



PARLIAMENT OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA

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CRIMINAL PROCEDURE (SPECIAL  
PROVISIONS) (AMENDMENT)  
ACT, No. 54 OF 1980

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[Certified on 11th December, 1980]

*Printed on the Orders of Government*

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*Criminal Procedure (Special Provisions)*  
(Amendment) Act, No. 54 of 1980

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L.D.—O. 76/80.

AN ACT TO AMEND THE CRIMINAL PROCEDURE (SPECIAL PROVISIONS) LAW, NO. 15 OF 1978.

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

1. This Act may be cited as the Criminal Procedure (Special Provisions) (Amendment) Act, No. 54 of 1980. Short title.

2. The Criminal Procedure (Special Provisions) Law, No. 15 of 1978 (hereinafter referred to as the "principal enactment"), as amended by Act No. 24 of 1979, is hereby amended by the insertion, immediately after section 1 of that enactment, of the following new section, which shall have effect as section 1A thereof :— Insertion of new section 1A in Law No. 15 of 1978.

"Code of Criminal Procedure Act to be read subject to this Law. 1A. The provisions of the Code of Criminal Procedure Act, No. 15 of 1979, shall, in all matters relating to bail, be read subject to the provisions of this Law."

3. Section 2 of the principal enactment is hereby amended in paragraph (a) of that section, by the substitution for the first proviso to that paragraph, of the following proviso :— Amendment of section 2 of the principal enactment.

"Provided that if such court is the High Court it shall be competent for such High Court, or if such court is a Magistrate's Court, it shall be competent for the High Court holden in the zone within which the division of such Magistrate's Court is situated—

(i) if it is an offence under section 114, or section 191, or section 296 of the Penal Code, with the consent of the Attorney-General, to release such person on bail ; or

(ii) if it is any other offence, except in the case of any offence under the Offensive Weapons Act, No. 18 of 1966, in exceptional circumstances to release such person on bail after recording its reasons therefor :".

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Insertion of new section 2A in the principal enactment.

4. The following new section is hereby inserted immediately after section 2, and shall have effect as section 2A, of the principal enactment :—

“ Persons referred to in section 2(a) not to be admitted to bail by Court of Appeal other than in exceptional circumstances

2A. Notwithstanding anything to the contrary in any other law, a person referred to in paragraph (a) of section 2 shall not be admitted to bail by the Court of Appeal other than in exceptional circumstances.”

Amendment of section 4 of the principal enactment.

5. Section 4 of the principal enactment is hereby amended in paragraph (a) of that section, by the substitution for the words “shall, notwithstanding its ordinary powers of punishment,” of the words “shall, if such person has been previously convicted of any offence set out in the First or Second Schedule hereto, committed within a period of five years of the date of commission of the offence for which he is convicted, notwithstanding its ordinary powers of punishment,”.

Amendment of section 8 of the principal enactment.

6. Section 8 of the principal enactment is hereby amended by the substitution for the words and figures “thirty-first day of December, 1980.”, of the words and figures “thirty-first day of December, 1982.”.

Amendment of the First Schedule to the principal enactment.

7. The First Schedule to the principal enactment is hereby amended as follows :—

(1) by the insertion, immediately after item 7 thereof, of the following new item :—

‘7A. Section 300 of the Penal Code.

Attempt to murder, where the weapon used is an “offensive weapon” as defined in the Offensive Weapons Act, No. 18 of 1966, or an “explosive” as defined in the Explosives Act, or a “gun” as defined in the Firearms Ordinance.’;

(2) in item 8 thereof, by the substitution under the heading “Nature of Offence”, for the words “Robbery committed on the highway,”, of the words “Robbery, where the value of the property is five thousand rupees or more.”;

(3) by the insertion, immediately after item 8 thereof, of the following new item :—

‘8A. Section 382 of the Penal Code.

Voluntarily causing hurt in committing robbery.”;



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