



**PREVENTION OF TERRORISM ACT [PTA]
PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

**PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT No 48 of 1979
[Certified on 20 July 1979]**

Excerpts

On Warrants of Arrest

PART II - INVESTIGATION OF OFFENCES

6.(1) Any police officer not below the rank of Superintendent or any other police officer not below the rank of Sub-Inspector authorised in writing by him in that behalf may, without a warrant ... notwithstanding anything in any other law to the contrary -

- (a) arrest any person;
- (b) enter and search any premises;
- (c) stop and search any individual or any vehicle, vessel, train or aircraft; and
- (d) seize any document or thing...

On Places of Interrogation

A police officer conducting an investigation under this Act in respect of any person arrested ... shall have the right of access to such person and the right to take such person... from place to place...

On Duration and Place of Detention

DETENTION AND RESTRICTION ORDERS

9. (1) ... the Minister may order that such person be detained for a period not exceeding three months in the first instance, in such place and subject to such conditions as may be determined by the Minister, and any such order may be extended from time to time for a period not exceeding three months at a time... the aggregate period of such detention shall not exceed a period of eighteen months...

On Legal Challenges to Detention

10. An order made under section 9 shall be final and shall not be called in question in any court or tribunal by way of writ or otherwise...

... An order made by the Minister under subsection (1) shall be final and shall not be called in question in any court or tribunal by way of writ or otherwise...

On Rules of Evidence

PART VI - TRIAL

16. (1) Notwithstanding the provisions of any other law, where any person is charged with any offence under this Act, any statement made by such person at any time, whether - (a) it amounts to a confession or not; (b) made orally or reduced to writing; (c) such person was or was not in custody or presence of a police officer; (d) made in the course of an investigation or not...

(2) The burden of proving that any statement referred to in subsection (1) is irrelevant under section 24 of the Evidence Ordinance shall be on the person asserting it to be irrelevant.

(3) Any statement admissible under subsection (1) may be proved as against any other person charged jointly with the person making the statement...

18.(1)..

(a) a statement recorded by a Magistrate, or made at an identification parade by a person who is dead or who cannot be found, shall be admissible in evidence notwithstanding that such person is not present or cannot or has not been cross-examined; and

(b) any document found in the custody, control or possession of a person accused of any offence under this Act or of an agent or representative of such person may be produced in court as evidence against such person...

On Bail

19... (a) every person convicted by any court of any offence under this Act shall, notwithstanding that he has lodged a petition of appeal against his conviction or the sentence imposed on him, be kept on remand until the determination of the appeal...

Retroactive

PART VII - 22. Any person who has committed any offence under section 296 or section 297 or section 300 of the Penal Code prior to the date of coming into operation of Part VI of this Act... would have constituted an offence under this Act ... (and) be triable without a preliminary inquiry, on an indictment...

On Blanket Immunity for Security Personnel

PART VIII - 26. No suit, prosecution or other proceeding, civil or criminal, shall lie against any officer or person for any act ... in pursuance or supposed pursuance of any order made or direction given under this Act.

Supreme Law of the Country

28. The provisions of this Act shall have effect notwithstanding anything contained in any other written law and accordingly in the event of any conflict or inconsistency between the provisions of this Act and such other written law, the provisions of this Act shall prevail...

The law enacted originally as temporary for 3 years was made permanent in 1982