



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

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**IMMIGRANTS AND EMIGRANTS  
(AMENDMENT) ACT, No. 42 OF 1998**

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[Certified on 28th July, 1998]

*Printed on the Order of Government*

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[Certified on 28th July, 1998]

L. D.—O 26/97.

AN ACT TO AMEND THE IMMIGRANTS AND EMIGRANTS ACT

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

1. This Act may be cited as the Immigrants and Emigrants (Amendment) Act, No. 42 of 1998.

Short title.

2. Section 45 of the Immigrants and Emigrants Act (hereinafter referred to as the “principal enactment”) as last amended by act, No. 16 of 1993 is hereby further amended as follows :—

Amendment of section 45 of Chapter 351.

(1) by the substitution, in subsection (1) of that section, for all the words from “shall on conviction” to the end of that section, of the words “shall on conviction be liable, in the case of an offence under paragraph (a) or paragraph (b) or paragraph (c) or paragraph (d) or paragraph (e) or paragraph (f) or paragraph (g), to imprisonment of either description for a term not less than one year and not more than five years and to a fine not less than fifty thousand rupees and not more than two hundred thousand rupee, and in the case of an offence under paragraph (h) or paragraph (i) or paragraph (j) or paragraph (k) or paragraph (l) or paragraph (m) or paragraph (n) or paragraph (o), to imprisonment of either description for a term not less than six months and not more than five years and to a fine not less than fifty thousand rupees and not more than two hundred thousand rupees.”;

(2) by the addition at the end of that section, of the following subsection :—

\*(6) Notwithstanding anything in the Code of Criminal Procedure Act, No. 15 of 1979 —

(a) the provisions of section 303 of that Act shall not apply in the case of a person who is convicted ;

- (b) the provisions of section 306 of that Act shall not apply in the case of a person who pleads or is found guilty,

by or before any court, of any offence under subsection (1) or subsection (2).”.

Amendment of section 47 of the principal enactment.

3. Section 47 of the principal enactment is hereby amended in subsection (1) of that section by the repeal of paragraphs (a) and (b) of that subsection, and the substitution, of the following paragraphs therefor :—

“(a) every offence under paragraph (a) or paragraph (b) or paragraph (c) or paragraph (d) or paragraph (e) or paragraph (f) or paragraph (g) of subsection (1) of section 45.

(b) every offence under subsection (2) of section 45 in so far as it relates to paragraph (a) or paragraph (b) or paragraph (c) or paragraph (d) or paragraph (e) or paragraph (f) or paragraph (g) of subsection (1) of that section.”.

Sinhala text to prevail in case of inconsistency.

4. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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