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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

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THE PUBLIC SECURITY ORDINANCE (CHAPTER 40)

REGULATIONS made by the President under Section 5 of the Public Security Ordinance (Chapter 40).

MAHINDA RAJAPAKSA,
President.

Colombo,
20th August, 2008.

Regulations

1. These regulations may be cited as the Emergency (Colombo (Special) High Security Zone) Regulations No. 01 of 2008.

2. The Colombo (Special) High Security Zone and its environs the limits of which are described in the Schedule hereto and depicted in the annexed map, are hereby declared to be a High Security Zone for the purpose of these regulations and shall be called the Colombo (Special) High Security Zone.

3. The Secretary to the Ministry of the Minister in charge of the subject of Defence shall be the Competent Authority for the purpose of these regulations, who shall be responsible for the implementation of these regulations.

4. (1) Where the Competent Authority, having regard to the security situation at any particular time in the country, is of the opinion that special arrangements are necessary in order to control any activities within the Colombo (Special) High Security Zone, he may make such arrangements as are necessary to give effect to the same.

(2) The Competent Authority may, from time to time issue such directions as may be necessary for the proper implementation of these regulations.

(3) It shall be the duty of any person to whom a direction under paragraph (2) has been issued to comply with such direction.

5. (1) No person shall within the Colombo (Special) High Security Zone unless the prior written approval of the Inspector - General of Police had been obtained –

(a) conduct any demonstration, whatsoever, including rallies or motorcades ; or

(b) hold any public meeting, political or otherwise.

6. (1) No person shall drive any lorry or trailer into the Colombo (Special) High Security Zone except under the authority of a permit issued in that behalf by the Inspector-General of Police or an officer not below the rank of Deputy Inspector-General of Police authorised in that behalf. Every such permit shall be subject to such terms and conditions as may be specified therein and shall specify the routes along which such lorry or trailer may be driven.

(2) The permit issued under paragraph (1) shall at all times be carried on the lorry or trailer to which the permit relates and shall be produced for inspection by the person driving such vehicle, at any time when requested to do so by any police officer.

(3) No person shall park any lorry or trailer within the Colombo (Special) High Security Zone except under the authority of a permit issued under paragraph (1) and in so far as it is necessary for the purpose of loading or unloading articles connected with the maintenance of services within such zone.

(4) Any person who drives or parks a lorry or trailer in the Colombo (Special) High Security Zone had having entered remains within such Zone in contravention of the provisions of this regulations shall be guilty of an offence, and shall be liable on conviction after summary trial –

(i) in the case of a first offence to a fine not exceeding five thousand rupees ;

(ii) in the case of a second offence, to a fine not exceeding ten thousand rupees ; and

(iii) in the case of a third offence to the lorry or trailer used in contravention of this paragraph, being forfeited to the State, by an order of Court.

7. Any lorry or trailer forfeited under regulation 6 shall –

(a) if no appeal is preferred to a High Court established under Article 154P of the Constitution against the relevant conviction, vest absolutely in the State with effect from the date on which the period prescribed for preferring an appeal against such conviction, expires ;

(b) if an appeal has been preferred to a High Court established under Article 154P of the Constitution against the relevant conviction, vest absolutely in the State with effect from the date on which such conviction is finally affirmed in appeal.

8. A Certificate issued under the hand of the Competent Authority to the effect that the acts specified in the Certificate took place within the Colombo (Special) High Security Zone shall be admissible in evidence and shall be *prima facie* evidence of the facts stated therein.

9. It shall be lawful for the Inspector-General of Police to implement the provisions of these regulations and where necessary for such purpose regulate the use of any motor vehicle or any other conveyance, mechanically or otherwise propelled within the Colombo (Special) High Security Zone and the movements and parking of the same.

10. (1) Any police officer may search any person within the Colombo (Special) High Security Zone where he has reason to suspect that such is likely to commit an offence in terms of, or act in contravention of, the provisions of these regulations.

(2) Where a police officer has reason to believe that a person has committed an offence in terms of, or acted in contravention of, the provisions of these regulations within the Colombo (Special) High Security Zone, he may arrest him immediately. An offence under this Act shall be deemed to be a cognizable offence within the meaning of, and for the purposes of, the Criminal Procedure Code Act, No. 15 of 1979.

11. (1) The Chief Occupant of any building situated within the Colombo (Special) High Security Zone shall ensure that no unauthorized persons are allowed to enter the premises at any time of the day. The Chief Occupant shall also furnish to the Officer-in Charge of the respective Police Station a list of all the occupants residing there permanently if required to do so by such Officer.

(2) Where a list is furnished on being required to do so in terms of section (1), the Chief Occupant shall thereafter inform the Officer in Charge of such police station, of any subsequent change of occupants in such building within twenty-four hours of the occurrence of such change.

12. Every employer of every Government department or private institution situated within the Colombo (Special) High Security Zone shall, upon being so required by the Officer in Charge of the respective Police Station, forthwith furnish details of all the persons employed therein.

13. No person shall commence construction of any building or effect any addition or improvement to any existing building situated within the Colombo (Special) High Security Zone without the prior written approval of the Competent Authority.

14. No persons, government department or private institution or individual shall execute any construction or excavation work within the Colombo (Special) High Security Zone without the prior written approval of the Competent Authority.

15. (1) A police officer duly authorised in that behalf by the Inspector-General of Police may enter any premises within the Colombo (Special) High Security Zone and examine whether any construction or excavation is being executed in contravention of the provisions of regulation 13 or 14 of these regulations.

(2) Where it is found that a any construction or excavation is being executed in contravention of the provisions of regulations 13 and 14 of these regulations, the police officer making the detection may order the person in charge of such construction or excavation work to forthwith terminate the execution of such excavation or construction work.

(3) Where any person against whom an order under this regulation has been made, may appeal to the Minister showing reasons as to why the continuity of such construction or excavation work is necessary. The Minister may on the circumstances shown either permit the continuity of the construction or excavation work or prohibit the same.

(4) Any person, who after being prohibited from continuing with any construction or excavation work in terms of paragraph (3), continues with such works shall be guilty of an offence under these regulations.

16. No person shall for any reasons whatsoever, light any firecrackers or fireworks of any description within the Colombo (Special) High Security Zone. Any person who contravenes the provisions of this regulation shall be guilty of an offence.

17. Any person who contravenes any provision of these regulations or refuses or fails to comply with any order or direction made or given by the Competent Authority or any Police Officer under the provisions of these regulations or prevents or obstructs or causes any other persons to prevent or obstruct the Competent Authority or any person acting on his direction or any Police Officer in the course of his duties under these regulations shall be guilty of an offence under these regulations and shall on conviction after summary trial by a Magistrate be liable to imprisonment of either description for a period not exceeding two years or a fine for a sum not exceeding five thousand rupees or to both such imprisonment and fine.

18. For the purpose of these regulations –

“building” includes a permanent or temporary structure ;

“lorry” and “trailer” shall have the same meaning as in section 240 of the motor Traffic Act (Chapter 203).

SCHEDULE

The Colombo (Special) High Security Zone shall comprise the area of land situated in the Colombo District, Western Province, and be bounded as follows :—

- North* : from a line drawn from the Bund of the Beira Lake bordering Nawam Mawatha, along the left bank of the Beira Canal, the footpath alongside the Slave Island Railway Station, along Justice Akbar Mawatha to the roundabout at Galle Face Junction and from there proceeding along the road opposite the Galle Face Hotel till it reaches the stretch of beach ;
- South* : from a line starting at the stretch of beach alongside the Kollupitiya Railway Station, along Station Road and Galle Road towards the Kollupitiya Junction, from there along Dharmapala Mawatha, past the roundabout opposite the Liberty Cinema towards the Dharmapala Mawatha - Alwis Road Junction ;
- East* : from the Dharmapala Mawatha - Alwis Road Junction along Alwis Road to the Alwis Road - Perahera Road Junction and from that point onwards along Perahera Mawatha upto the point where it meets the bund of the Beira Lake which borders Sir James Peeris Mawatha ; and
- West* : by the stretch of the Indian Ocean which lies between the line drawn starting at the stretch of beach alongside the Kollupitiya Railway Station and ending opposite the Galle Face Hotel.

