

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

REGISTRATION OF ELECTORS

(SPECIAL PROVISIONS)

ACT, No. 27 OF 2013

[Certified on 20th June, 2013]

Printed on the Order of Government

Published as a Supplement to Part II of the Gazette of the Democratic

Socialist Republic of Sri Lanka of June 21, 2013

PRINTEDATTHE DEPARTMENTOFGOVERNMENTPRINTING,SRILANKA

TO BEPURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 5.00 Postage : Rs. 5.00

Registration of Electors (Special Provisions) 1

Act, No.27 of 2013

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L.D.—O. 32/2013.

AN ACT TO MAKE SPECIAL PROVISION TO EXEMPT INTERNALLY

DISPLACED PERSONS FROM CERTAIN REQUIREMENTS OF THE

REGISTRATION OF ELECTORS ACT, NO. 44 OF 1980; AND TO PROVIDE

FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS certain persons have been internally displaced Preamble.

as a result of any actions of a terrorist militant or other group

during the recent past:

AND WHEREAS the State has formulated a policy to enable

internally displaced persons and their children eligible to

vote to exercise their right to franchise in the electoral district

in which their permanent places of residence were situated

prior to being internally displaced:

AND WHEREAS it has now become necessary to make

special legal provision in order to give effect to such policy:

BE it therefore enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Registration of Electors Short title.

(Special Provisions) Act, No. 27 of 2013.

2. (1) Notwithstanding anything to the contrary in the Internally

displaced

Registration of Electors Act, No. 44 of 1980, any citizen of

persons eligible

Sri Lanka— to be registered.

(a) who is or had been an internally displaced person;

(b) whose name appeared in the register of electors for

any electoral district in the Northern Province or

Eastern Province for any year, until the end of the

year 2009; and

(c) whose name has not been entered in any register in

operation subsequent to the year 2009,

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shall on proof of the matters specified in paragraphs (a), (b)

and (c) and on production of a certificate issued by the Grama

Niladhari of the area in which he is presently residing, to the

effect that he is or he had been an internally displaced person,

be entitled to apply to the registering officer of the electoral

district within which he was permanently resident prior to

May 18, 2009, to be registered in the register of electors of

such electoral district.

(2) The application referred to in subsection (1), shall be

made on or before the date specified by the Commissioner of

Elections by notice published in the Gazette.

(3) Notwithstanding the provisions of subsection (1), the

entitlement granted under that subsection shall be extended

to the children of a citizen referred to in subsection (1)—

(a) who had not attained the age of eighteen years on

the date on which such citizen became an internally

displaced person and have attained the age of

eighteen years or more on the date on which the

revision commenced in respect of the register in

operation, at the time in which the application is

made;

(b) who were born after such citizen became an

internally displaced person and have attained the

age of eighteen years or more on the date on which

the revision commenced in respect of the register in

operation, at the time in which the application is

made ; and

(c) whose name has not been entered in any register in

operation subsequent to the year 2009,

on production of the birth certificate of such child sought to

be registered and a certificate issued by the Grama Niladhari

of the area in which he is presently residing on proof of the

matters specified in paragraphs (a) or (b) and (c) above.

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3. (1) The registering officer shall prepare a list of names List of Claims.

of persons referred to in section 2 and shall give notice in the

Gazette and in at least one newspaper each in the Sinhalese,

English and Tamil languages that such list has been completed

and is open for inspection at all reasonable hours of the day

at the office of the registering officer.

(2) (a) Any person who has applied to be registered in any

register of electors for any electoral district in the Northern

Province or Eastern Province and whose name has not

appeared in the list referred to in subsection (1), may appeal

in writing to the registering officer within one week of the

notice published in the Gazette.

(b) The provisions of subsection (8) to (16) of section 14

of the Registration of Electors Act, No. 44 of 1980 shall,

mutatis mutandis, apply to objections and appeals against

decisions of the registering officer.

(c) If upon such appeal and inquiry, the registering officer

decides not to include the name of such appellant in the

Supplementary Register referred to in section 4, the aggrieved

appellant may appeal to the revising officer within one week

of the decision of the registering offecer and the provisions

of subsection (2) to (5) of section 15 of the Registration of

Electors Act, No. 44 of 1980 shall mutatis mutandis apply to

an appeal made under this paragraph.

4. The registering officer of each Electoral District shall Supplementary

Register.

prepare and certify a Supplementary Register containing

the names of the persons whose names appear in the list

prepared under section 3 after inquiry and adjudication if

any, and finalize such Register in terms of that section:

Provided that, the registering officer may certify the

Supplementary Register during the pendency of an appeal

to the revising officer and shall thereafter enter in, or expunge

from, such Register, the name of any person in accordance

with the decision of the revising officer on the determination

of such appeal.

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Offences. 5. (1) No person whose name appears in the

Supplementary Register shall be entitled to have his name

entered in any other register of electors, notwithstanding

that he may be qualified to have his name entered in two or

more registers.

(2) No perosn shall be entitled to have his name entered

more than once in the same register, notwithstanding that he

may be qualified to have his name so entered.

(3) Notwithstanding the provisions of this Act, if a person

whose name appears in the Supplementary Register has his

name appearing in any other register of electors and uses his

vote in two or more electoral districts, he shall be guilty of

an offence and shall on conviction before a Magistrate be

liable to imprisonment for a term not exceeding two years or

to a fine not exceeding Rupees One Hundred Thousand or

to both such imprisonment and fine.

(4) Any person referred to in section 2, who furnishes

false information or forged documents for any purpose

referred to in this Act, shall be guilty of an offence and shall

on conviction before a Magistrate be liable to imprisonment

for a term not exceeding one year or to a fine not exceeding

Rupees fifty thousand or to both such imprisonment and

fine.

Period of 6. (1) This Act shall be in operation for a period of two

operation of the years commencing from the date of operation of this Act.

Act and

extension

thereof. (2) The Minister may, at any time within one month prior

to the expiration of the period of operation of this Act, by

Order published in the Gazette, extend for a further period,

the operation of the Act, so however that the aggregate

period of any one extension shall not exceed two years from

the date of the extension so granted.

(3) The Order made under subsection (2) shall be operative

when the signature of the Minister is affixed thereto and

every such Order shall be published in the Gazette.

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(4) Every Order made under subsection (2) shall be placed

before Parliament for its approval within a period of three

months from the date of publication of such Order in the

Gazette.

(5) A notification specifying the date on which

Parliament has approved the Order shall be published in the

Gazette.

7. In the event of any inconsistency between the Sinhala Sinhala text to

and Tamil texts of this Act, the Sinhala text shall prevail. prevail in case

of inconsistency.

8. In this Act— Interpretation.

“Commissioner of Elections” has the same meaning

as in the Registration of Electors Act, No. 44 of

1980;

“internally displaced person” means a citizen of Sri

Lanka who was permanently resident in the

Northern Province or Eastern Province and who

was forced or obliged to leave his residence at

any time prior to May 18, 2009, as a result of any

action of a terrorist militant or other group, and

currently resides in Sri Lanka outside his original

place of residence in the Northern Province or

Eastern Province or had re-settled in his original

place of residence subsequent to the date on

which the revision of the register of electors for

the year 2012 commenced ;

“registering officer” has the same meaning as in the

Registration of Electors Act, No. 44 of 1980;

“register in operation” has the same meaning as in

the Registration of Electors Act No. 44 of 1980;

“revising officer” has the same meaning as in the

Registration of Electors Act, No. 44 of 1980.

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(Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF

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