

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය
අති විශේෂ
The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 1924/44 - 2015 ජූලි මස 23 වැනි බ්‍රහස්පතින්දා - 2015.07.23
No. 1924/44 - THURSDAY JULY 23, 2015

(Published by Authority)

PART I : SECTION (I) — GENERAL
Government Notifications

Re-issued to valid for the Parliamentary General Election 2015

**CODE OF CONDUCT FOR CONTESTING POLITICAL PARTIES /INDEPENDENT GROUPS AND
CANDIDATES OF THE ELECTIONS**

THIS Code of Conduct is issued in terms of Section 8(8) of the Parliamentary Elections Act, No. 1 of 1981 as amended by the Parliamentary Elections Act, No. 58 of 2009. The Code is applicable to the period commencing from the date of notice of nomination and to the date of declaration of the result of the election.

Before the enactment of laws on recognition of political parties, there were socially accepted political parties which date back to 1931. Laws regarding the recognition of political parties have been amended at different times since 1959. Political parties have a greater responsibility in creating a conducive environment to conduct free and fair elections as rules and regulations can do little in making the role of political parties more meaningful towards the advancement of the contemporary society.

In the light of the responsibility mentioned above the Code of Conduct for political parties and candidates was issued by the Department of Elections for the first time with the Provincial Councils Elections held in 2012. As candidates outside the political parties are represented through independent groups, this Code is issued to be applicable to independent groups as well. It should be noted that this Code is applicable to the leaders, secretaries, all those holding leading positions, candidates, activists and supporters of all political parties contesting at the General Election 2015.

All the elections held since 2012, secretaries of political parties, party representatives and representatives of observer organizations have agreed with this Code at the Committee for Investigation of Election Complaints since it correlated codes preferred by them.

It is therefore, informed that all those concerned, are now able to abide by this Code of Conduct.

A. Rule of law

01. Uphold the citizens' rights and freedom guaranteed by the Constitution and other laws of Sri Lanka assist and encourage the voter to exercise his franchise to elect people's representatives at elections and vote at referenda freely and without any obstruction.



02. Safeguard the equal rights entitled to contesting candidates of all political parties and independent groups at all times in the election process.
03. Respect the rights of all political parties and candidates and their right to educate the voter, while safeguarding the right of those with opposing views to hold their views and their right to carry out lawful propaganda/promotional activities.
04. Refrain from obstructing or interfering in any form of the government, semi -government, private or other institutions from carrying out their legitimate activities or responsibilities.
05. Refrain from obstructing or influencing legitimate duties of statutory bodies and personnel entrusted to maintain law and order in the country.
06. Ensure that election propaganda is carried out without violating the existing laws and without interfering with the ordinary life of the citizen.
07. Educate all the candidates and activists about the laws (particular sections of the Acts) related to election and advise them to refrain from offences, corrupt practices and illegal activities.
08. **Refrain from touching and removing of the materials, equipment and documents assigned to be used at the conduct of the poll or counting of votes, without obtaining approval from the relevant authority.**

B. General Conduct

01. Refrain from any activity, expression or behaviour which could aggravate differences, hatred and tension between different religions, languages, races, customs and castes of the Sri Lankans.
02. Limit criticisms of other political parties, to their policies, programs and their past activities and refrain from criticizing personal life of candidates or making statements on allegations that are not proved and unsubstantiated against rivals of own party or rival candidates.
03. Select candidates who can devote themselves to the future well-being of the citizens of Sri Lanka by fulfilling the objectives of the constitutional bodies to which they are to be elected and conduct them at the campaign in a disciplined and decent manner.
04. In the selection of candidates, their conduct and good behavior, respect for the law, non-conviction before courts, dedication to serve the society etc. need to be considered by the leaders of political parties and independent groups. Avoid persons who use their wealth or social status to the detriment of the society.
05. Submit the statements of assets and liabilities of candidates at the time of nominations or before the expiry of 30 days after nominations.
06. Educate the candidates/ agents not to use liquor or intoxicants at polling stations and counting centers and not to enter such places under the influence of liquor.
07. Adhere to the instruction that only those who are permitted shall enter into the nomination centres or polling stations or counting centers or results declaration centers as well as their premises and act in accordance with the directives given not to take weapons to such places.
08. Abstain from engaging in prohibited election related activities and prevent his/her supporters in engaging in such activities.

C. Election Propaganda Activities

01. Political parties and independent groups to hold propaganda meetings without causing any disruption to the law and order and to lawful election propaganda activities of rivals and maintain election offices according to election laws.
02. Follow election laws in printing election material and distributing hand bills, among voters.
 - I. Refrain from distributing anonymous handbills without information of the printer/ publisher and from printing of illegal notices, etc.
 - II. Prevent candidates or the closest relations of the candidate (spouses, children and others of the family) from door to door canvassing or door to door distribution of handbills and prevent them from using large crowds, music or displaying posters at the time of door to door distribution of hand bills.
03. Prevent displaying any election propaganda notices, posters, photographs or paintings with the objective of promoting the election of a party or an independent group or a candidate or preventing the election of a rival party or candidate in a state or private building, residence premises or a vacant land belonging to the government or a private person or in a public place or road to which the public have access. They are permitted to be exhibited only at the notified offices and within the premises of a rally on the day of conducting such rally.
04. Refrain from using lands, buildings or any property owned by the State or Semi-State institutions for election propaganda/promotion, except the assembly halls or play grounds, which are hired under ordinary circumstances without prejudice to any party/ candidate.
05. Refrain from using places of religious worship or land or premises belonging to any religious organization for election propaganda/promotion.
06. Display posters or flags related to the election or the name and number of the candidate only in the vehicle in which the candidate travels.
07. Restrict any decorations or exhibition of propaganda materials to the particular place of propaganda meeting, and such decorations should not harm the environment. All such decorations should be removed without delay after the meeting.
08. Refrain from holding processions, public rallies, motorcades and bicycle rallies as propaganda/promotion activities during the election period as they are violations of election laws.
09. Use loudspeakers only at the places permitted, restrict the use of loudspeakers to the time allowed and refrain from using loudspeakers in moving vehicles.
10. Stop all propaganda activities according to the Elections Acts and refrain from holding musical shows, advertisements in print/electronic media, during the silent period before 48 hours of the date of poll.
11. Refrain from using vehicles, or other State owned property or any powers and privileges available to Member of Parliament, Provincial Council or of a Local Authority representing a party or independent group, to promote the election of a party, independent group or a candidate.
12. Refrain from using any security personnel, weapons and other security equipment legally provided to a people's representative for protection and refrain from using them for any illegal activity, they should not be used for any purpose other than his own security.

13. The services of Sri Lanka Rupavahini Corporation or the Sri Lanka Broadcasting Corporation provided, by election law, to a party or an independent group for election propaganda, should be used according to the guidelines and conditions imposed by the Commissioner of Elections and the Heads of the respective Corporations. (Not applicable for Provincial Councils and Local Authorities elections.)
14. Use free postal facility provided by election law to send a publication, by political parties and independent groups, to every household according to the provisions of the relevant Act and according to the instructions issued by the Post Master General. (This situation is not applicable for Provincial Councils and Local Authorities elections.)
15. Refrain from election propaganda activities which will disturb the conduct of public examinations including the General Certificates of Education (Ordinary and Advanced Level) and Grade 5 Scholarship Examination at examination centers and at their evaluation centers at schools.
16. **Refrain from using a previous statements/ views of a candidate about another party or of a candidate to promote or demote a party or a candidate, unless it is agreed or approved by the declarant.**

D. Poll Day

01. Refrain from engaging in any prohibited activity, especially, canvassing of votes etc., mentioned in the election law, within a radius 500 meters of a polling station on the poll day.
02. Refrain from obstructing the voters who come to the polling station and voters casting their votes at the polling station and influencing their vote and from preventing the voters from casting vote freely and in secret.
03. Refrain from intimidating, causing bodily harm to voters, polling agents, candidates and election observers and their families or cause damage to their houses or properties, from interrupting voters at their arrival to, or departure from, the polling station and also from driving away polling agents from the polling station.
04. Ensure that only those permitted (Secretary of contesting political party, candidates and polling agents) enter the polling station and they prove their identity. Refrain from bringing security personnel or journalists, photographers into the polling station.
05. Refrain from doing or inducing any corrupt practice or offence (stuffing of ballot boxes at the polling station, raiding polling stations, impersonation or other corrupt practices or offences).
06. Refrain from illegal transport of voters to polling stations.
07. Ensure that polling agents co-operate with the poll staff at the polling station and that the agents do not create any disturbances at the polling station.
08. Refrain from interfering election observers approved by the Commissioner of Elections in engaging in observations and provide support to their activities.
09. Refrain from prohibited actions videoing, using mobile phones, etc., in the premises of the polling stations.

Please note that these codes are valid for the postal voting day as well.

E. Count of Votes and Preferences (including Postal Votes) and Declaration of Results

01. Make the agents aware of the procedure regarding the count of votes and preferences (including the count of postal votes) and also the procedure regarding making of complaints.
02. Ensure that the Agents at the Centers for Counting Votes and at Center for Declaration of Results observe and follow the administrative arrangement at the centre provided by the Commissioner of Elections and the Returning Officer.
03. Ensure that Government Ministers, Ministers of Provincial Councils, Members of Provincial Councils and Local Authorities and other politicians are prevented from entering Counting Centers/ halls unless they are formally appointed as Counting Agents.
04. Prevent politicians appointed as counting agents or declaration centre agents from accompanying security personnel of any politician, with or without weapons, into the counting halls or the Centre for Results Declaration and refrain from bringing unauthorized persons to the premises of the counting halls/ Centre for Results Declaration.

F. Other Special Matters

01. Recognized political parties contesting an election should present to the voters the Statement of Policies (Manifesto) of their party and the manner in which it would be implemented within a specified period and submit copies of same to the Commissioner of Elections and through him to the Department of Archives.
02. Abstain from using State property, official vehicles or offices not to be used for election propaganda and refrain from propaganda activities like canvassing, distribution of handbills, exhibition of display boards or notices in the government offices, schools etc. or within the premises of such institutions.
03. People's representatives should not engage in election propaganda making use of their official duties.
04. Refrain from using government owned aircraft or other vehicles without any payment.
05. Ensure that public buildings, play grounds, government circuit bungalows are used after payment of fees and charges and allow others also to use them in the same manner.
06. During the period of the election, refrain from publishing political newsletters, articles or advertizing supplements etc., at the expense of the government or government institutions.
07. Refrain from inviting voters or state officers individually or in groups to private or official residences and entertaining them during the period of the election.
08. Refrain from making promises of financial assistance, laying of foundation stones for projects or proposals, promising to supply roads, water and electricity services, sudden appointments to posts outside the approved schemes of recruitment with the aim of attracting votes.
09. Refrain from obstructing investigations carried out by law enforcement authorities, in regard to violation of election laws, obstructions to inquiries, corrupt practices and election offences.
10. Refrain from making use of the print or electronic media during the period of the election to make false and unsubstantiated allegations about rival parties and their activists and denying the aggrieved parties the right to reply.

11. Respond to criticism or allegations made about parties and politicians by non-aggressive and lawful means and abstain from using force in retaliation.
12. Refrain from utilizing security personnel provided for personal security unofficially for political propaganda work and engage them to harm the rivals and condemn such activities openly.
13. Openly condemn any political party or political organization illegally using armed personnel and inform such instances to relevant authorities in respective security forces.
- 14. Candidates or leading activists of the political parties shall not participate at State ceremonies held during the period of election and shall refrain from using such ceremonies for the party/ candidate promotion.**
- 15. Refrain from involving directly or indirectly in politically motivated appointments, promotions and transfers.**
16. Ensure that the political parties and candidates do not gain any political advantage from processions, carnivals or exhibitions or sports competitions, etc. organized by government or organized with government's patronage.
17. Abstain from using educational seminars, conducted for public examinations and the scholarship examination to promote parties/ candidates.

Other Matters

- * National Anthem, National Flag, religious symbols, religious flags, paintings or photographs of founders of religions or religious leaders shall not be published or broadcast to promote or demote the candidature of a candidate or parties / groups. In addition, they shall not be exhibited at promotional rallies, meetings of parties/ groups or candidates or on the notices and display boards. Further, they shall not make use of photographs or paintings of public Officers, in any manner, to promote parties/ candidates.
- * Government owned places which are ordinarily given for propaganda activities of political parties/ independent groups should not be reserved exclusively for propaganda activities of one single party or a candidate. Equal opportunity should be given to other parties/ groups/ candidates to reserve such places.
- * To minimize the problems arising with regard to the reservation of playgrounds or halls owned by Local Authorities, all politicians and supporters should follow instructions of the District Committee headed by the Returning Officer.

It is expected that candidates contesting at the Parliamentary Election and Secretaries of their respective political parties, agents and supporters of candidates, as applicable, act in accordance with the aforesaid code. It is also expected that the candidates and, as relevant, Secretaries of Political Parties will make suitable arrangements to ensure that their agents, party members, followers and supporters earnestly observe this Code of Conduct.

MAHINDA DESHAPRIYA
Commissioner of Elections

Elections Secretariat,
Sarana Mawatha,
Rajagiriya.