substitute the following:—

“(b) any act that may not amount to sexual intercourse, but may amount to or constitute physical, verbal or non-verbal conduct of a sexual nature, including the exposure of a private body part or any act performed by the use of information and communication technology or any other means.”;

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out line 18 in page 154 of the Bill in Sinhala Language and substitute the following:—

“ ‘ලිංගික අල්ලසක්’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed another amendment to leave out line 10 in page 160 of the Bill in Sinhala Language and substitute the following:—

“ ‘ලිංගික අල්ලස’ යන්නෙන්, ”

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

Hon. Udayana Kirindigoda, proposed an amendment to insert the following immediately after තුටු පඩුර in the line 10 in page 154 of the Bill in Sinhala Language:—

“ ‘ඕනෑම ආකාරයක විද්‍යුත් මුදල් ඒකකයක්’ ”

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

Hon. Udayana Kirindigoda, proposed another amendment to insert the following immediately after the word වංචල in line 12 in page 154 of the Bill in Sinhala Language:—

“ ‘ස්පර්ශ කළ නොහැකි හා අතරා,’ ”

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

Hon. Udayana Kirindigoda proposed another amendment to insert the following immediately after line 13 in page 154 of the Bill in Sinhala Language:—

“ ‘මේ ඡේදයේ කාර්ය සඳහා ශ්‍රී ලංකාව තුළ වලංගු මුදල් ලෙස යම් මුදල් පිළිගෙන ඇත්තේ ද නොමැත්තේ ද යන්න නොසලකා වලංගු මුදල් ලෙස පිළිගෙන ඇති ඩිජිටල් හෝ පරිගණක ආකෘතියකින් යුතු මුදල් ඇතුළත් වේ.’ ”

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 163

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out line 29 in page 146 and substitute the following:—

“instituted or inquiries or investigations commenced by or”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out line 1 in page 147 and substitute the following:—

“proceedings instituted or inquiries or investigations”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 29 to 35 (both inclusive) in page 147 and substitute the following:—

“(h) all officers and officials of the Commission to Investigate Allegations of Bribery or Corruption established under Act, No. 19 of 1994 holding office prior to the date of commencement of this Act, shall be deemed with effect from the date of commencement of this Act to be officers and officials of the Commission established under this Act, on terms not less favourable than the terms and conditions of employment to which they were entitled under the Act, No. 19 of 1994, and shall communicate to the Commission, within three months of the establishment of the Commission, whether they opt to join the service of the Commission:

Provided that,

- (i) every officer and official who opts to join the service of the Commission shall, for purposes of calculating pension and other retirement benefits only, be deemed to have continued in office as a public officer in the Commission to Investigate Allegations of Bribery or Corruption established under Act, No. 19 of 1994 from the date on which he was employed by that Commission until the end of his period of service in the Commission established under this Act and shall, if his period of service in the Commission when added to his previous period of service as a public officer amounts to twenty years or more, be eligible, at the end of his period of service in the Commission, for the grant of pension and retirement benefits which may be applicable to such officers and officials under the provisions of any other written law including the Minutes on Pensions;
- (ii) every officer and official who opts for voluntary resignation from the service of the Commission, shall be entitled to such compensation as shall be paid in terms of a Voluntary Retrenchment Scheme as shall be prescribed by the Minister and be entitled to pension and other retirement benefits which may be applicable to such officers and officials under the provisions of any written law including the Minutes on Pensions.”; and

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 1 to 3 (both inclusive) in page 148.

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 12 to 14 (both inclusive) in page 148 and substitute the following:—

“of the Commission, and all statements and documents furnished to the Commission in the course of investigations or certified”; and

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 14 to 25 in page 164 of the Bill in Sinhala Language and substitute the following :—

“ ‘1994 අංක 19 දරන පනත යටතේ පිහිටුවනු ලැබූ අල්ලස් හෝ දූෂණ චෝදනා විමර්ශන කොමිෂන් සභාව විසින් හෝ ඊට එරෙහිව පවරනු ලැබූ සහ මේ පනත ක්‍රියාත්මක වීම ආරම්භ වන දිනට පෙරාතුව ම වූ දිනයේ දී ආරම්භ කරන ලද සියලු විමර්ශන හෝ අවසන් නොවී පවතින සියලු නඩු, නඩු පැවරීම්, විමර්ශන සහ වෙනත් නීති කෘත්‍ය, මේ පනත යටතේ කොමිෂන් සභාව විසින් හෝ ඊට එරෙහිව පවරනු ලැබූ විමර්ශන, නඩු, නඩු පැවරීම් සහ වෙනත් නීති කෘත්‍ය ලෙස සලකනු ලැබිය යුතු අතර, මේපනත යටතේ පවරනු ලැබ අඛණ්ඩව විනිශ්චයට ගනු ලැබූ විමර්ශන, නඩු, නඩු පැවරීම් සහ වෙනත් නීති කෘත්‍ය වුවාක් සේ නියමිත දිනට පසු අඛණ්ඩව විනිශ්චයට ගනු ලැබිය යුතුය’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to leave out lines 1 to 7 in page 147 and insert the following :—

“ “proceedings instituted or investigations commenced by or against the Commission under this Act and shall be continued after the appointed date as if they were inquiries, suits, actions, investigations and other legal proceedings instituted or investigations commenced and continued under this Act;”

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

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

New Clause

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to insert the following immediately after the line 24 in page 166 of the Bill in Sinhala Language:—

‘165. ක්‍රියාත්මක වන දිනය නොසලකා, මෙම පනතේ විධිවිධාන ශ්‍රී ලංකාව විසින් දූෂණයට එරෙහිව එක්සත් ජාතීන්ගේ සම්මුතිය අපරානුමත කළ දින ක්‍රියාත්මක වන පරිදි අතීතයේ සිට බලපාන අයුරින් අදාළ විය යුතුය.’ ”

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

Hon. Chandima Weerakkody, Attorney at Law proposed an amendment to insert the following immediately after the line 24 in page 166 of the Bill in Sinhala Language:—

“ ‘මේ පනත යටතේ සිදුකරනු ලබන යම් වරදක් මගින් උපයාගත් මුදල් සහ අපරාධ කටයුතු මගින් උපයාගත් වෙනයම් මුදල් වේ නම් ඒවාද අයකර ගැනීමට අදාළ කරුණු සම්බන්ධයෙන් කොමිෂන් සභාව විමසමින් අමාත්‍යවරයා විසින් රෙගුලාසි සෑදිය යුතුය.’ ”

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

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

Clause 164 was agreed to

Schedule A

Question that the Schedule stand part of the Bill, put, and agreed to.

Schedule B

Question that the Schedule stand part of the Bill, put, and agreed to.

Preamble

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed to substitute the following words:—

“AN ACT TO GIVE EFFECT TO CERTAIN PROVISIONS OF THE UNITED NATIONS CONVENTION AGAINST CORRUPTION AND OTHER INTERNATIONALLY RECOGNIZED NORMS, STANDARDS, AND BEST PRACTICES; TO PROVIDE FOR THE ESTABLISHMENT OF AN INDEPENDENT COMMISSION TO DETECT AND INVESTIGATE ALLEGATIONS OF BRIBERY, CORRUPTION AND OFFENCES RELATED TO THE DECLARATION OF ASSETS AND LIABILITIES”, of the words “AN ACT TO GIVE EFFECT TO CERTAIN PROVISIONS OF THE UNITED NATIONS CONVENTION AGAINST CORRUPTION AND OTHER INTERNATIONALLY RECOGNIZED NORMS, STANDARDS, AND BEST PRACTICES; TO PROVIDE FOR THE ESTABLISHMENT OF AN INDEPENDENT COMMISSION TO DETECT AND INVESTIGATE ALLEGATIONS OF BRIBERY, CORRUPTION AND OFFENCES RELATED TO THE DECLARATION OF ASSETS AND LIABILITIES”.

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

Question that the Preamble as amended stand part of 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, Prisons Affairs and Constitutional Reforms 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.

5. Assistance to and Protection of Victims of Crime and Witnesses Bill :

The Minister of Justice, Prisons Affairs and Constitutional Reforms 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 Speaker took the Chair.

Clauses 1 to 53 were agreed to.

Clause 54

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 28 to 30 (both inclusive) in page 50 and substitute the following:—

“(2) The police officers of the Protection Division shall be appointed subject to the provisions of the Constitution, on the nomination made by the Inspector General of Police in consultation with the Authority.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 3 and 4 (both inclusive) in page 51 and substitute the following:—

“officer not below the rank of Senior Superintendent of Police as the Head of the Protection Division who shall act under the supervision of a Senior Deputy Inspector General of Police and a Deputy Inspector General of Police nominated by the Inspector General of Police.”;

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

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed another amendment to leave out lines 7 to 11 (both inclusive) in page 51 and substitute the following:—

“officers of the Protection Division shall be determined in terms of the provisions of the Constitution, on the recommendation of the Inspector General of Police. The Inspector General of Police may seek the views of the Authority in making recommendations on any such matter.”;

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 55 to 90 were agreed to.

Clause 91

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 6 and 7 in page 75 and substitute the following:—

“(a) compensation to victims of crime for any injury caused to them.”;

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 92 to 99 were agreed to.

Clause 100

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 15 to 18 (both inclusive) in page 78 and substitute the following:—

“100. The Authority shall be deemed to be a scheduled institution within the meaning of the Anti-Corruption Act, No. of 2023, and the provisions of that Act shall be constructed accordingly.	The Authority deemed to be a scheduled institution within the meaning of the Anti-Corruption Act”;
---	--

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 101 to 103 were agreed to.

Clause 104

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to leave out lines 15 to 17 (both inclusive) in page 82 and substitute the following:—

“Bribery or Corruption established by the Anti-Corruption Act,
No. Of 2023;” and

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

Clause 105 was agreed to.

First Schedule

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

Question that the Schedule, stand part of the Bill, put, and agreed to.

Second Schedule

The Minister of Justice, Prisons Affairs and Constitutional Reforms proposed an amendment to insert the following immediately after item 43 in page 91:—

44	Anti-Corruption Act, No. ... of 2023	93	bribery of Judges of the Supreme Court, Court of Appeal, High Courts, judicial officers and Members of Parliament
45		94	acceptance of gratification by Members of Parliament for interviewing public officials
46		96	bribery of police officers, peace officers and other public officials
47		97	bribery for giving assistance or using influence with regard to contracts
48		98	bribery for procuring withdrawal of tenders
49		99	bribery in respect of Government business
50		100	bribery in connection with payment of claims, appointments, employments, grants, leases, and other benefits
51		101	bribery of public officers by persons having dealings with the Government
52		102	bribery of a member of local authority, or of a scheduled institution, or of a governing body of a scheduled institution, and bribery of official of a local authority or of a scheduled institution
53		103	use of threats or fraud to influence vote of a member of a local authority, or of a scheduled institution, or of a governing body of a scheduled institution
54		104	trading in influence
55		108	offences relating to sporting events
56		111	corruption
57		125	obstructing justice
58	Poisons, Opium and Dangerous Drugs Ordinance (Chapter 218)	54A	manufacture, trafficking, import or export and possession of dangerous drugs

59		54B	a betting the commission of, or attempting to commit, an offence under section 54A
60	Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979	2	causing death, & c of a specified person or witness, criminal intimidation, mischief to the Government property, & c
61		3	abetting, conspiring, attempting or inciting to commit an offence under the Act
62		12	contravention or breach of a prohibition or restriction order made under section 11 of the Act
63		24	committing an act constituting an offence under the Act in relation to a vessel or aircraft registered in Sri Lanka

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

Question that the Clause as amended, stand part of the Schedule, 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, Prisons Affairs and Constitutional Reforms 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. Heart to Heart Trust Fund (Incorporation) Bill : Order for Second Reading read.

The Minister of Education moved,— That the Bill be now read a second time.

Question put, and agreed to.

Bill accordingly read a second time and referred by the Speaker to the Legislative Standing Committee under Standing Order 53(3) of the Parliament.

7. Adjournment: The Leader of the House of Parliament moved,— That this Parliament do now adjourn.

Question put, and agreed to; Parliament was at 1.51 p.m. adjourned by the Speaker until 9.30 a.m. on Thursday, July 20, 2023.