

Judicature (Amendment) Bill

The Second Reading of the Judicature (Amendment) Bill was held on 07th November 2017. Petitions were filed in the Supreme Court and the Determination of the Supreme Court was announced by the Speaker on 03rd April.

Accordingly, Amendments were moved on the 09th of May and passed.

Three Judges sitting together nominated by the Chief Justice from among the Judges of the High Court shall hear cases on offences which are specified in the 06th Schedule.

The Permanent High Court at Bar shall have jurisdiction in respect of offences committed by any person in Sri Lanka or in any place outside the territory of Sri Lanka or on board or in relation to any ship or aircraft.

For the avoidance of doubt it is mentioned that the jurisdiction of any other Court in respect of the offences referred to in the 06th Schedule, shall continue to be in force.

If the Permanent High Court at Bar is established for the Western Province, it shall be established in Colombo or in any place within the Western Province, by the Minister by Order published in the Gazette, with the concurrence of Chief Justice.

If such Court is established in for any other Province, the Minister shall designate it by Order published in the Gazette, with the concurrence of the Chief Justice.

The Attorney General or, the Director General for the Prevention of Bribery and Corruption on the direction of the Commission to Investigate Allegations of Bribery or Corruption shall refer the information relating to the offences to the Chief Justice for a direction whether criminal proceedings shall be instituted in the Permanent High Court at Bar. The nature and circumstances, the gravity, the complexity, the impact on the victim and the impact on the State are considered.

Where the Chief Justice is of the opinion that owing to the nature of the offence or the circumstances of commission of the offence, that criminal proceedings shall be held before the Permanent High Court at Bar, he may direct that criminal proceedings of such offence be instituted in the Permanent High Court at Bar.

Where the Chief Justice so directs, the Attorney General or the Director General for the Prevention of Bribery and Corruption shall file indictments and the Permanent High Court at Bar shall conclude the cases expeditiously.

Unless in the opinion of the Court, exceptional circumstances exist, the cases shall be heard from day to day, to ensure its expeditious disposal.