

ANNUAL REPORT

2019-2020

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Message from the President



It gives me great pleasure to send this message to the Annual Report of the Bar Association of Sri Lanka 2019/2020. In March 2019 when I was elected as the 25th President of the Bar Association of Sri Lanka, we embarked upon an ambitious program well supported by the Executive Committee and the Bar Council.

During the last one year, there were many issues that arose relating to the legal profession. The appointment of Silks and the lack of a criteria for such appointments was one of the issues which we were able to handle by being part of an application which was filed in the Supreme Court which laid down the basic criteria for such appointments. A few days after we assumed office, Sri Lanka faced a serious terrorist attack on Easter Sunday 2019. The Bar Association of Sri Lanka took a unanimous decision to file action against the State in this regard with the objective of emphasizing the need to identify a proper investigation and to ascertain the accountability of this incident. There again, I

am grateful to the entire Bar for having endorsed the actions of the Bar Association.

Despite the setback that the country suffered, we were able to spread our educational programs and seminars in all parts of the country. We had several provincial seminars and workshops on contemporary topics relevant to the legal profession. The Junior National Law Conference and the National Law Conference were conducted very successfully during this period.

Recognizing the importance of catering to the future generation of lawyers, we conducted workshops and training programs for law students from the Sri Lanka Law College and the faculty of Law of the Colombo University which were well received by the participants. The practical training program for the Apprentices were also conducted with a new dimension.

We also managed to distribute a large number of computers to the branch Associations along with periodicals and legal literature. The next phase of the computerization program would be implemented with the development of the Bar Association website in a few months.

As a progressive step towards providing continuing legal education, the Bar Association was able to produce several handbooks in law for the first time. These handbooks were well received by the members of the Bar.

The relationship between the Bench and the Bar has been extremely cordial and, in this context, I take this opportunity to thank his Lordship the Chief Justice, Jayantha Jayasuriya, PC and the former President of the Court of Appeal, Honourable Yasantha Kodagoda, PC. All Judges of the Supreme Court, the Court of Appeal, the High Court, the District Courts and the Magistrates Courts who contributed towards enhancing the knowledge of our members should receive a special appreciation for their commitment and dedication.

During the last one year, the Bar Association of Sri Lanka has stood up for all issues without basing its decisions on political lines. In this regard, I wish to take this opportunity to thank the entire Management Committee and the members of the Executive Committee for their support. Irrespective of individual political beliefs, they helped us to lift the image of the Bar Association by their contributions towards such decisions which were most unanimous.

The Bar Association was also able to make representations to The Hon. Attorney General whenever there was a likelihood of the members of the profession being dealt with. I wish to thank The Hon. Attorney General Mr. Dappula De Livera, PC and The Hon. Acting Solicitor General Mr. Sanjaya Rajaratnam, PC for their continuing support.

I wish to take this opportunity to thank all members of the Bar Council who ratified almost every single decision placed before them. I must make special mention of the Members of the Executive Committee. I must confess that I am blessed to have a team which throughout the year worked as one single unit. I also wish to thank the staff of the Bar Association who worked tirelessly to meet the objectives of the Association.

I wish to thank the Deputy President Mr. Shavindra Fernando, PC, Mr. Nalin De Silva, Treasurer, Mr. Vishwa de Livera Tennekoon, Assistant Secretary and Mr. Kaushalya Navaratne, the outgoing Secretary. Mr. Navaratne should be congratulated for completing an extremely successful year and an extremely fruitful tenure of office. He was a tower of strength to the Bar Association during the last one year.

As at the moment, the entire world is facing an unprecedented situation in view of Covid19. However, I am certain that the new Executive Committee and the new Secretary Mr. Rajeev Amarasuriya, a dedicated Secretary himself would help me to steer this Association to greater heights.

Thank you.



Kalinga Indatissa, PC
President
Bar Association of Sri Lanka

Message from the Deputy President



It has been my pleasure to serve as the Deputy President of the BASL and an absolute privilege to work alongside a dynamic President as Mr. Kalinga Indatissa PC and an extremely supportive Management Committee and Executive Committee.

The last year has been quite challenging as we were faced with two unforeseen circumstances which were distressing to say the least. First, the Easter Attacks of 2019 shook us all raising concerns regarding the security of court houses and the safety of the members of the bar as well as the members of the public. Secondly, the Covid 19 pandemic which yet again severely affected the legal profession with the closure of courts, compromised access to court houses during curfew, prisoners and litigants not being allowed in court etc.

I believe the BASL was able to successfully face these unprecedented challenges and rise to the occasion mitigating the harshness of the effects it created on the members of the bar. We were able to

formulate helpful guidelines, promote safety measures, and facilitate certain exemptions being made, for the benefit of the BASL members. Thus, even through trying times in coordination with the His Lordship the Chief Justice and the other Lordships of the Supreme Court and the Judicial Service Commission, the Management Committee has been able to stride forward positively.

In between these troubled periods the BASL has functioned in optimum capacity, launching hand books, organizing seminars and training programmes, holding certificate courses and facilitating many law conferences in Colombo as well as outstation. Keeping up with the trends and technology BASL has also been able to digitalize most of its activities and the recent series of webinars conducted on zoom stand as proof.

Reflecting on the past year I'm pleased to express my contentment regarding the work done and proud of the progress achieved during this year. I take this opportunity to wish the very best to the new Executive Committee for the coming year.

A handwritten signature in black ink, appearing to read 'Shavindra Fernando', written over a horizontal line.

Shavindra Fernando, PC
Deputy President
Bar Association of Sri Lanka

Overview by the Secretary



It is indeed my privilege to serve the legal profession as the Secretary of the Bar Association for the year 2019/2020. It is a great honour to present the Annual Report of the BASL for the year under review.

It is a matter of record that Mr. Kalinga Indatissa, PC and I were elected with an overwhelming majority by the members of the legal profession at the election held in February, 2019. Therefore, it was the unanimous decision of the Management Committee to serve its members to the expected standards specially without affiliating to any political streams. At the inception of my overview, I shall place on record that the Bar Association of Sri Lanka discharged its duties and functions during the year under review without any fear or favour specially upholding the objects of its constitution.

It is the unwritten law that the legal profession respects, safeguards and values its traditions at any cost. However, as all members of the Association are aware, the Secretary was compelled to face

an election during his second term, though it is traditionally not done so. Although the Secretary was able to secure, perhaps the highest majority ever in the history of an election of the BASL, the same has undoubtedly hampered the proposed activities of the BASL which had been designed for the benefit of its members. Further, the funds of the BASL were unnecessarily expended for said election which could have been utilized for the benefit of the members of the Association.

The members of the Management Committee unanimously of the view that the standard of the legal profession is gradually deteriorating inter-alia due to many reasons. In this contexts one of the main areas which was identified by the Management Committee was the lack of knowledge on the subject matters, lack of access to the present development/trends in the areas of law, lack of proficiency in the English language, non-availability of due/proper training programmes for law students, lack of materials for new entrants to the profession to understand the nitty gritty of the legal profession, lack of proper career guidance to the new entrants to the legal profession etc.

It is due to these reasons, during the past year many programmes, such as certificate courses, Seminars, Provincial Law Conferences, the Junior National Law Conference, the National Law Conference, Certificate Course on English Language, Speech Craft Programme, were specifically designed and conducted for the benefit of the members all around the country. As seen from the contents of the report, the BASL conducted many programmes outside Colombo wherein inter-alia the management was able to identify the needs and requirements of the members of the outstation Bars. Further, several programmes such as court visits, seminars, workshops, lectures were conducted by the BASL for apprentices, law students of Government Universities, as well as private law schools. As seen from the report, several workshops/seminars were conducted with the participation of foreign experts in order to meet the demands in the profession.

I take pride in appraising the members that the aforesaid programmes conducted during the period under review were immensely commended by the members. The Management Committee was able to generate sufficient funds for the Bar Association for its activities.

The Management Committee specially Mr. Kalinga Indatissa, PC launched a programme to donate computers to each Branch Association of the BASL. During the last year we were able to donate many computers/laptops to branch associations which are identified in this Report with the generous assistance of our own members in the profession. The aforesaid donations will undoubtedly assist our members to discharge the professional duties in a more effective manner whilst being able to access more information both locally and internationally. Further, many donations such as equipment, books, reading materials etc were made for the benefit of the members with the intention of assisting to upgrade their working environments.

As seen from the report of the Treasurer, it is seen that the funds generated from and out of the said programmes, have clearly strengthened the financial stability of the BASL. Accordingly, the BASL was able to improve the facilities at the Secretariat wherein, many renovations were effected to the Secretariat. Further, the Management was able to meet many financial commitments without any difficulty, specially to service the facilities obtained for the purchase of a generator and the installation of a Solar Power System at the Secretariat. As evident by the Audit Report the value of the fixed assets has been increased by approximately Rs. 10 million whilst the investments during the year are approximately Rs. 9 million. These statistics are an ample testimony for the successful and the disciplined management of the activities of the Association by Management Committee. I trust, the aforesaid will benefit the Association in the future immensely. It is imperative to place on record the direction of the President and the Deputy President that the expenses of the Management Committee when attending programmes in and out of Colombo shall be borne by personal funds which was duly complied by all during the year.

The Management Committee of the BASL was mindful of the concerns expressed by the members relating to financial management. Hence, the Management, whilst appreciating the concerns expressed by the members at its monthly meetings, introduced many tools to manage the funds of the BASL in a more transparent manner. In this regard I shall congratulate our Treasurer Mr. Nalin de Silva for all the efforts made to maintain the said accounts not only for the benefit of the Association, but to the expected standards of the members, which eliminated the surrounding doubts. In this endeavour the BASL recruited an Accountant to the Secretariat which decision has proved many positives in the process.

The issue relating to the BASL website continued despite many attempts were made to rectify the same. Accordingly, in consequent to many deliberations, a decision was taken to upgrade the said website, which is currently in progress. The fully functional website is needed especially in view of the road map laid down by the Management to link all Branch Associations to compete with the rest of the profession and the demands emerged at present. It is important to bring it to the notice of the members that the Management was able to set up a fully equipped IT Department for the Bar Association with the assistance of USAID which has added approximately Rs.3 Million worth fixed assets to the Association.

One of the key issues that were discussed during the past year was the ever increasing number of new entrants to the legal profession. The said factor has been identified as a key factor to be addressed in order to maintain the standards of the legal profession. Accordingly, the BASL took a keen interest in making representation to all stakeholders based on the well compiled report prepared by its committee headed by Mr.Ali Shabry, PC. There is no doubt that the BASL is faced with many obstacles in the said process but it is imperative to persuade the stakeholders to implement the said proposals in the event the members are interested in a vibrant and a dignified legal profession in future.

The BASL compiled 3 special reports which are referred to in the Report with the assistance of the members with diverse ideas. The said reports have been forwarded to the respective stake holders for implementation. Further,

the Management Committee of the BASL together with the IGP, Director General, Prisons were requested to identify a proper criterion to release the prisoners who are serving jail terms for minor offences specially due to the inability to pay the fines imposed by courts. This committee was nominated in view of the out brake of global pandemic COVID 19. Based on the recommendations made, identified prisoners in the aforesaid category were released.

We continued to educate the general public with regard to legal issues encountered in day today life through both print and electronic media. The success of the said programmes is amply demonstrated from the frequent responses received by the Secretariat. We extend our sincere thanks to the members of the Media Committee for the efforts and especially obtaining sufficient air times from the respective media institutions without burdening the finances of the BASL.

Our members are aware that during the period under review many unexpected unfortunate incidents occurred beyond the control of the Association. Further, in view of several decisions taken by political hierarchy, the BASL was compelled to initiate many legal proceedings to protect the rule of law as well as the dignity of the legal profession. In this context, I am happy to place on record that the cases filed in the Supreme Court relating to Easter Sunday terrorist attack, appointment of silks by H.E the President to name a few. The cases which are detailed in this report have contributed to maintaining the rule of law and to protect the Country at large.

The BASL was able to publish many publications during the past year including the unreported judgments of the Supreme Court in the areas of both Civil and Criminal Law. The said publications have not only brought revenue to the BASL but have been a valuable legal literature for the legal practitioners. Further, steps have already been initiated to provide the complete set of Sri Lanka Law Reports and New Law Reports at a concessionary rate to the members.

Our juniors are the future of our legal profession. Hence, it is imperative for the BASL to provide required assistance and to create opportunity for

the juniors to enhance knowledge and develop the skills simultaneous to maintain highest standards of professional ethics and to maintain professionalism throughout the career. In this regard, the special programmes which were designed and held during the last year such as, Speech Craft Programme, Legal English Course, Effective Instructing Attorneys' Course, Junior National Law Conference and Junior Bar Forum, were of immense importance. The unreserved thanks are extended to the Junior Bar Committee for the successful steps taken in organising the Junior Bar Conference and the forum in the last year.

It is imperative for the BASL to manage its relationships both local and international institutions for the benefit of the legal profession. The relationships must be established, maintained, strengthened and extended to ensure that the profession continues to benefit from diverse insights, shared capacity and innovation. We believe mutual benefit is essential. With the said intention BASL, during the past year maintained high rapport with the Judiciary, Ministry of Justice, Attorney General's Department, Government Institutions, Private Sector Institutions, individuals and specially the Department of Police wherein we were able to resolve issues of mutual interest amicably as and when it were needed.

During the last year many dignitaries visited the BASL. Further, the Management was able to enter into a MOU with the Malaysian Bar Association for the benefit of its members. The membership of Law Asia and the International Bar Association continued whilst renewing the memberships. The Secretary of the BASL and the past President Mr. Upul Jayasooriya, PC were elected as Executive Committee members of Law Asia 2019/2020.

There is no doubt that the ambiance of the Secretariat is of importance. Accordingly, several steps were taken to renovate and upgrade the Secretariat as aforesaid which could be witnessed by anyone at present.

As I firmly believe that the Secretariat of the BASL belongs to its members, it is the paramount duty of the Management as well as the staff of the BASL to serve the members with dignity, professionally and without causing any delay. In this context several steps were

introduced to train the staff of the BASL, to assist the staff to improve the language skills, ethics etc. Further, a HR manager was recruited to regularize the issues relating to HR Division with the support of the USAID. Accordingly, the BASL has been successful in discharging its functions more closely to the members than ever.

The delay in concluding the complaints against members by General Public has been a serious concern for the BASL for several years. As the Management identified the appointment of members to Disciplinary Panels need to be regularized, many representations were made to his Lordship, the Chief Justice. Accordingly, his Lordship has made appointments in terms of law whilst specifically directing to conclude such inquiries within a period of 3 months. This would undoubtedly eliminate the concerns expressed by the interested parties.

As mentioned above the legal profession faced many challenges during the year under review. Therefore, as seen from this report, several special committees were appointed inter-alia to obtain proper advice. I shall place on record the gratitude of the Management for all members of the said Committees for the unreserved assistance extended.

It is with great disappointment, I place on record the lack of support received from few members of the Executive Committee, Bar Council, Zonal Vice Presidents, Presidents and Secretaries of Branch Associations, Chairman/Conveners of the BASL Committees. Hence it is important for the members to elect suitable persons to represent them at the BASL in future.

It has been a concern during the past year, the failure of the Attorneys-at-Law to wear the proper attire to courts in compliance with the Supreme Court Rules. Hence, the BASL is in the process of taking meaningful steps to address the said issue based on the proposed report of the Committee.

There were many projects that were introduced and implemented for the benefit of the members. This included the telephone packages, wi-fi facilities, data facilities, health insurance schemes, loan schemes,

investment schemes, professional negligence, hotel packages, credit card facilities, tour packages etc.

During the past year perhaps for the first time, several successful educational programmes were conducted for the benefit of the members of the tri-forces and police. The said programmes were well attended by the senior and junior members of the tri-forces and police, wherein the said members were educated with regard to the important areas of law which undoubtedly will be a contributory factor to maintain the rule of law and the good governance in the country. The BASL further conducted special legal aid clinics as set out in the report whilst providing free legal aid to the general public throughout the year.

I wish to place on record my sincere appreciation for the unreserved support extended to me by the President Mr. Kalinga Indatissa, PC, the Deputy President, Mr. Shavindra Fernando, PC, Treasurer Mr. Nalin de Silva and the Assistance Secretary, Mr. Vishwa de Livera Tennekoon during the past year. The President Mr. Kalinga Indatissa, PC undoubtedly deserves a special word of appreciation in view of the guidance extended to me during the past year.

My vibrant Assistant Secretary also deserves a special word of appreciation due to his commitment and dedication to the affairs of the BASL. I thank him deeply for all the hard work done by him during his term of office.

Further, I wish to extend my sincere appreciation to His Lordship the Chief Justice, Hon. Jayantha Jayasooriya, PC, the Hon. Attorney General, Dappula De Livera PC, the Hon. Acting Solicitor General and the members of the Official Bar, the Hon. Minister of Justice and the Secretary to the Ministry of Justice, Members of the Judiciary, the members of the Executive Committee and the Bar Council, senior and junior members of the Bar, for the support extended.

I also acknowledge with gratitude the support extended by the staff members of the BASL Secretariat led by Ms. Surani Samarasekera, the Administrative Secretary and the members of the Special Project Committee during the last year.

My sincere appreciations are extended to all the Chairman/Chairperson and the conveners of the sub-committees for the year 2019/2020 and specially to Mr. Romesh de Silva, PC, Mr. Ikram Mohommed PC, Mr. G.G. Arulpragasm, Senior Attorney-at-Law for the support extended as and when it was needed.

It is appreciated with gratitude the support extended by the donor agencies of the BASL throughout the past year. In the said context the support extended by the USAID, Max Planck Foundation and its representatives undoubtedly are entitled for a special mention without whose support many programmes would not have been successful or materialized.

I further appreciate all proposers and seconders of my nominations for the post of Secretary for two consecutive years whose generous support and guidance will be cherished with pride and gratitude. Further, I deeply appreciate the members of my campaign team who ensured my victory whilst respecting the best traditions of the Bar.

My appreciations are extended to each and every member of the Bar for placing trust and confidence in me for two consecutive years and in particular all my juniors, apprentices and interns for all the support extended in all my endeavours

The true gentleman, my mentor and my senior in the profession Mr. Kushan D'Alwis PC deserves a special word of appreciation. It was my singular honour to be guided by him over two decades who made me who I am today. I am confident that I have discharged the functions of the Secretary of the BASL without

violating the Principles he adorned on me.

Finally, I deeply appreciate the sacrifices made by my wife Shehara and my three children Siluni, Chenara and Binara who lost valuable family time due to my commitments.

Thank you.



Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka

Message from the Assistant Secretary



I am indeed honored and privileged to share a message on the BASL Annual Report 2019/2020. I am truly grateful to the Secretary of the BASL, Mr. Kaushalya Nawarathna, Attorney-at-Law for having given me this opportunity to be a part of the Management Committee of the Bar Association. It was a challenging yet transformative experience.

Prior to being appointed as the Assistant Secretary of the BASL, I was elected to the Executive Committee of the BASL 2019 / 2020 representing the Junior Bar. I take this opportunity to wholeheartedly thank all the delegates of the Bar Council who voted for me and all those who helped me secure the position with the highest number of votes.

Upon that event I was invited by the Secretary of the BASL to take over as the Assistant Secretary. Having understood the greater capacity to work for the Bar, I resigned from my position as an Executive Committee member and gratefully accepted the said invitation. The ensuing pages bear witness, I hope you agree that, I made the correct decision.

I am humbled to have had the opportunity to travel around the island and meet members representing different Branch Associations. I am pleased with the work that I have done for the Bar as the Assistant Secretary, but there is certainly more work to be done for the betterment of the Bar and to uplift the standards of our members, especially the juniors. I will endeavor to contribute and serve our members as and when needed.

I extend my heartfelt gratitude to the 25th President of the BASL, Mr. Kalinga Indatissa, PC for his guidance and wisdom. I was lucky to have been led by giants in the profession. In this light, I thank with gratitude Mr. Shavindra Fernando, PC the Deputy President of the BASL, Mr. Nalin de Silva, Attorney-at-Law, the Treasurer of the BASL and members of the Executive Committee for the support extended to me. I also unconditionally thank all the members who assisted me in performing my functions and the discharge of my duties.

A special word of thanks to the Staff of the BASL especially Mrs. Surani Samarasekara, Administrative Secretary of the BASL and also the members of the Special Projects Committee.

A warm thank you to my junior Ms. Lilani Ganegama, Attorney-at-Law for the continued support.

Finally, a special thank you to my family; my father Mr. Sunil de Livera Tennekoon, my mother Justice Devika de Livera Tennekoon (retired) and my wife Ms. Joann Fernandez for the support and tolerance.

Thank you.

A handwritten signature in black ink, appearing to read 'Vishwa de Livera Tennekoon'.

Vishwa de Livera Tennekoon
Assistant Secretary
Bar Association of Sri Lanka

01

THE BAR COUNCIL, 45TH CONVOCATION & INDUCTION

- BASL Election 2019/2020
- 1st Bar Council Meeting
- Bar Council 2019/2020

- Minutes of the 1st Bar Council Meeting
- 45th Convocation

- Induction Speech of the President of BASL
-

BASL Election 2019/2020

Nominations for the post of President and Secretary were called on the 10th of January, 2019 by the presiding officer Hon. Solicitor General Dappulla de Livera, PC. Accordingly, Mr. Kalinga Indatissa, PC and Mr. Mahinda Lokuge, Attorney-at-Law tendered their respective nominations for the post of President whilst Mr. Kaushalya Nawaratne and Mr. Saman Weliana Attorneys-at-Law tendered their respective nominations for the post of Secretary for the year 2019/2020.

The election was thereafter, held on the 20th February 2019 wherein the respective candidates obtained votes as follows;

President - Election Results

Mr. Kalinga Indatissa, PC	4,706
Mr. Mahinda Lokuge	1,361

Secretary - Election Results

Mr. Kaushalya Nawarathne	5,074
Mr. Saman Weliana	903

Accordingly, Mr. Kalinga Indatissa, PC and Mr. Kaushalya Nawaratne, Attorney-at-Law whilst securing a resounding majority of votes were elected as the President and Secretary of the BASL for the year 2019/2020.



NOTICE

BASL ELECTIONS FOR THE YEAR 2019 - 2020

BASL ELECTION FOR THE POST OF PRESIDENT FOR THE YEAR 2019 – 2020

THE NOMINATION PAPERS OF MR. MAHINDA B. K. LOKUGE, FOR THE POST OF PRESIDENT WERE ACCEPTED BY THE RETURNING OFFICER, HON.DAPPULA DE LIVERA, PC THE SOLICITOR GENERAL, ON 10TH JANUARY 2019 THE SIX NOMINATION PAPERS WERE PROPOSED AND SECONDED AS FOLLOWS:

PROPOSED BY

1. Mr. A Srinath M Perera, PC
2. Dr. Sunil F A Coorey, AAL
3. Mr. Karunaratne Herath, PC
4. Mr. Dharmasena Wijeratne, PC
5. Mr. M Kiritharan, AAL
6. Mr. V Vinoba Indran, AAL

SECONDED BY

- Mr. Sunil D B Abeyaratne, AAL
- Mr. Kanishka Rohana Wanniachy, AALMr.
- Ms. Indika S NagaratneKoththagoda, AAL
- Ms. K H P Suranganie Kodithuwakku, AAL
- Mr. M A Noor Nawaz, AAL
- Ms. Daphne Chandrika Peiris, AAL

THE NOMINATION PAPERS OF MR. KALINGA INDATISSA, PC FOR THE POST OF PRESIDENT WERE ACCEPTED BY THE RETURNING OFFICER, HON DAPPULA DE LIVERA, PC THE SOLICITOR GENERAL, ON 10TH JANUARY 2019 THE SIX NOMINATION PAPERS WERE PROPOSED AND SECONDED AS FOLLOWS:

PROPOSED BY

1. Mr. Gamini S Marapana, PC
2. Mr. Faiz Musthapha, PC
3. Mr. K Kanag – Isvaran, PC
4. Mr. M Ikram Mohamed, PC
5. Mr. Rienzie A F Arsecularatne, PC
6. Mr. M Razik Zarook, PC

SECONDED BY

- Mr. Rohan Sahabandu, PC
- Mr. Manohara R De Silva, PC
- Mr. S M Kushan D, Alwis, PC
- Mr. Thisath D B Wijayagunawardane, PC
- Mr. Neville Anton Abeyratne, PC
- Mr. W K Anuja K Premaratna, PC

POLLING WILL BE BETWEEN 8.00 A.M. AND 5.00 P.M. ON 20TH FEBRUARY 2019 AT THE POLLING CENTRES.

KINDLY INDICATE ANY CHANGE IN THE POLLING DISTRICT, IF ANY, BEFORE 05/02/2019 TO THE BASL SECRETARIAT, NO. 153, MIHINDU MAWATHA, COLOMBO 12 BY FAX (NO. 2448090) AND BY POST AND EMAIL: basl.lawnet@gmail.com


U R DE SILVA PC
PRESIDENT
BAR ASSOCIATION OF SRI LANKA

BAR ASSOCIATION OF SRI LANKA



NOTICE

BASL ELECTIONS FOR THE YEAR 2019 - 2020

BASL ELECTION FOR THE POST OF SECRETARY FOR THE YEAR 2019 - 2020

THE NOMINATION PAPERS OF MR. T. S. WELIANGA, ATTORNEY-AT-LAW FOR THE POST OF SECRETARY WERE ACCEPTED BY THE RETURNING OFFICER, HON DAPPULA DELIVERA, PC, SOLICITOR GENERAL, ON 10TH JANUARY 2019. THE SIX NOMINATION PAPERS WERE PROPOSED AND SECONDED AS FOLLOWS:

PROPOSED BY

1. Mr. S R Narayanasamy, AAL
2. Mr. J M Ranjith Perera, AAL
3. Mr. P K Rajapaksha, AAL
4. Mr. Parakrama Agalawatte, AAL
5. Mr. M B J Bandaranayake, AAL
6. Ms. R A N Shashikala Undugoda, AAL

SECONDED BY

- Ms. G W D M R I Kumari Marapana, AAL
Mr. H M Sisira Kumara Bandara, AAL
Mr. A G Vidanapathirana, AAL
Mr. P K D Mithraratna, AAL
Ms. G S Wijesuriya, AAL
Ms. S Jegajothy, AAL

THE NOMINATION PAPERS OF MR. N. M. P. P. KAUSHALYA K. NAWARATNE, ATTORNEY-AT-LAW FOR THE POST OF SECRETARY WERE ACCEPTED BY THE RETURNING OFFICER, HON DAPPULA DE LIVERA, PC, SOLICITOR GENERAL, ON 10TH JANUARY 2019. THE SIX NOMINATION PAPERS WERE PROPOSED AND SECONDED AS FOLLOWS:

PROPOSED BY

1. Mr. Faiz Musthapha, PC
2. Mr. J Romesh De Silva, PC
3. Mr. M Ikram Mohamed, PC
4. Mr. S A Parathalingam, PC
5. Mr. M Razik Zarook, PC
6. MS. Mohan G Weerakoon, PC

SECONDED BY

- Mr. Shammil J Perera, PC
Mr. S M Kushan D' Alwis, PC
Mr. M U M Ali Sabry, PC
Mr. Chandaka Jayasundera, PC
Mr. Saliya K M Peiris, PC
Mr. V J Anil Silva, PC

POLLING WILL BE BETWEEN 8.00 A.M. AND 5.00 P.M. ON 20TH FEBRUARY 2019 AT THE POLLING CENTRES.

KINDLY INDICATE ANY CHANGE IN THE POLLING DISTRICT, IF ANY, BEFORE 05/02/2019 TO THE BASL SECRETARIAT, NO. 153, MIHINDU MAWATHA, COLOMBO 12 BY (FAX NO. 2448090) OR BY POST AND EMAIL: basl.lawnet@gmail.com

U R DE SILVA PC
PRESIDENT
BAR ASSOCIATION OF SRI LANKA

BAR ASSOCIATION OF SRI LANKA



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කොළඹ 12, ශ්‍රී ලංකාව.
மன்றாடியார் அதிபதியின் கூடம்
கொழும்பு 12, இலங்கை.
Solicitor - General's Chambers
Colombo 12, Sri Lanka.

දුරකථන } 440239
தொலைபேசி } 323595
Telephone }

BASL ELECTION 2019/2020 - 20TH FEBRUARY 2019

POST OF PRESIDENT

Total Membership
Total Ballot Papers Issued
Total Votes cast
Mr. Kalinga Indatissa PC
Mr. Mahinda B. K. Lokuge
Spoilt Votes
Number of unused Ballot Papers
Majority
Number of Polling Centers

ISLANDWIDE RESULTS

- 15,806
- 6,209
- 6,068
- 4,707
- 1,361
- 141
- 9,597
- 3,394
- 81

Total Membership
Total Ballot Papers Issued
Total Votes cast
Mr. Kalinga Indatissa PC
Mr. Mahinda B. K. Lokuge
Spoilt Votes
Number of unused Ballot Papers
Majority
Number of Polling Centers

COLOMBO RESULTS

- 9,412
- 2,995
- 2,951
- 2,395
- 556
- 44
- 6,417
- 1,839
- 01

Total Membership
Total Ballot Papers Issued
Total Votes cast
Mr. Kalinga Indatissa PC
Mr. Mahinda B. K. Lokuge
Spoilt Votes
Number of unused Ballot Papers
Majority
Number of Polling Centers

OUTSTATION RESULTS

- 6,394
- 3,214
- 3,117
- 2,312
- 805
- 97
- 3,180
- 1,555
- 80

I hereby declare that Mr. Kalinga Indatissa, PC has been duly elected to the Post of President of the Bar Association of Sri Lanka for the year 2019/2020.

Date : 25/02/2019

Dappula de Livera, PC
Solicitor General
Returning Officer
Attorney General's Department

Dappula De Livera, PC
Solicitor General



සෞලිසිටර් ජනරාල් මැදිරිය
කොළඹ 12, ශ්‍රී ලංකාව.
மன்றாடியார் அதிபதியின் கூடம்
கொழும்பு 12, இலங்கை.
Solicitor - General's Chambers
Colombo 12, Sri Lanka.

දුරකථන } 440239
தொலைபேசி } 323595
Telephone }

BASL ELECTION 2019/2020 - 20TH FEBRUARY 2019

POST OF SECRETARY

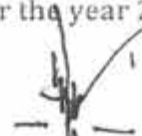
<u>ISLANDWIDE RESULTS</u>	
Total Membership	- 15,806
Total Ballot Papers Issued	- 6,165
Total Votes cast	- 5,977
Mr. Kaushalya Nawaratne	- 5,074
Mr. Saman Weliana	- 903
Spoilt Votes	- 191
Number of unused Ballot Papers	- 9,641
Majority	- 4,186
Number of Polling Centers	- 81

<u>COLOMBO RESULTS</u>	
Total Membership	- 9,412
Total Ballot Papers Issued	- 2,995
Total Votes cast	- 2,916
Mr. Kaushalya Nawaratne	- 2,459
Mr. Saman Weliana	- 457
Spoilt Votes	- 79
Number of unused Ballot Papers	- 6,417
Majority	- 2,002
Number of Polling Centers	- 01

<u>OUTSTATION RESULTS</u>	
Total Membership	- 6,394
Total Ballot Papers Issued	- 3,170
Total Votes cast	- 3,061
Mr. Kaushalya Nawaratne	- 2,615
Mr. Saman Weliana	- 446
Spoilt Votes	- 112
Number of unused Ballot Papers	- 3,224
Majority	- 2,184
Number of Polling Centers	- 80

I hereby declare that Mr. Kaushalya Nawaratne has been duly elected to the Post of Secretary of the Bar Association of Sri Lanka for the year 2019/2020.

Date: 25/02/2019


Dappula de Livera, PC
Solicitor General
Returning Officer
Attorney General's Department

Dappula De Livera, P.C
Solicitor General

1st Bar Council Meeting.

The 1st Bar Council meeting of the Bar Association of Sri Lanka for the Year 2019-2020, was held on the 30th of March 2019 at the Grand Monarch Hotel, Thalawatugoda, presided over by the Honorable Attorney General of the Republic, Presidents Counsel Mr. Jayantha Jayasuriya. The said meeting was conducted on the agenda which had been previously circulated amongst the members of the Bar Council. The agenda of the said meeting was as follows:

29th March 2019

Notice is hereby given that the first meeting of the bar council of the Bar Association of Sri Lanka (BASL) for the year 2019/2020 will be held on 30th March, 2019 at 10.30 A.M. At the Grand Monarch Hotel, Thalawatugoda and will be presided over by the Hon. Attorney General.

AGENDA

1. Notice Convening the Meeting
2. Condolences
3. Excuses
4. To table and adopt the Annual Report for the year 2018/2019
5. To consider and adopt the Treasurer's Report; the Independent Auditor's Report and the Financial Statements for the Financial Year ending 31 December 2018.
6. Announcement of the results of the Election for the Post of President of the Bar Association of Sri Lanka for the year 2019/2020 by the Hon. Solicitor General
7. Announcement of the results of the Election for the Post of Secretary of the Bar Association of Sri Lanka for the year 2019/2020 by the Hon. Solicitor General
8. Election of Executive Committee for Year 2019/2020
 - a. Election for the Post of Deputy President for the Year 2019/2020
 - b. Election for the 20 posts of Zonal Vice Presidents for the zones of Anuradhapura, Ampara, Avissawella, Badulla, Batticaloa, Colombo Central, Colombo South, Chilaw, Galle, Gampaha, Jaffna, Kalutara, Kandy, Kegalle, Kurunegala, Matara, Negombo, Nuwara Eliya, Ratnapura and Vavuniya as members of the Executive Committee 2019/2020.
 - c. Election of the Treasurer for the year 2019/2020
 - d. Election of other Members of the Executive Committee
 - 1.1.1.8 members to the Executive Committee.
 - 1.1.2.3 members to the Executive Committee under 10 years of practice to represent the Junior members.
9. Announcement of the Election Results
10. Appointment of Auditors 2019/2020
11. Appointment of Trustees 2019/2020
12. Any other business of which due notice has been given
13. Vote of Thanks by Secretary, BASL

Kaushalya Nawaratne
Secretary



BAR ASSOCIATION OF SRI LANKA



BAR COUNCIL 2019/2020

Bar Council 2019/2020

Akkaraipathu:

Mr. S L Abdul Raseed,
Mr. S Fahim,
Mr. S M A Gaffoor,
Mr. A H Sameem

Ampara:

Mr. D R Sunil
Dissanayake,
Mr. U S Gallage,
Mr. R G Kularatne,
Mr. M M P K. Wijerathna

Anuradhapura:

Mr. R M N D Bandara,
Mr. N C Bulathsinghala,
Mr. P. L. Dharmasena,
Mr. K Herath PC,
Ms. D. M. P.
Hettiarachchi,
Mr. M M B S Kotuwelle,
Mr. P S R Premalal,
Mr. R C K Rajakaruna,
Mr. W M C B Weerakoon,
Mr. R P A
Wickramaarachchi,

Attanagalla:

Mr. R A Jayasekare,
Ms. E C Kuruppu,
Ms. V V C Premachandra,
Ms. R A C L M
Ranasinghe,
Mr. K A Ravindana,
Ms. B M P K Senaratna,
Mr. A P S P Wijayasri,

Avissawella:

Ms. H D P K
Chandrasena,
Ms. K G C C
Chandrasena,
Mr. A G K D Dharmadasa,
Mr. W G N H Dias,
Ms. D H S
Mallawaarachchi,
Mr. R W N Pathmasiri,

Ms. I D Rangoda

Arachchi,
Mr. W A S K Weragoda,
Mr W P I P
Wickramasuriya,

Ms. K G T S

Wickremasinghe,

Balangoda:

Mr. D M Chandrasekera
Ms. A C Fernando,
Mr. M N Goonewardena,
Mr. D S Patabendi,
Mr. M I M Rafeek,

Badulla:

W M U H Dayawansa,
Mr. S C R A U N
Gunasekara,
Mr. D. S. S. V. Jayasinghe,
Mr. J K S Jayawardhena,
Mr. D P L A K Perera,
Ms. I E Rambukpota,
Mr. W D Weligama,

Bandarawela:

Mr. B M B R K Basnayake,
Mr. R M A P Ranathunga,
Mr. W M P M
Weerasinghe,
Mr. S N Wijesekara,

Batticaloa:

Mr. D C Chinnaiyah,
Mr. A Mahalinghasivam,
Mr. A A Mohamed Rooby,
Mr. A Munas,
Mr. K Narayapillai,
Mr. P Premnath,
Mr. V Thiyaheshwaran,
Mr. A Uwais,

Balapitiya:

Ms. C P De Silva,
Mr. P A W De Silva,
Mr. L S D De Silva,
Mr. M T S Jayasekera,
Mr. N T Somiratne,

Ms. W K B U M

Somiratne,
Ms. D D G K
Wijewardhana,

Badegama:

Mr. A J Abeywickrama,
Mr. W P D Liyanage,
Ms. B K C S Rodrigo

Bibile:

Mr. H M M S Kumara,
Ms. T K Sooriya Arachchi,
Mr. B K T D Weerasiri

Chilaw:

Mr. S M P Fernando,
Mr. W A H P Fernando,
Mr. J M S Jayamanna,
Ms. N H M S D
Nawarathna,
Mr. J K S N S Perera,
Mr. M W A C Sweeney
Perera,
Mr. W C P Rodrigo

Colombo:

Mr. S D B Abeyaratne,
Mr. R S D
Abeygoonawardena,
Mr. W W
Abeygunasekara
Basnayake,
Mr. A G J Abeynayaka,
Mr. M. D H N Abeyratne,
Mr. N A Abeyratne PC,
Ms. N. Abeyasinghe,
Ms. B S Abhayawickreme,
Mr. M Adamaly,
Mr. M J B Adhihetty,
Mr. GJT Alagaratnam PC,
Ms. B S M Alagiyawanna
Mohottalalage,
Mr. R G K Alwis,
Ms. M S Amarasinghe,
Ms. R. Amarasuriya,
Mr. R T Amarasuriya,

Mr. S T Amarasuriya,
Mr. M U M Ali Sabry PC,
Mr. A H W Ambawatta,
Ms. V. Ambepitiya,
Mr. L Ameresinghe,
Mr. N J Anketel,
Mr. S A Anthony,
Mr. H H Anura Chandrasiri,
Mr. G H M Ariyadasa,
Mr. RAF Arsecularatne PC,
Ms. C S M F Arsecularatne
Ms. S. C. M. Arsecularatne
Kannangara,
Mr L M K Arulanandam PC
Mr. F N Arulpragasam,
Mr. C J Atapattu,
Mr. A Atham Lebbe,
Mr. S. Athukorala,
Mr. A M S A K Attanayake,
Mr. A W Atukorala,
Ms. S M Azeem,
Mr. S Bagirathan,
Mr H I Balapatabendi,
Mr. R N Balasuriya,
Mr. R M Balendra,
Mr. N P M Bolapage,
Mr. N S Bopage,
Mr. S A Cader,
Mr. H S Caldera,
Mr. H R K Caldera,
Ms. D L M S Chandrasekera,
Mr. J A M S Chandrasena,
Mr. K Chandrasiri,
Mr. D C R Collure,
Mr. U P Colomba
Muhandiramge,
Mr. J. S. L. Cooray,
Mr. S J D Coorey,
Mr. P R Dabare,
Mr. D L A S L K Dahanayake,
Ms. K U S Dalpatadu,
Mr. NRM Daluwatte PC,
Ms. S G C R Damayanthi,

Mr. S D A S Dasanayake,	Mr. K I Dharmawardena,	Mr. G D C N Galhena,	Mudiyansele,
Mr. R R Dayananda,	Mr. R M P G R	Mr. H D P Gamage,	Mr. H P Hettiarachchi,
Mr. L N Dayananda,	Dharmawardena	Ms. S M S P Gamage,	Mr. B Hettiarachchi,
Ms. N M S H P Dayaratne,	Mr. G S L J S Dias,	Mr. D S P Gamage,	Mr. L D R Hettiarachchi,
Mr. W Dayaratne PC,	Ms. M T Dickman.	Mr. V S V Gamage,	Mr. N S Hettyadurage,
Mr. A D P De Alwis,	Mr. D M A Dissanayake,	Mr. P D M S Gamage,	Ms. U. I. Hewagamage,
Mr. S M K De Alwis	Ms. W N S Dissanayake,	Ms. L M Ganegama,	Mr. D S Hewapathirana,
PC, Mr S V K de Livera	Mr. D R R L Dissanayake,	Mr. P Ganesan,	Mr. S. D. Hewavitharana,
Tennakoon,	Ms. B H J S Dhanapala,	Mr I I Giragama,	Ms. D G Hewavitharana,
Mr. D P J De Livera PC,	Mr. M J Edirisinghe,	Mr. K Gnanasegaram,	Mr. A M Hussain,
Mr. W H W De Mel,	Mr. E A J C K Edirisinghe,	Ms. S A Godakanda,	Mr. Z A Hussain Ahamed,
Mr. E M V M De Saram,	Mr. S P Edirithilaka	Mr. U A Gooneratne PC,	Ms. I A H T I Iddamalgoda,
Mr. W D S R De Silva,	Bandara,	Mr. C Goonesekera,	Mr. M Ikram Mohamed PC ,
Mr. L N N De Silva,	Mr. U P Egalahewa PC,	Mr. K R Goonesinghe,	Mr. A A M Illiyas PC,
Mr. K P C A De Silva,	Mr. E M C S Ekanayaka,	Ms. H A D P Goonetillake,	Ms. K D N P Illukpitiya,
Mr. E A G De Silva,	Mr. D E M W B	Mr K U Gunasekera,	Mr. Kalinga N Indatissa PC,
Mr. J De Silva,	Ekanayaka,	Mr. D P U P Gunasekera,	Ms. R K Indatissa,
Mr. H K C De Silva,	Mr. S M T Ekaratne,	Mr. S L Gunasekera	Mr. I M N Iriyagolla,
Mr. P R De Silva,	Mr. S P Ekaratne,	Liyanarachchi,	Ms. S S Jayalath
Mr. M P A P De Silva,	Ms. E A M S Ellapperuma,	Ms. C Ruchira Sugathy A	Pathiranage,
Mr. P Y C De Silva,	Ms. C Ellawala,	Gunasekera,	Ms. D S A M Jayamanna
Mr. N K De Silva,	Mr. P Epa,	Mr. Binara A Gunasekera,	Paranagama,
Mr. K A P De Silva,	Mr. K W S Fernando,	Ms. K P Gunasinghe,	Ms. M D Jayamanne,
Mr. G D M De Silva	Mr. K A Fernando,	Mr. S A P K Gunathilaka,	Mr. Nihal Jayamanne PC,
Gunasekera,	Mr. C H U Fernando,	Mr. D M N R Gunathilaka,	Ms. P A Jayaratne,
Mr. A W Nalin C de Silva,	Mr. V M Fernando,	Ms. N. K. Gunatilake,	Mr. M C Jayaratne PC,
Mr. H M N De Silva,	Mr. B S U Fernando,	Mr. N W M Gunawansha,	Mr. N K S Jayasekera,
Mr. Manohara R De Silva	Mr. J S Fernando,	Mr. K A S S	Ms. B I M Jayasena,
PC,	Ms. W S C Fernando,	Gunawardana,	Mr. S H Jayasinghe,
Mr. U R De Silva PC,	Mr. K D Fernando,	Ms. S N M Gunawardena,	Mr. M Jayasinghe,
Mr. J Romesh de Silva	Mr. K M C Fernando,	Mr. D A A Gunawardena,	Ms. K R Jayasinghe Nee
PC,	Ms. M S N K Fernando,	Mr. L P A Gunawardena	Gunasekera,
Mr. E Kuvera I De Zoysa	Mr. C M S Fernando,	Ms. V N Gunawardena,	Ms. N S Jayasooriya
PC,	Ms. W S A Fernando,	Mr. S M Haleemdeen,	(Perera),
Mr. M M Deeyagaha Gam	Ms. W D C Fernando,	Ms. M M Halgaha	Mr. Chandaka Jayasundere
Acharige,	Mr. W J S Fernando PC,	Gamage,	PC,
Mr. G G S Deshapriya,	Mr. I R N Fernandopulle,	Mr. C P Haputhantri,	Ms. M A C S Jayasuriya,
Mr. A U Devendra,	Mr. C K Fernandopulle,	Mr. E V P R Harischandra,	Ms. E A Jayasuriya,
Ms. H G I S	Mr. M M Fernandopulle,	Mr. H M R L	Mr. V K S D S Jayasuriya
Dharmabandhu,	Mr. M J S Fonseka,	Hathurusinghe,	Mr. J C Jayasuriya PC,
Mr. D S Dharmaratne,	Mr. S K A Galapaththi,	Mr. S S Herath,	Mr. Upul Jayasuriya PC,
Ms. R A L R Dharmasiri,	Mr. N. Galhena,	Ms. H M N P Herath,	Ms. H R M P K Jayathilake,
Mr. A G Dharmatilleke,	Mr. C A N Galhena,	Mr. S K B Herath	Mr. W M C Jayatissa,

Ms. M S N P Jayatilake,
 Mr. S G P Jayatilake,
 Ms. S A M T Jayatilake,
 Ms. D C Jayatileka,
 Ms. A M K R Jayatileka
 (Bopegedara),
 Mr. M Jayawardena,
 Mr. D S Jayawera,
 Mr. H D S Jayaweera,
 Ms. K S P W Jayaweera,
 Mr. L M C Jayawickrema,
 Ms. C T Jesuthasan,
 Mr. D W Johnthasan,
 Ms. P N Joseph,
 Ms. N S Kalansooriya,
 Mr. U E Kalidasa,
 Mr. E S K Kalinga
 Mudalige,
 Mr. K Kanag Iswaran PC,
 Mr. U D N De S
 Kanakarathne,
 Mr. D Kaneshayogan,
 Mr. K Kaneshayogan,
 Mr. K A L
 Kanuwanaarachchi,
 Mr. H G S Kariyawasam,
 Mr. C D K Karunayaka
 Mudiyansele,
 Mr. S Karunaratne,
 Mr. K D N R Karunaratne,
 Mr. B. P C P Karunaratne,
 Mr. Mahesh Katulanda,
 Mr. L I Keerthisinghe,
 Ms. D K Keerthiwardena,
 Mr. S P Kelaart,
 Mr. C A A
 Kiriwaththuduwege Don,
 Mr. Yasantha D
 Kodagoda PC,
 Mr. U Sarath Kongahage
 PC,
 Mr. T N Koralage,
 Mr. A R Koswinnege,
 Mr. G K A C K Kularatne,
 Ms. S, P. Kulatilake,
 Mr. K M C Kulatunga,
 Mr. K K R D Kulatunga,
 Mr. G G D D Kumara,
 Mr. T G S A Kumara,
 Mr. K A U I
 Kumarapperuma,
 Mr. K G Kumarasinghe,
 Mr. K K A L C
 Kumarasinghe,
 Mr. K D Kumarasinghe,
 Ms. P K D K A Kumari
 Jayasinghe,
 Mr. K A D I U
 Kuruppuarachchi,
 Mr. C J Ladduwahetty,
 Ms. S D M Lahandapura,
 Ms. H K R Lasanthie,
 Mr. E W A C Leelarathne,
 Ms. S L B K Lekamge,
 Mr. P Liyanarachchige,
 Mr. K Liyanagamage,
 Mr. K C K Liyanage,
 Ms. L P S T Liyanage
 Mr. C Liyanapatabendy
 PC,
 Ms. H L R Liyanarachchi,
 Mr. C Liyanarachchi,
 Mr. J K Liyanasuriya,
 Mr. Mahinda B K Lokuge,
 Ms. N P K Lokuge,
 Ms. L K Maddumage,
 Ms. S. Y. Madurawala,
 Mr. O M W Mahaarachchi,
 Mr. V S Mahalingam,
 Mr. A A S Mahuroof ,
 Mr. D D N Manamperi,
 Mr. B. Manawadu,
 Mr. W P J M R S B
 Maramage,
 Mr. L K C Matarage,
 Mr. C S Mathew,
 Mr. C P J W Mathew,
 Mr. Y P Matugama,
 Mr. M A A D Medagoda,
 Ms. M A K A Medagoda,
 Mr. A B Meddegoda PC,
 Mr. R C Mendis,
 Dr. D L Mendis,
 Ms. N N Midigaspe Ge,
 Mr. W A Mohamed
 Buhary,
 Mr. M S Mohamed Faris,
 Mr. M S Mohamed
 Hamza,
 Mr. M W A J B Moragolla,
 Mr. S T Munasinge,
 Ms. M A M K Munasinge,
 Mr. M C M Muneer,
 Mr. N Murugesu,
 Mr. S A K
 Muthumudalige,
 Mr. S Nagahawatta,
 Mr. N. D. Y S. Nagashena,
 Mr. M I M Naleem,
 Mr. H J Nanayakkara,
 Mr. P D J Nandana,
 Mr. H H Nandana
 Malkumara,
 Mr. I T M Nandasiri,
 Ms. P Narendren,
 Mr. N M P P K Kaushalya
 Nawaratna,
 Mr. S Neelakandan,
 Mr. S V Niles,
 Ms. M W Padmaraji,
 Ms. S M Palihawadana,
 Mr. A N Palliyage,
 Mr. C W Pannila,
 Mr. M H K Parनावithana,
 Mr. J. S R Pathirana,
 Mr. A P Pattiya Gamage,
 Ms. D C Peiris,
 Mr. P L C Peiris,
 Mr. P M W S Perera ,
 Mr. K K T Perera,
 Mr. N L P Perera,
 Mr. G P I Perera,
 Mr. W A C Perera,
 Mr. W A C N Perera,
 Mr. P A Perera,
 Mr. M A Perera,
 Mr. N Perera,
 Mr. H A P Perera,
 Mr. U L S N Perera,
 Mr. J M R Perera,
 Mr. J K G Perera,
 Mr. U L P C Perera,
 Ms. K R V Perera,
 Ms. P C Perera,
 Mr. J K G R Perera,
 Mr. W L M Perera,
 Ms. A A N W Perera,
 Mr. T R Perera,
 Mr. S A C P Perera,
 Ms. S Perera,(Nee
 Abeywickrema),
 Mr. S J Perera PC,
 Mr. L A S Phillips,
 Mr. Y A Pieris,
 Ms. N S A Pieris,
 Mr. S K M Pieris PC,
 Mr. H A A A Prasanna,
 Mr. G M S Premachandra,
 Mr. K B G Premadasa,
 Mr. S A D S
 Premajayanth,
 Mr. C D Premarathne,
 Mr. W K A K Premarathna
 PC,
 Mr. L V M Premasiri,
 Mr. N S T Premathirathne,
 Mr. K A G Prematilaka,
 Mr. A M Priyantha
 Alagiyawanna,
 Ms. T S Punchihewa,
 Mr. V Puvitharan PC,
 Mr. K. Pirabakaran,
 Mr. I H G T Rajakaruna,
 Mr. R M Rajakaruna,
 Mr. L N Rajapaksa,
 Mr. H L S Rajapakse,
 Mr. H P K Rajapaksha,
 Dr. Wijeydasa Rajapakshe
 PC,
 Mr. M R Rajmohan,
 Mr. H K Ranasinghe,
 Mr. C Ranasinghe,
 Mr. C J P Ranatunga,
 Mr. R A P Ranawaka,
 Ms. S H Ranawaka,
 Mr. N N S Randeni
 Arachchige Don,
 Mr. D Amal A Randeniya,
 Mr. K H Ranjith,
 Ms. A U Ranjith,
 Mr. D. P Ranmuthuge,
 Ms. A Rathnayaka,

Ms. L R N Rathnayaka,
 Ms. R M A D Rathnayaka,
 Mr. R M S K Rathnayake,
 Mr. K S Ratnavale,
 Mr. P Ratnayake,
 Mr. D R S Ratnayake,
 Mr. K Ratwatte,
 Mr. P. L. Ratwatte,
 Mr. A B Rekawa,
 Mr. N M Reyaz,
 Dr. W D Rodrigo PC,
 Mr. W O Rodrigo,
 Mr. H Rohanadeera,
 Mr. P Rupasinha,
 Mr. H M Rushdie,
 Mr. H J Saddhasena,
 Mr. Rohan Sahabandu
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 Ms. D W W Samarakone,
 Mr. S M N N B
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 Mr. E W N Samarakoon,
 Mr. S C Samarasinghe,
 Mrs. P Indira S
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 Mr. U Samaraweera,
 Mr. D L A S Sandaruwan
 Liyanaarachchi,
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 Mr. M N K Sellapperuma,
 Mr S Senadheera,
 Mr. R P S Senedheera,
 Mr. D V L V Senadhira,
 Mr. C C Senanayake,
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 Ms. V C Senanayake,
 Ms. N S M Senanayake,
 Mr. M G K Senarathna,
 Mr. M A Senaratne,
 Mr. N L Senatilleke,
 Ms. W M I U
 Senevirathne,
 S D Senevirathne,
 Ms. A M N A

Senevirathne,
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 Mr. E A J W Seresinghe,
 Mr. T T Silva,
 Mr. S V J Silva PC,
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 Mr. R P A N Siriwardane,
 Mr. H A C Siriwardana,
 Ms. K A Siriwardana,
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 Mr. T G N W D Thalduwa,
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 Ms. P Thanthiriwattage,
 Mr. K S Thilakarathne,
 Mr. M Thiyagaraza,
 Mr. C Thuduwege,
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 Mr. U A A J Ukwatta,
 Ms. H S Urugodawatte,
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 Ms. S P O Kankanamge,
 Mr. D R Maliya Peruge,
 Mr. H. H. Munidasa,
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 Mr. M M L Hemawarna,
 Ms. M V Hettige,
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Mr. K M G L Dias,
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Handunneththi,
Mr. C R
Kurupparachchige,
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Mr. U D S P Perera,
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Mr. P Pattiarachchi,
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Hingurakgodage:
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Weerasooriya,
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Ms. H M K Pushpa
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Ms. S. Ellengovan,
Mr. K Guruparan,
Mr. J Jeyaruban,
Mr. S Paramarajah PC,
Mr. B Parththipan,
Mr. N Thambimuthan,
Mr. B Thavapalan
Kalutara:
Mr. V L Asurappuli,
Mr. Q A R Cooray,
Mr. P G U A Dayaratne,
Mr. N T De Alwis,
Mr. D D A P R Domingo,
Mr. G Ekanayake,
Mr. M P D Fernando,
Mr. T N Jayakody,
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Liyarachchi,
Mr. U L R S Perera,
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Mr. N O R Perera,
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Mr. B P Weerasinghe,
Ms. K S Yapa,
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Mr. P B Abeysinghe,
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Mr. J T S P Kariyawasam,
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Mr. K K A Edirisinghe,
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Mr. H M Herath, Mr. H P Herath,
Mr. H M P Herath,
Mr. G D B Herath
Mudiyanselage,
Mr. E M P R H Hulgalle,
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Ms. D M A K
Jayawardana,
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Karunarathne,
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Mr. K Pitumpe,
Mr. R Premaratne,
Mr. S Ranatunga,
Mr. A M A A L Ratnayake,
Mr. R M S T B Ratnayake,
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Senevirathna,
Mr. D V Senevirathna,
Mr. W A M S G Wijepala,
Mr. W M Wijewardena,
Mr. W S Wijewickrema
Kekirawa:
Ms. J M Coswatte,
Mr. E M U P B Ekanayake,
Mr. T M K Tennakoon
Kesbawa:
Mr. K A K Ajith,
Mr. P M Sandanayake,
Mr. T M Wellalage,
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Mr. P Ariyasena,
Mr. P W Gunawardena,
Mr. P K Janaka,
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Koththagoda,
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Arachchige,
Mr. K Ratnaweera,
Ms. D P Rubasinghe,
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Mr. K K G J K
Siriwardena,
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Mr. G U Wadumestri,
Mr. Y M D Warnasuriya,
Mr. G J Widanapathirana,
Matale:
Ms. P S Dharmakirithi,
Mr. I D H N Iddamalgoda,
Mr. T A A S S
Gunasekera,
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Walisundara,
Mr. A M G Weerakoon PC
Maho:
Mr. T R Balalle,
Ms. C M Balalle PC,
Ms. K S G Balasooriya,
Ms. W M G S
Karunarathne,
Mawanella:
Mr. M R S Bandara,
Ms. K K Meghasooriya,
Mr. G A Samarasekera,
Mr. M. S. M Thamseel
Matugama:
Ms. N Gunathilake,
Mr. N P Imbulagoda,
Ms. J K S Jayawickrama,
Mr. D D R Kithsiri,
Mr. G Nallaperuma,
Ms. N N H Pallec
Kankanamge Dona,
Mr. T M Pushpananda,
Mr. K D K Siriwardena,
Mallakam:
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Mr. S Thevarajah,
Mt. Lavinia:
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Ms. R C de Zoysa,
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Mr. G K V R Gajanayake PC,
Mr. R C P Gamage,
Mr. S K Lankatilleke PC,
Mr. A Ranagala,
Mr. K M N Sanjeewa,
Mr. D S A Wanniarachchi,
Mr. L R Welihinda
Marawila:
Ms. J.P.S. Amarasinghe,
Mr. I A G Arthanayake,
Mr. D N P
Hettiarachchige,
Mr. H J M D Jayasinghe,
Ms. T.D.D. Navaratne,
Mr. R M S Rajapakse,
Mr. R A F Randeniya,
Mr. T L M Sarathchandra,
Mr. K Senanayake,
Mr. S A M C Subasinghe
Mannar:
Mr. E C Feldano,
Mr. S Jebanesan Logu,
Mr. M S Mohammed
Saburudeen
Moneragala:
Mr. T W U S K Bandara,
Mr. B. M. Wasantha
Jayalath,
Mr. Mr. V N Perera PC,
Mr. R M S Rathnayaka
Maligakanda:
Ms. J M Jayasundera,
Mr. A S Mohammed
Anwar,
Mr. A N Pathirana,
Mr. K Y Perera
Moratuwa:
Mr. K C J De Silva,
Mr. N J Fernando,
Mr. A.V.De S Gunasekara,
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Mr. H C Pilana Withanage
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Ms. L A P Liyanaarachchi,
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Mr. D D Abeywickrema,
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Mr. K. Ganeshwaran
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Mr. J M P C Jayasekera,
Mr. K M P Kulatunge,
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F Mohamed Latheef
Negombo:
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Amarasinghe,
Mr. I L N De Britto,
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Mr. N K Fernando,
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Ferdinandusz,
Mr. W I P Fernando,
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Mr. S S Niriella,
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Mr. B D U S Bandara,
Mr. S Mohanarajan,
Mr.E S Rajapakse PC,
Mr. H M G Senanayake
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Mr. T M P Jayasinghe,
Mr. M H L D
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Mr. K D M Silva,
Mr. U G U Y Udabage,
Mr. M D Wijepala
Polonnaruwa:

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Mr. K.D. Wimaladasa PC,
Mr. P W M S B Iddawela
PC,
Mr. T B Udagedara
Point Pedro:
Mr. P Kumarasamy,
Mr. M K Muttukumar,
Mr R Nadarajah
Puttalam:
Mr. A M M S Abdul
Cader,
Mr. S C Rankiripathirage,
Mr. A M Samsu Rafi,
Mr. A H Wasim Raja
Pugoda:
Mr. T W M G C W
Bandara,
Mr. R K Samarkkody,
Mr. U L N Uswatte,
Mr. D A P Weeratna PC
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Mr. K S Abeyratne,
Ms. P Atukorale,
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Mr. N N J Nindawatta,
Mr. W A S Perera,
Mr. R M B Rathnamalala
Bandara,
Mr. W Tennakoon,
Mr. P B Wanniarachchi,
Mr.V K Weerasinghe
Ruwanwella:
Mr. E M D Jayawardena
Mr. H A C S
Premawardhana,
Mr. E W K Samaraweera,
Ms. S P Vedasinghe
Sammanthurai:
Mr. A H Aroos,

Mr. A Mohamed Nazeel,
Mr. S M M Musthapha
Tangalle:
Mr. J Andrahennady,
Mr. S A Andrahennedi,
Mr. A G Vidanapathirana,
Mr. V B R Weerakoon
Trincomalee:
Mr. D S Dambagaha
Medagedara,
Mr. M Sarthar Haja,
Mr. A W A Sathar PC,
Mr. R.
Thirukumaranathan,
Ms. S Varathan
Chitravelu,
Mr. A S Zahir
Vavuniya:
Mr. P E Anandaraj,
Mr. R. Keerththanan,
Mr. P.A Punethanayagam,
Mr. M Sittampalam PC
Mr. K Thayaparan
Wattala:
Mr. N F V Cooray,
Mr. M D H C.
Gunawardena,
Mr. K P Kalehewatte,
Mr. W L W Silva
Warakapola:
Mr. W M A P B Herath,
Mr. C.R. Weerasekara,
Ms. L T N Wijesinghe
Wellawaya:
Mr. T M Bandusena,
Mr. L A K Ajith Kumara,
Ms. T M Malanee
Welimada:
Mr. D M N C Dissanayake,
Ms. W C T Fernando,
Ms. B P K W Tennakoon
Wariyapola:
Mr. S P S Abeywardane.
Mr. A P D Manathunga,
Mr.L P P Silva.

Minutes of the 1st Bar Council Meeting

Minutes of the first meeting of the Bar Council of the Bar Association of Sri Lanka (BASL) for the year 2019/2020

Bar Association
of Sri Lanka
BC/01/2019/2020

Date: 30th March, 2019
Time: 10.30 A.M.
Venue: Grand Monarch Hotel, Thalawatugoda
Presided by: Hon. Attorney General, Mr. Jayantha Jayasuriya PC
Attendance:

Akkaraipathu: Mr. S L Abdul Raseed, Mr. S M A Gaffoor, Ampara: Mr. D. R. Sunil Dissanayake, Mr. R G Kularatne, Mr. P K W Munhene Mudiyansele,
Anuradhapura : Mr. R M Bandara, Mr. N C Bulathsinghala, Mr. P. L. Dharmasena, Mr. K Herath PC, Ms. D. M. P. Hettiarachchi, Mr. M M B S Kotuwelle, Mr. P S R Premalal, Mr. R C K Rajakaruna, Mr. W M C B Weerakoon, Mr. R P A Wickramaarachchi,
Attanagalla: Mr. R A Jayasekare, Ms. E C Kuruppu, Ms. V V C Premachandra, Ms. R A C L M Ranasinghe, Mr. K A Ravindana, Ms. B M P K Senaratna, Mr. A P S P Wijayasri,
Avissawella: Ms. K G C C Chandrasena, Ms. H D P K Chandrasena, Mr. A G K D Dharmadasa, Mr. W G N H Dias, Ms. D H S Mallawaarachchi, Mr. R W N Pathmasiri, Ms. I D Rangoda Arachchi, Mr. W A S K Weragoda, Mr W P Wickramasuriya, Ms. K G T S Wickremasinghe,
Balangoda: Mr. D M Chandrasekera Ms. A C Fernando, Mr. M N Goonewardena, Mr. D S Patabendi, Mr. M I M Rafeek,
Badulla : Mr. D. S. S. V. Jayasinghe,
Bandarawela: Mr. B M B R K Basnayake, Mr. R M A P Ranathunga, Mr. W M P M Weerasinghe, Mr. S N Wijesekera,
Batticaloa: Mr. A Mahalingasivam, Mr. A A Mohamed Rooby, Mr. A Munas, Mr. K Narayapillai, Mr. V Thiyaheshwaran, Mr. A Uwais,
Badegama: Mr. A J Abeywickrama, Mr. W P D Liyanage, Ms. B K C Rodrigo,
Balapitiya: Mr. L S D de Silva, Ms. K J A de Silva, Mr. P A W de Silva, Ms. C P de Silva, Mr. M T S Jayasekera, Mr. N T Somiratne, Ms. W K B U M Somiratne (Kurukulariya) Ms. D D G K Wijewardhana,

Bibile: Mr. H M Kumara, Ms. T K Sooriya Arachchi, Mr. B K T D Weerasiri,
Chilaw: Mr. W A H P Fernando, Mr. S. M. P. Fernando, Mr. J M S Jayamanna, Ms. N H M S D Nawarathna, Mr. M. W. A. C. Sweeny Perera,
Colombo : Mr. S D B Abeyaratne, Mr. R S D Abeygoonawardena, Mr. W W Abeygunasekara Basnayake, Mr. A G J Abeynayaka, Mr. M. D H Abeyratne, Mr. N A Abeyratne, PC, Ms. N. Abeysinghe, Ms. B S Abhayawickreme, Mr. M J B Adhihetty, Ms. B S M Alagiyawanna Mohottalalage, Mr. R G K Alwis, Mr. M U M Ali Sabry, PC, Mr. R T Amarasuriya, Mr. A H W Ambawatta, Mr. L Ameresinghe, Mr. H H Anura Chandrasiri, Mr. G H Ariyadasa, Mr. R A F Arasecularatne, PC, Mr L M K Arulanandam, PC, Mr. F N Arulpragasam, Mr. C J Atapattu, Mr. A Atham Lebbe, Mr. S. Athukorala, Mr. A M S K Attanayake, Mr H I Balapatabendi, Mr. R N Balasuriya, Mr. R M balendra, Mr. N P M Bolapage, Mr. N S Bopage, Mr. H S Caldera, Mr. H R Caldera, Mr. J A M Chandrasena, Mr. D C R Collure, Mr. S J D Coorey, Mr. P R Dabare, Ms. K U S Dalpatadu, Mr. S D A S Dasanayake, Mr. L N Dayananda, Mr. A D P De Alwis, Mr. S M K De alwis, PC, Mr S V K de Livera Tennakoon, Mr. W H W De Mel, Mr. L N N De Silva, Mr. N K De Silva, Mr. P R De Silva, Mr. M P A P De Silva, Mr. W D S R De Silva Mr. E A G De Silva, Mr. P Y C De Silva, Mr. G D M De Silva Gunasekera, Mr. A W N C de Silva (Alagiyawadu), Mr. H M N De Silva (Mervyn), Mr. M R De Silva, PC, Mr. U R de Silva, PC, Mr. J R de Silva, PC, Mr. E K I De Zoysa, PC, Mr. M M Deeyagahagamacharige, Mr. G G S Deshapriya, Mr. A U Devendra, Ms. H G I S Dharmabandhu, Mr. D S Dharmaratne, Ms. R A L R Dharmasiri, Mr. K I Dharmawardena, Mr. G S L J S

Dias, Mr. D M A Dissanayake, Ms. W N Dissanayake, Mr. D R R A L Dissanayake, Mr. M J Edirisinghe, Mr. E A J C K Edirisinghe, Mr. S P Edirithilaka Bandara, Mr. E M Ekanayaka, Mr. D E M W B Ekanayaka, Mr. S M T Ekaratne, Ms. C Ellawala, Mr. E A K D Epitawala, Mr. K A Fernando, Mr. C H U Fernando, Mr. C M S Fernando, Ms. M S N K Fernando, Mr. K M C Fernando, Mr. K D Fernando, Ms. W S C Fernando, Ms. W D C Fernando, Mr. J S Fernando, Mr. B S U. Fernando, Mr. W J Fernando, PC, Mr. C K Fernandopulle, Mr. M J S Fonseka, Mr. S K A Glapaththi, Mr. C A N Galhena, Mr. G D C N Galhena, Mr. H D P Gamage, Ms. S M Gamage, Mr. D S P Gamage, Mr. P D M S Gamage, Ms. L M Ganegama, Mr I I Giragama, Ms. S A Godakanda, Ms. Anoma Goonathilake, Mr. U A Gooneratne, PC., Mr. C Goonesekera, Mr. K R Goonesinghe, Mr S L Gunasekera, Ms. C Ruchira Sugathy A Gunasekera, Mr. B A Gunasekera, Mr. S A P Gunathilaka, Mr. D M P Gunathilaka, Mr. N W Gunawansha, Mr. K A S Gunawardana, Ms. S N M Gunawardana, Ms. V N Gunawardana, Mr. D A A Gunawardana, Mr. C P Haputhantri, Mr. E V P R Harischandra, Mr. H M R L Hathurusinghe, Mr. S S Herath, Ms. H M N Herath, Mr. S K B Herath Mudiyansele, Mr. H P Hettiarachchi, Mr. B Hettiarachchi, Mr. N S Hettyadurage, Mr. D S Hewapathirana, Ms. D G Hewavitharana, Mr. A M Hussain, H G Hussain, Mr. Z A Hussain Ahamed, Mr. M Ikram Mohamed, PC , Mr. A A M Illiyas, Ms. K D N P Illukpitiya, Mr. K N Indatissa, PC., Ms. R K Indatissa, Mr. I M N Iriyadolla, Ms. S S Jayalath Pathiranage, Ms. D S A M Jayamanna Paranagama, Mr. M C Jayaratne, PC, Ms. B I Jayasena, Mr. S H Jayasinghe, Mr. M Jayasinghe, Ms. K R Jayasinghe Nee Gunasekera, Mr. C Jayasundere, PC, Ms. M A C S Jayasuriya, Ms. E A Jayasuriya, Mr. U Jayasuriya, PC, Ms. H R M P K Jayathilake, Mr. W M C Jayatissa, Mr. S G P Jayatilake, Ms. S A M T Jayatilake, Ms. D C Jayatileka, Mr. H D S Jayaweera, Mr. L M C Jayawickrema, Ms. C T Jesuthasan, Mr. D W Johnthasan, Ms. N S Kalansooriya, Mr. U E Kalidasa, Mr. U D N De S Kanakarathne, Mr. D Kaneshayogan, Mr. K Kaneshayogan, Mr. K A L Kanuwanaarachchi, Mr. H G S Kariyawasam, Mr. C D K Karunayaka Mudiyansele, Mr. B P Karunaratne, Mr. S Karunaratne, Mr. M Katulanda, Mr. L I Keerthisinghe, Ms. D K Keerthiwardana, Mr. S P Kelaart, Mr. C A AKiriwaththuduwege D., Mr. U S Kongahage, PC, Mr. T N Koralage, Mr. G K A C K Kularatne, Mr.

K M C Kulatunga, Mr. K K R D Kulatunga, Mr. K A U I Kumarapperuma, Mr. K G Kumarasinghe, Mr. K K A Kumarasinghe, Mr. K D Kumarasinghe, Ms. P K D K A Kumari Jayasinghe, Mr. K A D I U Kuruppuarachchi, Mr. C J Ladduwahetty, Ms. S D M Lahandapura, Ms. H K R Lasanthie, Mr. E W A C Leelarathne, Mr. P Liyanarachchige, Mr. K C K Liyanage, Mr. C Liyanapatabendy PC, Ms. H L R Liyanarachchi, Mr. C Liyanarachchi, Mr. Mahinda B K Lokuge, Ms. N P K Lokuge, Ms. L K Maddumage, Mr. E A K D Epitawala, Ms. S Y Madurawala, Mr. O M W Mahaarachchi, Mr. V S Mahalingam, Mr. D D N Manamperi, Mr. W P J Marambe, Mr. C S Mathew, Mr. C P J W Mathew, Mr. Y P Matugama, Mr. M A A Medagoda, Ms. M A K A Medagoda, Mr. A B Medagoda, PC, Mr. R C Mendis, Mr. W A Mohamed Buhary, Mr. M S Mohamed Faris, Mr. M S Mohamed Hamza, Mr. M W A J B Moragolla, Mr. S T Munasinge, Mr. M C M Muneer, Mr. N Murugesu, Mr. S A K Muthumudalige, Mr. M P C M Muthukumara, Mr. S Nagahawatta, Mr. M I M Naleem, Mr. H J Nanayakkara, Mr. I T M Nandasiri, Mr. S V Niles, Ms. M W Padmaraji, Mr. A N Palliyage, Mr. J. S R Pathirana (Ruwana Pathirana), Ms. D C Peiris, Mr. P L C Peiris, Mr. W A C Perera, Mr. W A C N Perera, Mr. P A Perera, Mr. M A Perera, Mr. H A P Perera, Mr. P M W Perera, Mr. G P I Perera, Mr. K K Perera, Mr. U L P Perera, Mr. W L M Perera, Mr. Y A Pieris, Mr. S K M Pieris, PC, Mr. H A A Prasanna, Mr. G M S Premachandra, Mr. K B G Premadasa, Mr. S A D S Premajayanth, Mr. C D Premajayanth, Mr. C D Premarathne, Mr. W K A K Premarathna, PC, Mr. L V M Premasiri, Mr. N S T Premathirathne, Mr. K A G Prematilaka, Mr. A M Priyantha Alagiyawanna, Mr. V Puvitharan, PC, Mr. I H G T Rajakaruna, Mr. R M Rajakaruna, Mr. H P K Rajapaksha, Mr. H K Ranasinghe, Mr. C J P Ranatunga, Mr. R A P Ranawaka, Ms. S H Ranawaka, Mr. N N S Randeni Arachchige Don, Mr. D A A Randeniya, Mr. K H Ranjith, Mr. A U Ranjith, Mr. D. P Ranmuthuge, Ms. A Rathnayaka, Ms. L R N Rathnayaka, Ms. R M A D Rathnayaka, Mr. R M S K Rathnayake, Mr. K Ratwatte, Mr. A B Rekawa, Mr. N M Reyaz, Mr. H Rohanadeera, Mr. P Rupasinha, Mr. H M Rushdie, Mr. H J Saddhasena, Mr. S M Samarakoon, Mr. S C Samarasinghe, Mrs. P I S Samarasinghe, PC, Mr. R R Samarasoorya, Mr. U Samaraweera, Mr. K G Sandun Sudhaththa, Mr. M N K Sellapperuma, Mr. S Senadheera, Mr. C C Senanayake, Mr. A (A.H.P) Senanayake, Ms. V C Senanayake, Mr. M G K Senarathna, Mr. M A Senaratne, Ms. A M N A Senevirathne, Mr. N R W J Serasinha, Mr. E A J W Seresinghe, Mr. R P A N Siriwardane, Ms. K A

Siriwardena, Mr. H A C Siriwardena, Ms. G G G D S M Siriwardhena, Mr T Sivanandaraja, Ms. V K Subasinghe, Mr. K A H Sumanarathne, Mr. J Sundramoorthy, Mr. T J P K Talagaswattage, Mr. T A Y Tennakoon, Mr. R R S Thangarajah, Ms. P Thanthiriwattage, Mr. K S Thilakarathne, Mr. M Thiyagaraza, Mr. C Thuduwege, Ms. U K K Udagama, Ms. H S Urugodawatte, Mr. R A Vidanagamage, Mr. P V C Vidanage, Mr. D Vidanapathirana, Mr. U. K A Vipulanayake, Mr. T Walaliyadde, Pc, Mr. C S Wannisekera, Mr. A C S Warnasuriya, Mr. P K D Wasantha, Mr. S Watagala Hewage, Mr. W D Weeraratne, Mr. M D A Weerasooriya, Mr. D S Welengodage, Mr. T S Welianga, Mr. W V A S Weragoda, Ms. R M C N D Wettasinghe, Mr. R D V G Weuda Gamaethige, Mr. J S Wickramanayake, Mr. W R D M A Wickramasinghe, Mr. W A J Wijayalath Arachchi, Mr. P T Wijayaweera, PC, Mr. Y N De S Wijesekera, Mr. S D W Wijewickrema, Mr. D A De Z Wijesekera, PC, Mr. W H M Wijesinghe, Mr. W M Wijesinghe, Ms. L S C Wijesinghe, Mr. K G G R M Wijesinghe, Mr D R Wijesinghe, Mr C D Wijesinghe, W W D Wijesinghe, Mr. M A D Wijesooriya, Ms. S L P Wijesooriya, Mr. Y W M Wijesurendra, Ms. K K Willathgamuwa, Mr. M A T Wimalaratne, Mr. W K A Wishnaramayalage, Mr. S Witharanage, Mr. H C P Withanage, Ms. J G Yapa, Ms. D C Yasanthi, Ms. F N Z Zanoos, Mr. M R Zarook, PC, **Chilaw:** Mr. W A H P Fernando, Mr. S M P Fernando, Mr. J M S Jayamanna, Ms. N H M S D Nawarathna, Mr. M W A C S Perera, **Embilipitiya:** Mr. S G L D Arawinda, Mr. R N Gamage, Mr. N D L Ravindra, **Elpitiya:** Ms. S A A Gunathilaka, Mr. A L K Kalawila Pathirage, Ms. S P O Kankanamge, Mr. D R Maliya Peruge, Mr. H. H. Munidasa, **Gampaha:** Mr. M B J Bandaranayake, Mr. P Gnanawardhana, Ms. H M S R Gunethileke, Mr. H D T Gunawardana, Mr. E A Hemachandra, Mr. M M L Hemawarna, Mr. S Mahawatte, Mr. G D H Priyantha, Mr. R M A N W Rajakaruna, Mr. K A D N Srikantha, Mr. P L Tennakoon, Mr. G . P. U. K Wanigasekera, Mr. I. I R Weragoda, Mr. W M A J Wijesundara, Ms. W K N P Withana, **Gampola:** Mr. Y M E S Abdul Hadi, **Galle:** Mr. N S De S Agampodi, Mr. K L A Amara Divakara Liyanarachchi, Mr. K M G L Dias, Mr. K P D J Gunaratne, Mr. T A J S M Gunasekera Ms. M S F N Hibishi, Mr. J S Kahawandala, Ms. D Kumara, Mr T A Kumarage, Mr. G Maitipe, Ms. N K Manatunga,

Mr. E R H Nanayakkara, Ms. A Nandanie, Mr. N T Panditaratne, Ms. D D K Piyasiri, Mr. L U Gamage, Mr. A P G Sarathchandra PC, Mr. P Thiranagama, Mr. S Uduwella, Mr. L U Gammage, Mr. S Vidanapathirana, Mr. I S Wijesekera, **Galgamuwa:** Mr. N B A P Balalle, **Hambantota:** Mr. M S Usuph, Mr. Sunil R De Silva, **Hettipola:** Mr. H M Karunarathna Herath, Mr. W D L Kumara, Ms. H M K Pushpa Kumari Herath, **Homagama:** Mr. W A V Eranga, Ms. H N S Handunneththi, Mr. C R Kurupparachchige, Mr. U D S P Perera, Ms. P W D Perera, Mr. D W D Sanjeewa, Mr. D S Wickremaratne, **Horana:** Ms. S R Albert, Mr. P. Athukorale, Mr. B G T L Gunarathne, Ms. K M Gunathilake, Mr. N D Imbulagodage, Ms. K Kannangara, Mr. P Pattiarachchi, Ms. O P A Perera, Mr. M A S Weerasiri, Jaffna: Mrs. S Abimanasingham, PC, Mr. A Arulantham, Ms. S . Ellengovan, Mr. K Guruparan, Mr. J Jeyaruban, Mr. S Paramarajah, PC, Mr. B Parththipan, Mr. N Thambimuthan, Mr. B Thavapalan, **Kalutara:** Mr. V L Asurappuli, Mr. Q A R Cooray, Mr. N T De Alwis, Mr. D D A P R Domingo, Mr. G Ekanayake, Mr. M P D Fernando, Mr. T N Jayakody, Mr. L D H C Liyanarachchi, Mr. U L R S Perera, Mr. S A Perera, Mr. N O R Perera, Mr. E S Soysa, Ms. K S Yapa, **Kandy:** Mr. A B W Abeynayake, Mr. A B Basnayake, Mr. A M Abeysinghe, Mr P B Abeysinghe, Mr P Aponso, Mr. D C J Athukorala, Mr. A B A Basnayake, Mr. U A Bogahapitiya, Mr. S A D Buddika, Mr. D M N B Dissanayake, Ms. P K Ekanayake, Mr. M I Hadi, Mr. C M Hatheem, Mr. M Jayasinghe, Mr. J T S P Kariyawasam, Mr. P U B Karunanayake, Mr. M R Karunarathna Banda, Ms. K H P S Kodithuwakku, Mr. A V P Nanayakkara, Mr. W T N U K Perera, Ms. K I W Premachandra, Mr. B G Ranatunga, Ms. R M A Rasnayaka, Mr. S Ratwatte Pc, Mr. J V B Sakalasuriya, Ms S M P B Siriwardhana, Mr. M T S Tantrige, Mr. M A Thilakarathne Bandara, Mr. C B Udagedara, Mr. H P Wijetunga, Mr. P V Wijewardane, **Kalmunai:** Mr. A M Badurudeen, Mr. M S K M S Kariapper, Mr. A L Natheer, Mr. M K Perinparaja, Mr. M U Thaha Zainudeen, Mr. S M J Samarakoon, **Kaduwela:** Mr. P C Dolawatte, Ms L D N Niroshika, Ms. L C Surige, **Kegalle:** Mr. D M Abeyrathna, Mr. S P K W Gamage, Ms. J M C M Jayawardena, Mr. S G C Pererar, Mr. M S P M Rathnawardena, Mr. H R P Senanayake, Mr. S K C Seneviratne, Ms. S D Udagama, Mr. R Wijewardena,

Ms. U N Wimalajeewa, Kuliypitiya : Mr. A M S Adikari, Mr. H K Dharamakeerthi, Mr. I P C A Fernando, Mr. J M Gunatileke, Mr. K W A I B Jayatilake, Mr. W M P L Wadugedera, Mr. W H M B H Wijesinghe, Mr. Y A C P Yapa,
Kurunegala: Mr. L J M Bandara, , Mr. H K C DE Alwis, Ms. E M S DE Saram, Mr. N J Edirisinghe, Mr. K K A Edirisinghe, Mr. A M B B Gunaratne, Ms. R V Heart. Mr. H M Herath, Mr. H P Herath, Mr. G D B Herath Mudiyansele, Mr. H M P Herath, Mr. E M P Hulgalle, Mr. S T Jayanaga, PC, Ms. D M A K Jayawardana, Mr. H M N K Kapuwatta, Mr. R M M P Karunarathne, Mr. H M D H Kirinde, Mr. R A S Kumara, Mr. K Pitumpe, Mr. R Premaratne, Mr. S Ranatunga, Mr. R M S T B Ratnayake, Mr. S A M V B Senevirathna, Mr. A M A A L Ratnayake, Mr. D V Senevirathna, Mr. W A M S G Wijepala, Mr. W S Wijewickrema,
Kantale:
Kekirawa: Ms. J M Coswatte, Mr. T M Tennakoon,
Kesbawa: Mr. K A K Ajith (Ajith Kalansooriya), Mr. P M Sandanayake, Mr. T M Wellalage,
Matara: Mr. P Ariyasena, Mr. P W Gunawardana, Mr. P K Janaka, Mr. L K Jayasekara, Mr. T R Jayasekara, Mr. Gamini Jayasinghe, Ms. R M Lakshma Priyani, Ms. I S Nagarathne Koththagoda, Ms. C S Pathirana, Mr. C Perumpuli Arachchige, Ms. D P Rubasinghe, Ms. M H Siriwardana, Mr. G A Sunil Jayaratna, Mr. G U Wadumestri, Mr. Y M D Warnasuriya, Mr. G J Widanapathirana,
Maho: Ms. K S G Balasooriya, Ms. W M G S Karunarathne,
Mawanella: Mr. M R S Bandara, Ms. K K Meghasooroya, Mr. G A Samarasekera, Mr. M. S. M Thamseel,
Matugama: Ms. N Gunathilake, Ms. J K Jayawickrama, Mr. D D R Kithsiri, Mr. G Nallaperuma, Ms. N N H Palleg Kankanamge Dona, Mr. T H Pushpananda, Mr. K D K Siriwardana,
Mt. Lavinia: Mr. D L De Zoysa Abesiriwardana, Mr. U.S. Chandrasiri, Ms. R C de Zoysa, Mr. M N P Fernando, Mr. G K V R Gajanayake, Mr. R C P Gamage, Mr. A Ranagala, Mr. K M N Sanjeewa, Mr. D.S.A. Wanniarachchi, Mr. L R Welihinda,
Marawila: Ms. J.P.S. Amarasinghe, Mr. I A Arthanayake, Mr. D N P Hettiarachchige, Mr. H J M Jayasinghe (Herath), Ms. T.D.D. Navaratne, Mr. R M S Rajapakse, Mr. R A F Randeniya, Mr. T L M Sarathchandra, Mr. K Senanayake, Mr. S A M C Subasinghe,

Mannar: Mr. M S Mohammed Saburudeen,
Moneragala: Mr. T U S K Bandara, Mr. V N Perera, PC, Mr. R M S Rathnayaka
Maligakanda: Ms. J M Jayasundera, Mr. A S Mohammed Anwar, Mr. K Y Perera,
Moratuwa: Mr. N J Fernando, Mr. A.V. de S Gunasekara, Mr. R. A. Gunawardana, Mr. H C Pilana Withanage,
Minuwangoda: Mr. H T D N S Hettiarachchi, Mr. L A P Peris, Mr. R W N Rajasekara,
Morawaka: Mr. D D Abeywickrema,
Mullativu : Mr. K. Ganeshwaran,
Mahara: Mr. A A P de Zoyza, Mr. J M Jayasekera, Mr. K M. Kulatunge, Mr. G K Pathirana, Ms. N V U Perera Kanangege, Mr. A D N R Rupasinghe, Ms. R. S W Samaranyake,
Negombo: Mr. A L D D P Amarasinghe, Mr. I L N De Britto, Mr. N K Fernando, Mr. E M N Ekanayake, Mr. W M D S Ferdinandusz, Mr. W I P Fernando, Mr. N K B Fernando, Ms. S N M D Fernando, Mr. M F Fernandopulle, Ms. W.C.P. Ginige, Mr. K G Gunadasa, Mr. M A Gunaratne, Ms. W A M N Medonza, Mr. D A P W Moderagamage, Mr. J D J Nicholas, Mr. S Sniriella, Ms. S A Perera, Mr. M D N W William,
NuwaraEliya: Mr. T Aathavan, Mr. B D U S Bandara, Mr. S Mohanarajan, Mr. E S Rajapakse, PC, Mr. H M G Senanayake,
Nugegoda: Mr. P H De Silva, Mr. L Galhena, Mr. U I Hiripitiya, Mr. W O Jayaratne, Mr. V P Manchanayake, Mr. C V A Nanayakkara, Ms. S.B.W.M.R.S.N.K. Udurawana,
Nikaweratiya: Mr. R M N I Bandara, Mr. J H M R B Herat, Mr. B M Senanayaka,
Panadura: Mr. P H Alankarage, Mr. A P Baddewithana, Ms. B H M Bandara, Ms. R D de Saram, Ms. K S M de Silva, Ms. W.M.N. Danusekara, Ms. B.D.T. Fernando, Mr. S P P Handunge, Mr. T M P Jayasinghe, Mr. M.H.L.D. Mataraarachchi, Mr. K D M Silva, Mr. U G U Y Udabage, Mr. M D Wjepala,
Polonnaruwa: Mr. R G G Gunarathne, Mr. E G V Kumara, Mr. M K D C Thilakarathna, Mr. K.D. Wimaladasa, PC,
Point Pedro: Mr. P Kumarasamy, Mr. M K Muttukumar, Mr. R Nadarajah,
Ratnapura: Ms. P Atukorale, Mr. L D Gunawardhane, Mr. R H P Gunawarnasuriya, Mr. H N P Hettikandage, Mr. K D H Karunadasa, Mr. N N J Nindawatta, Mr. R M B Rathnamalala Bandara, Mr. W Tennakoon, Mr. P B Wanniarachchi, Mr. V K Weerasinghe,

Ruwanwella: Mr. E M K Jayawardena ,Mr. H R C Premawardhana, Mr. E W K Samaraweera, Ms. S P Vedasinghe,

Sammanthurai: Mr. A H Aroos, Mr. A Mohamed Nazeel, Mr. S M M Musthapha,

Tangalle: Mr. S A Andrahenedi, Mr. A G Vidanapathirana, Mr. V B R Weerakoon,

Vavuniya: Mr. P.A Punethanayagam,

Wattala: Mr. M.D.H.C. Gunawardena, Mr. K P Kalehewatte, Mr. W L W Silva,

Warakapola: Mr. W M A P B Herath, Mr. C.R. Weerasekara, Ms. L T Wijesinghe,

Wellawaya: Mr. L A K Kumara, Ms. T M Malanee,

Wariyapola: Mr. S P S Abeywardane.

Mr. Kaushalya Nawaratne whilst addressing the House informed that it is a great pride to table the Annual Report of the BASL for the year 2018/2019 which bore testimony to the successful programs conducted during the year under review.

The Secretary said there were many turbulent times where criticisms were leveled at the BASL specially on the Office Bearers on various counts. He said some of them were justified while others were not. He said learning from the mistakes they moved forward and outlined the main highlights of the activities carried out throughout the year. He said they achieved their goals successfully to reach their theme "the Pinnacle of Success".

Continuing Legal Educational programs to gain knowledge especially of young lawyers, were a main activity that was successfully carried out. He referred to Chapter 4 and said there were 06 Provincial Law Conferences held during the year which gave an opportunity for members in the outstations to participate and acquire knowledge and improve their skills to discharge the professional duties effectively.

He referred to a novel program which enhanced the relationship of the Bench and the Bar through a Bench and Bar meeting open to members where issues faced by each in the execution of their respective roles in the Judicial system were discussed. The issues raised were listed in Chapter Three of the Annual Report.

He also referred to the many instances when the BASL raised concerns whenever the legal profession was attacked – for example filing of applications to raise our concerns on the signing of the Singapore Free Trade Agreement and for other cases where the independence of the Bar was compromised.

Having recognized the needs of the Branch Associations, he said donations of furniture, equipment, Computer, Printers and LR s and other books were made to upgrade the facilities for members in those areas.

The BASL also addressed the matter of the large number of lawyers entering the profession which deteriorates the standards of the profession. A Sub

1. NOTICE CONVENING THE MEETING

The Honourable Attorney General Mr. Jayantha Jayasuriya PC, the presiding officer read the Notice convening the meeting and commenced the proceedings.

2. CONDOLENCES

The names of Mr. Paul Fernando from Negombo Bar ; Mr. W S Goonatilleka from Balapitya Bar, Mr. Raja Samaranyake PC from Horana Bar, Mrs. N Karunatileka of Panadura Bar, Mr. Nimal Jayasinghe from Mawanella Bar were announced from the House.

Honourable Attorney General requested the House to rise and observe Two minutes silence in memory and in respect of the members who had departed life during the past year.

3. EXCUSES

Mr. Geoffrey Alagaratnam PC, Mr. S Kariyappan, Mr. M S Hussain, Mr. Jayantha de Silva, Mr. Rajindh Perera, Mr. Wasantha Fernando, Mr. D A Punchihewa, Mr. Bandula Weerasinghe.

4. TABLING AND ADOPTING THE ANNUAL REPORT FOR THE YEAR 2018/2019

The Hon. Attorney General, Mr. Jayantha Jayasuriya PC, invited the Secretary to table the Annual Report 2018/2019.

Committee headed by Mr. Ali Sabry PC outgoing Deputy President, conducted a comprehensive study and presented its Recommendations which have now been approved by the Incorporated Council of Legal Education.

To ensure equal access to justice many programs were conducted for the general public such as the Law Week 2018, Legal aid programs, seminars and workshops for school children, teachers and police personnel were some of these programs which were successfully concluded.

Continuing improvements to the Secretariat to provide better services and an environment to the members included a facelift to the office building Publications such as the NLR, Un reported Judgments, the newsletter and similar publications

Whilst seeking the adoption of the Annual Report he also commented that there was a notable detachment of the senior members from the activities of the BASL and urged all members both senior and junior to be more involved in the activities in the coming years.

Mr. V. N Perera PC inquired as to whether the Annual Report will be distributed as it was not distributed yet.

Further, several members pointed out that the said members have not yet received the Annual Report. It was then pointed out that the copies of the report which were received from the printer had been circulated and the copies of the Annual Report will be handed over to members who have not received it yet in a short while.

Mr. Sanath Jayathileka also said that he had not received the Report yet and moved the adoption of the Annual Report be deferred.

Mr. Kasun Liyanage explained that the reasons for the delay in printing the said Annual Report ie the existing long power cuts. Secretary also confirmed that there was a delay in printing and copies will be given to all before the end of the meeting.

One member commented it seems there is a lack of seats and said many senior members were standing.

Mr. V N Perera PC submitted that since the Secretary has appraised the members of the contents of the Annual Report the same could be adopted.

Hon. Attorney General accordingly deferred the adoption of the Annual Report until copies of the Annual report are distributed among the members.

5. CONSIDERATION AND ADOPTION OF THE TREASURER'S REPORT; THE INDEPENDENT AUDITOR'S REPORT AND THE FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR ENDING 31 DECEMBER 2018.

The Hon. Attorney General, Mr. Jayantha Jayasuriya PC, called upon the Treasurer Mr. Sujeewa Lal Dahanayake to present the Treasurer's Report, the Independent Auditor's Report and the Financial Statements of the Bar Association of Sri Lanka for the Financial Year ending 31st December, 2018.

Mr. Rajitha Hathurusinghe raised the matter that the several of the monthly accounts statements of the BASL had not been approved by the Bar Council during last year. He said the members had requested that a Forensic Audit be carried out but it had not been done, therefore he moved that the Treasurer's Report cannot be adopted at this point of time. Hon Attorney General therefore deferred the adoption and requested the new Executive Committee to look into this matter further.

6. ANNOUNCEMENT OF THE RESULTS OF THE ELECTION FOR THE POST OF PRESIDENT OF THE BAR ASSOCIATION OF SRI LANKA FOR THE YEAR 2019/2020 BY THE HON. SOLICITOR GENERAL

The Hon. Attorney General, Mr. Jayantha Jayasuriya PC invited Hon. Solicitor General Mr. Dappula De Livera PC, the Returning Officer of the BASL Election 2019/2020 to announce the results and he stated as follows -

Nominations for the post of President were called on the 10th January 2019 and Mr. Kalinga Indatissa, PC and Mr. Mahinda Lokuge, AAL tendered the nominations for the year 2019/2020. The Election was there after held on 20th February 2019 and the respective candidates obtained votes as follows -

- Mr. Kalinga Indatissa PC obtained 4,706 votes
- Mr. Mahinda Lokuge, AAL obtained 1,361 votes.

Accordingly, he announced that Mr. Kalinga Indatissa PC, was duly elected to the Post of President of the Bar Association of Sri Lanka for the year 2019/2020.

7. ANNOUNCEMENT OF THE RESULTS OF THE ELECTION FOR THE POST OF SECRETARY OF THE BAR ASSOCIATION OF SRI LANKA FOR THE YEAR 2019/2020 BY THE HON. SOLICITOR GENERAL

The Hon. Attorney General, Mr. Jayantha Jayasuriya PC invited Hon. Solicitor General Mr. Dappula De Livera PC, the Returning Officer of the BASL Election 2019/2020 to announce the results and accordingly he stated as follows –

Nominations for the post of Secretary were called on the 10th January 2019 and Mr. Kaushalya Nawaratne and Mr. Saman Weliana, Attorneys-at-Law tendered nominations for the post of Secretary, for the year 2019/2020. The Election was there after held on 20th February 2019 and the respective candidates obtained votes as follows;

- Mr. Kaushalya Nawaratne obtained 5,074 votes
- Mr. Saman Weliana, AAL obtained 903 votes.

Accordingly he announced that Mr. Kaushalya Nawaratne was duly elected to the Post of Secretary of the Bar Association of Sri Lanka for the year 2019/2020.

He then congratulated both President and Secretary on their election and wished them both a fruitful term of office.

At this stage, the President elect was requested to take seat at the Head Table. Accordingly, Mr. Kalinga Indatissa PC the President elect took seat at the Head Table.

8. ELECTION OF OFFICE BEARERS OF THE BAR ASSOCIATION OF SRI LANKA

A. Election for the post of Deputy President for the year 2019/2020

The Hon. Attorney General, Mr. Jayantha Jayasuriya PC called upon for nomination.

The President elect Mr. Kalinga Indatissa PC sought the permission of the Hon. Attorney General to make a statement.

President elect stated that he proposed the name of Mr. Shavindra Fernando PC for the post of Deputy President of the Bar Association of Sri Lanka for the Year 2019/2020.

As there were no other nominations, the Hon Attorney General declared Mr. Shavindra Fernando PC was unanimously elected as the Deputy President of the BASL for the Year 2019/2020 which nomination was seconded by Mr. Romesh de Silva PC.

B. Election for the 20 posts of zonal vice presidents for the zones of Anuradhapura, Ampara, Avissawella, Badulla, Batticaloa, Colombo Central, Colombo South, Chilaw, Galle, Gampaha, Jaffna, Kalutara, Kandy, Kegalle, Kurunegala, Matara, Negombo, Nuwara Eliya, Ratnapura and Vavuniya as members of the executive committee 2019/2020.

1. ANURADHAPURA

- Mrs. J M Koswatte s name was Proposed but not Seconded.
- Mr. Mahesh Kotuwella's name was Proposed by Ms. Priyantha Hettiarachchi and Seconded by Mr. Prasad Dharmasena.

As there were no other names nominated the Hon Attorney General declared Mr. Mahesh Kotuwella as the Zonal Vice President for the Anuradhapura Zone.

2.AMPARA

- Mr. S. L. M. Rasheed was Proposed but was declined.
- Mr. S. M. M. Mustapha was Proposed by and Seconded by Mr. Kandiah Perimaparaja Mr. Majeed Baduredeen.

As there were no other names were nominated the Hon Attorney General declared Mr. S. M. M. Mustapha as the Zonal Vice President for the Ampara Zone.

3. AVISSAWELLA

- Mr. Nuwan Jayawardene was Proposed by Mr. Sudath Wickramaratne and Seconded by Mr. Susantha Dolawatta
- Ms. Sandya Wickramasinghe was Proposed by Ms. Champa Chandradasa and Seconded by Ms. Dammika Rangodaarachchi.

As there were two names nominated the Hon Attorney General deferred the election for the post of Avissawella Zonal Vice President to be taken up after all the other Zonal Vice Presidents were elected.

4. BADULLA

Mr. Ruwan Basnayake was Proposed by Mr. Sujeewa Jayasinghe and Seconded by Mr. Susantha Ratnayake. As there were no other names nominated the Hon Attorney General declared Mr. Ruwan Basnayake as the Zonal Vice President, Badulla.

5. BATTICALOA

Mr. K. Narayanapillai name was Proposed by Mr. Thiageeswaran and Seconded by Mr. Mahalingam. As there were no other names nominated the Hon Attorney General declared Mr. K Narayanapillai as the Zonal Vice President, Batticaloa.

6. COLOMBO CENTRAL

Mr. Thivanka Ekaratna was Proposed by Mr. Athula Perera and Seconded by Mr. Binara Gunasekera. As there were no other names nominated the Hon Attorney General declared Mr. Thivanka Ekaratna as the Zonal Vice President, Colombo Central.

7. COLOMBO SOUTH

- i. Mr. Ranjith Gunawardena was Proposed by Mr. Naomal Fernando and Seconded by Ms. Anushi Gunasekera.
- ii. Mr. Wasantha Gajanayake was Proposed by Mr. Reshan Gamage .and Seconded by Ms. Shiromi Udurawana.

As there were two names nominated the Hon Attorney General deferred the election for the post of Colombo South Zonal Vice President to be taken up after all the other Zonal Vice Presidents were elected.

8. CHILAW

Mr. R M S Rajapakse was Proposed by Mr. R A F Randeniya and Seconded by Lalantha Sarathchandra. As there were no other names were nominated the Hon Attorney General Declared Mr. R M S Rajapakse as the Zonal Vice President Chilaw.

9. GALLE

Mr. Simal Wijesekera was Proposed by Mr. Halpandeniya and Seconded by Mr. Uduwella. As there were no other names were nominated the

Hon Attorney General Declared Mr. Simal Wijesekera as the Zonal Vice President for the Galle Zone.

10. GAMPAHA

- i. Mr. G .K .Pathirana was Proposed by Mr. P Kulatunga and Seconded by Mr. Prassanna De Soysa.
- ii. Mr.G .P .U .K .Wanigasekera was also Proposed and Seconded by the members of the zone.

As there were two names nominated the Hon Attorney General deferred the election for the post of Gampaha Zonal Vice President to be taken up after all the other Zonal Vice Presidents were elected.

11. JAFFNA

Mrs. Shantha Abimanasingham PC was Proposed by Mrs. S. Ellengovan and Seconded by Mr. B. Thavapalan. As there were no other names nominated the Hon Attorney General Declared Mrs. Shantha Abimanasingham PC as the Zonal Vice President, Jaffna.

12. KALUTARA

Mr. Ronnie Kithsiri was Proposed by Ms. Niranga Hemapala and Seconded by Mr. Vajira Asarappulli. As there were no other names nominated, the Hon Attorney General declared Mr. Ronnie Kithsiri as the Zonal Vice President, Kalutara.

13. KANDY

Mr. Samantha Ratwatta PC was Proposed by Ms. Kumari Abeyratne and Seconded by Ms. Padma Ekanayaka. As there were no other names nominated, the Hon Attorney General declared Mr. Samantha Ratwatta PC as the Zonal Vice President, Kandy.

14. KEGALLE

Mr. Dylan Jayawardena was Proposed by Mr. Prabodha Dharmawardena and Seconded by Mr. Sarath Jayawardena As there were no other names nominated, the Hon Attorney General declared Mr. Dylan Jayawardena as the Zonal Vice President, Kegalle.

15. KURUNEGALA

- i. Mr. Nalin Edirisinghe was Proposed by Mr. Karunathilaka Pitumpe and Seconded by Mr. H.K.C. De Alwis.
- ii. Mr. Percy Wadugedera was Proposed by Mr. Supun Adikary and seconded by Mr. Anil Ballale.

As there were two names nominated the Hon Attorney General deferred the election for the post of Kurunegala Zonal Vice President to be taken up after all the other Zonal Vice Presidents were elected.

16. MATARA

Ms. Chula Pathirana was Proposed by Mr. Chandima Perumbuliarachchi and was Seconded by Mrs. Priyani Ratnayaka.

As there were no other names nominated the Hon Attorney General declared Ms. Chula Pathirana as the Matara Zonal Vice President.

17. NEGOMBO

Mr. Felician Fernandopulle was Proposed by Ms. Swarna Perera and Seconded by Mr. Nimal Brito
As there were no other names nominated, the Hon Attorney General Declared Mr. Felician Fernandopulle as the Zonal Vice President, Negombo.

18. NUWARA ELIYA

Mr. Edmund Rajapakse PC was Proposed by Mr. Bandara and Seconded by Mr. Devarajanayan.
As there were no other names nominated, the Hon Attorney General Declared Mr. Edmund Rajapakse PC as the Zonal Vice President, Nuwara Eliya.

19. RATNAPURA

Ms. Prajapali Atukorale was Proposed by Mr. M. M. Rafeek and Seconded by Ms. Priyanka Gunawarnasuriya
As there were no other names nominated, the Hon Attorney General declared Ms. Prajapali Atukorale as the Zonal Vice President, Ratnapura.

20. VAVUNIYA

Mr. Anton Puvithanayagam was Proposed by Mr. S. K. Ganeshwaran and Seconded by Mr. M. Saburudeen.
As there were no other names nominated, the Hon Attorney General Declared Mr. Anton Puvithanayagam as the Zonal Vice President, Vavuniya
At this point Honourable Attorney General invited Mr. Shavindra Fernando PC to the Head Table.
He also informed that elections for Zonal Vice Presidents of Avissawella, Colombo South Gampaha and Kurunegala will be conducted after the other matters in the agenda are completed.

C. Election of the Treasurer for the year 2019/2020

The Hon. Attorney General, Mr. Jayantha Jayasuriya PC called upon for nominations
The name of Mr. Nalin Chandika de Silva was proposed by Mr. Saliya Peiris PC seconded by Mr. Amal Randeniya.

Since there were no other names Mr. Nalin Chandika de Silva was elected as the Treasurer for the year 2019/2020 of the Bar Association of Sri Lanka.

14. ANNOUNCEMENT OF THE RESULTS OF THE ELECTION OF OTHER MEMBERS OF THE EXECUTIVE COMMITTEE OF THE BAR ASSOCIATION OF SRI LANKA FOR THE YEAR 2019/2020.

1. Eight members to the executive committee

Hon. Attorney General, Mr. Jayantha Jayasuriya PC, informed the members that 09 members had submitted their nominations for the Executive Committee and announced the following names –

1. Mr. Dinoo Dharmaratne
2. Mr. Priyantha Gamage
3. Mr. Pradeep Gamage
4. Mr. Mahesh Katulanda
5. Mr. Lasitha Kanuwanaarachchi
6. Mr. Anuja Premaratna PC
7. Mr. Amal Randeniya
8. Mr. Ranil Samarasuriya
9. Mr. Razik Zarook PC

However Hon. Attorney General, Mr. Jayantha Jayasuriya PC, informed that Mr. Priyantha Gamage withdrew his nomination, and therefore declared that the following members are elected uncontested to the Executive Committee for the Year 2019/2020.

1. Mr. Dinoo Dharmaratne
2. Mr. Pradeep Gamage
3. Mr. Mahesh Katulanda
4. Mr. Lasitha Kanuwanaarachchi
5. Mr. Anuja Premaratna PC
6. Mr. Amal Randeniya
7. Mr. Ranil Samarasuriya
8. Mr. Razik Zarook PC

Mr. Kalinga Indatissa PC President Elect informed the House that at the time of closing the nominations there were ten candidates. One nomination had been withdrawn earlier and another candidate had his nomination withdrawn today. Whilst commending the moves by the said members, the President Elect commented that the said behavior sets an example for the members of the profession to behave in a manner which is expected from the highest professional body such as the BASL.

2. Three Members To The Executive Committee Under 10 Years Of Practice To Represent The Junior Members;

Hon. Attorney General, Mr. Jayantha Jayasuriya PC, announced the following names of those who had submitted their nominations as at the closing date.

Colombo

Mr. Chatura Amaratunga

Mr. Naveen Shanaka

Mr. Nirosan Siriwardena

Mr. Vishwa De Livera Tennekoon

Outstation

Mr. M P Damith Ranjewa

Mr. Pandula Wanniarachchi

He informed that elections will be conducted to appoint 2 members from the Colombo Bar and 1 member from the Outstation bars, as per the Constitutional requirements under article 11.1.

11. APPOINTMENT OF AUDITORS 2018/2019

Mr. Thangarajah inquired if the Auditors are to be appointed or reappointed. Hon Attorney General informed that the same Auditors can be nominated to be re-appointed. The House agreed that Ms. B R de Silva and Co. be reappointed as Auditors for the ensuing year. Mr. Thangarajah also added that they should be called in for the next EXCO meeting to answer any queries regarding the Audited Accounts of 2018/2019.

12. APPOINTMENT OF TRUSTEES OF THE BASL FOR THE YEAR 2018/2019

President Elect Mr. Kalinga Indatissa PC inquired if the same three members can be reappointed for the next year and the house approved same. Hon Attorney General hence declared that the following were appointed as the Trustees of the BASL for the year 2019/2020

1. Mr. Jayantha De Z Gunasekera PC
2. Mr. Upali Gunaratna PC
3. Mr. Ajantha Atukorala

13. ELECTION FOR THE POSTS OF ZONAL VICE PRESIDENTS FOR AVISSAWELLA COLOMBO SOUTH ZONE, GAMPAHA AND KURUNEGALA ZONES.

Hon Attorney General adjourned the house for 20 minutes for the members other than those from Avissawella Zone, Colombo South Zone, Gampaha and Kurunegala Zones, in order to conduct the Election for the posts of Zonal Vice Presidents. He urged that the member of these Zones come to a consensus on the election of their Zonal Vice President and inform accordingly or else he would conduct an election.

14. The proceedings of the meeting recommenced at 1.45 p.m. after the completion of the respective elections referred to above.

When the proceedings were commenced the Honorable Attorney General inquired from the members as to whether the Annual Report had been properly distributed. Since the members confirmed the receipt of the Annual Report, the Honorable Attorney General called upon the House to adopt the Annual Report if there are no queries to be made. Accordingly, the Annual Report for the year 2018/2019 was duly adopted upon the same being proposed and seconded by Mr. Thivanka Ekarathne and Mr. Binara Gunesekara respectively.

Avissawella

Hon Attorney General informed that the members of the Avissawella Zone had reached a consensus that Mrs. Sandya Wickramasinghe will be the Zonal Vice President and hence declared Mrs. Sandya Wickramasinghe as the Zonal Vice President for the Avissawella Zone for the Year 2019/2020

Colombo South

Hon Attorney General informed that the members of the Colombo South Zone had reached a consensus that Mr. Vasantha Gajanayake will be the Zonal Vice President and hence he declared Mr. Vasantha Gajanayake as the Zonal Vice President for the Colombo South Zone for the Year 2019/2020.

Gampaha

Hon Attorney General informed that the members of the Gampaha Zone had reached a consensus that the two candidates will serve for a period of six months each and accordingly declared that Mr. G K Pathirana will serve as Zonal Vice President for the first six months and Mr. G P U

K Wanigasekera will serve as Zonal Vice President for the second six months.

Kurunegala

As there were no consensus between the members of the said zone an election was conducted and accordingly the candidates secured votes as follows.

Mr. Nalin Edirisinghe – 24 votes

Mr. Percy Wadugedera – 23 votes

Accordingly Hon Attorney General declared that Mr. Nalin Edirisinghe was elected the Zonal Vice President for Kurunegala Bar for the Year 2019/2020.

Honorable Attorney General declared the results of the election of members to the Executive Committee under 10 years of practice to represent the junior bars. Accordingly , Mr. Vishwa De Livera de Tennekoon and Mr. Niroshan Siriwardana who secured the highest number of votes were elected to the Executive Committee from Colombo whilst Mr. Pandula Wanniarachchi was elected to the Executive Committee from outstations under the said category.

16. ANY OTHER BUSINESS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

17. ADJOURNMENT

There being no further business the Meeting was adjourned at 2 .30 p.m.



Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka

15. VOTE OF THANKS BY THE SECRETARY, BASL

Mr. Kaushalya Nawaratne expressed his gratitude for all those who extended the support unreservedly during the past year for the affairs of BASL. His sincere thanks were extended to the outgoing President Mr.U.R. de Silva PC and the outgoing Deputy President Mr. Ali Sabry PC for the untiring support extended for the benefit of the members of BASL. The Secretary expressed his gratitude to the members of the staff of the BASL especially the Administrative Secretary and Mr. Sunil Vidanagamage for the excellent cooperation extended during the Year.









45th CONVOCATION

Held on 30th March, 2019 at Hilton Colombo – Grand Marquee (Poolside)

Chief Guest: His Lordship the Chief Justice Nalin J Perera

Arrival of His Lordship Mr. Nalin J Perera Chief Justice, Hon. Mr. Jayantha Jayasuriya PC, Attorney General, Hon. Mr. Yasantha Kodagoda PC, President of the Court Appeal, Hon. Dappula De Livera PC, Solicitor General, Hon. Thalatha Atukorale, Minister of Justice, the Members of the Executive Committee and other distinguished invitees.

- 5.35 p.m Lighting of the Traditional Oil Lamp
- 5.45 p.m National Anthem
- 5.50 p.m Entry of President Elect of Bar Association of Sri Lanka to the convocation venue accompanied by his proposers and seconders.
- 5.55 p.m Presentation of the President Elect to the Bar.
- 6.00 p.m Announcement of the results of the election of the President of the Bar Association of Sri Lanka for the year 2019/2020 by Hon. Solicitor General Mr. Dappula De Livera PC.
- 6.05 p.m Induction of the President Elect of the Bar Association of Sri Lanka by the Hon. Attorney General
- 6.10 p.m Announcement of the results of the election of the Secretary of the Bar Association of Sri Lanka for the year 2019/2020 by Hon. Solicitor General Mr. Dappula De Livera PC
- Announcement of the results of the election for Deputy President, Zonal Vice Presidents, Treasurer and Members of the Executive Committee by the Secretary, Mr. Kaushalya Nawaratne.
- 6.20 p.m Address by Honourable Yasantha Kodagoda, PC, President of the Court of Appeal.
- 6.30 p.m Address by Honourable Jayantha Jayasuriya PC, Attorney General
- 6.40 p.m Address by His Lordship Nalin J Perera, Chief Justice of the Democratic Socialist Republic of Sri Lanka.
- 6.50 p.m Address by President, Bar Association of Sri Lanka, Mr. Kalinga Indatissa PC
- 7.05 p.m Vote of Thanks by Secretary, Mr. Kaushalya Nawaratne.
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The 45th Annual Convocation of the BASL was held on the 30th of March 2019 at the Hilton Colombo – Grand Marquee (Poolside). The Chief Guest of the event was the His Lordship Nalin J Perera of the Democratic Socialist Republic of Sri Lanak. The said meeting was presided over by the Honorable Attorney General Mr. Dappula de Livera. Accordingly, Mr. Kalinga Indatissa PC was inducted as the 25th President of the Bar Association of Sri Lanka by the Honorable Attorney General after the announcement of the results of the election of the

President and the Secretary for the Year 2019/2020 by the Honorable Solicitor General Sanjay Rajaratnam.

Mr. Kalinga Indatissa PC addressed the gathering wherein the President reiterated the duties of the members of the Bar, the need to enhance the quality of legal education, and the need to reform outdated laws. The President also drew attention to the pressing concern of the dilapidated condition of the Supreme Court building.



Induction Speech of the President of BASL

My Lord the Chief Justice,
Hon. The Attorney General,
His Lordship Justice Yasantha Kodagoda, PC,
President of the Court of Appeal,
Hon. The Solicitor General,
Hon. Minister of Justice,
Their Lordships of the Supreme Court
and of the Court of Appeal,
President's Counsel,
Hon. Judges of the High Courts, District Courts
and the Magistrate Courts,
Past Presidents and other office bearers of
the Bar Association of Sri Lanka,
Members of the Diplomatic community,
Fellow members of the Bar,
Distinguished invitees,
Ladies and Gentlemen,

On behalf of the Executive Committee of the Bar Association of Sri Lanka for 2019/2020, I extend a very warm welcome to all of you and thank you for taking time to attend the induction ceremony of the 25th President of the Bar Association of Sri Lanka. When I stand before you today, my mind goes to the year 1982, when I started walking up the Hulftsdorp hill as a preliminary year law student. Hulftsdorp, its historical setting and the surroundings always intrigued and influenced me from my early days in the law. I see many faces that I know from those early years, and I also see many more new faces too. This confirms that our Bar is a 'living Bar' which expands and develops as time goes by.

The legal profession in Sri Lanka has an extremely proud history. The profession in its current form commenced in 1801, consequent to the Proclamation issued by the British, which we commonly refer to as the "Charter of Justice". During the last 218 years, the profession has gone through many changes from time to time. Some changes took place, when Ceylon gained independence in 1948. More significant changes took place with the 1972 Constitution, when the Right of Appeal to the Privy Council in England

was abolished. The unification of the two branches of the profession also took place around this period. With this unification of the two branches of the legal profession, the Council of Advocates and the Ceylon Law Society, which was established by Ordinance No. 33 of 1947 and which represented the profession of Proctors, resolved to incorporate the Bar Association of Sri Lanka.

A hallmark of the legal profession, is that, the profession is based on traditions and values protected and preserved by our forefathers for well over two centuries. Like every other profession, the legal profession has also experienced both good and turbulent times. However, the rich values and the culture that we have practiced and experienced, have always helped the Bar to stand as an independent body, which is committed to the preservation of the "Rule of Law".

Under our system of justice, the Bench and the Bar are components of one unit. The impairment of one, inevitably affects the other. Therefore, it behoves the Bench to uphold the rights and privileges of the Bar. The Bar in turn has an equal duty to safeguard the integrity, independence and the dignity of the Bench.

The role of the Bench could be best described from the words of Dr. H. W. Jayewardene, QC, the first President of the Bar Association of Sri Lanka, in his address to bid farewell to the former Chief Justice, Victor Tennekoon on his retirement on the 18th of August 1977. He stated;

"The Courts of this country are the constitutional shield deliberately planned and inscribed for the benefit of every human being subject to our Constitution, irrespective of race, creed or persuasion. No more solemn responsibility rests on a judge other than that of translating into living law, maintaining this great guarantee of human freedom."

Some recent events demonstrate that the independence of the Bench and the Bar has not



received the full attention it deserves. While appreciating the fact that no system is perfect, and that constructive criticism is important to identify the loopholes in any such system, unfair, unreasonable and unjustifiable criticism should not be condoned either by the Bench or by the Bar. Greater vigilance ought to be shown in this regard in the future. The public, expect it and the safety of our realm demands it.

In recent times, a growing concern has been, whether the Bar has played its role in influencing public opinion. "Public confidence", of the judicial system and the legal profession is an extremely important aspect in modern times. It is important for us to remember that an independent judiciary and an independent and a fearless Bar are the surest assurances against the scourge of any form of interference and the horrors of revolution.

The relationship between the Bench and the Bar is an extremely important aspect in the administration of justice. The cordial and the trusting relationship between the Bench and the Bar simplifies the task of the Bench and enables the Bar to achieve redress, for the people, whom they represent. The Bar in the future would take all possible steps to add value to the relationship between the Bench and the Bar and further strengthen it for the benefit of preserving justice. In order to do so, the Bench and the Bar are required to act collectively and to identify their respective roles.

What would be the role of a lawyer in this regard? Every member of the Bar, should necessarily be mindful of his obligations, as a member of this noble profession. He has a duty towards his client, a duty towards opposing counsel and finally, a duty towards the Court. These duties necessarily include respect, courtesy, honesty, proper professional conduct and the display of professional skill and competence. A member of the Bar must be well equipped with the law and the latest changes in the law. As officers of court, they would assist the Bench and facilitate the task of administration of justice. I am reminded of the words of Abraham Lincoln who said "excellent judgements are written by judges, through the brilliant arguments of Counsel". This remains true to this date.

The Bar Association, in the near future will introduce many programmes for the purpose of sharing

knowledge and enhancing professional development of the members of the Bar, through the use of technology. This will no doubt assist the task of administration of justice.

On the other hand, the Bench should be mindful of the fact that we, as members of the Bar, are persons exercising our professional duty of representing those who seek justice. For the last 30 years or more, we have continuously heard of law's delays. The Bench, the Bar and the other agencies should collectively make every effort to identify the root causes and make an effort to eradicate delay, in the interests of justice.

Since of late, there appears to be a trend of hurrying justice. We at the Bar, are mindful of this issue and we do not certainly think that hurrying justice is a solution to the issue. As much as justice delayed may amount to justice denied, justice hurried could result in justice buried. We believe that a proper dialogue, through consensus, consultation and compromise would help identify the mechanism, to increase public confidence in our system. We at the Bar would be glad to offer our support and assistance in this regard.

The legal profession has to be mindful of the large numbers passing out to the Bar. While the Bar Association subscribes to the view that every citizen has a right to pursue his or her chosen career, it is extremely necessary to ensure that standards are maintained and that the final product which joins the Bar is fully equipped to demonstrate his or her professional skill and competence. At this point, I wish to appreciate the efforts taken by the previous committee, which dealt with legal education, for the comprehensive recommendations they have made towards the future of the profession. We at the Bar, are of the view that further improvements maybe necessary, relating to the quality of legal education. Unlike 30 year ago, the opportunities available to the new entrants are diversified. The Bar Association of Sri Lanka will take every possible step to identify the necessary mechanism to enhance the quality of legal education so that our products would be second to none.

Continuing professional development is an extremely important aspect in many parts of the world. This kind of training results in high professional

standards, and raises the quality of professional service. The legal profession in Sri Lanka has to accept the fact that a proper regulatory system and a continuing professional developmental mechanism has to be introduced. We must adjust our minds to learn continuously. We humbly seek support of all concerned to introduce such programmes.

“Public perception” of the legal system forms a vital factor in every country. Cumbersome procedural measures, absence of uniformity in procedure, inordinate delay, denial of access to justice due to economic reasons, could result in a negative public opinion. Here again, the Bar Association holds the view that all law enforcement agencies must come under one umbrella to identify the issues and find solutions. We at the Bar, offer support for any such initiative.

It is a common complaint that some of our laws are outdated. During 2019/2020, the Bar Association of Sri Lanka will take the initiative to review all existing legislation and to make necessary recommendations for law reform. I believe that this is the duty that we owe to the legal system and to the people.

My Lord. The Chief Justice, Hon. The Attorney General and other distinguished guests, there is another matter of concern that we wish to highlight at this point. “Hulftsdorp” is the home of the Supreme Court, and the heart of the legal profession. During the Portuguese occupation, it was an important military post known as the Post of San Sabastian and Our Lady of Life. The name itself is a reference to General Geraard Hulft who served in Ceylon during the Dutch period.

The recorded history does not clearly indicate the locality where the Supreme Court of Judicature sat in 1801. By 1803, the Court had moved to Colombo Fort and due to a confrontation, the then Governor, Sir Fredrick North, had suggested to shift the Court to the current location. This was on the 26th of September 1804. Even though, the exact date of commencement of judicial proceedings in Hulftsdorp is unknown, it appears that the Supreme Court of Judicature was shifted to Hulftsdorp on 20th of October 1804.

Since the appointment of Codrington Edmund Carrington, as the first Chief Justice of Ceylon in March 1801, Hulftsdorp has been home to 46 Chief Justices. Unfortunately, this home of the Supreme Court is in an extremely dilapidated condition. This is a historic building in a beautiful setting. A few months ago, the future of this dilapidated building became evident to both, the members of the Bar and Bench, when the ceiling of the District Court collapsed. What is ironic is that no Ministry or institution appears to be accountable for this condition. The Bar is concerned about the condition of this building and the lack of accountability on the part of those responsible. If the authorities concerned continue to ignore their duty in restoring and protecting this monumental building, it will soon end up as an archaeological site. The Bar Association of Sri Lanka will initiate steps for the restoration and the preservation of this building with the support of its members. We solicit the maximum possible assistance in this endeavour from all concerned.



BAR ASSOCIATION OF SRI LANKA 1974 - 2019

INDUCTION OF THE 25TH PRESIDENT
PRESIDENT'S COUNSEL KALINGA INDATISSA



The values, traditions, and the rich legal culture of our judicial and legal systems were inculcated in me by my seniors. I will not be standing here today as your 25th President, if not for the guidance which I received from the late Mr. Eardley Perera, PC, who was in fact the second President of the Bar Association of Sri Lanka, the late Mr. Thiwanka Wickramasinghe, PC, the late Mr. Lalith Athulathmudali, PC and Mr. D. S. Wijesinghe, PC. They moulded our generation of lawyers to be what we are today. I am grateful to my proposers and seconders for their unfailing confidence in me. I am equally thankful to the entire electorate for the unprecedented results in electing your 25th President and our Secretary.

The Bar has been able to retain its dignity and honour due to the efforts of all those who held this onerous office before me. While recognising their contribution, I wish to state that I would strive hard to emulate those leaders who led the Bar without fear, or favour, and guided the legal profession, to its current standing.

I am humbled by the support that the Bar extended to me on the 20th of February. I am honoured by the unprecedented result. I only consider myself as the temporary custodian of the Association. The Association belongs to you, the members. During my tenure, the opinions, public statements and views would not be my personal views, but will be based on decisions made by the Executive Committee after consideration.

In conclusion, I would take this opportunity to thank my parents, without whom I would not be here today. I thank my brother, my wife and two daughters and my family for their support and assistance. I also wish to thank my teachers, lecturers and those who supported me all the way. I thank the entire electorate for the trust and confidence placed in me and the Secretary. We will not fail you. We will make every effort to uplift and maintain the dignity, glory and the independence of the Bar. I humbly request all of you to join us in that effort. Thank you.





10th Bar Council Meeting for the year 2019/2020

Date: 25th January 2020

Time: 10.30am

Venue: BASL Auditorium









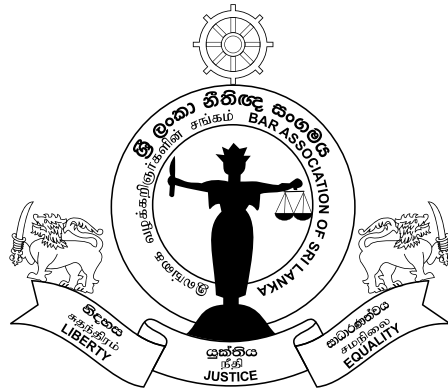
02

MANAGEMENT & MEMBERSHIP OF BASL 2019/ 2020

- Office Bearers for the Year 2019/2020
- The Executive Committee for the Year 2019/2020

- Attendance of the Executive Committee

- Presidents and Secretaries of Branch Associations for 2019/2020
- Membership of the BASL



Office Bearers for the Year 2019/2020

The Management Committee

The Management Committee with His Excellency the President of the Republic at the National Law Conference 2020 on the 14th of February 2020 at Jetwing Hotel, Negombo.

(Left to Right): Mr. Nalin C. de Silva (Treasurer), Mr. Kalinga Indatissa, PC (President BASL), His Excellency the President Hon. Gotabaya Rajapaksa, Mr. Kaushalya Nawarathne (Secretary), Mr. Shavindra Fernando, PC (Deputy President), Mr. Vishwa de Livera Tennekoon (Assistant Secretary).





President: Mr. Kalinga Indatissa PC
Deputy President: Mr. Shavindra Fernando PC
Secretary: Mr. Kaushalya Nawaratne

Treasurer: Mr. Nalin C. De Silva
Asst. Secretary: Mr. Vishwa de Livera Tennekoon





The Executive Committee for the year 2019/2020

President: Mr. Kalinga Indatissa, PC,
Deputy President: Mr. Shavindra
Fernando, PC, Secretary: Mr. Kaushalya
Nawaratne, Treasurer: Mr. Nalin de Silva,
Asst. Secretary: Mr. Vishwa De Livera
Tennekoon. Immediate Past President,
Mr. U.R. de Silva, PC. Members; Mr.
Razik Zarook, PC, PC, Mr. M. Razik
Zarook, PC, Mr. W.K. Anuja Premaratne,
PC, Mr. Dinoo Swarup Dharmaratne,
AAL, Mr. Pradeep Gamage, AAL, Mr.
K.A. Lasitha Kanuwanaarachchi,



AAL, Mr. Mahesh Katulanda, AAL, Mr. Amal A. Randeniya, AAL, Mr. Ranil Rasika Samarasooriya, AAL, Mr. R.P.A. Niroshan Siriwardane, AAL, Mr. Pandula Badrajith Wanniarachchi, AAL, Mr. Naveen Shanaka Hettyadurage, AAL. Zonal Vice Presidents: ANURADHAPURA- Mr. Mahesh Kotuwella, AAL, AVISSAWELLA- Ms. Sandhya Wickramasinghe, AAL, AMPARA- Mr. S.M.M. Musthapa, AAL, BATTICALOA- Mr. K. Narayanapillai, AAL, GAMPAHA- Mr. G.K. Pathirana, AAL, BADULLA- Mr. Ruwan K. Basnayake, AAL, COLOMBO SOUTH- Mr. Vasantha Gajanayake, AAL, COLOMBO CENTRAL- Mr. Tivanka Ekaratne,

AAL, CHILAW- Mr. R.M.S. Rajapakse, AAL, GALLE- Mr. Indrajith Srimal Wijesekara, AAL, JAFFNA- Ms. Shantha Abimanasingham, PC, KALUTARA- Mr. Ronnie Kithsiri, AAL, KANDY- Mr. Samanthe Ratwatte, PC, KEGALLE- Mr. Dylan Jayawardena, KURUNEGALA- Mr. Nalin Janendra Edirisinghe, MATARA- Ms. Chula S. Pathirana, AAL, NEGOMBO- Mr. Felecian Fernandopolle, AAL, NUWARA ELIYA- Mr. Edmund Rajapakse, PC, RATNAPURA- Ms. Prajapali Atukorala, AAL, VAVUNIYA- Mr. P. Anton Punethanayagam, AAL.

Attendance of the Executive Committee

Executive Committee Meetings: 16

Ordinary Meetings: 12

Special Meetings: 4

	Ordinary Meetings			Special Meetings			TOTAL
	PRE.	ABS	EXC	PRE	ABS	EXC	
Mr. Kalinga N. Indatissa, PC	12			4			16
Mr. W. J. S. Fernando, PC	10		2	3		1	13
Mr. Kaushalya Nawaratne	12			4			16
Mr. A. W. Nalin C. De Silva	12			3		1	15
Mr. Vishwa De Livera Tennekoon	12			2		2	14
Mr. U. R. De Silva, PC	2	10			4		2
Mr. M. Razik Zarook, PC	10	1	1	2	1	1	12
Mr. W. K. Anuja Premaratna, PC	2	7	3	2	2		4
Mr. Dinoo S. Dharmaratne	10	1	1	3		1	13
Mr. Pradeep Gamage	11	1		4			15
Mr. K. A. Lasitha							
Kanuwanaaeachchi	7	4	1	4			11
Mr. Mahesh Katulanda	5	5	2	3		1	8
Mr. Amal A. Randeniya	8	1	3	4			12
Mr. Ranil R. Samarasooriya	1	7	4	2	2		3
Mr. R. P. A. Niroshan Siriwardane	5	5	2	2	1	1	7
Mr. Pandula B. Wanniarachchi	6	6		2	1	1	8
Mr. Mahesh Kotuwella	4	8			3	1	4
Mr. S. M. M. Musthapha	4	4	4	1	3		5
Ms. Sandaya Wickremasinghe		11	1		4		0
Mr. Ruwan K. Basnayake		12			4		0
Mr. K. Narayanapillai		12			4		0
Mr. Tivanka Ekaratne	2	7	3	2		2	4
Mr. Vasantha Gajanayake, PC	4	7	1	3	1		7
Mr. R. M. S. Rajapakse		9	3		3	1	0
Mr. Indrajith S. Wijesekera	6	4	2		2	2	6
Mr. G. K. Pathirana	6	6		1	3		7
Ms. S. Abimanasingham, PC	3	9			4		3
Mr. Ronnie Kithsiri	11	1		2	2		13
Mr. Samanthe Ratwatte, PC	7	4	1	4			11
Mr. Dyian Jayawardena	4	6	2	1	2	1	5
Mr. Nalin J. Edirisinghe	3	6	3		3	1	3
Ms. Chula S. Pathirana	7	5			3	1	7
Mr. Felecian Fernandopulle	2	10		1	3		3
Mr. Edmund Rajapakse, PC		12		1	3		1
Ms. Prajapali Atukorale	5	5	2	1	1	2	6
Mr. P. Anton Punethanayagam	4	5	3		3	1	4
Mr. Naveen Shanaka Hettyadurage	1	8		2	1		3

2nd Executive Committee Meeting

2nd executive committee meeting of the Bar Association of Sri Lanka held on 6th of April 2019 at the Hilton Colombo Residences at 92/1, No. 200 Union Place, Colombo 02.









Presidents and Secretaries of Branch Associations for 2019/2020

BRANCH	PRESIDENT	SECRETARY
Akkaraipattu	Mr. S.L.A. Rasheed, AAL	Mr. A.H. Sameem, AAL
Ampara	Mr. S. Dissanayake, AAL	Mr. P. Wijeratna, AAL
Anuradapura	Mr. C. Weerakoon, AAL	Mr. P. L. Dharmasena, AAL
Association of corporate lawyers	Ms. N. Lokuge, AAL	Ms. P. A. Jayaratne, AAL
Attanagalla	Mr. R. A. Jayasekara, AAL	Mr. R. Kuruppu, AAL
Avissawella	Mr. S. Wickramasinghe, AAL	Mrs. H.D.P.K. Chandrasena, AAL
Anamadua	Mr. A. H. M. N. C.a Bandara, AAL	Ms. M. Wanninayake, AAL
Badulla	Mr. S. Jayasinghe, AAL	Mr. U. Gunasekera, AAL
Balangoda	Mr. D. Sooriyapatabendi, AAL	Mr. M.M. Rafeek, AAL
Balapitiya	Mr. S. Jayasekara, AAL	Mrs. U. Somirathene, AAL
Bandarawela	Mr. P. M. Weerasinghe, AAL	Mr. A. P. Ranathunga, AAL
Batticaloa	Mr. K. Narayanapillai, AAL	Mr. A. Uwais, AAL
Baddagama	Mr. A. J. Abeywickrema, AAL	Mr. P. Liyanage, AAL



BRANCH	PRESIDENT	SECRETARY
Bibile	Ms. T. Sooriya Arachchi, AAL	Mr. B K T D Weerasiri, AAL
Chilaw	Ms. N. H. M. S. D. Nawaratne, AAL	Ms. M. Wickramaarachchi, AAL
Colombo law society	Mr. Tivanka Ekaratna	Ms. V. Subasinghe, AAL
Colombo mc	Ms. P. Illikpitiya, AAL	Mr. D. Godagama, AAL
Elpitiya	Mr. M. Halpandeniya, AAL	Ms. O. K. S. Piyumali, AAL
Embilipitiya	Mr. V. G. Punchihewa, AAL	Mr. A. Dias Samarsinghe, AAL
Galle	Mr. I. Srimal Wijesekera, AAL	Mr. T. A. Kumarage, AAL
Gampaha	Mr. T. A. P. Lal Tennakoon, AAL	Mr. I. I. R. Weragoda, AAL
Gampola	Mr. N. Pilapitiya, AAL	Mr. B.S. Udugama, AAL
Galgamuwa	Mr. Anil P. Balalle, AAL	Mrs. K. S. Rajapaksha, AAL
Hambantota	Mr. S. R. de Silva, AAL	Mr. C. Sooriyapatabendi, AAL
Hatton	Mr. A. Rajindra, AAL	Mr. R.C. Karunakaran
Hettipola	Ms. P. K. Herath, AAL	Mr. L. Wicramaarachchi, AAL
Homagama	Mr. S. Wickramaratne, AAL	Mr. S. Parakrama, AAL
Hinguragoda	Mr. R. M. G. Ratnayake, AAL	Mr. V. D. I. S. Widhanage, AAL
Horana	Mr. N. D. Imbulagoda, AAL	Mrs. S. R. Albert, AAL
Jaffna	Ms. S. Abimanasingham, PC	Mr. S. Paramarajah, PC
Kaduwela	Mr. N. Jayawardena, AAL	Mr. N. Jayawardena, AAL
Kantale	Ms. G. G. M. D. Kumari, AAL	Mr. S. Weerasinghe, AAL
Kalmunai	Mr. S. Kariapper, AAL	Mr. M. A. M. Mufeeth, AAL
Kalutara	Mr. V. L. Asarappuli, AAL	Mr. H. C. Liyanaarachchi, AAL

BRANCH	PRESIDENT	SECRETARY
Kandy	Mr. E. M. P. K. Abeyratne, AAL	Mr. K M P B Karunanayake, AAL
Kegalle	Mr. R. Wijewardena, AAL	Mrs. U. Wimalajeewa, AAL
Kesbewa	Mr. A.H. Gunasena, AAL	Mr. T. M. Wellalage, AAL
Kekirawa	Mr. T. M. K. Tennakoon, AAL	Mr. E. M U P B Ekanayake, AAL
Kuliyapitiya	Mr. P. Wadugedara, AAL	Mr. I P C A Fernando, AAL
Kurunegala	Mr. N. J. Edirisinghe, AAL	Mr. R. M. M. P. Karunarathne
Mahiyangana	Mr. E. W. S. Ekanayake, AAL	Ms. W. M .C. U. Wijethunga, AAL
Maho	Mrs. W. M. G. S. Karunaratne, AAL	Mrs. K.S.G. Balasooriya, AAL
Maligakanda	Mr. Anwar Salam	Mrs. E.M.H.P. Ekanayake, AAL
Mahara	Mr. G. K. Pathirana, AAL	Ms. R. Samaranyake , AAL
Mallakkam	Mr. S. Thevarajah, AAL	Ms. A. Gayathri Akilan, AAL
Mannar	Mr. E. C. Feldano, AAL	Mr. M.M. Saburudeen, AAL
Marawila	Mr. Lalantha Sarathchandra, AAL	Mr. Chinthaka Subasinghe, AAL
Mathale	Mr. Mohan Weerakoon, PC	Mr. Prasanna Saliya Dharmakirthi, AAL
Matara	Mrs. Chula S. Pathirane, AAL	Mr. Sumedha E. Kulatunga, AAL
Matugama	Mr. Rony Kithsiri, AAL	Mr. Gamini Nallaperuma, AAL
Mawanella	Mr. M. R. Sarath Bandara, AAL	Mr. M. S. M. Thamseel, AAL
Minuwangoda	Mr. Sarana Karunarathne, AAL	Ms. Kasuni Tharaka Wanniarachchi, AAL
Monaragala	Mr. R. M. Susantha Rathnayake, AAL	Mr. R.M.Wasantha Bandara, AAL
Moratuwa	Mr. Ravindra Manoj Gamage, AAL	Mr. Chandana Withanage, AAL
Mt. Laviniya	Mr. Shirly Wanniarachchi, AAL	Mr. Manoj Sanjeewa, AAL
Mullative	Mr. Nadarasa Sutharson, AAL	
Morawaka	Mr. Ajith P. Abeysekera, AAL	Mr. Hewa Ratthagalage Priyantha, AAL
Nawalapitiya	Mr. M. S. M. Imthiyas, AAL	Mr.Sandaya M Welageara, AAL
Muthur	Mr. M. S. Nayam, AAL	Mr. A. A. M. Sakideen, AAL
Nikaweratiya	Mr. R. M. N. Indrajith Bandara, AAL	Mr. R.B. Herath, AAL
Negombo	Mr. Nishendra Ekanayake, AAL	Mr. Bernard Fernando, AAL
Nugegoda	Mr. Laxman Galhena, AAL	Mr. Udhitha Hiripitiya, AAL
Nuwara eliya	Mr. E. S. Rajapakshe, PC	Mr. T. Aathavan, AAL
Panadura	Mr. Sugath Handunge, AAL	Mr. Aruna Baddewithana, AAL
Point pedro	Mr. M. K. Muthukumar, AAL	Mr. Nadarajah Rajeevan, AAL
Pugoda	Mr. Romesh Samarakkody, AAL	Mr. U.L. Newton Uswatta, AAL
Pelmadulla	Mr. Lochana N. K. Wijekoon, AAL	Mr. Nuwan C. Weerathunga, AAL
Polonnaruwa	Mr. S. B. Iddawela, PC	Mr. T. B. Udagedera, AAL
Ratnapura	Mrs. Prajapalil Atukorale, AAL	Mrs. Priyanka Gunawarnasuriya, AAL
Ruwanwella	Mr. E. M. Dylan Jayawardena, AAL	Mr. Samantha Premawardana , AAL
Samanthurai	Mr. A. M. Nazeel, AAL	Mr. A. H. Aroos, AAL
Tangalle	Mr. J. Andrahennady, AAL	Mr.V. B. R. Weerakoon, AAL
Trincomalee	Ms. Subashini Chithravelu, AAL	Mr. A. S. Zahir, AAL
Vavuniya	Mr. M. Sittampalam, PC	Mr. P.Anton Punithanayagam, AAL
Wariyapola	Mr. Sunil Abawardhana, AAL	Mr. Dharma Sri Manatunga, AAL
Walimada	Mr. Champika Dissanayake, AAL	Ms. Thusharika Fernando, AAL
Wattala	Mr. Hilarin Gunawardhane, AAL	Mr. Premanath Kalehewatta, AAL
Wellawaya	Mr. T. M. M. Tennakoon, AAL	Mr. L. A. K. Ajith Kumara, AAL
Warakapola	Mr. L. A. Tekla Nilmini, AAL	Mr. W. M. Anura P. B. Herath, AAL

Membership of the BASL

In terms of the Constitution of the Bar Association of Sri Lanka all Attorneys-at-Law of the Supreme Court of Sri Lanka are members of the BASL, however it is only “Life Members” who are entitled to voting rights and other benefits of the Association.

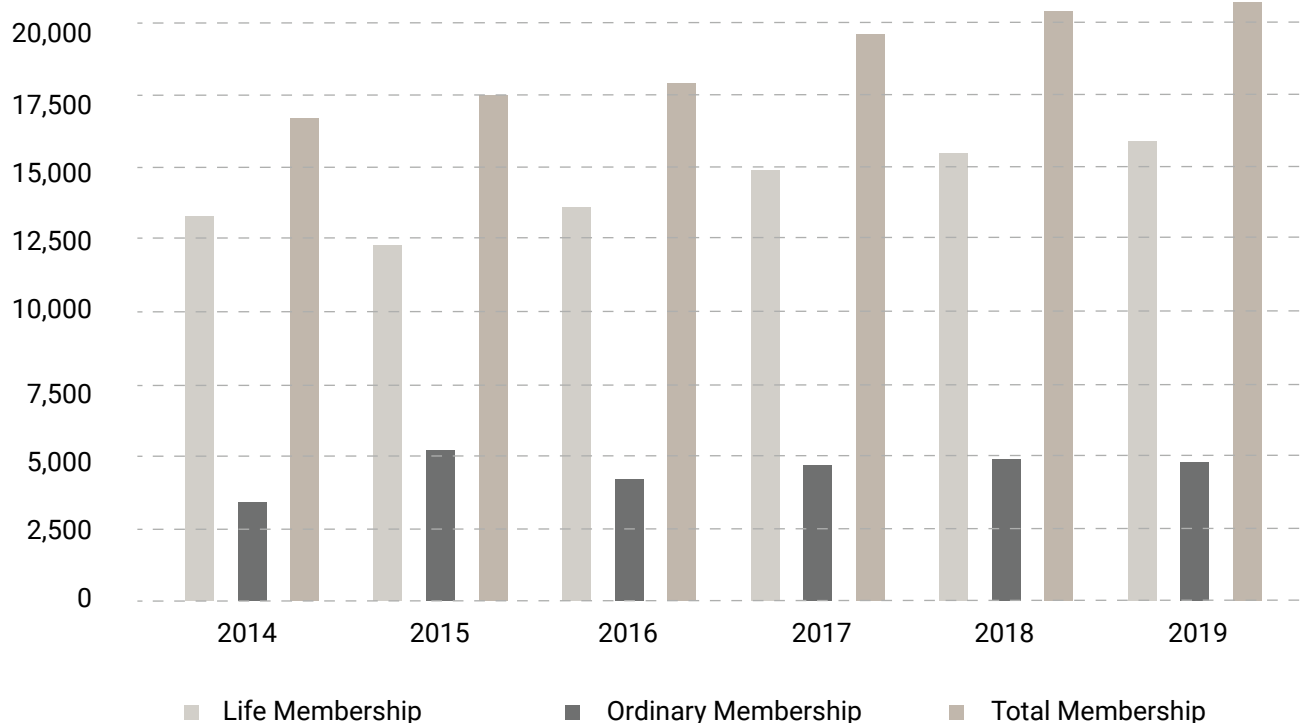
The total number of New Members from, 01st January 2019 to 31st December, 2019 is 829.

New Life members and Ordinary Members from 1st January, 2020 to 25th March, 2020 is 350.

The total number of Life Members and Ordinary Members as at 31st December, 2019

- Life Members 15,965
- Ordinary members 4788
- Total Membership 20,753

Category	Summary of BASL Membership					
	2014	2015	2016	2017	2018	2019
Life Membership	13,333	12,306	13,683	14,893	15,509	15,965
Ordinary Membership	3408	5,202	4,240	4,729	4,970	4788
Total Membership	16,741	17,508	17,923	19,622	20,479	20,753
Increase		767	415	1,699	857	280



03

BENCH & BAR

- Ceremonial Sittings during 2019/2020
- Felicitation Dinner

- Reference to late Mr. Ananda de Z. Wijesekera, PC & late Honorable Justice Prasanna Jayawardena, PC

- Members who completed 50 years at the Bar
-

Ceremonial Sitings during 2019/2020

05.04.2019	To enable the Bar to bid farewell to His Lordship the Chief Justice of the Republic Justice H. Nalin. J. Perera
06.05.2019	To enable the Bar to welcome the Hon. Justice Yasantha Kodagoda PC as President of the Court of Appeal of the Republic
15.05.2019	To enable the Bar to welcome Chief Justice of the Republic, His Lordship the Chief Justice Jayantha Jayasuriya PC
17.05.2019	Swearing of 22 Attorneys-at-Law as President's Counsel
25.06.2019	Swearing of 2 Attorneys-at-Law as President's Counsel
04.11.2019	To enable the Bar to welcome Hon. Justice Dr. Ruwan Fernando as a Judge of the Court of Appeal
19.12.2019	Swearing of Ms. Deepani Sandhya Hewa Kumarajeewa Attorney-at-Law as President's Counsel
20.12.2019	To enable the Bar to welcome Hon. Justice Devika Marie Abeyratne as a Judge of the Court of Appeal
20.01.2020	A reference for the late Justice Hon. Prasanna Jayawardane President's Counsel, Judge of the Supreme Court
18.02.2020	To enable the Bar to welcome the Hon. Justice Yasantha Kodagoda, PC as a Judge of the Supreme Court
20.02.2020	To enable the Bar to welcome the Hon. Justice A.H.M.D. Nawaz as President of the Court of Appeal of the Republic



Felicitation Dinner

to welcome

His Lordship the Chief Justice Jayantha Jayasuriya PC
the 17th Chief Justice of Sri Lanka
Hon. Justice Yasantha Kodagoda PC
President of the Court of Appeal and
Hon. Dappula de Livera PC
Attorney General

and to bid farewell to

His Lordship Justice H N J Perera
the 16th Chief Justice of Sri Lanka

Hosted by

THE BAR ASSOCIATION OF SRI LANKA

12th October 2019

at the

Grand Ballroom - Galadari Hotel Colombo

Cocktails - 7.00pm to 8.00 pm

Dinner - 8.00pm onwards

Dress code : National / Lounge

Tickets Rs. 8,500/-

Kaushalya Nawaratne
Secretary

Contact : 0112 447134
: 0112 331697
: 0764 408335

Felicitation Dinner

Felicitation Ceremony to Welcome His Lordship the Chief Justice Jayantha Jayasuriya, PC the 47th Chief Justice of Sri Lanka, Hon. Dappula De Livera, PC the Honourable Attorney General and Hon. Justice Yasantha Kodagoda, PC, the Honourable President of the Court of Appeal and to bid farewell to His Lordship Justice H N J Perera the 46th Chief Justice of Sri Lanka on 12th October 2019, at Hotel Galadari, Colombo.

The members of the Bar organized a farewell dinner to His Lordship the 46th Chief Justice of Sri Lanka Honorable Nalin Perera on his retirement, at the Galadari Hotel, Colombo. Simultaneously the Bar ceremoniously welcomed the 47th Chief Justice of the Republic Honorable Jayantha Jayasuriya PC, the 47th Attorney General Honorable Dappula de Livera PC and President of the Court of Appeal Honorable Justice Yasantha Kodagoda PC. His Lordship Honorable Justice Nalin Perera was unable to attend. The said ceremony was attended by nearly 700 members of the Bar representing many parts of the island.

The attendees witnessed a video presentation on the illustrious careers of the three eminent members of the profession felicitated on that day.





The Speech of the President BASL

My Lord the Chief Justice,
Hon. Judges of the Supreme Court,
Hon. The Attorney General,
The Hon. President and the other Honourable
Judges of the Court of Appeal,
Hon. Judges of the High Courts, District Courts
and Magistrate Courts,
President's Counsel,
My dear colleagues of the Bar,
Ladies and Gentlemen,

I am deeply honoured and privileged to stand before all of you this evening to welcome His Lordship the Chief Justice – Hon. Jayantha Jayasuriya, President's Counsel, The Hon. Attorney General – Mr. Dappula de Livera, President's Counsel and the President of the Court of Appeal – Hon. Yasantha Kodagoda, President's Counsel.

The Judicial administration in the current form commenced in 1801 when the Supreme Court of the Island of Ceylon was established with the Royal Charter of Justice of King George the 3rd on 18th April 1801. The changes that took place thereafter in the legal profession, and in the system of judicial administration was merely an extension of the rich legal culture that we have experienced from ancient times.

Since the appointment of Sir Codrington Edmund Carrington in 1802 as the 1st Chief Justice of this Nation, 46 Chief Justices have occupied "the middle seat" of the Supreme Court prior to Your Lordship's appointment as the 47th Chief Justice. Your Lordship was appointed to this exalted position after serving the State for 36 years, as a member of the Attorney General's Department. Having joined the Department on 1/11/1983, Your Lordship reached the top most post of Attorney General on 10/02/2016.

The Bar is fully aware of Your Lordship's many achievements in your Department days. Your Lordship was an extremely fair and a reasonable Prosecutor. In the later years, Your Lordship counsel was much sought by the State in many matters

involving the rights and duties of the State. Your Lordship has participated in many International forums representing the Republic.

While appreciating the many achievements of Your Lordship, the Chief Justice, the Bar unreservedly recognizes Your Lordship's contribution towards legal education and the activities of the BASL. Apart from the academic contribution made by Your Lordship as faculty member of the Kotelawala Defence Academy and the staff of the Sri Lanka Law College, Your Lordship's contribution in policy making would be greatly appreciated by the Bar.

The Bar expects Your Lordship the Chief Justice, to steer the Judiciary during Your Lordship's tenure, in keeping with the "motto" of the Supreme Court "inspire public trust and confidence".

As the President of the Bar Association of Sri Lanka, it is my duty to place on record, the appreciation of the entire Bar for Your Lordship's contribution towards the activities of the Bar Association of Sri Lanka. I must thank my predecessor, Mr. U. R. De Silva, President's Counsel for involving Your Lordship in all seminars, conferences and workshops during the last 2 years and I would thank Your Lordship for the continuous assistance that Your Lordship has provided to the Bar Association of Sri Lanka.

My Lord, the Judiciary is the branch of the State that is expected to administer justice according to Law. The Bar on the other hand, is the other branch which would facilitate the task of administering justice. Both these branches provide a service centred on the concept of Rule of Law. In every civilized legal system, there is nothing more fundamental than a commitment to the Rule of Law. It manifests itself in a strong, expert and fiercely independent legal profession and an expert, fiercely independent and incorruptible judiciary within an accessible civil justice system. Neither the Executive nor any powerful interest, domestic or international would receive special treatment in our Courts.

The Bar has every confidence that Your Lordship the Chief Justice would protect the dignity and the independence of the Judiciary.

Your Lordship has been well accepted by the Bar during Your Lordship's entire career. Your Lordship has blended with the Bar at every possible opportunity. Such integration has never been an impediment for Your Lordship to discharge Your Lordship's duties as a member of the Attorney General's Department.

The Bar has every confidence that Your Lordship will protect the very concept of the Rule of Law and that Your Lordship would steer the Judiciary to make a more vibrant contribution in the protection of our Constitution and the rights of our people. We have every confidence that Your Lordship would provide a hearing to every party before Your Lordship and that Your Lordship would deliver justice in accordance with the law and according to Your Lordship's conscience. We have every confidence that Your Lordship would be impartial, independent and fearless.

It is with such great expectations that the Bar felicitates Your Lordship today. Thank you, My Lord, for having accepted our invitation and for gracing this occasion with Madam Jayasuriya.

My Lords, Ladies and Gentlemen, James Dunkin was appointed as the Advocate Fiscal on 19th February 1801 by the Governor, Sir Fredrick North. This post involving the Chief Law Officer of the state was known as Advocate Fiscal Between 1801 – 1833. In 1833, the designation was changed to "King's Advocate". On 10th December 1838 another change took place and the post was then known as "Queen's Advocate" until 1884.

On 1st January 1884, the post of Attorney's General was created and Sir Francis Fleming was appointed as the 1st Attorney General.

Mr. Dappula de Livera, PC, you became the 30th Attorney General when you were appointed to this onerous post in April 2019. If one is to calculate from 1801, you occupy this prestigious seat as the 46th Titular Head of the Bar.

After completing your education at St. Joseph's College, Colombo and St. Anthony's College, Kandy, you took to the Law and was enrolled as an Attorney-at-Law at the Supreme Court in 1984. You joined the Attorney General's Department in 1985 and served in different parts of the Island mainly in

the Criminal Branch. In 2015, you were appointed SILK and after a career of 34 years in May 2019, you were elevated to the position of Attorney General.

Your exposure in the Attorney General's Department gave you the opportunity of being involved in many areas of the Law. Proliferation of small Arms and Light Weapons, human smuggling and illegal Migration, Financial Intelligence are some such areas.

The bar expects you to uphold and protect the dignity of this great institution of which you are currently the head. You hold office based on the doctrine of "Public Trust". Any devaluation or erosion of such public confidence or trust would have a serious impact on our profession.

You are known to be a strict disciplinarian. You are one of the best prosecutors of our time. The exposure and the experience that you have acquired over 34 years in the "Public Service" should hold you in good stead to discharge your duties in this onerous office.

The Bar expects your support and assistance to uplift the degree of Public Confidence and Trust. The Bar has no doubt that you would assist us in our functions and activities.

When I look at you, I am reminded of the words of Sir Winston Churchill the famous British Prime Minister who described himself once as "*Beneath this rough exterior lies a man who is mild and sober.*"

Very recently, I had the opportunity to experience your mildness, without crossing the line of duty, when as the President of BASL, I had to make representations to you regarding a young Attorney. Your prompt and swift decision saved the creation of a precedent where the law enforcement authorities may have started a spate of actions against the members of the Bar.

At this point where the Attorney General's Department is celebrating its 175 years, I take great pleasure in welcoming you on your appointment and for the felicitation tonight.

Hon. The President of the Court of Appeal, Hon. Justice Yasantha Kodagoda, President's Counsel, it is with great pleasure that we welcome you and felicitate you tonight on your recent appointment as the President of the Court of Appeal.





Your Lordship joined the legal profession 1987. Like His Lordship the Chief Justice and Hon. The Attorney General, Your Lordship too went through the entire process in the Attorney General's Department for well over three decades. Your Lordship's illustrious career provided an opportunity to function as a prosecutor, a special prosecutor, a supervising officer, a consultant to the State, a policy maker and a much sought-after adviser on matters ranging from pure and simple Criminal Law to complicated issues of an international perspective.

Your Lordship has been a part of the Prosecution teams in several Commissions. The role that was played by Hon. Attorney General and Your Lordship, Justice Kodagoda in the recently concluded Presidential Commission of Inquiries in to the Issuance of Treasury Bonds would be remembered for a long period of time.

Your Lordship's busy schedule of work has never prevented Your Lordship from making a significant contribution to the society. Your Lordship has been a much sought-after resource person by the BASL and I am pleased to place it on record that Your Lordship was never hesitant in accepting an invitation

to enhance the knowledge of our members. Your Lordship has, on many occasions presented papers on behalf of the BASL and the Government of Sri Lanka. Your Lordship has continued to be a delegate of the Bar Council and in such capacity, made a significant contribution to the activities of the BASL.

Another significant contribution that I wish to recognise is Your Lordship's involvement in legal education of this country. Apart from being a resource person, Your Lordship was attached to the staff of the Sri Lanka Law College and also functioned as the Director of the Institute of Advanced Legal Studies. Your Lordship also functioned as a visiting lecturer of the Police Higher Training Institute, Bandaranaike Centre of International Studies, University of Colombo, Sri Jayawardenepura, Kelaniya and the Kothalawela Defence University.

A challenging task that Your Lordship would face would be the elimination of the backlog of cases pending before the Court of Appeal. The Bar on our part, will offer every possible assistance to Your Lordship in this regard.

During the last few months, I had the honour and the privilege of being involved in many discussions with



Your Lordship, Justice Kodagoda where, Your Lordship clearly indicated your intentions to simplify the procedure in the Court of Appeal and the importance of maintain professional standards. The Bar would always be supportive for the above measures that Your Lordship intends to take.

On behalf of the Bar, I warmly welcome Your Lordship Justice Kodagoda on this memorable occasion. We have every confidence that Your Lordship would dispense justice in keeping with the highest standards of Judicial ethics and with impartiality and without any fear or favour.

Ladies and Gentlemen,
All of us gathered in this hall tonight, started our legal careers with a long walk to the Hulftsdorp Hill. The profession that we belong to, has many opportunities to offer. At some point in our career we opt to select and choose our own path and proceed in the direction of such chosen path. The three gentlemen that we felicitate tonight, namely, His Lordship the Chief Justice – Hon. Jayantha Jayasuriya, President’s Counsel, The Hon. Attorney General – Mr. Dappula de Livera, President’s Counsel and the President of the Court of Appeal – Hon. Yasantha Kodagoda, President’s Counsel are persons who have reached

the highest levels of their careers through dedication, determination and discipline. This felicitation by the peers at the Bar would be a motivating factor to young members of the Bar.

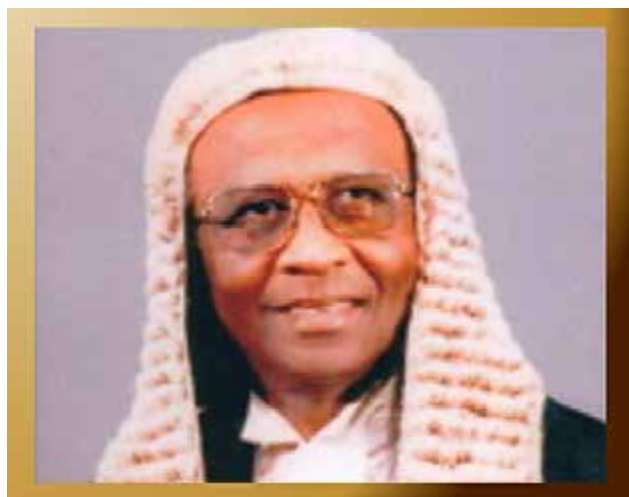
My Lord the Chief Justice, The Attorney General, Hon. President of the Court of Appeal, today’s event is an unprecedented one. The Bar is present in such large numbers in recognition on the contribution that all of you have made towards the legal profession for well over three decades.

On a personal note, I am extremely fortunate and honoured to hold office as the President of the Bar Association of Sri Lanka at this moment. All three of you were my contemporaries at the hallowed institution called “The Sri Lanka Law College”. I have extremely fond memories of my association with all of you. Hence, sentiments expressed by me comes from within and from the bottom of my heart.

The Bar welcomes all three of you on this memorable occasion. We wish all of you, Good Health, Courage and the Wisdom to hold these high offices and to discharge the functions of such office without fear or favour and in an independent, impartial manner. Thank you.

Reference to late Mr. Ananda de Z. Wijesekera, PC & late Honorable Justice Prasanna Jayawardena, PC

The BASL paid tribute to the late Mr. Ananda de Z. Wijesekera, PC, former President BASL, and the late Justice Prasanna Jayawardena, PC, Honorable Justice of the Supreme Court and former Deputy President BASL on the 31st January 2020. The reference was held in the Auditorium of the BASL and was attended by family members of the esteemed gentlemen, His Lordship the Chief Justice, His Lordship the Acting President of the Court of Appeal, His Lordship the Acting Solicitor General, Honorable Judges of the Supreme Court, Court of Appeal, High Court, District Court and Magistrate Court, as well as members of the Bar.



The distinguished gathering was addressed by the President of the BASL, Mr. Kalinga Indatissa, PC. The eulogy for the late Mr. Ananda de Z. Wijesekera PC was delivered by Mr. Razik Zarook PC who reflected on the invaluable service done by the former President, to the BASL. Mr. Ikram Mohamed, PC delivered the eulogy for the late Justice Prasanna Jayawardena, PC, honoring the memory of the Honorable Justice Prasanna Jayawardena, PC who was a pillar of integrity and strength on the Bench.





MEMBERS

WHO COMPLETED

50

YEARS

AT THE BAR

-
1. Mr. Ranjan Abeyesekera
 2. Mr. Gamachchige Karunadasa Jayawardane
 3. Mr. Patrick Prabawansa
 4. Mr. Mohamed Haniffa Abdul Raheem
 5. Mr. Vivekanandan Silva Anandan
 6. Mr. G.O.M.I.N. Dayasri
 7. Mr. N.G.T. Rajapakse
 8. Mr. Lalit Kumar Jayaratnam
 9. Mr. Vidana K. Unasoma Ramanayake
 10. Mr. C.M.M. Bogollagama
 11. Hon. Justice Ameer Ismail
 12. Mr. Maxwell. A. Bastiansz
 13. Mr. M.L.M. Ameen, PC
 14. Mr. Wilfred Michael Neville de Alwis
 15. Mr. Abdul Majeed Mohamed Anas
 16. Ms. Sivananthavalli Thurairaja
 17. Ms. Joyce Manel Wijesingha Kalawila
 18. Mr. Liyana M. Gaminidasa Cabral
 19. Mr. Daya Pelpola, PC
 20. Mr. M.A.M. Faisal
 21. Mr. Leslie Anancletus Anthony Cardos
 22. Mr. Ramalingham Balasubramaniam
 23. Mr. Ponniah Sathiyaseelan
 24. Ms. Kalyani Manel Gunatilaka
 25. Mr. A.R. Devaguru
 26. Mr. Upali Dharmasiri Welaratne
 27. Mr. M. Pararajasingham
 28. Mr. D.P. Mendis, PC
 29. Mr. Satyendra Mohan Devanayagam
 30. Mr. Ananda E. Leopold Damian Ratnayake
 31. Mr. Ephraim Moses George
 32. Mr. Keerthi S. Pasqual
 33. Mr. Thilak Hikkaduwe Liyanage
 34. Mr. Mohammed Hanaffi
 35. Mr. Douglas Neville Jayawardene
 36. Mr. Nalina Viswajith de Silva
 37. Mr. David Abraham Galappaththi
 38. Mr. H.R. Herath
 39. Mr. Imthiaz Razeen
 40. Mr. Walter Jayaratne
 41. Mr. S. Shantha Dimbulana
 42. Dr. Ranjit Fernando
 43. Mr. Wijayasinghe Arachchige Jayawardena
 44. Mr. Douglas Halangoda
 45. Ms. Malini Sabaratnam
 46. Mr. C. Vijitha Lakshman Seneviratne
 47. Mr. Diyagu Baduge Danny de Silva
 48. Mr. Bernard Terrance Bastian Pulle
 49. Mr. Lakshman Sunil P. Jayatillake
 50. Ms. Mangalika Dodanwela
 51. Ms. Padmini Kamaladevi Karunanayake
 52. Mr. Chellappah Veluppillai Vivekananthan
 53. Mr. Bimal Rajapakse
 54. Mr. Niletthi Nimal Siripala de Silva
 55. Mr. Ranmuthugala A. Percy Jayantha Perera
 56. Mr. Nihal Jayamanne, PC
 57. Mr. K. Sarath Gunatilaka
 58. Mrs. Manel Gunatileke

The Bar Association of Sri Lanka takes the pleasure in announcing that 58 members have completed a successful professional career in the legal profession. Accordingly, the BASL, whilst extending its warmest congratulations to the said members, was in the process of organizing a night to recognize and felicitate the said members. The said ceremony was scheduled to be held on 21st March 2020 but however, due to the outbreak of the Covid-19 pandemic, which effectively

crippled the day to day life of citizens, the BASL postponed the said ceremony due to health risks and concerns.

However, in view of the said health concerns as at today, a date for the said ceremony has not yet been finalized. We, the BASL once again extend our warmest congratulations to all the said senior members of the profession who celebrate this milestone in their professional lives.

04

CONTINUOUS LEGAL EDUCATION

- Junior National Law Conference
 - National Law Conference
 - Certificate Courses
 - "Neethiya" Law Conference
 - Provincial Law Conferences
 - Workshops
 - CLE One Day Programs
 - Other Seminars / Discussions
-

Junior National Law Conference

The Junior National Law Conference was successfully held for the 19th consecutive year under the theme 'e-JNLC 1.0 – Towards a digital Era in the Legal profession' on the 29th, 30th of November 2019 & 1st December 2019 at the Blue Water Hotel, Wadduwa. A Panel Discussion based on challenges faced by the Legal Profession was held with His Lordship, Hon. Yasantha Kodagoda PC, President of the Court of Appeal, Mr. Kalinga Indatissa, PC, President of the Bar Association of Sri Lanka, Mr. Kaushalya Nawarathne, Secretary of the Bar Association of Sri Lanka, Mr. Kuvera De Zoysa PC, Chairman of the Junior Bar Committee who were the panelists and the discussion was moderated by Mr. Nishan Premathiratne, Convener of the Junior Bar Committee.

On the second day there were parallel sessions divided into Corporate Sessions, Civil Law Sessions and Criminal Law Sessions and the resource persons were Dr. Harsha Cabral, PC, Mr. Dinal Philips, Mr. Anthony Shanil Fernando moderated by Mr. Nishan Premathiratne, Mr. Jagath Wickramanayake, PC, Mr. Senaka de Saram, Moderator Mr. Kuvera De Zoysa, PC, Her Ladyship, Hon. Kumudini Wickramasinghe, Judge of the Court of Appeal, Mr. Kalinga Indatissa, PC moderated by Mr. Chalaka Vidanage, Hon. Lanka Jayaratne, Chief Magistrate of Colombo, Mr. Nalinda Indatissa, PC, Mr. Avindra Rodrigo, PC, Mr. Nishan Premathiratne, Mr. Rajeev Amarasuriya, Mr. Niranjana de Silva moderated by Mr. Kuvera De Zoysa, PC, Mr. Sarath Jayamanne, PC, Mr. Harsha Fernando, Mr. Asela Rekawa, moderated by Mr. Viran Corea.

In addition to these sessions a Mock Trial for Criminal Law was conducted and the resource persons were Hon. Manjula Thilakarathne, Judge of the High Court of Colombo, Mr. Shavindra Fernando, PC, Mr. Dileepa Peeris, DSG, Mr. Anuja Premaratne, PC moderated by Ms. Naushalya Rajapakse & a Moot Court for Civil Law

performed by Mr. Charaka Jayatathne, Mr. Harith de Mel and the panel consisted of Mr. Chandaka Jayasundere, PC, Mr. Kaushalya Nawarathne moderated by Mr. Ameer Mahuroof. In addition to that there was a session on Personality Development & Stress Management conducted by Dr. Kuma Iddamallena and a PC Forum- 'success stories of few pioneering President's Counsels' in which Dr. K. Kanag - Isvaran, PC, Mr. Kuvera De Zoysa, PC, Mr. M.U.M. Ali Sabry, PC and Mr. Saliya Pieris, PC participated.

On the third day there was a Forum on ICT and Digitalization of the Legal Profession Mr. Jayantha Fernando discussed the Impact of International Laws and standards governing digital Laws in Sri Lanka & the Panel were Mr. Bhairav Acharya Member of Facebook legal team, Mr. Dhanika Perera, Founder and CEO of Payhere (Pvt) Ltd Mr. Akhila Wijetunga, Founder of Legistant moderated by Ms. Thushangi Atapattu.

JUNIOR NATIONAL LAW CONFERENCE 2019

29TH NOV, 30TH NOV, 01ST DEC 2019

AT THE BLUE WATER HOTEL WADDUWA

TICKET PRICES:

- TRIPLE SHARING - RS. 18,000 (PPP)
- DOUBLE SHARING - RS. 20,000 (PPP)
- DAY PASS - RS. 10,000 (PPP)
- DAY PASS WITH GALA DINNER - RS. 15,000 (PPP)

Log on to www.juniorbar.org.lk and click "Registration" to purchase your ticket (Tickets will only be available through the website)

Online registration & payment for Colombo will be open from 30th October 2019 to 6th November 2019

LIMITED TICKETS AVAILABLE

CONTACT | Karief Muddusage (Chairman of the JNLC 2019) - 0773 839 547
Haree Sathisheena (Head of Logistics) - 0776 500 622

Organized by the JUNIOR BAR OF THE BAR ASSOCIATION OF SRI LANKA
Chairman of the Junior Bar: **MR. KUVERA DE ZOYSA, PC**
Convener of the Junior Bar: **MR. NISHAN PREMATHIRATNE**
Secretary of the JNLC: **MR. KAUSHALYA NAWARATHNE**



The Organizing Committee

The Chairman and Convenor of the Junior Bar Committee were Mr. Kuvera De Zoysa, PC and Mr. Nishan Premathiratne, respectively. The Conference committee was as follows; Mr. Kaneel Maddumage (Conference Chairman), Ms. Thushangi Atapattu (Deputy Chairman), Ms. Oshani Wijewardena (Secretary), Mr. Sachintha Widuruwan (Treasurer), Mr. Harin Saddhasena, Ms. Chalani Dissanayake, Ms. Vinuri Wickramasekera, Mr. Gihan Liyanage, Ms. Manoda Mohotti, Mr. Praveen M. Premathilaka, Mr. Imaz Imthiyaz, Mr. Ameer Mahuroof, Ms. Dilsha Fernando, Ms. Amindika Rathnayake, Ms. Devini

Chanika Jayatilake, Ms. Charm Jayatileka, Mr. Oshadha Rodrigo, Ms. Dilrukshi Paul, Mr. Subash Maduranga Fernando, Ms. Niranjala Gunatilake, Mr. Sanjeeva Ruwanpatirana, Mr. Chatura Weerasooriya, Mr. Dakshitha Devapura, Mr. Keerthi Tillekaratne, Mr. Krishan Fernandopulle, Mr. Niranjan Arulpragasam, Mr. Chalaka Vidanage, Ms. Rashmini Indatissa, Ms. Damsarie Ranasinghe, Mr. Janith Wijekoon, Mr. Samantha Premachandra, Ms. Ruvini Somatilake, Ms. Nayanthara Balapatabendi, Ms. Nikini Mapitigama, Mr. Duminde Prasath De Alwis.

































“Neethiya” Law Conference

The Management Committee of the BASL was mindful of the deterioration of overall standards of skill, knowledge and

professionalism etc of the new entrants to the legal profession. Hence, it was decided to launch several programs to meet these urgent

requirements to uplift the standards of the legal profession. In this endeavour the BASL joined hands with the “Neethiya” Foundation

and organized the “Neethiya” Law Conference which was conducted in the Sinhala medium. We are happy to place on record that over 500 members attended the sessions of this Conference. We wish to extend our sincere thanks to Mr. Upali Gooneratne PC, Mr. Amal Randeniya, Attorney-at-Law (Former Secretary of the BASL) and Mr. Dimuth Senerath Bandara, senior Attorney-at-Law, the members of the BASL Staff including the Special Committee and the members of the “Neethiya” foundation for their tireless efforts to make this event a success. Our heartfelt gratitude is extended to all the resource persons who unreservedly shared their knowledge for the benefit of the members of the legal profession.

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මුහුණ : අධ්‍යක්ෂ ජනරාල් මහත්මිය හරහා අධ්‍යක්ෂ ජනරාල් මහත්මිය
සමිතේ ආයතන : රජයේ නීතිඥ සේවා ආරක්ෂණ මධ්‍යස්ථානය
ආයතන : පුටුම පරිච්ඡේදන විද්‍යාලය

ආසන සීමිත බැවින් කලින්ම ලියාපදිංචි වන්න
“නීතිය පදනම” සම්පත් බැංකු ගිණුම් අංක - 1061 6001 0228

නීතිමය සහායක පුහුණු කටයුතු සඳහා සමස්ත පුහුණු මධ්‍යස්ථානයේ සහ සමස්ත පුහුණු මධ්‍යස්ථානයේ නීති ප්‍රකාශන ප්‍රවේශය අඩු මිලට ලබාදීමට සූදානම් වෙමු.

TICKET CODE: SEMI FORMAL **RS 3000/-**

සම්පත් සීමිත බැවින්, ප්‍රධාන ආයතන, උපදේශන සහ පවරණ මගින් අනුමතයි.

නීතිමය සහායක පුහුණු කටයුතු සඳහා සමස්ත පුහුණු මධ්‍යස්ථානයේ සහ සමස්ත පුහුණු මධ්‍යස්ථානයේ නීති ප්‍රකාශන ප්‍රවේශය අඩු මිලට ලබාදීමට සූදානම් වෙමු.



“නීතිය” 5 වන (සංචල චාඛ්‍ය) ජාතික නීති කවුළුව

2019 ජූලි 06 දින කොළඹ 7 ශ්‍රී ලංකා පදනම හිදී

පෙ.ව. 8.30 - පෙ.ව. 9.00

ලියාපදිංචිය / තේ පැන් සංග්‍රහය

පෙ.ව. 9.15 - පෙ.ව. 10.00

සමාරම්භක උත්සවය

පෙ.ව. 10.00 - පෙ.ව. 11.30

පරිගණක හා ඉලෙක්ට්‍රොනික නීතිය

ප්‍රිදර්ශන : නීතිපති ජනාධිපති නීතිඥ හරු දුප්පුල ද ලිවේරා මහතා

සමීපත් දායකයන් : ජනාධිපති නීතිඥ කලිංග ඉන්දුරිස්ස මහතා

ප්‍රධාන පොලිස් පරීක්ෂක ඩී.බී.බේ.සේනාරත්න මහතා

ජනාධිපති, විපරිත් වෙහෙරිගම විද්‍යාලය, අපරාධ පරීක්ෂණ දෙපාර්තමේන්තුව

පෙ.ව. 11.30 - ප.ව. 12.30

මහජන සහ පුද්ගලික පීඩාව - සිවිල් හා අපරාධමය ප්‍රතිකර්ම

ප්‍රිදර්ශන : මහාධිකරණ විනිසුරු හරු ආදිතස පටිඛැදිගේ මැතිතුමා

සමීපත් දායකයන් : ජනාධිපති නීතිඥ අලි සබිර මහතා

ජනාධිපති නීතිඥ නලින්ද ඉන්දුරිස්ස මහතා

ප.ව. 12.30 - ප.ව. 1.15

දිවා ආහාරය

ප.ව. 1.15 - ප.ව. 2.30

වෙක්සත් වලට අදාළ සිවිල් හා අපරාධමය වගකීම්

ප්‍රිදර්ශන : ශ්‍රේණිධායක විනිසුරු ජනාධිපති නීතිඥ හරු බ්‍රුවනෙක අළුවිතාරේ මැතිතුමා

සමීපත් දායකයන් : මිචෙල්ලාන් හරු රංග දිසානායක මැතිතුමා

ජනාධිපති නීතිඥ චන්දක ජයසුන්දර මහතා

නීතිඥ දිමුතු සෙනරත් බණ්ඩාර මහතා

ප.ව. 2.30 - ප.ව. 3.30

නිපුණ නීතිඥවරයකුගේ කාර්යභාරය

ප්‍රිදර්ශන : අභියාචනාධිකරණයේ සභාපති ජනාධිපති නීතිඥ හරු යසන්ත තෝදාගොඩ මැතිතුමා

සමීපත් දායකයන් : ජනාධිපති නීතිඥ කලිංග ඉන්දුරිස්ස මහතා

ජනාධිපති නීතිඥ බු.ආර්. ද සිල්වා මහතා

ප.ව. 3.30 - ප.ව. 3.45

තේ පැන් සංග්‍රහය

ප.ව. 3.45 - ප.ව. 4.45

දික්කසාදය හා බැඳුණු ඇතැම් විවාදාත්මක ගැටළු

ප්‍රිදර්ශන : ජනාධිපති නීතිඥ කුවේර ද සොයිසා මහතා

සමීපත් දායකයන් : ජනාධිපති නීතිඥ ජයන් වික්‍රමනායක මහතා

නීතිඥ බසංඥය නවරත්න මහතා

නීතිඥ සේනක ද සේරම් මහතා

සංවිධානාත්මක අපරාධ, මත් ද්‍රව්‍ය හා නීතිඥ වෘත්තීයේ වගකීම්

ප්‍රිදර්ශන : මහාධිකරණ විනිසුරු හරු මංජුල හිලකරත්න මැතිතුමා

සමීපත් දායකයන් : ජනාධිපති නීතිඥ ප්‍රසන්න ග්‍රාල් ද අල්විස් මහතා

ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලීස්පති එම්.ආර්.ලහිරි මහතා

ප.ව. 4.45 - ප.ව. 5.45

නොතාරිස් වෘත්තීය හා බැඳුණු අවදානම්

ප්‍රිදර්ශන : ජනාධිපති නීතිඥ රොහන් සහමන්ද මහතා

සමීපත් දායකයන් : ජනාධිපති නීතිඥ තෙවිල් අබේරත්න මහතා

නීතිඥ ඩී.පී. අරුල්ලභාසම් මහතා







The National Law Conference 2020



National Law Conference 2020

The National Law Conference is the flagship event of the Bar Association and was

held in unprecedented grandeur at the Jetwing Blue Hotel Negombo on the 14th, 15th and

16th February 2020. The theme of the event was 'Sri Lanka, a Financial

and Commercial Hub; Vistas, Challenges and Opportunities" which encompassed topics including Port City, Development of the Law, local and International Arbitration, Offshore Financing, Banking Investment, FDI's and its legal regime, Ports, Aviation and Maritime Security, Shipping, Maritime trading and Piracy, Fundamental Rights and Conflict of Laws, Professional Ethics and Responsibilities.

The Inauguration Ceremony was graced by His Excellency Gotabhaya Rajapakse, the President of the Democratic Socialist Republic of Sri Lanka as the Chief Guest , the Honourable Speaker, His Lordship the Chief Justice and the Judges of the Supreme Court, the Hon. Attorney General, the President of the Court of Appeal and the Judges of the Court of Appeal, the Minister of Justice, the Solicitor General, President's Counsels, the members of the diplomatic corps, the former Prime Minister



The National Law Conference 2020

'Sri Lanka, a Financial and Commercial Hub; Vistas, Challenges and Opportunities.'

Agenda

Welcome address by the Co-Chairman NLC 2020	Mr. Razik Zarook PC
Address by the President of the Bar Association of Sri Lanka	Mr. Kalinga Indatissa PC
Presentation by Port City	
Address by the Chief Guest	His Excellency the President Gotabaya Rajapakse
Briefing on the sessions by the Convener NLC 2020	Mr. Isuru Balapatabendi
Presenting the Logo and vote of thanks - Secretary NLC 2020	Mr. Vishwa de Livera Tennekoon

Please be kind enough to bring your invitation card and be seated in the conference room by 6.30pm.

Honourable Ranil Wickramasinghe, distinguished members of the Bar and participating colleagues.

A host of legal and professional experts including Dr. Harsha Cabral PC, Dr. Asanga Gunawansa, Mr. Kuvera de Zoysa PC, Mr. Chandaka Jayasundere PC, Mr. Susantha Balapatabendi PC, Additional Solicitor General, Mr. Nerin Pulle, Deputy Solicitor General, Mrs. Shamalie Gunawardana, Professor M. Sornarajah, Mr. Thilan Wijesinghe, Admiral Dr. Jayanath Colambage, Mr. Rayhan Wannappa, Mr. M.U.M Ali Sabry PC, Mr. Kushan D' Alwis PC, Mr. Mohan Wijesinghe, Justice K. T. Chitrasiri, Justice Janak de Silva, Mr. Anuja Premaratne PC, DIG Ajith Rohana, Dr. Dan Malika Gunasekera, Mr. Rohan Masakorala, Mr. Chankya Jayadeva,

Justice Arjuna Obeysekere, Mr. Vikum de Abrew, Senior Deputy Solicitor General, Mr. Romesh David, Mr. Faiszer Musthapha PC, Justice Buwaneka Aluvihare PC, Mr. Sanjay Rajaratnam PC, Acting Solicitor General, Mr. Sanjeeva Jayawardena PC, Mr. Manohara de Silva PC, Mr. Saliya Peiris PC, Mr. Kalinga Indatissa PC, Mr. Harsha Fernando, Mr. Upali Gooneratne PC and Mr. Anura Meddegoda PC contributed to the success of the Conference which had sessions on the chosen topics spread over two days. The participants while immersed in the sessions were provided with the opportunity of networking during the numerous popular fellowship programs including the dinner dance.



The 30-member Committee of the National Law Conference was headed by Co-Chairmen Mr. Razik Zarook PC and Mr. Manilal Fernando and was convened by Mr. Isuru Balapatabendi. The Secretary of the Conference was Mr. Vishwa de Livera Tennekoon and the members were Mr. Rajeev Amarasuriya, Mr. Yajish Tennekoon, Mr. Pandula Wanniarachchi, Mr. Duminda de Alwis, Ms. Chanakya Liyanage, Ms. Charuni de Alwis, Ms. Nikini Mapitagama, Ms. Divya Atpathanathan, Mr. Sudarsha Attanayake, Ms. Samadhini Anuradha, Ms. Lilani Ganegama, Mr. Charaka Jayaratn, Mr. Randika Mudannayake, Mr.

Ashan Nawaratne Bandara, Mr. Kaneel Maddumage, Ms. Dilshani Pieris, Ms. Dilhara Jayasekara, Mr. Lahiru Welgama, Ms. Lakshika Ratnayake, Mr. Navoda Wijeratne, Ms. Adeesha Dissanayake, Ms. Inaz Jinnah, Mr. Chinthaka Fernando, Mr. Wasantha Aranayake, Ms. Malmee Dissanayake and Mr. Nirmal Poornajith. The National Law Conference 2020 acknowledged the encouragement and support extended by the President and the Management Committee of the Bar Association. The BASL extends a special mention and a word of thanks to the group of energetic volunteers who worked tirelessly to make this event a success.





Sri Lanka

a Financial and Commercial Hub:
Vistas, Challenges and Opportunities



























More people friendly, effective justice system needed - President

Daily News Monday 17th February 2020

President Gotabaya Rajapaksa emphasised that time has come for all stakeholders including the judiciary and legal fraternity to make the justice system more people friendly, efficient and effective.

Addressing the annual National Law Conference 2020 as Chief Guest at the Jetwing Blue Hotel in Negombo last Friday (14), the President said the system of justice should provide meaningful avenue for ordinary citizens of the country to resolve their disputes expeditiously and in a convenient manner.

The annual National Law Conference 2020 was organized by the Bar Association of Sri Lanka. The theme of this year's conference was "Sri Lanka, a Financial and Commerce Hub-Vistas, Challenges and Opportunities."

"The time has come for all stakeholders including the judiciary, government, legal fraternity and all other citizens concerned to work together and make the system of justice more people friendly, efficient and effective', President Rajapaksa said. The President further stated that rule of law will inevitably fail in the absence of an independent judiciary.

"The Independence of the judiciary is the cornerstone of the rule of law. Without the independence of the judiciary, the rule of law will inevitably fail. The system of justice has to be complementary with an efficient, effective and affordable process which will provide meaningful avenue for ordinary citizens of the country to resolve their disputes expeditiously and in a convenient manner," the President said.

President Gotabaya Rajapaksa also requested the members of legal profession to assist in promoting local and foreign investment by eliminating unnecessary bureaucracy and excessive regulations. The President highlighted the necessity of providing facilities and human resources for more efficient and effective methods of dispute resolution such as adjudication and arbitration.

"We also need to ensure better patent protection and more representation in the global intellectual property rights so that our inventors, creators and entrepreneurs can be encouraged. It will also increase investor confidence," the President said. "The primary focus of my government is to rapidly develop the country, eradicate poverty and uplift the living standards of the people. There are a number of significant opportunities that Sri Lanka can exploit in today's context to achieve the rapid development we expect. The 21st century is widely acknowledged as the knowledge century," President Rajapaksa said.

"New technology and innovations are now changing the way the world works at a rapid pace. Technological advances in areas such as Artificial Intelligence, Big data, robotics, 3D printing, bio-engineering the internet of things and nanotechnology that can bring about sweeping transformation across global commerce and industry. Sri Lanka must not be left behind with these changes. We must instead try to make use of the opportunities. In our quest for rapid economic development, we must realise that the centre of gravity of the global economy and politics has been shifting significantly towards Asia during recent decades, the President further said.

The President also observed that his government will implement systematic strategies to attract Asia, which not only home to largest population segment of the globe but also has the fastest growing middle class population.

“The Organization for Economic Cooperation and Development (OECD) has estimated 2030 Asia will be home to 64% of the global middle class and account for well over 40% of middle class consumption. This fast growing middle class with considerable spending power in countries such as India, China, Japan and regions such as ASEAN, the Middle East represent the tremendous opportunity for Sri Lanka given its unique strategic location in the middle of the Indian Ocean. Achieving rapid economic development through the broad opportunities afforded to us by true trends of this rapid technological change and the emergence of Asia as a whole, most significant marketplace demands novel technology,” the President further said.

“We need short term, medium term and long term strategies at national level as well as sector specific levels to make maximum use of these opportunities. These strategies need to be supported by significant changes to underline the enablers such as education, legal and regular framework, financial system and infrastructure. The President also highlighted the importance of the Information Technology sector to provide a tremendous growth opportunities for Sri Lanka. The President further said his government is committed to assisting the development of the country’s IT industry to take advantage of increasing opportunities.

“We have already granted significant tax benefits to companies in the IT sector and welcome the support of local and foreign companies to invest in this field by creating more jobs, the President further said.

In his address, the President also highlighted the importance of developing highly potential areas like the tourism sector.

The President emphasised the importance of attracting more countries to develop Sri Lanka’s tourism sector.

“We must make use of our abundant natural and cultural attractions. The quality of the workforce

engaging in the tourism sector is required for development,” he said.

The President further said his government would take necessary action to become Sri Lanka self sufficient in agriculture by introducing new technologies, water management, high quality seeds, increase of use of organic fertilizer and enhancing storage and transport facilities. “We must also introduce a suitable digital platform to assist the farmers so that they do not have to depend on third parties. The digital platform will enable the farmer to decide what crop he grows during what season. But he also enable to get a good price for his production, scientific information on appropriate pesticide and weedicide,” President Rajapaksa said.

The National Law Conference 2020 was officially declared opened by BASL President Kalinga Indatissa PC. The welcome address was delivered by Co-Chairman of National Law Conference 2020 President’s Counsel Razik Zarook. The Convener of the National Law Conference 2020 Attorney-at-Law Isuru Balapatabendi and the Secretary of this year’s conference Attorney-at-Law Vishwa de Livera Tennekoon also addressed the gathering. Speaker Karu Jayasuriya, Justice Minister Nimal Siripala de Silva, Attorney General Dappula de Livera and former Prime Minister Ranil Wickremesinghe were also present at the inaugural ceremony.

The National Law Conference 2020 was held from February 14 to 16.

Provincial Law Conferences

Provincial Law Conferences - Uva Province (Nuwara Eliya)

With the aim of disseminating knowledge amongst the members of the profession, the CORE Justice Program of the

USAID partnered with the Bar Association of Sri Lanka in March 2018. Under this collaboration the Provincial Law

Conference in Nuwara Eliya was conducted by the BASL Program Committee. This was the first Provincial Law Conference for

the year and it was successfully held on 20-22 September 2019 at the Araliya Green Hills Hotel in Nuwara Eliya. Mr. Kalinga Indatissa, President's Counsel President BASL, Mr. Shavindra Fernando, President's Counsel Deputy President BASL, Mr. Kaushalya Nawaratne, Secretary BASL, Mr. Razik Zarook, President's Counsel, Mr. Samantha Ratwatte, President's Counsel, Mr. Jagath Wickramanayake, President's Counsel, Mr. G. G. Arulpragasam, Attorney-at-Law, Mr. Dileepa Pieris, Deputy Solicitor General, Mr. Rajeev Amarasuriya, Attorney-at-Law, Mr. Senaka De Saram, Attorney-at-Law, Ms. Niroshni Hettiarachchi, Attorney-at-Law and Ms. Shanika Wijesinghe, Attorney-at-Law from Women in Need were the Resource Persons of this conference. There were 64 participants to the program representing Branch Associations in Uva Province.



PROVINCIAL LAW CONFERENCE Uva Province

Organised by
THE BAR ASSOCIATION OF SRI LANKA

in collaboration with
**Branch Associations
in the Uva Province**

20th - 22nd September 2019

at
**Araliya Green Hills
Nuwara Eliya**

INVESTMENT

Day Participants - Rs. 5,000/=
Refreshments, Lunch and Materials only

*** Rs. 10,000/=**

For BASL Members with more than 5 years in practice

*** Junior Lawyers - Rs. 5,000/=**

For BASL Members with less than 5 years in practice

** Inclusive of accommodation. First come First served basis*

BASL services available during the conference :
Publications / ID Cards / Car Passes / Diaries / Member Registrations

Terms and conditions of the conference should be strictly complied with

KAUSHALYA NAWARATNE
SECRETARY
BAR ASSOCIATION OF SRI LANKA

For reservation of tickets
BASL Secretariat : 011 2447134
BASL Program Committee : 076 4408342











Provincial Law Conferences – Uva Province (Badulla)

This was the second Provincial Law Conference for the year and it was successfully held on 08th February 2020 at Heritage Hotel Badulla

and moderated by Kaushalya Nawaratne, Secretary of Bar Association of Sri Lanka and the topics were; Latest development in the use of law relating

to interim injunctions by Mr. Chandima Muthukumarana, AAL, Rei vindication and possessory actions relating to land by Mr. Jagath

Wickramanayake, PC, Fulfilment of the responsibilities of a notaries and current challenges (practical aspect of complains to the Supreme Court) by Mr. Felician Fernandopulle, AAL, Deed and conveyancing law related to registration of documents with special reference to caveats, seizure notice, 47A declaration and duties and obligations of notaries by Ms. Shiranthi Gunawardena, AAL, Applicability of computer evidence in criminal cases by C.I. Senaratne-CID, Procedure of adopting computer evidence by Mr. Chathura Galhena and Furthering gender equality and social inclusion in practice and law by Ms. Thiagi Piyadasa, AAL. There were Forty-Three (43) participants to the program representing Branch Association in Uva Province.



PROVINCIAL LAW CONFERENCE UVA PROVINCE

**ORGANISED BY
THE BAR ASSOCIATION OF SRI LANKA**

IN COLLABARATION WITH

THE BRANCH ASSOCIATIONS OF
BADULLA \ BANDARAWELA
WELIMADA \ WELLAWAYA
MONARAGALA \ BIBILE \ MAHIYANGANAYA
DEHIATTAKANDIYA \ HAMBANTOTA \ TISSAMAHARAMAYA

08 FEBRUARY 2020 **08.30 AM - 6.30PM**

**AT
THE HERITAGE GRAND HOTEL,
BADULLA**

INVESTMENT

RS. 2,500/=
PER PARTICIPANT

(Refreshments, Lunch and Materials)

BASL SERVICES AVAILABLE DURING THE CONFERENCE :
PUBLICATIONS / ID CARDS / CAR PASSES / DIARIES / MEMBER REGISTRATIONS

TERMS AND CONDITIONS OF THE CONFERENCE SHOULD BE STRICTLY COMPLIED WITH

KAUSHALYA NAWARATNE
SECRETARY
BAR ASSOCIATION OF SRI LANKA

For reservation of tickets
BASL Secretariat : 011 2447134
BASL Program Committee : 076 4408342

AGENDA – 08th February, 2020 at Heritage Hotel Badulla

08 00 am – 08.30 am	Registration
08.30 am – 09.30 am	Admissibility of Oral and Documentary Evidence in Trials. Mr.Kalinga Indatissa, PC - (60 Min)
09.30 am – 09.45 am	Refreshments – (15 Min)
09.45 am – 11.15 am	Latest Development in the use of Law relating to Interim Injunctions Mr.Kaushalya Nawaratne, AAL - (90 Min)
11.15 am – 12.15 pm	Rei vindication & Possessory Actions and Actions Relating to Lands
12.15 pm – 01.00 pm	Mr.Jagath Wickramanayake, PC - (60 Min)
01.00 pm – 02.00 pm	Lunch – (45 Min)
02.00 pm – 03.00 pm	Fulfilment of the responsibilities of a Notaries and current challenges (practical aspect of complains to the Supreme Court) Mr Felician Fernandopulle, AAL - (60 Min)
03.00 pm – 03-15 pm	Deed and Conveyancing- Laws related to Registration of Documents with special reference to Caveats, Seizure Notice, 47 A Declarations and Duties and Obligations of Notaries. Ms. Shiranthi Gunawardena, AAL - (60 Min)
03.15pm – 04.00 pm	Refreshments- (15 Min)
04.00pm – 04.45 pm	Applicability of Computer Evidence in Criminal Cases C I Senaratne – CID - (45 Min)
04.45 pm – 05. 45 pm	Procedure of adopting computer evidence Mr.Chathura Galhena, AAL – (45 Min)
05 45 pm – 06.30 pm	Bail Applications Mr Shavindra Fernando, PC - (60 Min)
06.30 pm	Discussions – (45 Min)
	Conclusion of the Provincial Law Conference





Provincial Law Conferences - Sabaragamuwa Province (Alawwa)

This was the third Provincial Law Conference for the year and it was successfully held on 09th February, 2020 at GRINDLAYS

REGENCY HOTEL and moderated by Kaushalya Nawaratne, Secretary of Bar Association of Sri Lanka and the topics were;

Cross examination and impeaching the credibility of witnesses by Mr. Kalinga Indatissa, PC, Latest development

in the use of law relating to interim injunctions by Mr. Chandima Muthukumarana, AAL, Rei vindication and possessory actions and actions relating to lands by Jagath Wickramanayake, PC, Elements of drafting in civil cases by Mr. Senaka De Seram, AAL, Deed and conveyancing laws related to registration of documents with special reference to caveats, seizure notice, 47A declarations and duties and obligations of notaries by Ms. Shiranthi Gunawardene, AAL and Fulfilment of the responsibilities of a notaries and current challenges (practical aspect of complians to the Supreme Court by Mr. Felician Fernandopulle, AAL. There were Eighty-Five (85) participants to the program representing Branch Bar Association in Sabaragamuwa Province.



PROVINCIAL LAW CONFERENCE SABARAGAMUWA PROVINCE

ORGANISED BY
THE BAR ASSOCIATION OF SRI LANKA

IN COLLABORATION WITH

THE BRANCH ASSOCIATIONS OF

RUWANWELA \ WARAKAPOLA
KEGALLE \ KURUNEGALA
MAWANELLA



09 FEBRUARY 2020



08.30 AM - 6.30PM

**AT
GRINDLAYS REGENCY HOTEL,
ALAWWA**

**ENTRANCE
FREE**

(Conditions apply)

(Refreshments, Lunch and Materials)

BASL SERVICES AVAILABLE DURING THE CONFERENCE :
PUBLICATIONS / ID CARDS / CAR PASSES / DIARIES / MEMBER REGISTRATIONS

TERMS AND CONDITIONS OF THE CONFERENCE SHOULD BE STRICTLY COMPLIED WITH

KAUSHALYA NAWARATNE
SECRETARY
BAR ASSOCIATION OF SRI LANKA

For reservation of tickets
BASL Secretariat : 011 2447134
BASL Program Committee : 076 4408342







YAKE, ATTORNEY-AT-LAW
S.L.R 314 at 334

Consider the consequences of the...
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Court of Mount Lavinia the...
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ts of his client, the complainant.



Provincial Law Conferences - North Western Province (Marawila)

This was the fourth Provincial Law Conference for the year and it was successfully held on 14th March, 2020 at

Club Palm Bay HOTEL and moderated by Mr. Dylan Jayawardena, President of Ruwanwella Branch Bar Association and the topics were

; Role of a Defense Lawyer in Criminal Cases Mr. U R De Silva, PC, Applicability of the Provisions of the Evidence Ordinance

in Civil and Criminal Litigation Mr. Ali Sabry, PC, Morden Role of Police and Lawyers in Criminal Justice System, DIG Ajith Rohana, AAL, Injunctions/ Money Recovery Actions Mr. Jagath Wickramanayake, PC and Legal Principles relevant in marking documents in Civil Cases, Mr. Kaushalya Nawaratne, AAL There were Fifty Eight (58) participants to the program representing Branch Associations.



PROVINCIAL LAW CONFERENCE

ORGANISED BY
THE BAR ASSOCIATION OF SRI LANKA

IN COLLABORATION WITH

THE BRANCH ASSOCIATIONS OF

MARAWILA \ CHILAW \ PUTTALAM
ANAMADUWA \ KADUWELA \ GAMPAHA
ATTANAGALLA \ MAHARA \ PUGODA
NEGOMBO \ MINUWANGODA

 14 MARCH 2020

 08.30 AM - 6.30 PM

 **INVESTMENT**

**AT
HOTEL CLUB PALM BAY
MARAWILA**

RS. 2,000/=
PER PARTICIPANT
(Refreshments, Lunch and Materials)

BASL SERVICES AVAILABLE DURING THE CONFERENCE :
PUBLICATIONS / ID CARDS / CAR PASSES / DIARIES / MEMBER REGISTRATIONS

TERMS AND CONDITIONS OF THE CONFERENCE SHOULD BE STRICTLY COMPLIED WITH

KAUSHALYA NAWARATNE
SECRETARY
BAR ASSOCIATION OF SRI LANKA

For reservation of tickets
BASL Secretariat : 011 2447134
BASL Program Committee : 076 4408342

AGENDA –14th March, 2020
At Club Palm Bay – Marawila

Moderated by Kaushalya Nawaratne, Secretary of Bar Association of Sri Lanka

08 00 am – 08.30 am	Registration
08.30 am – 09.30 am	Admissibility of Oral and Documentary Evidence in Trials - Mr.Kalinga Indatissa, PC - (60 Min)
09.30 am – 09.45 am	Refreshments – (15 Min)
09.45 am – 11.15 am	Latest Development in the use of Law relating to Interim Injunctions - Mr.Kaushalya Nawaratne, AAL - (90 Min)
11.15 am – 12.15 pm	Rei vindication & Possessory Actions and Actions Relating to Lands - Mr.Jagath Wickramanayake, PC - (60 Min)
12.15 pm – 01.00 pm	Lunch – (45 Min)
01.00 pm – 02.00 pm	Fulfilment of the responsibilities of a Notaries and current challenges (practical aspect of complains to the Supreme Court) Mr Felician Fernandopulle, AAL - (60 Min)
02.00 pm – 03.00 pm	Deed and Conveyancing- Laws related to Registration of Documents with special reference to Caveats, Seizure Notice, 47 A Declarations and Duties and Obligations of Notaries - Ms. Shiranthi Gunawardena, AAL - (60 Min)
03.00 pm – 03-15 pm	Refreshments- (15 Min)
03.15pm – 04.00 pm	Applicability of Computer Evidence in Criminal Cases C I Senaratne – CID - (45 Min)
04.00pm – 04.45 pm	Procedure of adopting computer evidence Mr.Chathura Galhena, AAL – (45 Min)
04.45 pm – 05. 45 pm	Bail Applications - Mr Shavindra Fernando, PC - (60 Min)
05 45 pm – 06.30 pm	Discussions – (45 Min)
06.30 pm	Conclusion of the Provincial Law Conference

Provincial Law Conferences - Galle



PROVINCIAL LAW CONFERENCE

ORGANISED BY
THE BAR ASSOCIATION OF SRI LANKA

IN COLLABORATION WITH

THE BRANCH ASSOCIATIONS OF

MATARA \ TANGALLE \ HAMBANTOTA
MORAWAKA \ GALLE \ BALAPITIYA
ELPITIYA \ BADDEGAMA \ TISSAMAHARAMA
KALUTARA \ PANADURA \ HORANA \ MATUGAMA



09 MARCH 2020



08.30 AM - 6.30 PM



INVESTMENT

AT

**WELIGAMA BAY MARRIOTT
RESORT & SPA**

RS. 2,000/=
PER PARTICIPANT

(Refreshments, Lunch and Materials)

BASL SERVICES AVAILABLE DURING THE CONFERENCE :
PUBLICATIONS / ID CARDS / CAR PASSES / DIARIES / MEMBER REGISTRATIONS

TERMS AND CONDITIONS OF THE CONFERENCE SHOULD BE STRICTLY COMPLIED WITH

KAUSHALYA NAWARATNE
SECRETARY
BAR ASSOCIATION OF SRI LANKA

For reservation of tickets
BASL Secretariat : 011 2447134
BASL Program Committee : 076 4408342

AGENDA –09th March, 2020
At Hotel Marriot – Weligama

Moderated by Kaushalya Nawaratne, Secretary of Bar Association of Sri Lanka

08 00 am – 08 30 am	Registration
08.30 am – 09.45 am	Money Laundering and impact on the Legal Profession - Mr.Kalinga Indatissa, PC
09.45 am – 10.00 am	Refreshments
10.00 am – 11.00 am	Basic Principles of Condominium Law - Mr. Senaka De Seram
11.00 am – 12.00 pm	Bail Applications and Crinimal Trials in High Courts - Mr.Razik Zarook, PC
12.00 am – 12.45 pm	Lunch – (45 Min)
12.45 pm – 01.45 pm	Police and Lawyers Role in Criminal Investigations Mr. Ajith Rohana, Attorney at Law
01.45 pm – 03.00 pm	Money Recovery Actions, Actions under Debt Recovery Law and Mortgage Act - Mr. Chandaka Jayasundara PC
03.00 pm – 04. 15 pm	Rei vindicatio actions and Possesory Actions - Mr.Jagath Wickramanayake PC
04.15 pm - 05.30 pm	Dr.Ramani Jayasundara Session
05. 30 pm – 6.00 pm	Refreshments with Discussions
	Conclussion of the Provincial Law Conference



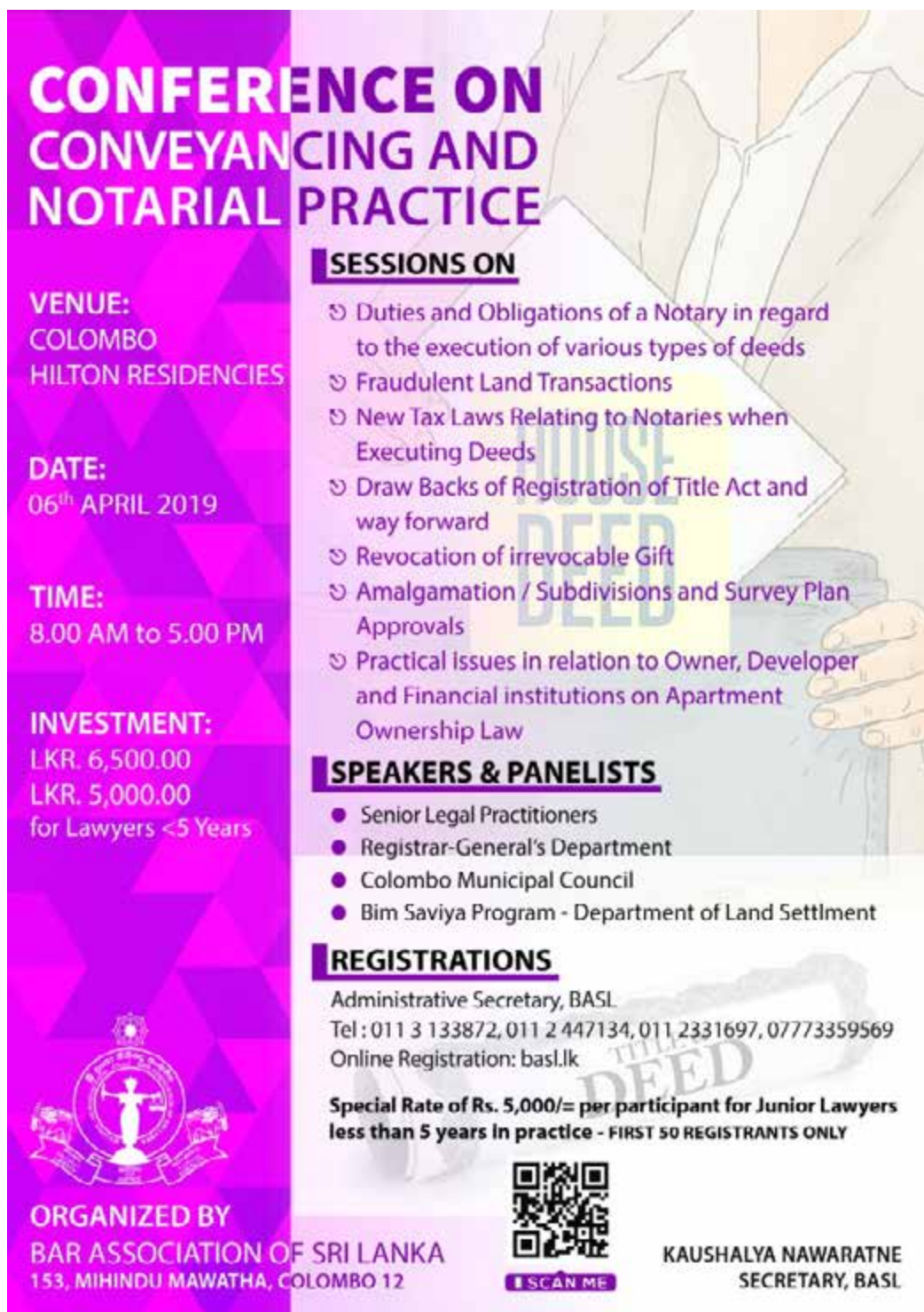


CLE One Day Programs

The BASL in the Year of 2019/2020 has identified Continuing Legal Education (CLE) as a high priority area and accordingly, many initiatives were taken to provide a number of CLE Offerings to the BASL Membership across the island. Altogether it has run Five (05) Seminars, Five (05) Certificate Courses and Three (03) Workshops. The following is the summary of these CLE offerings provided during this year.

Conference on Conveyancing and Notarial Practice - 6th April 2019

Conference on Conveyancing and Notarial Practice as organized by the BASL on 6th April 2019 at the Hilton Residencies from 8.00pm – 5.00pm.




**CONFERENCE ON
CONVEYANCING AND
NOTARIAL PRACTICE**

VENUE:
COLOMBO
HILTON RESIDENCIES

DATE:
06th APRIL 2019

TIME:
8.00 AM to 5.00 PM

INVESTMENT:
LKR. 6,500.00
LKR. 5,000.00
for Lawyers <5 Years



ORGANIZED BY
BAR ASSOCIATION OF SRI LANKA
153, MIHINDU MAWATHA, COLOMBO 12

SESSIONS ON

- ☞ Duties and Obligations of a Notary in regard to the execution of various types of deeds
- ☞ Fraudulent Land Transactions
- ☞ New Tax Laws Relating to Notaries when Executing Deeds
- ☞ Draw Backs of Registration of Title Act and way forward
- ☞ Revocation of irrevocable Gift
- ☞ Amalgamation / Subdivisions and Survey Plan Approvals
- ☞ Practical issues in relation to Owner, Developer and Financial institutions on Apartment Ownership Law


SPEAKERS & PANELISTS

- Senior Legal Practitioners
- Registrar-General's Department
- Colombo Municipal Council
- Bim Saviya Program - Department of Land Settlement

REGISTRATIONS

Administrative Secretary, BASL
Tel: 011 3 133872, 011 2 447134, 011 2331697, 07773359569
Online Registration: basl.lk

Special Rate of Rs. 5,000/= per participant for Junior Lawyers less than 5 years in practice - FIRST 50 REGISTRANTS ONLY


SCAN ME

KAUSHALYA NAWARATNE
SECRETARY, BASL









Seminar on Notarial Practice and Money Laundering held on 1st June 2019 at Matara

Conference on Conveyancing and Money Laundering was organized by the BASL on 1st June 2019 at Matara from 9.00pm – 5.00pm.



**CONFERENCE ON
CONVEYANCING AND
MONEY LAUNDERING**

**ORGANIZED BY
BAR ASSOCIATION OF SRI LANKA**
IN COLLABORATION WITH THE
MATARA LAW SOCIETY

VENUE:
MATARA
DIVISIONAL
SECRETARIAT
AUDITORIUM

DATE:
SAT. 01st JUNE 2019

TIME:
9.00 AM to 5.00 PM

MEDIUM:
SINHALA / ENGLISH

INVESTMENT:
LKR. 2,000.00

SESSIONS ON

- Fraudulent Land Transactions
- Duties and Obligations of a Notary in regard to the execution of various types of deeds
- Registration procedure at Land Registries
- Money Laundering
- Draw Backs of Registration of Title Act and way forward
- Basic Principles of Apartment Ownership Law and Practical aspects in relation to Owner, Developer and Financial Institutions

SPEAKERS & PANELISTS

- Mr. Kalinga Indatissa PC
- Mr. Neville Abeyrathne PC
- Mr. Jagath Wickramanayake PC
- Ms. Shiranthi Gunawardena, Attorney-at-Law
- Mr. Senaka de Saram, Attorney-at-Law
- Ms. Priyangani Manamendra, Registrar, Land Registry Matara

REGISTRATIONS

Contact :
Ms. Kethaki Madugoda - 0717152552
Ms. Namini Thathpraha Panditha - 0707015444
BASL Secretariat - 0764408335

BAR ASSOCIATION OF SRI LANKA
153, MIHINDU MAWATHA, COLOMBO 12

KAUSHALYA NAWARATNE
SECRETARY, BASL



Seminar on Law and Practice relating to Money Recovery Actions

With the aim of enhancing the knowledge of the Legal Practitioners relating to the law currently

in place, recovery procedure, practice and the judicial authorities to successfully defend the suits under Money

Recovery Law in Sri Lanka, a Day Seminar on 'Law and Practice relating to Money Recovery

Actions' was organized on 29th May 2019 at the Dr. H. W. Jayewardene QC Auditorium of BASL from 1.30pm – 5.00pm. There were 227 participants at this seminar. The Resource Panel was comprised with Mr. Chandaka Jayasundere, President's Counsel, Mr. Kushan D' Alwis, President's Counsel, Mr. Kalinga Indatissa, President's Counsel, President BASL and an Officer of Central Bank while it was moderated by Mr. Senaka De Saram, Attorney-at-Law.

BAR ASSOCIATION OF SRI LANKA

This Seminar aims to ensure discussions in relating to the current law, recovery procedure, practice and judicial authorities to defend a suit under Money Recovery Law in Sri Lanka.

Specific Areas to be Covered

- ✓ Critical Analysis of the provisions of Debt Recovery (Special Provisions) Act No. 02 of 1990 as amended and of Mortgage Act No.06 of 1949 as amended and Recent Developments
- ✓ Provisions relating to Parate Execution under Recovery of Loans by Bank (Special Provisions) Act No.04 of 1990 as amended, People's Bank Act No.32 of 1986 and Bank of Ceylon Ordinance as amended and the new trends relating to
- ✓ Remedies available in Criminal Law with regard to the recovery of Debts
- ✓ The Guidelines relating to the operation of Financial Institutions specially with regard to the right of Financial Institutions to charge interests on facilities and related matters

**DAY SEMINAR ON
LAW AND PRACTICE
RELATING TO MONEY
RECOVERY ACTIONS**

Resource Persons

Mr. Kalinga Indatissa, President's Counsel, President BASL
Mr. Kushan De Alwis, President's Counsel
Mr. Chandaka Jayasundere, President's Counsel
Officer from Central Bank

Moderated by
Mr. Senaka De Saram, Attorney-at-Law

ON 04th JUNE, 2019
From 1.30pm – 5.00pm
At Dr. H.W. Jayewardene QC Auditorium, BASL

Rs.2500 Only
Inclusive of Course Material

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112448090
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 076-4408342

AGENDA –On 4th June 2019

At Dr. H.W. Jayewardene QC Auditorium, BASL

Program Moderator – Mr. Senaka De Saram, Attorney-at-Law

1.00pm – 1.25pm	Registration
1.25pm – 1.30pm	Welcome and Commencement of the Program
1.30pm – 2.15pm	Individual Presentation 01: Critical Analysis of the provisions of Debt Recovery (Special Provisions) Act No. 02 of 1990 as amended and of Mortgage Act No.06 of 1949 as amended and Recent Developments - By Mr. Chandaka Jayasundere, President's Counsel
2.15pm – 3.00pm	Individual Presentation 02: Provisions relating to Parate Execution under Recovery of Loans by Bank (Special Provisions) Act No.04 of 1990 as amended, People's Bank Act and Bank of Ceylon Ordinance as amended and the new trends relating to - By Mr. Kushan De Alwis, President's Counsel
3.00pm – 3.45pm	Individual Presentation 03: Remedies available in Criminal Law with regard to the recovery of Debts - By Mr. Kalinga Indatissa, President's Counsel, President BASL
3.45pm – 4.30pm	Individual Presentation 04: The Guidelines relating to the operation of Financial Institutions especially with regard to the right of Financial Institutions to charge interests on facilities and related matters - By an Officer of Central Bank
4.30pm – 5.00pm	Panel Discussion and Question and Answers
5.00pm	Conclusion and Refreshments





Seminar on Land Law

With the aim of enhancing the knowledge of the Legal Practitioners relating to the law currently in place and legal mandates set forth in regard to land ownership and related matters,

a 'Land Law Seminar' was organized on 19th June 2019 at the Dr. H. W. Jayewardene QC Auditorium of BASL from 1.00pm – 5.00pm. Mr. Ranjan Suwandarathne, President's Counsel, Mr.

Nihal Jayamanne, President's Counsel, Mr. M.U.M. Ali Sabry, President's Counsel and Mr. G. G. Arulpragasam, Senior Attorney-at-Law were the Resource Persons

of this seminar while it was moderated by Mr. Jagath Wickramanayake, President's Counsel. The total participation to the seminar was 284.



BAR ASSOCIATION OF SRI LANKA

LAND LAW SEMINAR

Specific Areas to be Covered

- ✓ Law relating to Law of Partition and Appeals against the Interlocutory Decrees and Final Decrees
- ✓ Evolution of Law relating to Servitudes and Issues/Difficulties faced in execution of a case on Servitudes
- ✓ Law relating to Rei Vindicatio Actions and Possessory Actions
- ✓ Issues faced by practitioners in land matters in general and in particularly as Notaries

This Seminar focuses a discussion in detail on current law and the recent developments in the law.

Resource Persons

Mr. Nihal Jayamanne, President's Counsel
Mr. M. U. M. Ali Sabry, President's Counsel
Mr. Ranjan Suwandarathne, President's Counsel
Mr. G. G. Arulpragasam, Senior Attorney-at-Law

Moderated by
Mr. Jagath Wickramanayake, President's Counsel

ON 19th JUNE, 2019
From 1.00pm – 5.00pm
At Dr. H.W. Jayewardene QC Auditorium, BASL

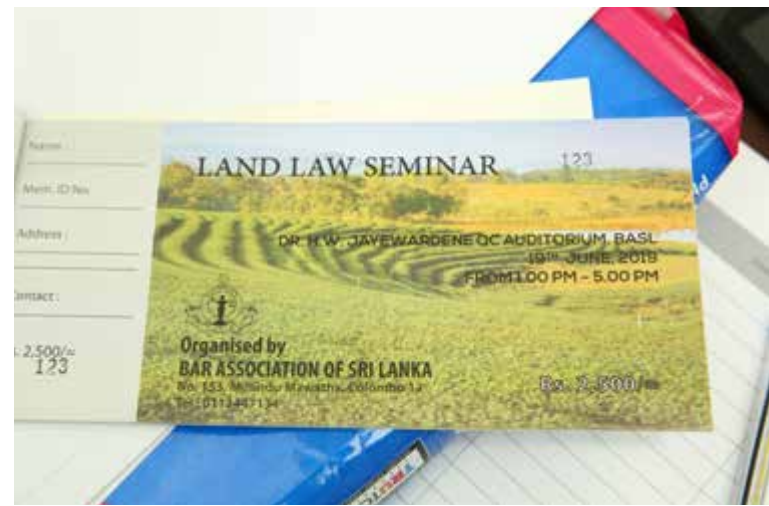
Rs.2500 Only
Inclusive of Course Material

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112440990
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342







Seminar on High Court Criminal Practice

With the aim of providing legal practitioners an opportunity to better understand the proceedings in High Courts, a Seminar on 'High Court Criminal Practice'

was conducted by the BASL on 21st & 28th August 2019 at the Dr. H.W. Jayewardene QC Auditorium of BASL from 2.00pm - 6.00pm. Mr. Kalinga Indatissa, President

BASL, Mr. Rienzie Arsecularatne President's Counsel, Mr. Razik Zarook President's Counsel, Mr. U. R. De Silva President's Counsel, Ms. Ayesha Jinasena, President's

Counsel, Additional Solicitor General, Mr. Dileepa Pieris, Deputy Solicitor General, Mr. Nihal Gunasinghe, Attorney-at-Law, Mr. Asoka Weerasuriya Attorney-at-Law were the resource persons of this seminar while Hon. Vikum Kaluarachchi, High Court Judge, Hon. Manjula Thilakeratne, High Court Judge and Hon. Aditya Patabendige, High Court Judge were serving as panelists. The total participation to the seminar was 133.

BAR ASSOCIATION OF SRI LANKA

SEMINAR ON HIGH COURT CRIMINAL PRACTICE

This Seminar/Workshop focuses a discussion in detail on High Court Criminal Practice and related matters.

Specific Areas to be Covered and Resource Persons

- ✓ High Court Prosecutions (Leading Evidence, Marking Documents, Productions, Chain of Custody)
Mr. Dileepa Peiris, Deputy Solicitor General
- ✓ Leading of Computer Evidence / Recordings (Notice, Inspection and Access)
Ms. Ayesha Jinasena, President's Counsel, Additional Solicitor General
- ✓ Selection of a Defence (Proof, Types of Defences, Alibi, General and Special Exceptions)
Mr. Kalinga Indatissa, President's Counsel, President BASL
- ✓ Narcotics and Weapon Cases
Mr. U.R. De Silva, President's Counsel and Mr. Nihal Gunasinghe AAL
- ✓ Cross Examination
**Mr. Rienzie Arsecularatne, President's Counsel
Mr. Razik Zarook, President's Counsel
Mr. Asoka Weerasuriya AAL**
- ✓ Dock Statement
Mr. Kalinga Indatissa, President's Counsel, President BASL

Panelists for Discussions (Both Days)

Hon. Vikum Kaluarachchi, High Court Judge
Hon. Manjula Thilakeratne, High Court Judge
Hon. Aditya Patabendige, High Court Judge

Rs. 2500 For Both Days
Rs. 1500 For One Day

ON 21st & 28th August, 2019
From 2.00pm – 6.00pm
At Dr. H. W. Jayewardene QC Auditorium, BASL

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel: 0112447134, Fax: 0112448090
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342



BAR ASSOCIATION OF SRI LANKA



SEMINAR ON HIGH COURT CRIMINAL PRACTICE -DAY 2

This Seminar/Workshop focuses a discussion in detail on High Court Criminal Practice and related matters.

Specific Areas to be Covered and Resource Persons

- ✓ Narcotics and Weapon Cases
Mr. U.R. De Silva, President's Counsel
Mr. Nihal Gunasinghe AAL
- ✓ Cross Examination
Mr. Rienzie Arsecularatne, President's Counsel
Mr. Razik Zarook, President's Counsel
Mr. Asoka Weerasuriya AAL
- ✓ Dock Statement
Mr. Kalinga Indatissa, President's Counsel,
President BASL

Panelists for Discussions (Both Days)

Hon. Vikum Kaluarachchi,
High Court Judge
Hon. Manjula Thilakeratne,
High Court Judge
Hon. Aditya Patabendige,
High Court Judge

Seminar Fee
Rs.1500

ON 28th August, 2019

From 2.00pm – 6.00pm

At Dr. H. W. Jayewardene QC Auditorium, BASL

Kaushalya Nawaratne
Secretary

Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112448090
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342





Seminar on Law and Practice relating to Leasing and Hire Purchase Actions

In order to enhance the knowledge of the Legal Practitioners on the law currently in place, practice and judicial authorities to successfully prosecute and defend the suits filed under

and in terms of the Finance Leasing Act No.56 of 2000 and the Consumer Credit Act No.29 of 1982, a 'Day Seminar on Leasing and Hire-Purchase Actions' was successfully

organized by the BASL on 24th July 2019 at the Dr. H. W. Jayewardene QC Auditorium of BASL from 2.00pm – 5.00pm. Mr. Shehan Gunawardene, Attorney-at-Law

was the moderator of this seminar while Mr. Harsha Amarasekera, President's Counsel, Mr. Ravi Algama, Attorney-at-Law, Mrs. Shiranthi Gunawardena, Attorney-at-Law and Mrs. Chanoori Jayasinghe, Deputy Director, Resolution & Enforcement Department, Central Bank of Sri Lanka were serving as the panelists. A 184 participants were present at this programme.

BAR ASSOCIATION OF SRI LANKA

FINANCE LEASE
HIRE PURCHASE

**DAY SEMINAR ON
LAW AND PRACTICE
RELATING TO LEASING
& HIRE PURCHASE
ACTIONS**

Resource Persons

Mr. Harsha Amarasekera, President's Counsel
Mr. Ravi Algama, Attorney-at-Law
Mrs. Shiranthi Gunawardena, Attorney-at-Law
Officer from Central Bank

Moderated by
Mr. Shehan Gunawardena, Attorney-at-Law

ON 24th JULY, 2019
From 2.00pm – 5.00pm
At Dr. H.W. Jayewardene QC Auditorium, BASL

Rs.2500
Only
Inclusive of Course
Material

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112448090
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342

This Seminar aims to ensure discussions in relating to the current law, recovery procedure, practice and judicial authorities to defend a suit under Leasing and Hire Purchase Actions in Sri Lanka.

Specific Areas to be Covered

- ✓ Leasing: Operating Leases & Finance Leases - from Contract to Decree; the use, application and recoveries regime under the Finance Leasing Act No. 56 of 2000
- ✓ Hire-Purchase: The evolution of Hire Purchasing. Application, controls and recovery of debt under the Consumer Credit Act No. 29 of 1982
- ✓ Practical issues relating to recoveries under the Finance Leasing Act No. 56 of 2000 and the Consumer Credit Act No. 29 of 1982
- ✓ Guidelines issued by the Central Bank of Sri Lanka relating to the facilities granted under the Finance Leasing Act and the Consumer Credit Act

AGENDA –On 24th July 2019

At Dr. H.W. Jayewardene QC Auditorium, BASL

Program Moderator – Mr. Shehan Gunawardene, Attorney-at-Law

1.00pm – 1.25pm	Registration
1.25pm – 1.30pm	Welcome and Commencement of the Program
1.30pm – 2.15pm	Individual Presentation 01: Critical Analysis of the provisions of Debt Recovery (Special Provisions) Act No. 02 of 1990 as amended and of Mortgage Act No.06 of 1949 as amended and Recent Developments - By Mr. Chandaka Jayasundere, President’s Counsel
2.15pm – 3.00pm	Individual Presentation 02: Provisions relating to Parate Execution under Recovery of Loans by Bank (Special Provisions) Act No.04 of 1990 as amended, People’s Bank Act and Bank of Ceylon Ordinance as amended and the new trends relating to - By Mr. Kushan De Alwis, President’s Counsel
3.00pm – 3.45pm	Individual Presentation 03: Remedies available in Criminal Law with regard to the recovery of Debts - By Mr. Kalinga Indatissa, President’s Counsel, President BASL
3.45pm – 4.30pm	Individual Presentation 04: The Guidelines relating to the operation of Financial Institutions especially with regard to the right of Financial Institutions to charge interests on facilities and related matters - By an Officer of Central Bank
4.30pm – 5.00pm	Panel Discussion and Question and Answers
5.00pm	Conclusion and Refreshments





Seminar on International Investment Arbitration

A seminar was organized by the International Relations Committee of the Bar Association of Sri Lanka on International Investment Arbitration,

held in the Nawaloka Hospital Auditorium on the 11th October. The Chairperson of the event was Ms. Olga Boltenko, specialist in investment arbitration

and legal counsel in investor-state disputes in the Permanent Court of Arbitration. The Discussants were Dr. Kanaganayagam

Kanag-Iswaran PC, Dr. Harsha Cabral PC, Prof. M. Sornarajah, Emeritus Professor, University of Singapore.



BAR ASSOCIATION OF SRI LANKA

SEMINAR ON INTERNATIONAL INVESTMENT ARBITRATION

Date : 11 October 2019

Time : from 2.00pm - 5.30pm

TICKET

**Rs. 2,500/- Per person
Refreshments included**

Venue : Nawaloka Hospital Auditorium.
Nawaloka Hospitals PLC
23, Deshamanya H. K. Dharmadasa Mawatha,
Colombo 2, Sri Lanka.

Programme

Session 1 by
Ms. Boltenko : 02:00pm - 03:30pm
Tea Break
Session 2 by
Ms. Boltenko : 03:45pm - 05:00pm
Panel Discussion : 05:00pm - 05:30pm

Discussants

Dr. Kanaganayagam Kanag-Iswaran PC
Dr. Harsha Cabral PC
Prof. M. Sornarajah,
Emeritus Professor, University of Singapore
Ms. Olga Boltenko
Moderator - Dr. Asanga Gunawansa

Ms. Olga Boltenko

Chairperson, ICC Hong Kong Commercial Law and Practice Committee



Ms. Boltenko is a registered foreign lawyer with Fangda Partners in Hong Kong. She specialises in investment arbitration. She has acted as legal counsel in investor-state disputes under the auspices of the Permanent Court of Arbitration, and as tribunal secretary in dozens of commercial disputes, both ad hoc and institutional (including SIAC, ICC, HKIAC, SCC), in a wide array of industries including oil and gas, infrastructure, construction, telecommunications and pharmaceuticals. She is an adjunct lecturer at the University of Hong Kong. She chairs the ICC Hong Kong Commercial Law and Practice Committee. She is listed as arbitrator on the HKIAC list of arbitrators, and on the AIAC, SIAC, and CIETAC panels of arbitrators.

Organised by BASI, International Relations Committee
Bar Association of Sri Lanka
No. 153, Mihindu Mawatha, Colombo 12, Sri Lanka.
Tel : 0112447134 / 0112331697

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka



Seminars on International Arbitration and Public Interest Litigation

A second seminar was organized by the International Relations Committee on the 9th of December 2019 to provide education on International

Arbitration, and Public Interest Litigation i.e. legal action initiated in a court of law for the protection of a public interest. Most often, instead of serving

powerful economic interests, Public Interest Litigation stands for the greater good and advocacy of otherwise under-represented or

vulnerable individuals or groups and specially those who are disadvantaged. Whereas the speaker on the topic of "New Developments in International Arbitration: Lessons for Sri Lankan Arbitrators and Lawyers" was Dr. Srilal M. Perera, the speaker on "Responsible Public Interest Litigation: Lessons from Multiple Jurisdictions" was Dr. Lalanath de Silva.

SEMINAR ON

INTERNATIONAL ARBITRATION AND PUBLIC INTEREST LITIGATION



09th December 2019
BASL Auditorium
153, Mihindu Mawatha,
Colombo 12
From 1.30pm to 5.00pm

Registration : Rs. 1,500/=
Includes refreshments and course material

International Arbitration
International arbitration is arbitration between companies or individuals in different states, usually by including a provision for future disputes in a contract. The predominant system of rules is the UNCITRAL Arbitration Rules as well as the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958 (the "New York Convention"). The International Centre for the Settlement of Investment Disputes (ICSID) also handles arbitration, but it is particularly focused on investor-state dispute settlement. The New York Convention was drafted under the auspices of the United Nations and has been ratified by more than 150 countries, including most major countries involved in significant international trade and economic transactions. The New York Convention requires the states that have ratified it to recognize and enforce international arbitration agreements and foreign arbitral awards issued in other contracting states, subject to certain limited exceptions. These provisions of the New York Convention, together with the large number of contracting states, have created an international legal regime that significantly favors the enforcement of international arbitration agreements and awards. It was preceded by the 1927 Convention on the Execution of Foreign Arbitral Awards in Geneva.

Public Interest
Public interest, loosely refers to legal practices undertaken to help poor or marginalised people, or to effect change in social policies in the public interest, on 'not for profit' terms (pro bono publico). In general terms it means a legal action initiated in a court of law, for the protection of a Public Interest. It is not a body of law or a legal field or a day to day matter lawyers work on. Rather, the term "public interest" denotes the clientele they represent which is the larger interest of the people. Most often, instead of serving powerful economic interests, it stands for the greater good and advocacy of otherwise under-represented or vulnerable individuals or groups and specially those who are disadvantaged. However, it is not limited to the above categories; it can be for the greater good. It has grown to encompass a broader range of activities, such as civil rights, civil liberties, women's rights, consumer rights, environmental protection, and so on. Nevertheless, a common ethic for public-interest lawyers in a growing number of countries remains "fighting for the little guy".

Speakers & Topics:

Speaker: Dr. Srilal M Perera
New Developments in International Arbitration: Lessons for Sri Lankan Arbitrators and Lawyers

Dr. Perera was the adjunct Professor of Law and an International Research Scholar in residence at the Washington College of Law of the American University in Washington DC. He has taught International Investment Law at WCL since the year 2000. He retired in June 2016 from the Multilateral Investment Guarantee Agency (MIGA) of the World Bank Group, after having served there for 21 years, 11 years of which he served as the Agency's Chief Counsel.

Speaker: Dr. Lalanath De Silva
Responsible Public Interest Litigation: Lessons from Multiple Jurisdictions

Dr. De Silva was the Head of Green Climate Fund's (GCF) Independent Redress Mechanism. He has extensive experience in legal affairs with more than 30 years of service as a practicing lawyer. In Sri Lanka, he supported the Ministry of Environment as a legal consultant and was a member of the Law Commission. Dr. De Silva previously worked at the Environmental Claims Unit of the UN Compensation Commission in Geneva and served as Director of the Environmental Democracy Practice at the World Resources Institute (WRI) in Washington DC.

Organized by
International Relations Committee of the Bar Association of Sri Lanka
No. 153, Mihindu Mawatha, Colombo 12

For Registration
011 2447134
011 2331697

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka



One day Seminars in Monaragala, Bandarawella and Batticaloa

It is needless to place on record that the members in the majority of the outstation bars have no proper access to legal education. This is one of the main concerns that should be addressed and remedied. It is in this context the Management Committee of the BASL arrived at a decision to reach out to the outstation members as much as possible in order to educate them on the new trends in the areas of law as well as the new opportunities available other than the routine court practice. With this

bona fide intention, the BASL conducted several seminars in rural parts of the country including Monaragala, Bandarawella and Batticaloa.

It is with great pride we place on record that the knowledge imparted by the resource persons was of immense importance for the practitioners / members who attended the aforesaid seminars. We are delighted to receive the warmest appreciations by the members of the said outstation bars for conducting aforesaid seminars for the benefit of Junior and Senior members alike.





Seminars in Kandy



CLE SEMINAR - KANDY
On 3rd August 2019
at
EARL'S
Regent
KANDY
From 8.00 am to
4.30 pm

PROGRAMME CONTENT

- **Partition Law** - Hon. Sarath Dissanayake
Judge of Civil Appellate High Court - Rathnapura
- **Criminal Law** - Hon. Sumudu Premachandra
Judge of Civil Appellate High Court - Kurunegala
- **Professional Ethics** - Mr. Kalinga Indatissa PC
- **Money Recovery** - Mrs. Shiranthi Gunawardane
Attorney - at - Law
- **Civil Procedure (Amendments)** - Mr. M.U.M. Ali Sabry PC
- **Labour Law** - Mr. Uditha Egalahewa PC

OTHER SERVICES
Mobile Book Shop | BASL ID Cards | Car Passes | Diaries
Organized by :
Kandy Bar Association Collaboration with BASL Colombo
Dress Code - Smart Casual



ONE DAY SEMINAR

On 20th July 2019

at

EARL'S



Regent
KANDY

From 8.30 am to
5.00 pm

PROGRAMME CONTENT

Victim Protection Act No 4 of 2015

- Assisting witnesses
- Compensation
- Remedies
- International Standards
- Role of the Bar

(Covers both Criminal and Civil)

Organized by :

National Authority for the Protection of Victims of Crime and Witnesses
collaboration with Kandy Bar Association

Sponsored by :

United National Development Programme



Dress Code - Smart Casual

Free of Charge



Nadun 071 7 462 708
Hishan 077 2 917 510
Supun 071 3 423 099

First Come First Serve

Refreshment, Lunch, Tea all inclusive

Certificate Courses

Certificate Course on Forensic Science

A popular Certificate Course since 2016 where specialists in the industry share their knowledge among the participants to enhance

their knowledge. The resource panel comprise of Professor Ravindra Fernando, Emeritus Professor on

Forensic Science and Toxicology, Faculty of Medicine, University of Colombo, Mr. Madhawa Thennakoon, SSC, Mr. Chethiya Gunasekera, Senior Deputy Solicitor General, Mr. U.R. De Silva, PC, Mr. Chandana Perera, Registrar of Fingerprints, Criminal Records Division, Mr. Shani Abeysekera SSP Crime Investigation Department, Mrs. K. K. Apsara, Senior Assistant Government Examiner of Questioned documents, Mr. A. Welianga, Government Analyst, Mr. Kalinga Indatissa, PC, President BASL. 56 participants followed the course.

BAR ASSOCIATION OF SRI LANKA

BASL CERTIFICATE COURSE - FORENSIC SCIENCE

From 30th May, 2019

At the Dr. H. W. Jayewardene QC Auditorium, BASL

RESOURCE PANEL

- Professor Ravindra Fernando, Emeritus Professor on Forensic Science and Toxicology, University of Colombo
- Mr. Kalinga Indatissa, PC, President BASL
- Mr. A. Welianga, Government Analyst, Government Analyst Department
- Professor Muditha Vidanapathirana, Senior Lecturer, University of Sri Jayawardenepura
- Mr. U.R. De Silva, PC
- Mr. Chethiya Goonesekere, Deputy Solicitor General, Attorney General's Department
- Mr. Madhawa Tennakoon, Senior State Counsel, Attorney General's Department
- Mr. Shani Abeysekera, SSP, Criminal Investigation Division
- Mr. Chandana Perera, Registrar Fingerprints
- Ms. K. K. Apsara, Senior Assistant Government Examiner of Questioned Documents

AREAS TO BE COVERED

- Introduction to Forensic Medicine and Science in Sri Lanka and Crime Scene Investigation
- Forensic Science and Expert Opinion in Sri Lankan Courts
- Role of Prosecution and Role of the Defense through the basic concepts of Forensic Science
- Firearms and Ballistics and Forensic Science Analytical Examination
- Questioned Documents
- Role of Police in death investigations and Relevancy of Forensic Science in Courts
- Finger Print Classification, DNA and Forensic Toxicology
- Pathological Evidence
- Investigating Deaths, Post-mortems, Medical Ethics and Medical Negligence

12 WEEKS EVERY THURSDAY From 3.00pm - 5.00pm

Investment
LKR 15,000/-

Executive Secretary, Bar Association of Sri Lanka
Tel: 011 2447114 Fax: 011 2441090 Email: basl@basl.lk Website: www.basl.lk
For Registration please contact BASL Program Coordinator on 011 2440018

AGENDA –May 2019

30th May 2019	Introduction to Forensic Medicine and Science in Sri Lanka and Investigation of death (Coroner system) and Crime Scene Investigation Crime Scene Investigations
06th June 2019	Forensic Science and Expert Opinion in Sri Lankan Courts Examination of Expert Witnesses, Credibility and Testimonial Trustworthiness
13th June 2019	Role of Prosecution through the basic concepts of Forensic Science Role of the Defense through the basic concepts of Forensic Science
20th June 2019	Finger Print Classification, Ink to ink comparisons, Automated Fingerprint Comparison Systems (AFIS), Latent Fingerprints, Police fingerprints
27th June 2019	Role of Police in death investigations and Relevancy of Forensic Science in cases of Murder, Rape, Abduction and Child Abuse; Police Perspective
04th July 2019	Questioned Documents: Handwriting comparison; Forgery; Machine impressions (typewriters and copy machines); Alterations and annotations; Identity documents
11th July 2019	Role of GAD – Physical Examination Firearms and Ballistics and Forensic Science Analytical Examination
18th July 2019	DNA typing and Profiling Forensic Toxicology – Narcotic and Drug Abuse
25th July 2019	Investigating Deaths, Post-mortems, Medical Ethics and Medical Negligence
01st August 2019	Admissibility of Computer Evidence and Forensic Issues
08th August 2019	Pathological Evidence - Burns; electrocution; child abuse; Firearm and explosive injuries; Bones and Human Remains; Identification
22nd August 2019	Pathological Evidence - Time of death; Interpretation of injuries and their classification; Asphyxia Certificate Awarding Ceremony



This

Certificate of Participation

is awarded to

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upon successful completion of

3 MONTHS CERTIFICATE COURSE ON

FORENSIC SCIENCE

conducted by

The Bar Association of Sri Lanka

in the Year of 2019.

Kalinga Indatissa, PC

President

Bar Association of Sri Lanka

Kaushalya Nawaratne

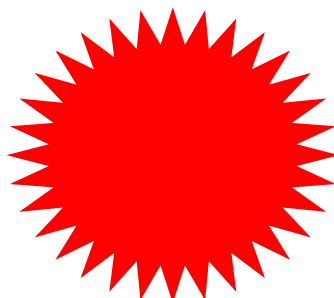
Secretary

Bar Association of Sri Lanka

Professor Ravindra Fernando

Emeritus Professor

Forensic Science and Toxicology





Certificate Course on Legal Drafting - Colombo

BASL with the aim of identifying new courses to educate the new comers to the profession introduced the above course where they were able to understand the concepts of drafting in

Civil, Criminal, Notary and Commercial areas .Resource panel comprise of Mr Kaushalya Nawaratne, Secretary BASL Mr Senani Dayaratne,AAL , Hon Justice Saleem Marsoof, President's

Counsel-Retired Judge of the Supreme court, Mr Senaka De Saram, AAL ,Mr Kapila Gamage ,AAL ,Mr Kalinga Indatissa, President's Counsel, President of the

BASL.Total number of participants were 174 comprising of 84 lawyers, 51 Apprentices and 39 law students.



BAR ASSOCIATION OF SRI LANKA

CERTIFICATE COURSE ON LEGAL DRAFTING

This Course focuses on providing a Well-Provided Career Guidance Practical Training through the development of the Legal Drafting Skills of Legal Practitioners.

Specific Areas to be Covered and Resource Persons

- ✓ Drafting of Bail Applications and Other Legal Documents relevant in High Court
Mr. Kalinga Indatissa, President's Counsel, President BASL
- ✓ Drafting of Pleadings in Civil Courts
Mr. Kaushalya Nawaratne, Secretary BASL
- ✓ Drafting of Pleadings in Appellate Courts
Hon. Justice Saleem Marsoof, President's Counsel, Retired Judge of the Supreme Court
- ✓ Drafting of Writ and FR Applications
Mr. Senani Dayaratne, Attorney-at-Law
- ✓ Drafting of Commercial Agreements
Mr. Chandaka Jayasundara President's Counsel, Mr. Senaka De Saram, Attorney-at-Law, Mr. Shehan Gunawardene Attorney-at-Law and Mr. Thejaka Perera Attorney-at-Law, Vice President DFCC Bank
- ✓ Drafting of International Commercial Agreements
Dr. Asanga Gunawansa, Attorney-at-Law
- ✓ Drafting of Deeds
Mr. G.G.Arulpragasam, Attorney-at-Law

RS. 15000/-
INCLUSIVE COURSE MATERIALS

10 WEEKS COURSE
EVERY FRIDAY

Medium - English

From 30th August, 2019

From 3.00pm – 5.00pm

At Dr. H. W. Jayewardene QC Auditorium, BASL

Kaushalya Nawaratne

Secretary

Bar Association of Sri Lanka

Tel:0112447134, Fax: 0112448090

basl.lawnet@gmail.com

www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342



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upon successful completion of

2 DAY CERTIFICATE COURSE ON

LEGAL DRAFTING

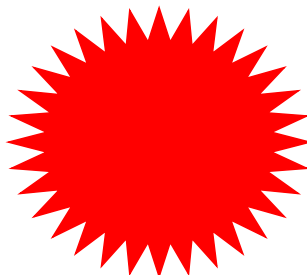
conducted by

The Bar Association of Sri Lanka

in the Year of 2019.

Kalinga Indatissa, PC
President
Bar Association of Sri Lanka

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka



Certificate Course on Legal Drafting - Kandy

This is the first Certificate course conducted outside Colombo and 70 participants followed the course. Resource panel comprised

of Mr Jagath Wickremanayake, PC, Mr Rajeev Amarasuriya, Mr Senani Dayaratne, AAL, Mr Chandaka Jayasundera,

President's Counsel, Mr Chatura Galhena, AAL, Mr Kalinga Indatissa, President's Counsel, President of the BASL, Mrs Shiranthi

Gunawardena, AAL, Mr Kaushalya Nawaratne, Secretary Bar Association of Sri Lanka



BAR ASSOCIATION OF SRI LANKA

CERTIFICATE COURSE ON LEGAL DRAFTING

This Course focuses on providing a Well-Provided Career Guidance Practical Training through the development of the Legal Drafting Skills of Legal Practitioners.

Specific Areas to be Covered and Resource Persons

- ✓ Drafting of Bail Applications and Other Legal Documents relevant in High Court
Mr. Kalinga Indatissa, President's Counsel, President BASL
- ✓ Drafting of Agreements and Pleadings pertaining to Hire Purchase, Lease and Arbitration
Mr. Kaushalya Nawaratne, Secretary BASL
- ✓ Drafting of Commercial Agreements
Mr. Chandaka Jayasundara President's Counsel
- ✓ Drafting of Pleadings in Civil Courts
Mr. Jagath Wickramanayake, President's Counsel
- ✓ Drafting of Deeds
Ms. Shiranthi Gunawardena, Attorney-at-Law
- ✓ Drafting of Writ and FR Applications
Mr. Senani Dayaratne, Attorney-at-Law
- ✓ Drafting of Pleadings in Appellate Courts
Mr. Chathura Galhena, Attorney-at-Law

FOR LAWYERS WITH MORE THAN 5
YEARS OF PRACTICE

RS. 12,000/-

FOR LAWYERS WITH LESS THAN 5
YEARS OF PRACTICE

RS. 10,000/-

INCLUSIVE CERTIFICATE, COURSE MATERIALS ON A CD & REFRESHMENTS

Medium - English / Sinhala

On 19th & 20th October, 2019

From 8.30 am Onwards

At Oak Ray Regency Hotel in Kandy

Kaushalya Nawaratne

Secretary

Bar Association of Sri Lanka

Tel:0112447134, Fax: 0112448090

basl.lawnet@gmail.com

www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342 & Nadun 0717462708



10 week Certificate Course on Legal Drafting Course content

August 30th 2019

3.00pm -5.00pm	Drafting a Complaint, answer, counter claims Drafting Notices and Affidavits Drafting other Legal documents filed in courts with Pleadings Letter of Demand Mr Kaushalya Nawaratne, Attorney-At-Law Secretary BASL
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September 6th 2019

3.00 pm -5.00pm	Pleadings in Writs and FR's Mr Senani Dayaratne, Attorney-At-Law
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September 20th 2019

3.00pm -5.00pm	Drafting of Petitions, Affidavits, Written Submissions, contempt application papers in Appellate courts Hon Justice Saleem Marsoof, President's Counsel-Retired Judge of the Supreme court
----------------	--

September 27th 2019

3.00pm -5.00pm	Basics of Condominium Law Condominium agreements/Real Property sales agreements Mr Senaka De Saram, , Attorney-At-Law
----------------	--

October 4th 2019

3.00pm -5.00pm	Drafting of Bail Applications-Legal documents relevant in High Court Mr Kalinga Indatissa,President's Counsel, President of the BASL
----------------	--


Certificate Course on Legal English

This is an ongoing certificate course since 2016, where there is a lack of knowledge for some new comers to and law students in addressing the court, how to draft a plaint, agreements,

notices and affidavits legal terminology/ Vocabulary, we conducted 2 batches in order to focus more attention on the individual. Resource panel who covered the Legal writing/

drafting were Mr. Kalinga Indatissa, PC, President of the BASL. Mr Kaushalya Nawaratne, Secretary BASL, Mr Vishwa De Livera Tenekoon, Assistant Secretary, Mr Chatura Galhena

,Attorney-at-Law. Grammar, spoken areas were covered by Cambridge qualified lecturer Mrs Nilanthi Jayawardena. In total 34 members participated.



BAR ASSOCIATION OF SRI LANKA

LEGAL ENGLISH

How to understand and master the language of law

Rs. 12,000 Only
Inclusive of Course Material

Resource Persons

Mrs. Nilanthi Jayawardena, Certificate/Diploma in English Language Teaching Adults (Cambridge University)
Mr. Kalinga Indatissa, PC, President BASL
Mr. Kaushalya Nawaratne, Secretary, BASL
Mr. Vishwa De Livera Tenekoon, Assistant Secretary, BASL

This course focuses on developing your English skills in a legal context, and the vocabulary of aspects of criminal law and civil law.

Course Content

- ✓ Introduction to Legal English
- ✓ Vocabulary and Legal Terms
- ✓ Challenging Areas of Grammar
- ✓ Pronunciation
- ✓ Reading and Comprehension
- ✓ Discussions and Speech Skills
- ✓ Language Basics for the Court Room
- ✓ Legal Drafting
 - Understanding Drafting
 - General Principles of Drafting
 - Basic rules of Drafting Pleading
 - Reviewing and Editing your drafting
 - The Legal Framework of contracts
 - Structuring a Commercial contract
 - Identifying issues and Negotiating Terms of Contract
 - Drafting of agreements
 - Drafting under company law
 - Drafting notices
 - Drafting Deeds
 - Drafting of Affidavits

12 WEEKS
EVERY WEDNESDAY

FROM 12th JUNE, 2019

From 3.00pm – 5.00pm
At Mini Auditorium, BASL

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel: 0112447134, Fax: 0112448090
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 0113090030



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is awarded to

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upon successful completion of

3 MONTHS CERTIFICATE COURSE ON

LEGAL ENGLISH

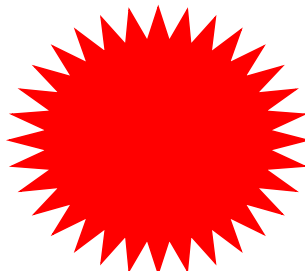
conducted by

The Bar Association of Sri Lanka

in the Year of 2019.

Kalinga Indatissa, PC
President
Bar Association of Sri Lanka

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka



Certificate Course on Criminal Defense for Tri-Forces

Bar Association of Sri Lanka expanding its opportunities for the Tri Forces in order to understand the Criminal Law where they can utilize their knowledge to give better service to the community. This

is the 2nd year BASL conducting the course, 1st year it was limited to the Military Police and this year we open up the opportunities to Sri Lankan Police, Sri Lankan Air Force. Sri Lankan Navy.

Following resource persons shared their knowledge with the participants. Professor Ravindra Fernando, Mr. Neville Abeyratne, PC. Mr Dileepa Peiris, Deputy

Solicitor General, AG's Department, DIG Ajith Rohana AAL, Mr Shavindra Fernando, PC, Mr Rajeev Amarasuriya, AAL, Mr Janaka Edirisinghe, AAL, Ms Ayesha Jinasena, PC, Additional Solicitor General AG's Department, Ms Sajeewani Abeykoon, Attorney-At-Law, Mr Dilan Rathnayake, Deputy Solicitor General AG's Department, Mrs K.K Apsara, Deputy Government Analyst. In total there were 47 participants comprising of 30 Military Police, 10 Sri Lankan Air Force, 6 Sri Lankan Police and 1 naval officer.



අපරාධ විද්‍යාව සම්බන්ධව සහතික පත්‍ර වැඩසටහන

September 26 th 2019	
3.00pm -5.00pm	විමර්ශණාත්මක අධීකරණ විද්‍යාව අපරාධ විමර්ශණය සඳහා අධීකරණ වෛද්‍ය විද්‍යාව Professor Ravindra Fernando
October 3 rd 2019	
3.00 pm -5.00pm	අපරාධ විද්‍යාවේ වෘත්තීය ආචාරධර්ම අපරාධ නීතිය සහ අපරාධ නඩු කාර්යය පවිසාවිය Mr Neville Abeyratne, PC
October 10 th 2019	
3.00pm -5.00pm	අපරාධ විමර්ශණය සඳහා අපරාධ ජීවදත්ත විමර්ශණය සඳහා අපරාධ බුද්ධි තොරතුරු අවේක්ෂණය Mr Dileepa Peiris, Deputy Solicior General, AG's Department
October 17 th 2019	
3.00pm -5.00pm	පොලීසිය සතු බලතල හා සීමාවන් අන්තර්-ගුවලට හැකිම, බන්ධනාගාරවල ගත කිරීම සහ ඇප දීම සම්බන්ධ නීති Mr Ajith Rohana AAL, DIG Police
October 24 th 2019	
3.00pm -5.00pm	හදිසි නීතිය හා ඒ යටතේ පොලීසිය හා සන්නද්ධ හමුදාව සතු බලතල හා වගකීම් Mr Shavindra Fernando, PC
October 31 st 2019	
3.00pm -5.00pm	ව්‍යවස්ථාවේ මූලික අයිතිවාසිකම් පරිච්ඡේදයට අනුකූලව අපරාධ නීතිය බලාත්මක කිරීම




Certificate Course on Criminal Defense for Lawyers

More legal professionals opting to master on the Criminal law areas, BASL continuing the Certificate course to identify the new trends in Criminal law and the practical knowledge to

enhance the knowledge of the participants. Resource panel comprise of Mr. U.R De Silva, PC, Ms. Sajeewani Abeykoon, AAL, Mr. Chethiya Gunasekera, DSG, Mr. Anil Silva,

PC, Mr. Madhawa Tennakoon, SSC, Mr. Saliya Pieris, PC, Mr. Prashantha Lal De Alwis, PC. Mr. Upali Mohotti, PC, Mr. Sunil Abeyaratne, AAL, Mr. Nevil

Abeyratne, PC, Mr. D.A.P Weeratna, PC. 83 participants followed the course.



BAR ASSOCIATION OF SRI LANKA

BASL CERTIFICATE COURSE - CRIMINAL DEFENSE

From 08th February, 2019

At the Dr. H. W. Jayewardene QC
Auditorium, BASL.

RESOURCE PANEL

- Mr. U.R de Silva, PC, President BASL
- Mr. Anil Silva, PC
- Mr. Prashantha Lal De Alwis, PC
- Mr. Nevil Abeyratne, PC
- Mr. Saliya Pieris, PC
- Mr. Chethiya Gunasekera, DSG
- Mr. Sunil Abeyaratne, AAL
- Mr. D.A.P Weeratna, AAL
- Mr. Madhawa Tennakoon, SSC
- Mr. Upali Mohotti, AAL
- Mr. Sajeewani Abeykoon, AAL

Investment

For BASL Members
LKR 13,500/- + LKR 1000/-
for the Criminal Law Book

For Law Students
LKR 11,500/- + LKR 1000/-
for the Criminal Law Book

For Defense
LKR 15,000/- + LKR 1000/-
for the Criminal Law Book

AREAS TO BE COVERED

- Law relating to Bail
- Institution of Criminal Proceedings under Criminal Procedure Code
- New Trends in Criminal Law
- Defenses related to Offences (General and Mitigatory)
- Expert Evidence
- Role of a Defense Lawyer in a Fair Trial for the Accused
- Art of Cross Examination, Marking Contradictions and Omissions in a Criminal Case
- Case Study and a Practical Approach to Criminal Procedure
- Disposal of Property
- Applicability of Computer Evidence
- Primary Courts Proceedings, Maintenance and Public Nuisance
- 66 Applications
- Criminal Law relating to Women and Children

12

WEEKS

25 HOURS

EVERY FRIDAY

From 3.00pm - 5.00pm

Kandhaya Nawaratne, Secretary, Bar Association of Sri Lanka
Tel: 011 2447134 Fax: 011 2448090 Email: law.lawyer@gmail.com Web site: www.basl.lk
For Registration please contact: BASL Program Committee on 011 2447134



Bar Association of Sri Lanka

awards this Certificate to

.....

upon the successful completion of

THREE MONTHS CERTIFICATE COURSE ON CRIMINAL DEFENSE

conducted by the Bar Association of Sri Lanka

on this 12th day of December 2019

Kalinga Indatissa, PC
President
Bar Association of Sri Lanka

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka



Certificate Course of Cross Examination

Bar Association of Sri Lanka in order to meet the expectations of practical knowledge introduce first practical course on criminal aspects of Cross examination. Due to the practical nature of

the course audience was limited giving an opportunity for everyone to address the courts. Every participant was given an opportunity to express their views and Mr U.R De Silva

President Counsel who conducted the entire course using his vast experience will correct their mistakes on a given case study. So that they are ready for the real challenge

at the courts. Total participants were 52 for first program and Cross Examination II started in January 2020 supposed finished on 22nd of March 2020 due to the COVID19 it was postponed.

ශ්‍රී ලංකා නීතිඥ සංගමය මගින් සංවිධානය කරනු ලබන,
හරස් ප්‍රශ්න ඇසීමේ කලාව / ප්‍රායෝගිකව අත්හදා බැලීම
සහතික පත්‍ර පාඨමාලාව
නිර්මාණය කරන ලද උසාවි පරිශ්‍රයක් තුළ,

- සහභාගී වන නීතිඥ මහත්ම මහත්මීන්ට හරස් ප්‍රශ්න ඇසීමට අවස්ථාවක් ලබාදීම.
- උෞතතාවයන් හරහා අධිකරණයේ අවධානයට ලක්කරන ආකාරය.
- පරස්පර විරෝධීතාවයන් සලකුණු කරන ආකාරය.
- විත්තිවාචකයන් ගොඩනැගීම.

යනාදී අංශයන් කෙරෙහි අවධානය යොමු කරමින් හරස් ප්‍රශ්න ඇසීමේ හැකියාවන් උසස් මට්ටමකට ගෙන ඒමට දරන ලබන ප්‍රයත්නයකි.

ආවරණය වන ක්ෂේත්‍ර

- මිනීමැරුම
- ස්ත්‍රී දූෂණය
- හෙරෝයින්
- මංකොල්ලකෘමි
- අල්ලස්
- ප්‍රමා අපචාර
- බරපතල තුවාල
- දේශන කලාව

Investment Rs. 15,000/-
Inclusive-Course Materials
Limited seating

2019 ජනවාරි 22
වන දින සිට සතිපතා සෑම සිකුරාදා දිනකම
පෙ.ව. 02.30 සිට ප.ව. 05.30 දක්වා
@BASL Main Auditorium

මෙහෙයවීම - ජනාධිපති නීතිඥ යූ.ආර්.ද සිරිවා

Kaushalya Nawaratne (Secretary)
Bar Association of Sri Lanka

basl.lawnet@gmail.com
www.basl.lk

Workshops

Human Rights Workshop Series with Max Planck Foundation

During this year, the Bar Association of Sri Lanka in partnership with Max Planck Foundation for International Peace and Rule of Law (MPFPR) implemented six (06) Human Rights Workshops for lawyers in Sri Lanka to increase their understanding of Human Rights Law.

Human Rights Workshop 01- Galle

First Human Rights Workshop for Lawyers in Sri Lanka

<https://www.mpfpr.de/2019/08/27/first-human-rights-workshop-for-lawyers-in-sri-lanka/>

The Foundation delivers Human Rights Workshop in the Southern Province in cooperation with the Bar Association of Sri Lanka.

From 24-25 August 2019, the Max Planck Foundation conducted a workshop in the Southern Province of Sri Lanka in partnership with the Bar Association of Sri Lanka. The workshop was attended by lawyers from the Galle,

Matara, Tangalle and Elpitiya Bars.

The 25th President of the Bar Association of Sri Lanka, Mr Kalinga Indatissa PC, gave opening remarks at the workshop, encouraging lawyers to advance their knowledge of human rights. Presentations on various aspects of international human rights law were made by the Foundation with a focus on civil and political rights. Prominent public interest litigator, Mr Ravindranath Dabare, additionally presented on litigating human rights cases before the courts at both the provincial and national level in Sri Lanka.

The workshop programme covered a wide spectrum of civil and political rights, including fair trial rights and qualified rights, such as freedom of opinion and expression, and freedom of association and assembly. The trainers also addressed international law pertaining to equality and non-discrimination, women's rights, children's rights, and the rights of persons with disabilities. Each of the rights were discussed in detail, including their definition, scope and implementation on international and local levels. The lawyers engaged in lively discussions and

studied examples on the enforcement of these rights. The workshop also explored challenges the lawyers face in litigating rights in the court system.

This workshop is the first of six to be held in partnership with the Bar Association of Sri Lanka at the provincial level as part of the German Federal Foreign Office funded project, "Capacity Building for Judges and Lawyers in Sri Lanka". The next workshop is due to take place in Nuwara Eliya, Central Province in September 2019.

For Lawyers
in Southern
Province

WORKSHOP 01 ON INTRODUCTION TO HUMAN RIGHTS

Program

- Sources of International Law and Fundamental Principles
- The Role of Lawyers in advancing the Public Interest
- Strategic Litigation
- The Right to Fair Trial and Due Process of Law
- Torture/Enforced Disappearances
- The Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly
- Non- Discrimination / Equal Protection before the Law
- Disability Rights and the Rights of the Child

24th & 25th August 2019 from 9.00 AM - 5.00 PM
in Galle (Venue to be Confirmed)

A Program organized by
the Bar Association of Sri Lanka
in collaboration with the
Max Planck Foundation for
International Peace and
Rule of Law (MPFPR)



MAX PLANCK FOUNDATION
for International Peace and
the Rule of Law



Kaushalya Nawarat
Secretary, Bar Association of Sri Lanka
Tel:0112447134, Fax: 011244801
basl.lawnet@gmail.co

For more Information and Registration, Please Contact BASL Program Committee 0764408342







Human Rights Workshop 02- Nuwara Eliya

Second Human Rights Workshop for Lawyers in Sri Lanka

<https://www.mpfpr.de/2019/10/01/second-human-rights-workshop-for-lawyers-in-sri-lanka/>

The Foundation delivers Human Rights Workshop for lawyers in Central Province and Uva Province in cooperation with the Bar Association of Sri Lanka.

From 28 September – 29 September 2019, the Foundation delivered a workshop in Nuwara Eliya, Central Province of Sri Lanka in partnership with the

Bar Association of Sri Lanka. The workshop was attended by lawyers from the Badulla, Matale, Monaragala, Welimada, Kandy, Nuwara Eliya and Bandarawela Bars, as well as the Legal Aid Commission in Siyabalanduwa.

The workshop addressed international human rights law and centred around civil and political rights with a special focus on their implementation in Sri Lanka and the advancement of the public interest by lawyers. The lawyers participating in the workshop actively engaged throughout

the sessions sharing their knowledge and experience.

The topics covered by the trainers pertained to civil and political rights, including fair trial, the right to be free from torture and enforced disappearances, qualified rights, the rights of the child, the rights of persons with disabilities and the right to be free from discrimination. On public interest litigation, international and local experts specifically addressed strategic litigation and the role of lawyers in advancing public interest in Sri Lanka, respectively.

The Assistant Secretary of the Bar Association of Sri Lanka, Mr Vishwa de Livera Tennekoon, spoke encouragingly on the importance of public interest litigation in the pursuit of justice and advancement of human rights, sharing his vast experience in Sri Lanka.

This workshop is the second out of six to be held in partnership with the Bar Association of Sri Lanka at the provincial level as part of the German Federal Foreign Office funded project, "Capacity Building for Judges and Lawyers in Sri Lanka". The next workshop is due to take place on 5 – 6 October 2019 in Dambulla, Central Province.



For Lawyers in Central & Uva Provinces

HUMAN RIGHTS WORKSHOP 02

Program

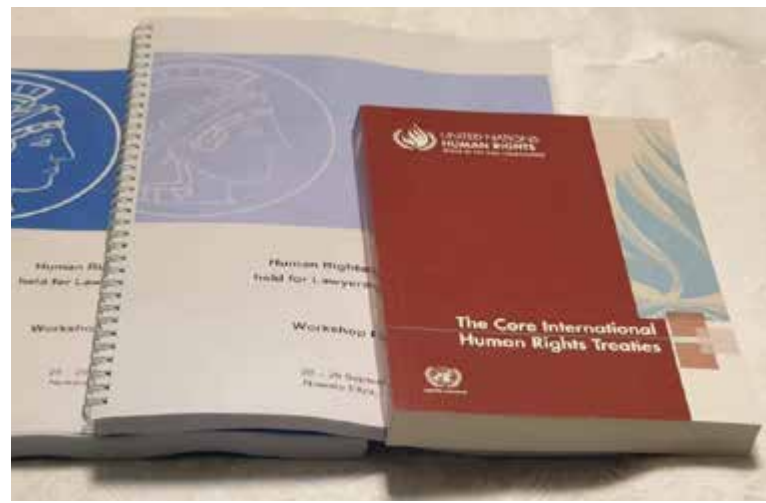
- Sources of International Law and Fundamental Principles
- The Role of Lawyers in advancing the Public Interest
- Strategic Litigation
- The Right to Fair Trial and Due Process of Law
- Torture/Enforced Disappearances
- The Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly
- Non-Discrimination / Equal Protection before the Law
- Disability Rights and the Rights of the Child

28th & 29th September 2019 from 9.00 AM – 5.00 PM
in Nuwara Eliya (Venue to be Confirmed)

A Program organized by the Bar Association of Sri Lanka in collaboration with the Max Planck Foundation for International Peace and Rule of Law (MPFR)

Kaushalya Nawaratne
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Tel: 0112447134, Fax: 0112448090
bas.lawnet@gmail.com

Only 25 Participants will be selected. Conditions Apply.
For more Information and Registration, Please Contact BASL Program Committee 0764408342



Human Rights Workshop 03 - Dambulla

Third Human Rights Workshop for Lawyers in Sri Lanka

<https://www.mpfpr.de/2019/10/10/third-human-rights-workshop-for-lawyers-in-sri-lanka/>

The Foundation hosts Human Rights Workshop for lawyers in Central Province in cooperation with the Bar Association of Sri Lanka

The Max Planck Foundation has conducted the third Workshop for lawyers from 5 October – 6 October 2019, in Dambulla, Central Province of Sri Lanka in partnership with

the Bar Association of Sri Lanka. The workshop was attended by lawyers from both Central and North Central Province, namely the Anuradhapura, Maho, Kurunegala and Nikaweratiya Bars.

The workshop covered international human rights law topics and dealt with civil and political rights, along with their implementation in Sri Lanka. In addition, the advancement of the public interest by lawyers was addressed in the local context. The sessions were complemented by lively

discussions amongst the lawyers, sharing their knowledge and different experiences.

The trainers presented on a range of civil and political rights topics, including fair trial, the right to be free from torture and enforced disappearances, qualified rights, the children's rights, the rights of persons with disabilities to the right to be free from discrimination. On the subject of public interest litigation, international and local experts presented techniques and advice on strategic litigation and highlighted the role

of lawyers in advancing the public interest in Sri Lanka, respectively.

The workshop concluded with an encouraging discussion on the importance of public interest litigation in the quest for justice and advancement of human rights. This was led by the Assistant Secretary of the Bar Association of Sri Lanka, Mr Vishwa de Livera Tennekoon and ended with examples from his vast experience in Sri Lanka.

This workshop is the third out of six to be held in partnership with the Bar Association of Sri Lanka at the provincial level as part of the German Federal Foreign Office funded project, "Capacity Building for Judges and Lawyers in Sri Lanka". The next workshop is due to take place on 7 – 8 December 2019, in Trincomalee, Eastern Province.



For Lawyers in North Central & North Western Provinces

HUMAN RIGHTS WORKSHOP 03

Program

- Sources of International Law and Fundamental Principles
- The Role of Lawyers in advancing the Public Interest
- Strategic Litigation
- The Right to Fair Trial and Due Process of Law
- Torture/Enforced Disappearances
- The Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly
- Non-Discrimination / Equal Protection before the Law
- Disability Rights and the Rights of the Child

A Program organized by the Bar Association of Sri Lanka in collaboration with the Max Planck Foundation for International Peace and Rule of Law (MPFPR)

15th & 16th October 2019 from 9.00 AM – 5.00 PM
in Dambulla (Venue to be Confirmed)

Kaushalya Nawaratne
Secretary, Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112448090
bas.lawnet@gmail.com

Only 25 Participants will be selected. Conditions Apply.
For more Information and Registration, Please Contact BASL Program Committee 0764408342



Human Rights Workshop 04- Batticaloa

Fourth Human Rights Workshop for Lawyers in Sri Lanka

<https://www.mpfpr.de/2019/12/11/fourth-human-rights-workshop-for-lawyers-in-sri-lanka/>

The Foundation delivers Human Rights Workshop in the Eastern Province in cooperation with the Bar Association of Sri Lanka

From 7 to 8 December 2019, the Max Planck Foundation conducted a workshop in Pasikuda, Eastern Province of Sri Lanka in partnership with the

Bar Association of Sri Lanka. The workshop was attended by 25 lawyers, with varying levels of experience, practicing in the provincial courts in the Eastern Province.

The workshop was opened by the President of the Bar Association of Sri Lanka, Mr Kalinga Indatissa PC, who emphasised the important role played by lawyers in enhancing and enforcing human rights, and challenged lawyers to continue their legal education

while in practice to stay abreast of developments in the law.

The programme covered a wide spectrum of civil and political rights, including fair trial rights and qualified rights, as well as the prohibition on torture and enforced disappearances. Facilitators from the Foundation also addressed the international law pertaining to non-discrimination, gender equality, children's rights, and the rights of persons with disabilities. The lawyers engaged

in robust discussion of these rights at the international, national and local level, with a particular focus on cutting edge issues that have come up in their daily work. Throughout the sessions, the lawyers considered case studies and devised innovative ways to strengthen human rights protection in Sri Lanka.

The participating lawyers were also introduced to the importance of public interest litigation and strategic litigation, with the aim of building their capacity to launch and engage in such litigation. The Assistant Secretary of the Bar Association of Sri Lanka, Mr Vishwa de Livera Tennekoon, presented an inspirational session about the role of Sri Lankan lawyers in advancing the public interest. This added local context to the broader international law discussions that took place.

The German Ambassador to Sri

For
Lawyers in
Eastern
Province

HUMAN RIGHTS WORKSHOP 04

Program

- Sources of International Law and Fundamental Principles
- The Role of Lawyers in advancing the Public Interest
- Strategic Litigation
- The Right to Fair Trial and Due Process of Law
- Torture/Enforced Disappearances
- The Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly
- Non- Discrimination / Equal Protection before the Law
- Disability Rights and the Rights of the Child

07th & 08th December 2019 from 9.00 AM - 5.00 PM
in Batticaloa (Venue to be Confirmed)

A Program organized by the Bar Association of Sri Lanka in collaboration with the Max Planck Foundation for International Peace and Rule of Law (MPFPR)



MAX PLANCK FOUNDATION
for International Peace and
the Rule of Law



Kaushalya Nawarat
Secretary, Bar Association of Sri Lanka
Tel:0112447134, Fax: 01124480
basl.lawnet@gmail.com

Only 25 Participants will be selected. Conditions Apply.
For more Information and Registration, Please Contact BASL Program Committee 0764408342

Lanka, His Excellency Jörn Rohde, attended the workshop to make closing remarks. The Ambassador emphasised the crucial role that lawyers play in ensuring that laws are translated into practices, which protect and respect human rights, and further called for the rule of law and good governance to be upheld in Sri Lanka.

This workshop is the fourth of six to be held

in partnership with the Bar Association of Sri Lanka, at the provincial level, as part of the German Federal Foreign Office funded project, "Capacity Building for Judges and Lawyers in Sri Lanka". The next workshop is due to take place in Jaffna, in the Northern Province in the first quarter of 2020.







Human Rights Workshop 05- Jaffna

Fifth Human Rights
Workshop for Lawyers
in Sri Lanka

<https://www.mpfpr.de/2020/02/27/fifth-human-rights-workshop-for-lawyers-in-sri-lanka/>

**The Foundation
delivers Human Rights
Workshop in the
Northern Province in
cooperation with the
Bar Association of
Sri Lanka**

From 22 to 23
February 2020,
the Max Planck
Foundation conducted
a workshop in Jaffna,
Northern Province
of Sri Lanka in

partnership with the
Bar Association of Sri
Lanka. The workshop
was attended by 32
lawyers, with varying
levels of experience,
practicing in the
provincial courts in the
Northern Province.

The programme
covered a wide
spectrum of civil and
political rights, including
fair trial rights and
qualified rights, as well
as the prohibition on
torture and enforced
disappearances. Facilitators from the
Max Planck Foundation
also addressed the
international law

pertaining to non-
discrimination, gender
equality, children's
rights, and the rights
of persons with
disabilities. The lawyers
were challenged to
consider the ways that
human rights law may
come up in their daily
work, beyond dealing
with fundamental
rights cases. The
participants were
particularly interested
in issues relating to
gender discrimination
and the application of
the Domestic Violence
Act. Throughout the
sessions, the lawyers
considered case studies
and devised innovative

ways to strengthen
human rights protection
in Sri Lanka.

The programme
further focused
on introducing the
participating lawyers
to the importance of
public interest litigation
and strategic litigation,
with the aim of building
their capacity to engage
in such litigation. The
Assistant Secretary of
the Bar Association
of Sri Lanka, Mr
Vishwa de Livera
Tennekoon, presented
an inspirational session
about the role of Sri
Lankan lawyers in
advancing the public
interest. This added
local context to the
broader international
law discussions that
took place.

The workshop
was closed by
Mr Thuraisingam
Prakalathan, a member
of the Bar Association
of Sri Lanka's
Programme Committee,
who emphasised
the importance
of supporting and
developing the capacity
of lawyers, especially
junior lawyers, around
the country.

For Lawyers
in Northern
Province
only

HUMAN RIGHTS WORKSHOP 05

Program

- Sources of International Law and Fundamental Principles
- The Role of Lawyers in advancing the Public Interest
- Strategic Litigation
- The Right to Fair Trial and Due Process of Law
- Torture/Enforced Disappearances
- The Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly
- Non-Discrimination / Equal Protection before the Law
- Disability Rights and the Rights of the Child

22nd & 23rd February 2020 from 9.00 AM - 5.00 PM
in Jaffna (Venue to be Confirmed)

A Program organized by
the Bar Association of Sri Lanka
in collaboration with the
Max Planck Foundation for
International Peace and
Rule of Law (MPFPR)



MAX PLANCK FOUNDATION
for International Peace and
the Rule of Law



Kaushalya Nawaratne
Secretary, Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112448090
basl.lawnet@gmail.com

Only 25 Participants will be selected. Conditions Apply.
For more Information and Registration, Please Contact BASL Program Committee 0764408342

This workshop is the fifth of six to be held in partnership with the Bar Association of Sri Lanka, at the provincial level, as part of the German Federal Foreign Office funded project, "Capacity Building for Judges and Lawyers in Sri Lanka". The final workshop for this project is due to take place in Negombo, Western Province from 07 to 08 March 2020.



Human Rights Workshop 06- Negombo

Sixth Human Rights
Workshop for Lawyers
in Sri Lanka

<https://www.mpfpr.de/2020/03/10/sixth-human-rights-workshop-for-lawyers-in-sri-lanka/>

**The Foundation
delivers Human Rights
Workshop in the
Western Province in
cooperation with the
Bar Association of
Sri Lanka**

From 7 to 8 March
2020, the Max Planck
Foundation conducted
a workshop in
Negombo, Western
Province of Sri Lanka
in partnership with the

Bar Association of Sri
Lanka. The workshop
was attended by 45
lawyers, with varying
levels of experience,
practicing in the
provincial courts in the
Western Province, the
Court of Appeals, and
the Supreme Court of
Sri Lanka.

The workshop covered
a wide spectrum of
civil and political rights,
including fair trial rights
and qualified rights, as
well as the prohibition
on torture and enforced
disappearances.
Facilitators from
the Foundation
also addressed the

international law
pertaining to non-
discrimination, gender
equality, children's
rights, and the rights
of persons with
disabilities. The lawyers
were challenged to
consider the ways
that human rights law
may come up in their
daily work, including
when dealing with
fundamental rights
cases. The participants
were particularly
encouraged to think
strategically about their
practice in light of their
geographical location
near the Supreme Court
and Court of Appeals, in
addition to the Western

Province lower courts.
The participants were
particularly interested
in issues relating to
qualified rights and
the rights of children.
Throughout the
sessions, the lawyers
considered case studies
and devised innovative
ways to strengthen
human rights protection
in Sri Lanka.

The programme
further focused
on introducing the
participating lawyers
to the importance of
public interest litigation
and strategic litigation,
with the aim of building
their capacity to engage
in such litigation. The
Assistant Secretary of
the Bar Association
of Sri Lanka, Mr
Vishwa de Livera
Tennekoon, presented
an inspirational session
about the role of Sri
Lankan lawyers in
advancing the public
interest. This added
local context to the
broader international
law discussions that
took place.

As the sixth and
final Human Rights
workshop of the project,
the President of the
Bar Association of

**For Lawyers
in Western
Province
Only**

HUMAN RIGHTS WORKSHOP 06

Program

- Sources of International Law and Fundamental Principles
- The Role of Lawyers in advancing the Public Interest
- Strategic Litigation
- The Right to Fair Trial and Due Process of Law
- Torture/Enforced Disappearances
- The Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly
- Non-Discrimination / Equal Protection before the Law
- Disability Rights and the Rights of the Child

A Program organized by
the Bar Association of Sri Lanka
in collaboration with the
Max Planck Foundation for
International Peace and
Rule of Law (MPFPR)



MAX PLANCK FOUNDATION
for International Peace and
the Rule of Law



**07th & 08th March 2020 from 9.00 AM - 5.00 PM
in Negombo (Venue to be Confirmed)**

Kaushalya Nawarat
Secretary, Bar Association of Sri Lanka
Tel: 0112447134, Fax: 01124480
basl.lawnet@gmail.co

Only 45 Participants will be selected. Conditions Apply.
For more Information and Registration, Please Contact BASL Program Committee 0764408342

Sri Lanka, Mr Kalinga Indatissa PC, closed the event. He emphasized the ethical obligations of lawyers in continuing their legal education and expressed sincere thanks to the Foundation for its contribution to this endeavour, calling for a continued collaboration between the two institutions beyond the current project.

This was the final workshop to be held in partnership with the Bar Association of Sri Lanka, at the provincial level, as part of the German Federal Foreign Office funded project, "Capacity Building for Judges and Lawyers in Sri Lanka". Five prior workshops were held in the Southern, Central, North Central, Eastern, and Northern provinces, respectively since the project began in 2019.




Workshop on Court of Appeal Criminal Practice

In order to provide platforms for the legal practitioners to better understand the Criminal Practice and proceedings in the Court of Appeal, a Seminar/Workshop on 'Court of Appeal

Criminal Practice' was successfully organized by the BASL on 08th June 2019 at the Sri Lanka Foundation Institute from 9.00am – 5.30pm. There were 135 participants into this seminar. The

Resource Panels were comprised with eminent Criminal Practitioners including Mr. Kalinga Indatissa, President's Counsel, President BASL, Mr. Anil Silva, President's Counsel,

Mr. Rienzie Arsecularatne, President's Counsel, Mr. Saliya Peiris, President's Counsel, Mr. Nalinda Indatissa, President's Counsel, Mr. Shavindra Fernando, President's Counsel, Mr. Nalin Ladduwahetty, President's Counsel, Mr. Razik Zarook, President's Counsel, Mr. S. T. Jayanaga, President's Counsel and Mr. Mohan Weerakoon, President's Counsel. These panel discussions were moderated by Mr. Anuja Premaratne, President's Counsel, Mr. Niranjana Jayasinghe Attorney-at-Law and Mr. Amila Palliyage Attorney-at-Law.



BAR ASSOCIATION OF SRI LANKA

SEMINAR/WORKSHOP ON COURT OF APPEAL CRIMINAL PRACTICE

Resource Persons

Hon. Justice Yasantha Kodagoda, President's Counsel,
President of Court of Appeal
Mr. Kalinga Indatissa, President's Counsel, President BASL
Mr. Rienzie Arsecularatne, President's Counsel
Mr. Anil Silva, President's Counsel
Mr. Razik Zarook, President's Counsel
Mr. Shavindra Fernando, President's Counsel
Mr. Nalin Ladduwahetty, President's Counsel
Mr. Saliya Peiris, President's Counsel
Mr. Anuja Premaratne, President's Counsel
Mr. Nalinda Indatissa, President's Counsel
Mr. Mohan Weerakoon, President's Counsel
Mr. S. T. Jayanaga, President's Counsel
Mr. Niranjana Jayasinghe, Attorney-at-Law
Mr. Amila Palliyage, Attorney-at-Law

This Seminar/Workshop focuses a discussion in detail on legal proceedings in court of Criminal Practice.

Specific Areas to be Covered

- ✓ The role of a Counsel
- ✓ Handling of a Bail Application
- ✓ Arguing a criminal appeal
- ✓ Revision Applications
- ✓ The Application of Supreme Court Rules and the Court of Appeal Appellate Procedure Rules to criminal matters

ON 08th JUNE, 2019
From 9.00am – 5.30pm
At Sri Lanka Foundation Institute, Colombo 07

Rs. 3000
Only
Includes of Course
Dinner and
Refreshments

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel. 0112447134, Fax. 0112448090
basl.lawnet@gmail.com
www.basl.lk

For Registration Please Contact BASL on 0112447134

Other Seminars/ Discussions

Public Seminar on Arrest and Detention under Normal Law, PTA and Emergency Regulations and ICCRP

The 'Public Seminar on Arrest and Detention under Normal Law, PTA and Emergency Regulations' was

organized by the BASL on 14th June 2019 at the BMICH from 2.00pm – 6.00pm. This Seminar was organized with the aim of enhancing the knowledge of the Legal Practitioners, Civil Societies and the General Public on Freedom from Arrest and Detention and its limitations under normal law, PTA and Emergency regulations, the Role of Police and Duties of citizen in balancing the requirements of respecting Law and Order and National Security with the entitlements of this right and, the Right-based approach to safeguard this right. Mr. Kalinga Indatissa, President's Counsel, President BASL, Mr. Azad Navavi, Deputy Solicitor General, Mr. Shavindra Fernando, President's Counsel, Deputy President BASL and Mr. Ajith Rohana, Deputy Inspector General, Sri Lanka Police were the Resource Persons. There were 152 participants for this programme.

BAR ASSOCIATION OF SRI LANKA

**PUBLIC SEMINAR ON
ARREST & DETENTION UNDER NORMAL LAW,
PTA AND EMERGENCY REGULATIONS**

This Seminar/Workshop focuses a discussion in detail on arrest and detention under normal law and emergency situations and on contemporary issues.

Specific Areas to be Covered

- ✓ Arrest and Detention under normal law and PTA
- ✓ Arrest and Detention under Emergency Regulations
- ✓ Aspects of Human Rights and the Need to respect Law and Order and National Security
- ✓ Role of the Police and Duties and Responsibilities of Citizen
- ✓ ICCPR Act

Resource Persons

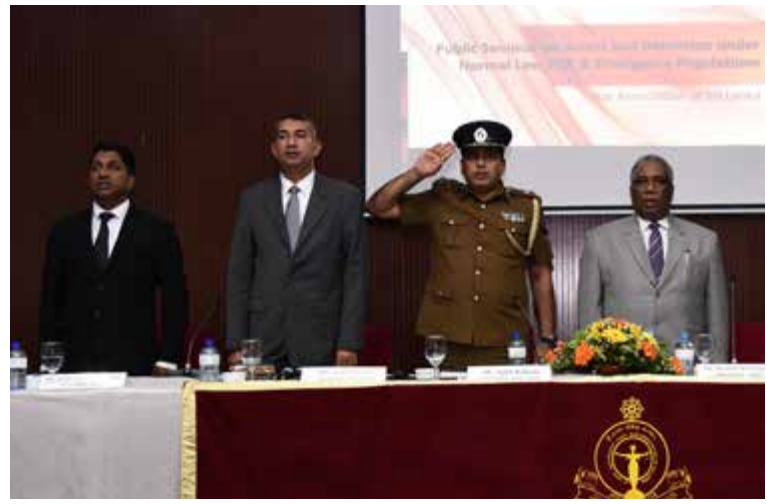
Mr. Kalinga Indatissa, President's Counsel, President BASL.
Mr. Shavindra Fernando, President's Counsel, Deputy President BASL.
Mr. Azad Navavi, Deputy Solicitor General
Mr. Kamal Silva, Deputy Inspector General
Mr. Ajith Rohana, Deputy Inspector General

Medium - English
ON 14th JUNE, 2019
From 2.00pm – 6.00pm
At BMICH, Colombo 07

Rs.2000 Only
Includes of Dinner, Material & Refreshment

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka
Tel:0112417134, Fax: 0112410090
had.lawact@gmail.com
www.basl.lk

For Registration Please Contact BASL Program Committee 0764408342





Public Forum and Panel Discussion on 'Future of Sri Lanka with SOFA, ACSA & MCC'



BAR ASSOCIATION OF SRI LANKA



FUTURE OF SRI LANKA WITH SOFA, ACSA & MCC

(Agreements between the Government of Sri Lanka & the United States of America)

Public Forum & Panel Discussion

This forum and panel discussion focuses in detail on the ACSA agreement signed between the Government of Sri Lanka and the United States of America and proposed two agreements SOFA & MCC

SPECIFIC AREAS TO BE COVERED

1. Introduction to ACSA SOFA & MCC and the impact of these three agreements on Sri Lanka
2. The experience of other countries in SOFA, ACSA & MCC
3. Way forward for Sri Lanka with International Treaties/MOUs

RESOURCE PERSONS

1. Dr. Palitha Kohana, Former Permanent Representative of Sri Lanka to the United Nations (UN)
 2. Mr. Kalinga Indatissa, President's Counsel, President of Bar Association of Sri Lanka
 3. Mr. Mayura Gunawansa, President's Counsel
- & Few others...

On 28th June 2019 - at 2.30 pm
At Dr. H.W Jayawardena,
QC Auditorium
Bar Association of Sri Lanka

Kaushalya Nawaratne, Secretary
Bar Association of Sri Lanka
Tel:0112447134, Fax: 0112448090
basl.lawnet@gmail.com | www.basl.lk

For RSVP Please Contact BASL - 0764408342

AGENDA –On 28th June 2019

At the Dr. H.W.Jayewardene QC Auditorium, BASL

Program Moderator – Mr. Lasitha Kanuwanaarachchi, Attorney-at-Law

2.00pm – 2.25pm	Registration
2.25pm – 2.30pm	Welcome and Commencement of the Program
2.30pm – 2.45pm	Introduction to the Seminar by the Moderator
2.45pm - 3.30pm	Individual Presentation 01: International Experience on SOFA, ACSA & MCC By Mr. Palitha Kohona, Former Chief of UN Treaty Section
3.30pm – 4.15pm	Individual Presentation 02: By Mr. Kalinga Indatissa, President’s Counsel, President BASL
4.15pm – 5.00pm	Individual Presentation 03: Introduction to SOFA, ACSA & MCC and Why we should be concerned by Mr. Mayura Gunawanse, President’s Counsel
5.00pm – 5.30pm	Panel Discussion and Question and Answers
5.30pm - 6.00pm	Vote of Thanks, Conclusion and Refreshments





Arrest and Custody under Civil Law and Role of Military Personnel

The BASL, whilst appreciating the role of the tri-forces to maintain the rule of law and the obligation of the tri-forces to protect the Human Rights of the citizens, conducted the aforesaid seminar, at the Air Force Head Quarters in Colombo, for the benefit of the members of the tri forces wherein the said members were educated in respect of the provisions of ICCPR Act, Chain of Command, Accountability and Proportionality, a Historical Perspective of the Military Law and Basic Features & Arrest under Emergency Regulations and Prevention of Terrorism Act. The said seminar was well acknowledged by the members of the tri-forces. We place on record our deep appreciation to the Commander of the Air Force and Ms. Sureka Dias Attorney-at-Law, Director Legal, Sri Lanka Airforce for the support extended in organizing the said seminar.





Emerging Business Technologies & Legal Readiness of Sri Lanka Jointly with Bar Association Sri Lanka

The BASL endeavored to partner with other professionals in order to broaden the horizons of not just our members but also the members of other professions.

In this endeavor a timely program was conducted in affiliation with Institute of Chartered Accountants of Sri Lanka on 19th September 2019.

The program in the aforesaid nature was the first time the BASL partnered with the Institute of Chartered Accountants of Sri Lanka. We

place on record the overwhelming appreciations received from the Institute of Chartered Accountants of Sri Lanka in relation to this program.



**Evening Presentation on
EMERGING BUSINESS TECHNOLOGIES &
LEGAL READINESS OF SRI LANKA**

<p>THE DISCUSSION WILL CENTER ON</p> <ul style="list-style-type: none"> • Money Laundering • Computer Crimes • Computer Evidence • E-Commerce • Electronic Signature 	<p>SPECIALLY DESIGNED FOR CA Members, CXO's, CA Students, Law Students, Bar Association Members & Others interested in the subject</p>	
<p>KEYNOTE SPEAKER Mr. Kalinga Indatissa PC President of the Bar Association of Sri Lanka (BASL)</p> <p>MODERATOR Mr. Laknath Peiris Attorney at Law and Council Member of the Institute of Chartered Accountants of Sri Lanka</p>	<p>PANELISTS</p> <ul style="list-style-type: none"> • Hon. Justice Yasantha Kodagoda, PC President of the Court of Appeal of Sri Lanka • Mr. Kaushalya Nawaratne, Attorney at Law Secretary of the Bar Association of Sri Lanka (BASL) 	
<p>DATE & TIME Thursday , 19th September 2019 06.00 pm – 08.00 pm</p>	<p>VENUE CA Sri Lanka Level 6</p>	<p>INVESTMENTS CA Students, CA Members, ISACA Members & (ISC)² Members Rs: 2,000/= Others Rs: 2,500/=</p>

For Registrations
Contact Mahika on 011-2352085 / 071- 0235266
IT Faculty of CA Sri Lanka
30A, Malalasekara Mawatha, Colombo 07.
E-mail mahika.basnayake@casrilanka.org
www.casrilanka.com

CPD Accredited

CA |  | 
THE INSTITUTE OF
CHARTERED ACCOUNTANTS OF SRI LANKA



Seminar on “Contemporary Issues in Maritime Law”

Seminar on “Contemporary Issues in Maritime Law” was conducted in collaboration with the Nautical Institute, UK – Sri Lanka Branch on 23rd August 2019 at

the BASL Auditorium. The seminar was well attended by over 100 participants from among the members of the BASL and the Nautical Institute. Professor P K

Mukherjee, Professor Emeritus and former Vice President of the World Maritime University was the Guest Speaker together with Mr. Chandaka

Jayasundera PC and Mr. Dan Malaka Gunasekera Attorney-at-Law, making presentations on important aspects of the subject. The seminar gave insights into an area of law which is gaining importance in the sphere of global economic activity and was well accepted by the participants.

SEMINAR ON CONTEMPORARY ISSUES IN MARITIME LAW

BAR ASSOCIATION OF SRI LANKA
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 BAR ASSOCIATION OF SRI LANKA
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The Nautical Institute Sri Lanka Branch

Date : Friday 23rd August 2019
Time : from 2 PM to 5 PM
Venue : Auditorium of the Bar Association of Sri Lanka, Colombo 12
Organized by : The Nautical Institute, UK - Sri Lanka Branch in collaboration with the Bar Association of Sri Lanka

Actionability of Claims for Damage to the Marine Environment caused by Ship-source Pollution
 Prof. P. K. Mukherjee, Professor Emeritus and Former Vice President of World Maritime University, Malmo, Sweden

Wrongful Arrest of Ships for Cargo Claims
 Chandaka Jayasundera (President's Counsel)

Criminalization of Seafarers under Maritime Security
 Dr. Dan Malika Gunasekera, Attorney-at-Law, (Secretary, Maritime Law Association, Sri Lanka & Executive Committee Member, NI Sri Lanka Branch)

REGISTRATION
 0773034142 / nishww@hotmail.com 0777235363 / basl.lawnet@gmail.com
 Investment : Rs. 3000 /= Students : Rs. 1000 /=
 (Refreshments Included)

CPD Certificate will be issued



Awareness program for Tri-Forces in Kilinochchi

A valuable day seminar was held at Nelum Piyasa Army Camp-Iranamadu, Kilinochchiya on 13. 07. 2019. Around 1000 officers of three forces, Police and STF participated at the

seminar. The seminar was facilitated by Major General Mr. Wijitha Ravipriya and Senior Deputy Inspector General Northern Province Mr. Ravi Wijegunawardana and HQI Police Station

Kilinochchiya Mr. Thilak Pushpakumara. The President of the BASL Mr. Kalinga Indatissa PC, Secretary Mr. Kaushalya Nawarathne, Attorney-at-Law, DIG Mr. Ajith

Rohana, Attorney-at-Law, Mrs. Priyani Rathnayake, Attorney-at-Law, Mr. Dushit Johndhason, Attorney-at-Law participated as resource persons.





Awareness programs for Police Officers

A very successful seminar was held at the DIG-Western Province office Auditorium Colombo 01 on 22.12.2019. Nearly 400 police officers participated at the seminar. The President

BASL, Mr. Kalinga Indatissa, PC, the Secretary Mr. Kaushalya Nawarathne, Attorney-at-Law, DIG, Mr. Ajith Rohana, Attorney-at-Law, Mr. Sunil Abeyrathne, Attorney-at-Law, Mrs. Priyani

Rathnayake, Attorney-at-Law participated as resource persons.

Another successful seminar was held at Finger Print Registrar's Office Auditorium Colombo

07 on 04.09.2019. Nearly 400 Police Officers participated at the seminar. DIG Mr. Ajith Rohana Attorney-at-Law, Mr. Sunil Abeyrathne, Attorney-at-Law, Mrs. Priyani Rathnayake, Attorney-at-Law and Dr. Wickramarathna participated as resource persons.





Speech Craft Program 2019

Having recognized the need to provide opportunities for the members of the legal community to improve professionalism in terms of enhanced soft skills, the BASL continued to conduct the Speech Crafters program in 2019. 22 members completed

the program and were awarded certificates as Speech Crafters under the aegis of Toast Masters International. The Grand Finale of the Program was the selection of the 1st, 2nd, and 3rd of Speech Crafters from among 8 finalists and the Chief Guest at this event was

Honourable Attorney General Dappula De Livera, President's Counsel. The 3rd batch of Speech Crafters commenced their program in January 2020. In all, 60 members have received their training and certificates as

Speech Crafters and the BASL proposes to establish a Toast Master Club of our own in the near future. The Program was coordinated and conducted by Ms. Dushyanthi Adikary, Attorney at Law and Member of the HNB Toast Masters Club.





05

STANDING COMMITTEES & SPECIAL COMMITTEES

• Standing Committees &
Special Committees

• Standing Committees
2019/2020

• Appointment of the Special Committees
• Reports of Committees

Standing Committees and the appointment of Special Committees

During the period between March 2019 to March 2020 the BASL was compelled to appoint ad hoc Committees in view of the urgency as well as the importance of the matters in respect of which the said Committees were constituted. The said Committees were entrusted with the task of advising the BASL as well as representing the legal community before the respective fora together with the EXCO and

the Management Committee in order inter alia to resolve the urgent issues which demanded immediate resolution.

Our sincere thanks and appreciation is extended to the members of the said Committees and also to the member of the Standing Committees for the support extended to the BASL in this regard.

Below: Chairpersons & Conveners of Standing Committees for the year 2019/2020



Standing Committees 2019/2020

BASL COMMITTEES	CHAIRMAN	CO-CHAIRMAN
Apprentices Training Committee	Mr. Saliya Pieris, PC 0777845567 saliyapieris@yahoo.com	
Bench & Bar Committee	Mr. Kalinga Indatissa, PC 0714595959 kalinga.indatissa@gmail.com	
Continuous Professional Development Committee	Mr. Shavindra Fernando, PC 0777261658 shavifdo@yahoo.co.uk	Mr. Ranil Samarasooriya 0777356404 ranilsamarasooriya@gmail.com
Diary Committee	Mr. Sanjaya Gamage 0773029747 sanjayagamage1@gmail.com	Mr. Felician Fernandopulle 0777309213 felicianf@sltnet.lk
Ethics Committee	Mr. Shammil Perera, PC 0777793800 shammil_perera@yahoo.com	
Finance Committee	Mr. Neomal Gunawardena 0742712625 fng@nithyapartners.com	
Future of the Legal Education Committee	Mr. Ali Sabry, PC 0777388822 sabryuvais@gmail.com	Mr. Amal A. Randeniya 0777701396 amalrandeniya@gmail.com
General Publication Committee	Mr. Uditha Egalahewa, PC 0777699900 uditha@uechambers.net	
Human Rights Committee	Mr. Shantha Jayawardena 0772512380 shanthajayarwadeha@gmail.com	
Infrastructure Committee	Mr. Sarath Kongahage, PC 0777379100 sarrathkon@gmail.com	Mr. Niroshana Perera 0777588679 niro_c66@gmail.com
International Relations Committee	Dr. Asanga Gunawansa 0773938342 asanga.gunawansa@colombo-law.com	Mr. Anurudda Perera 0777557554 anu@desaram.com
It Committee	Mr. Kanchana Ratwatte 0777360200 kratwatte@gmail.com	
Junior Bar Committee	Mr. Kuvera de Zoysa, PC 0777370223 kuveradz@gmail.com	
Law & Law Development Committee	Mr. Prasantha Lal De Alwis, PC 0777698369 prasantha_lal@hotmail.com	

CONVENER**CO-CONVENER**

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Ms. Champika Amarasekara
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Mr. Rajitha Hathurusinghe
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Mr Nishan Premithiratne
nishapraal@gmail.com

Mr. Saman Senadeera
0779313338
jmrp@slt.net.lk

BASL COMMITTEES**CHAIRMAN****CO-CHAIRMAN**

	Mr. S. T. Jayanaga, PC 0773854993 jayanaga@sltnet.lk	
	Mr. Manohara De Silva, PC 0777416655 manohara@sltnet.lk	
	Mr. Sanjeeva Jayawardena, PC 0777347047	
	Mr. Geoffrey Alagaratnam, PC 0777763033 gjta@sltnet.lk	
	Mr. Rienzie Arseculeratne, PC 0777342923 rienzie.a@gmail.com	
	Mr. Anil Silva, PC 0712779830	
	Mr. Anuja Premaratne, PC 0755577777 anujap@sltnet.lk	
	Mr. Ikram Mohamed, PC 0773101260 ikramm@sltnet.lk	
	Mr. Asoka Weerasooriya 0777713350 asokaweerasooriya@gmail.com	
Law Journal Committee	Mr. Eraj de Silva 0777342066 eades@yahoo.com	Mr. Saravanan Neelakandan 0773185285 saravanaa.neelakandan@mnlaw.lk
Law Medical Interaction Committee	Mr. Theja Silva 0777881002 thejasilva@yahoo.com	
Law Week Committee	Mr. Chethiya Gunasekera 0773799781 chethiya9@gmail.com	Mr. Hemantha Gamage 0777369145 hemanthapg@sltnet.lk
Legal Aid And Public Interest Litigation Committee	Mr. W.D.Rodrigo, PC 0716353809 dantharodrigo@gmail.com	
Media Committee	Ms. Priyani Ratnayake 0719333172 lakshpriya68@gmail.com	
National Law Conference Committee	Mr. Razik Zarook, PC 0777751229 razikzarook@yahoo.com	Mr. Manilal Fernando 0777309905, 0777400091 manilal@stallion.lk
Newsletter Committee - Printed	Mr. Shabry Haleemdeen 0777806950, 072780695 shabryh@gmail.com	
Nithi Ranga Committee	Ms. Vindika Subasinghe 0773257990 vindikasubasinghe@gmail.com	

BASL COMMITTEES	CHAIRMAN	CO-CHAIRMAN
Notarial Practice Committee	Mr. Nithi Murugesu 0777728428 nithi@nithimurugesu.com7	Ms. Shiranthi Gunawardena 0777749027 shiranthinmg@gmail.com
Outstation Bar Committee	Mr. Razik Zarook, PC 0777751229 razikzarook@yahoo.com	Mr. Chandima Muthukumarana 0777725315 cmmuthu120@gmail.com
Police Relation Committee	Mr. Kalinga Indatissa, PC 0714595959 kalinga.indatissa@gmail.com	
Professional & Career Development Of Women Lawyer's Committee	Ms. Anoma Gunathilake 0777759212 anoma.peirisgoonetilleke@gmail.com	Ms. Chamantha Unamboowe 0777797812 chamanthakwu@gmail.com
Professional Purposes Committee	Mr. G. G. Arulpragasam 0714732012 ggr@sltnet.lk	Mr. Samantha Ratwatte, PC 0773637318 sratwatte@gmail.com
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		Mr. Priyal Wijayaweera, PC 0777396188 priyalwijaya@gmail.com
		Mr. Binara Gunasekera 0777750542 binaralegal@gmail.com
Seminars Committee	Mr. Chandana Liyanapatabendi, PC 0777362808 chandanalayanapatabendy@gmail.com	Mr. Priyal Wijayaweera, PC 0777396188 priyalwijaya@gmail.com
Social And Welfare Committee	Mr. Mahesh Katulanda 0777538128 , 0714176988 katulanda.m@gmail.com	
Special Project Committee	Mr. Kalinga Indatissa, PC 0714595959 kalinga.indatissa@gmail.com	
Sports Committee	Mr. Pradeep Gamage 0773000271 pradeepgme@gmail.com	
Tax Committee	Mr. Suresh Perera 0777394367 sperera@kpmg.com	
OPA Committee	Mr. Kamal R. Coonesinghe 0717720498 krgoonesinge@gmail.com	

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Appointment of the Special Committees

17 Special Committees were appointed during the year under review for several purposes.

They are as follows;

1. The Committee to Review the Bail Act:
Chairman: Mr. Prashantha Lal De Alwis PC
Convener: Miss. Sandeepani Wijesuriya, AAL
 1. Mr. Dulinda Weerasuriya PC
 2. Mr. U.R. De Silva PC
 3. Mr. Anuja Premaratne PC
 4. Mr. Rasika Balasuriya
 5. Mr. Rasika Weeratunga
 6. Mr. Mohan Weerakoon PC
 7. Mr. S.T. Jayanaga PC
 8. Mr. Sampath Mendis
 9. Mr. Chaminda Athukorala
 10. Mr. Amila Palliyage
 2. The Committee to Counter Terrorism Bill:
Committee chaired: Mr. Rienzie Arsekularatne, PC
Convener: Mr. Vishwa de Livera Tennekoon, AAL
 1. Mr. Shavindra Fernando PC
 2. Mr. Razik Zarook PC
 3. Mr. Manohara de Silva PC
 4. Mr. Jayantha Weerasinghe PC
 5. Mr. Shanaka Ranasinghe PC
 6. Mr. Nalin Ladduwahetty PC
 7. Mr. Upul Jayasuriya PC
 3. The Committee on Procurement:
Chairman: Mr. Chanaka de Silva, PC
Convener: Mr. Malinga Bandara – Accountant
 1. Mr. Maura Gunawansa, PC
 2. Mr. Senaka de Seram, AAL
 3. Mr. Niranjana Abeyratne, AAL
 4. Mr. Rajeev Amarasuriya, AAL
 4. The Committee on Corporate Social Responsibility (CSR):
Chairman: Mr. Vijaya Niranjana Perera PC
 1. Mr. Kashyapa Perera
 2. Mr. Binara Gunasekera
 3. Ms. Ruchira Gunasekera
 4. Ms. Udeni Gallage
 5. Ms. Poorna Senaratne
 6. Mr. Sarath Kumara Weragoda
 7. Ms. Nirosika Abayawickreme
 8. Mr. Gamini Hendawitharana
 9. Mr. Janaka Edirisinghe
 10. Ms. Roshanthi de Mel
 11. Mr. Upul Deshapriya
 12. Ms. Ajitha Samarasekera
 13. Mr. Janapriya Fernando
 14. Ms. Pushpa Kannangara
 15. Ms. Prabodha Rarnawardene
 16. Ms. Nalini Prema Jayatillake
 17. Mr. Nuwan Bopage
 18. Mr. Marinus Wasalathanthri
 19. Mr. Leelananda Dias
 5. The Committee on Attire of Lawyers:
Committee Chairman: Mr. Amal Randeniya
 1. Mr. Nilanthi Pieris
 2. Ms. Ruchira Gunasekera
 3. Ms. Rashmini Indatissa
 4. Dr. Avanthi Perera
 5. Ms. Mokshini Jayamanne
 6. Mr. Shehan Perera
 7. Mr. Chathura Galhena
 8. Mr. Tivanka Ekaratne
 9. Ms. Prajapali Athukorale
 10. Ms. Anoma Gunatilleke
 11. Ms. Lanka Dharmasiri
 12. Mr. Ranil Samarasekera
 13. Mr. Pandula Wanniarachchi
 14. Mr. Dinoo Dharmaratne
 15. Mr. Janaki Siyambalagastenne
 16. Ms. Razana Salih
 17. Mr. Rajitha Hathurusinghe
 18. Ms. Lakshika Ratnayake
 19. Ms. Tanya Samarasekera
 20. Ms. Subhashini Pathirange
 21. Mr. Maduka Perera
 6. The Committee Appointed to Develop Handbooks on Military Law:
Chairman: Mr. Shavindra Fernando, PC
Co-convener: Mrs. Kinkini Nelson
Co-convener: Ms. Rashmini Indatissa
 1. Mr. Chethiya Gunasekera DSG
 2. Mr. Janaka Bandara DSG
 3. Ms. Dayani Panagoda, AAL
 4. Mr. Sampath Vitharana, AAL
 5. Brigadier E Jayasinghe, AAL
 6. Mr. Mahesh Senaratne, AAL
 7. Ms. Sureka Dias, AAL
 8. Mr. Mohan Sellapperuma, AAL
 9. Gen. Ranjith Rajapathirana, AAL
 10. Comm, (Rtd) A.W.Weerasinghe
 7. The Committee appointed to report on Non-Lawyers involved in the Legal Practice in Sri Lanka
Chairman: Mr. Upul Jayasuriya, PC
Convener: Ms. Mokshini Jayamanne AAL
 1. Dr. Aritha Wickramanayake AAL
 2. Mr. Sakeen Cader AAL
 3. Mr. Rajkumar Selvaskanthan AAL
 4. Dr. Asanga Gunawansa AAL
 5. Mr. Harsha Fernando AAL
 6. Mr. Mohan Balendra AAL
 7. Mr. Savantha De Saram AAL
 8. Ms. Ayomi Aluvihare AAL
 9. Ms. Nilanthi Peiris AAL
 8. The Committee to Study Matters Related to Appointment of President's Counsel:
 1. Mr. Faiz Musthapha, PC
 2. Dr. K. Kanag – Isvaran, PC
 3. Mr. Romesh de Silva, PC
 4. Mr. Ikram Mohomad, PC
 5. Mr. Rienzie Arsekularatne, PC
 6. Mr. Anil Tittawella, PC
 7. Mr. Kushan De Alwis, PC
 8. Mr. M U M Ali Sabry, PC
 9. Mr. Shavindra Fernando, PC
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9. The Committee on the Amendments necessary for the Enforcement of Foreign Judgment Laws:
1. Ms. Saumya Samarasekara, PC
 2. Mr. Priyalal Wijeweera, PC
 3. Mr. Mayura Gunwansha, PC
 4. Mrs. Anoma Goonatilake AAL
 5. Mr. Nithi Murugesu AAL
 6. Mrs. Shiranthi Gunawardane AAL
 7. Mr. Shehan Gunawardane AAL
10. The Committee to Assist the Terrorist Attack Victims and Victims of Violence:
Chairman: Mr. Shammil Joseph Perera, PC
Convener: Mr. Mahesh Senaratne, AAL
1. Mr. Uditha Egalahewa, PC
 2. Mr. Varuna Senadeera, AAL
 3. Mr. Shivan J. D. Coorey, AA
 4. Mr. D. Amal A. Randeniya, AAL
 5. Mr. Chamath Fernando, AAL
 6. Mr. Primal Ratwatte, AAL
 7. Mr. Duthika Perera, AAL
 8. Mr. Hemantha Gamage, AAL
 9. Mr. Harin Saddhasena, AAL
 10. Ms. Vindhya Gunawardena, AAL
11. Committee Appointed to review the Academic Calendar and the System of Examinations:
Chairman: Hon. Justice B.P. Aluvihare J, P.C.
1. Ms. Dilrukshi Dias Wickramasinghe, P.C., Solicitor General
 2. Mr. Prashantha Lal De Alwis, P.C.
 3. Mr. Kalinga N. Indatissa, P.C.
 4. Mr. P. Nawanna, P.C.
 5. Prof. V. T. Thamilmaran
12. Committee to advice the Bar Association of Sri Lanka on the matters related to the Legal Profession:
1. Mr. Romesh De Silva, PC
 2. Mr. Gamini S. Marapana, PC
 3. Dr. K. Kanag-Isvaran, PC
 4. Mr. M. Ikram Mohamed, PC
 5. Mr. Rienzie Arsecularatne, PC
 6. Mr. Faisz Musthapha, PC
13. The Committee on the Digital Infrastructure of the Commercial High Court of Colombo:
President BASL –Ex Officio
Secretary BASL - Ex Officio
Assistant Secretary - Ex Officio
1. Mr. Chandaka Jayasunderea, PC
 2. Dr. Harsha Cabral, PC
 3. Mr. G. G. Arulpragasam, AAL
 4. Mrs. Shiranthi Gunawardena, AAL
 5. Mr. Sudath Perera, AAL
 6. Ms. Karnika Jayatilake, AAL
14. Committee to Study the report on streamlining the Conduct of Law College Examination:
1. Mr. Saliya Peiris PC – Chairman
 2. Mr. Ali Sabry PC
 3. Mr. Uditha Egalahewa PC
 4. Mr. Ranil Samarasooriya
 5. Mr. Rasika Balasuriya
15. Committee to Study the proposed Guide Lines for Notaries:
1. Mr. G.G.Arulpragasam, AAL
 2. Mrs. Shiranthi Gunawardena, AAL
 3. Mr. Sudath Perera, AAL
 4. Ms. Nirodha Kalansooriya, AAL
 5. Mr. Razmana Abdeen, AAL
 6. Representative from People's Bank/ Bank of Ceylon/Julius and Creasy/D. L.De Saram/ F. J. De Saram
- Draft Guidelines prepared*
16. Appointment of a Committee to examine the ACSA, MCC and SOFA proposed to be signed by Government of Sri Lanka with the Government of the United States of America:
1. Mr. Romesh De Silva, PC
 2. Mr. Manohara De Silva, PC
 3. Mr. Kalinga Indatissa, PC
 4. Mr. Sanjeewa Jayawardena, PC
 5. Mr. Samanthe Ratwatte, PC
 6. Mr. Kaushalya Nawaratne, AAL
 7. Mr. Lasitha Kanuwanaarchchi, AAL
- Observation received from Mr. Samanthe Ratwatte, PC were forwarded to Chairman of the Committee*
17. The imposition of a Parking Fee for vehicles of the Members of the BASL at the premises of the Supreme Court:
1. Mr. Manohara De Silva,
 2. Mr. Mayura Gunawanse PC
 3. Mr. Mahesh Katulanda AAL
 4. Mr. Lilanthi De Silva AAL
 5. Mr. Thishya Weragoda AAL
 6. Mr. Athula Perera AAL
 7. Mr. Nuwan Bopage AAL
 8. Mr. Kamran Azeez AAL
 9. Mr. Chamath Fernando AAL

Reports of Committees

1 Report of the Convener, Mr. Ayendra Wickremesekera: Law Journal Committee

Co-Chairmen:

Mr. Eraj De Siva

Mr. Saravanan Neelakandan

Co-Conveners:

Ms. Laila Nasry

Mr. Ayendra Wickramasinghe

The Bar Association Law Journal is the premiere legal publication of the Bar Association of Sri Lanka and is a publication which is on par with some of the leading legal publications in the World.

Mr. Eraj De Silva and Mr. Saravanan Neelakandan continue their role as Co-Editors for the year 2019/2020. As a means of infusing fresh and diverse ideas into the Journal, whilst further raising its standards, the Editors have appointed a new Editorial Committee consisting of Junior and Senior Attorneys-at-Law, from different spheres of the legal profession, such as the Private Bar, the Attorney-General's Department, the Corporate Sector and the Faculty of Law of the University of Colombo.

As has been the case in previous years, this year's volume, in addition to featuring numerous articles from legal practitioners and academics, will contain the Forum section where a current topic of conversation in the legal sphere will be debated upon by various legal professionals and those interested.

The Volume will also contain the much cited and referred "Law Reports" Section, wherein key Judgments of the Superior Courts will be reported. The publication of this Section is led by Senior Attorney at Law, Mr. Priyantha Alagiyawanna, who, together with the rest of the Editorial Committee, have carefully selected Judgments for the purposes of reporting.

This year's Volume will also feature Articles from non-lawyers, giving a layman's perspective of the law and legal system, which we are sure most Lawyers and Judges will find insightful.

In conclusion I would like to offer my sincere thanks to Mr. Eraj De Silva and Mr. Saravanan Neelakandan and the rest of the Editorial Committee, who despite their extremely busy professional and personal schedules, have put in the time and the effort to put together another Volume of the BASL Law Journal, which is of the highest standard and which I am confident, will be of significant use to Attorneys at Law throughout the Country, whether they be in the legal practice, the corporate sector or the academic sphere.

This year's Volume of the Journal will be launched in mid-2020.

2

Report of the Chairman, Dr. W. D. Rodrigo, PC: Legal Aid & Public Interest Litigation Committee

Chairman

Mr. W.D. Rodrigo, PC

Convener

Mr. Oshada Rodrigo

The Legal Aid and Public Interest Litigation Committee of the Bar Association of Sri Lanka Envisages a just and equitable society in which the rights enshrined in the Constitution of the Democratic Socialist Republic of Sri Lanka are realized and upheld and the obligations are complied with in order to ensure equality and justice for all Sri Lankans.

The Committee strives to empower the public, particularly the most vulnerable sections of the society, such as indigent men and women, children and differently able people. This objective will be achieved through legal aid services and public interest litigation that will promote, reinforce and safeguard the rule of law and good governance.

Under the stewardship of Mr. Kalinga Indatissa, President's Counsel, who is a role model worthy of emulation by both senior and junior lawyers the Bar Association of Sri Lanka is determined to achieve its goals of success. One such goal is the empowerment of the general public, particularly the vulnerable sections in the society, with a view to ensuring 'good governance' and the 'rule of law' in the country. 'Good governance' and the 'rule of law' are of paramount importance for the

reason that every virtue of public life originates from them. For this purpose it is necessary to provide every deserving individual with 'access to justice' by providing legal aid and to engage in 'public interest litigation' in appropriate cases in the interest of the whole society. This will enhance the awareness of those in authority and their accountability. 'Legal Aid and Public Interest Litigation Committee' is one of the most important committees of the Bar Association of Sri Lanka that has the potential to assist the Association and its leader in this regard.

Legal aid is the provision of free legal advice and legal representation to people who are otherwise unable to afford the costs involved in obtaining the services of lawyers. This service plays a pivotal role in a democratic society by providing access to justice in order to ensure 'equality before the law'.

1. Legal Aid Clinics

Legal Aid Clinics were conducted on Tuesdays and Thursdays at the BASL from 2.00 to 5.00 p. m. for the benefit of needy people. The Chairman, Convener and some members of the Committee were kind enough to take time off their busy schedules and render their services at the Legal Aid Clinics. The Chairman and the Convener were available even on the other week days for the service of needy people. A large number of members of the general public were thus served with legal advice, legal representation and communication with public institutions.

2. Public Interest Litigation

The Committee has a commendable record of public interest litigation. Its contribution to the Salawa Explosion Case, Uma Oya Case, Meethotamulla Garbage and Environmental issues were highly praised by the affected parties. Although the Committee planned to make a similar contribution to the Easter Sunday Unfortunate Incident the BASL entrusted the responsibility to a sub-committee formed for that purpose.

3. Proposals for the development of legal aid and public interest litigation in Sri Lanka

3.1 Legal Aid

The Asia Foundation, UNDP and the UNHCR have stated in a joint research conducted by them that: "There is a solid legislative and institutional basis for legal aid in Sri Lanka. Both the governmental and non-governmental sectors display a commitment to common goals for legal aid service delivery."¹

The findings of the above mentioned joint research reveal that the beneficiaries are generally satisfied with the services provided to them. However, the providers of legal aid in Sri Lanka have focused more on the quantitative expansion of legal aid with the result that the services have been confined to mere provision of legal advice and representation in litigation neglecting certain important aspects of legal aid. Hence any future plans on legal aid should aim at the quantitative as well as qualitative improvement of the services. For this purpose the following important aspects of legal aid which ensure broader access to justice should receive adequate consideration of legal aid providers. These include:

- (a) Legal awareness;
- (b) Legal empowerment;
- (c) Access to a wide range of remedies; and
- (d) Psycho-social support for clients.

It is important to note that the Bar Association of Sri Lanka has an obligation to address the above mentioned issues in collaboration with

the providers of legal aid in general and the Legal Aid Commission in particular. It appears that the following recommendations of the Asia Foundation, UNDP and UNHCR will be useful in order to fulfill this obligation:

- (i) The Bar Association should take the initiative to promote a culture of volunteerism among lawyers;
- (ii) Legal aid content should be incorporated into law curricula;
- (iii) It is important to ensure that law students and new lawyers have access to professional development opportunities in the legal aid field.²

It may be suggested that the adoption of the above mentioned recommendations will enable the Bar Association of Sri Lanka to increase the lawyers' professional commitment to legal aid. Such a move will pave the way for social justice as almost every person including the poorest of the poorest will be able to have access to justice.

3.2 Public Interest Litigation

Public interest litigation deals with the collective rights of the Sri Lankan public. This provides a means for the public to challenge government decisions and policy in order to ensure accountability and check abuse of power. Recent trends in the judicial approach to public interest litigation have shown a positive attitude among judges who are becoming increasingly receptive to such claims. This may be seen inter alia in the following fields:

- (a) Fundamental rights;
- (b) Writ jurisdiction; and
- (c) Legal reform

Thus public interest litigation has emerged as a useful tool that enables the public to bring certain broad matters of public interest such as environmental issues to the attention of Courts. This is an effective method of ensuring participatory democracy whereby public concerns are made a part of the state's decision making process. The Bar Association may facilitate this process.

1. *The Asia Foundation, UNDP and UNHCR, The Legal Aid Sector in Sri Lanka: Searching for Sustainable*

solutions www.asiafoundation.org accessed 8 April 2019.
2. www.asiafoundation.org ac

3

Report of the Chairperson, Mrs. Priyani Rathnayaka: Media Committee

1. A very successful day seminar was held at Nelum Piyasa Army Camp-Iranamadu, Kilinochchiya on 13. 07. 2019. Around 1000 officers of three forces, Police and STF participated at the seminar. The seminar was facilitated by Major General Mr. Wijitha Ravipriya and Senior Deputy Inspector General Northern Province Mr. Ravi Wijegunawardana and HQI Police Station Kilinochchiya Mr. Thilak Pushpakumara. The President BASL President's Counsel Mr. Kalonga Indatissa, The secretary-Senior Attorney-at-Law Mr. Kaushalya Nawarathne, DIG-Senior Attorney-at-Law Mr. Ajith Rohana, Senior Attorney-at-Law Mrs. Priyani Rathnayake, Senior Attorney-at-Law Mr. Dushit Johndhason participated as resource persons.
2. A very successful legal aid clinic was held at Nelum Piyasa-Army Camp Iranamadu on 14.07.2019. Nearly 1000 people in Northern Province sought legal aid at the clinic and Major General Mr. Wijitha Ravipriya and Senior Deputy Inspector General Northern Province Mr. Ravi Wijegunawardane also participated and the clinic was facilitated by Army and Police Officers in Kilinochchiya.
3. A very successful seminar was held at the DIG-Western Province office Auditorium Colombo 01 on 22.12.2019. Nearly 400 police officers participated at the seminar. The President BASL, Mr. Kalinga Indatissa, PC, the Secretary Mr. Kaushalya Nawarathne, DIG, Senior Attorney-at-Law Mr. Ajith Rohana, Senior Attorney-at-Law Mr. Sunil Abeyrathne, Senior Attorney-at-Law Mrs. Priyani Rathnayake participated as resource persons.
4. Another very successful seminar was held at Finger Print Registrar's Office Auditorium Colombo 07 on 04.09.2019. Nearly 400 Police Officers participated at the seminar. DIG Senior Attorney-at-Law Mr. Ajith Rohana, Senior Attorney-at-Law Mr. Sunil Abeyrathne, Senior Attorney-at-Law Mrs. Priyani Rathnayake and Dr. Wickramarathna participated as resource persons.

4

Report of International Relations Committee Report

Chairman:
Dr. Asanka Gunawansa, AAL

Co Chairman:
Mr. Anuruddha Perera, AAL

Convenor:
Ms. Champika Amarasekara, AAL

Co Convenor:
Mr. Janaka Basuriya, AAL

After the commencement of BASL activities 2019-2020 and the appointment of office bearers and committees, the International Relations Committee had its inaugural meeting towards the later part of July 2019. The Executive committee members consisted of Dr. Asanga Gunawansa, Chairman, Mr. Anuruddha Perera, Co Chairman, Mrs. Champika Amarasekara, Convener and Mr. Janaka Basuriya, Co Convener.

It was discussed and agreed that the International Relations Committee should commence its activities by coordinating international experts to make available legal knowledge sharing seminars and workshops which would set the foundation to create more interactive opportunities to build international relations for the legal fraternity of Sri Lanka. Accordingly the following activities have thus far been completed by the International Relations Committee of the Bar Association of Sri Lanka.

1. Inaugural seminar workshop on international investment arbitration

Date: 11th October 2019

Venue: Nawaloka Institute of Higher Education, Colombo 02

Chief Resource Person: Ms. Olga Boltenko

Ms. Olga Boltenko, Chairperson of the ICC, Hong Kong Commercial Law and Practice Committee and a specialist in investor-state arbitration and a registered arbitrator with HKIAC, AIAC, SIAC and CIETAC, having extensive experience in arbitration of investment disputes in a wide array of industries including oil and gas, infrastructure, construction, telecommunications and pharmaceuticals conducted the seminar organized by the IR Committee of the BASL.

The seminar was very well attended and included an interactive session with the panelists. The esteemed panel members consisted of Prof. M. Sornarajah, Emertius Professor (National University of Singapore), Dr. Harsha Cabral PC and Mr. Chandaka Jayasundara PC.

Ms. Boltenko, on the invitation of Dr. Asanga Gunawansa, absorbed the cost of her airfare and accommodation in Colombo. She made a detailed and holistic presentation on Investment and Interstate Arbitration to the legal and corporate fraternity.

The IR-Co was able to raise a profit of Rs. 181,417.30 against the expenses of this event.

2. Workshop on trade remedies organised in collaboration with the International trade center of Geneva and the Ceylon Chamber of Commerce and Ministry of Trade

Date: 5th December 2019

Venue: Galle Face Hotel

Chief Resource Person: Dr. Gustav Brink

This topical and important seminar dealt with remedies available against 'Dumping' and Multinational players invading local markets affecting domestic producers and businessmen. The seminar dealt with the impact of such interventions and what steps can be taken to protect the local industries and producers.

The event was organized under the framework of the EU-Sri Lanka Trade-related Assistance project and in collaboration with the Government of Sri Lanka.

The key speaker was Dr. Gustav Brink who is a specialist in international trade law, with particular emphasis on trade remedies. Dr. Brink is also a WTO panelist and has been involved in more than 200 international anti-dumping, countervailing and safeguard investigations and reviews.

The panelists were Dr. Gustav Brink, Dr. Asanga Gunawansa and Dr. Dayaratne Silva, National Project Coordinator, EU-Sri Lanka Trade-related Assistance.

The IR-Co organized for over 60 lawyers to attend this event from various private chambers and corporate law firms.

3. Seminar workshop on public interest litigation and international commercial arbitration

Date: 9th December 2019

Venue: BASL Auditorium, Colombo 12

Chief Resource persons: Professor Srilal M Perera and Dr. Lalanath De Silva

Continuing with building bridges between the international legal fraternity and the practitioners in Sri Lanka, the IRCo organized this seminar workshop inviting two of the most prominent internationally featured Sri Lankan legal luminaries as its resource personnel.

Dr. Lalanath De Silva, delivered an detailed and informative thesis on "Responsible Public Interest Litigation: Lessons from Multiple Jurisdictions". Dr. De Silva is currently the Head of the Independent Redress Mechanism of the Green Climate Fund, a former member of the Environmental Claims Unit of the UN Compensation Commission in Geneva, and a former Director of the Environmental Democracy Practice at the World Resources Institute (WRI) in Washington DC.

Professor Srilal M Perera presented a detailed and holistic lecture on "New Developments in International Arbitration: Lessons for Sri Lankan Arbitrators and Lawyers". Professor Perera was the one time head of legal of the Multilateral Investment Guarantee Agency (MIGA) and an alumnus of the Faculty of Law and presently an Adjunct Professor of Law and International Research Scholar in Residence at the Washington College of Law of the American University in Washington DC. The event was well attended and included an interactive Q&A Session with the resource personnel and moderated by IR-Co Chairman Dr. Asanga Gunawansa.

The IR-Co raised a profit of Rs. 54,837.50 against the expenses of this event, adding to the surplus we have generated from our first seminar to the present.

In conclusion, the IR-Co has contributed to the BASL for the period of 2019 – 2020 by generating a total profit of Rs. 236,255/- which will be used to fund the projects and events scheduled for the year 2020.

The IR-Co hopes to organize the following activities for the year 2020:

-
1. ADR Workshops
 2. Legal Seminar in the Maldives collaborating with the inaugural Bar Council formed in the Maldives
 3. Internships for young lawyers and law students with international legal firms and legal education institutions.
 4. Linking Sri Lankan lawyers practicing internationally with the legal practitioners of Sri Lanka
 5. **International Law Conference**

The Ex-Co of the International Relations Committee and all committee members take this opportunity to thank Mr. Kalinga Indatissa PC, President – BASL, Mr. Kaushalya Nawarathna, Secretary – BASL and all other Ex Co members of the BASL, senior counsel who agreed to participate as panelists, esteemed resource personnel, Mr. Sunil Vidanagamage, Mr. Thuraisingam Prakalathan and Mr. Malinga Bandara of the BASL office, Ms. Rashmini Indatissa, Attorney-at-law and Ms. Nicola De Zoysa, Attorney-at-law as our fantastic comperes and our interns Mr. Mishal Mazin Aliphdeen, Ms. Arthi Yogaraj, Ms. Tashia Fernando and Mr. Damithu Surasena who have worked for us tirelessly to make this tenure a great success in mid-2020.

5

Report of the Chairman, Mr. Vijaya Niranjan Perera, P.C: CSR Committee

Chairman:

Mr. Vijaya Niranjan Perera PC

Convener:

Ms. Ruchira Gunasekera

Members:

Mr.WA.S.K.Weragoda	Ms. Pushpa Kannangara
Mr.Merinus Wasalathanthri	Mr.Leelananda Dias
Ms. Nalini Jayatilleke	Ms.Poorna Senarathne
Mr.Janaprith Fernando	Mr. Kashyapa Perera
Mr.Prabodha Ratnawardena	Ms.Udeni Gallage
Mr.Binara Gunasekera	Ms.Niroshika Abeywickrema
Mrs. Ajitha Samarasekera	Mr.Janaka Edirisinghe
Mr.Gamini Hendavitharana	Ms.Roshanthi De Mel
Ms.Jeevani Perera	Mr.Nuwan Bopage
Mr.Upul Deshapriya	

This is a new Committee of the BASL formed and inaugurated on 20th August 2019 with the Chairman, Vijaya Niranjan Perera, PC in the Chair,

It was first decided to determine and define the scope of our Corporate Social Responsibility and have same approved at the subsequent Bar Council meeting.

Thereafter 5 monthly meetings were held and approval of the Bar Council was sought and obtained to,

- (i) Raise funds for the activities of the CSR.
- (ii) Proposed Social Aid Clinic which was to be held in Negombo.

The President of the BASL assured the CSR Committee that he will make funds available for projects of the CSR approved by the Bar Council.

A work Camp was held to assist to renovate a roof of a rural school building in Galle. It is noted with deep appreciation that the cost of the entire project was met by the BASL President, Mr.Kalinga Indatissa PC out of his personal funds.

The Social Aid Clinic was scheduled to be held on 15th March at Negombo in collaboration with Y.M.C.A. Negombo and some volunteers representing the Sri Lanka Women Lawyers' Association and the doctors representing the Organisation of Professional Association of Sri Lanka (OPA), which was rescheduled to be held on the 01st Saturday of April 2020. Unfortunately this project could not be implemented due to Covid - 19 virus epidemic.

Another issue that drew our attention was the necessity to have access to the Superior Court Judgements in Sinhala for the benefit of Sinhala medium Lawyers and the General Public. As we were of the opinion that this matter is one of Civil Responsibility, and we are aware of an ongoing movement for this cause initiated by Mr. Unawatuna, Attorney-at-Law, we invited him for a discussion with the CSR committee to clarify certain issues, but he declined our invitation. However, we requested the Secretary, BASL to pursue the feasibility of including Sinhala official Translation of the Superior Court Judgements in the BASL websites.

The CSR offers special thanks to Mr. Marinus Wasalathanthri Senior AAL, Negombo and the YMCA for co-ordinating this programme and handling all arrangements at that end in Negombo.



6

Report of The Committee to Study and Report on The Counter Terrorism Bill

Introduction

A committee was appointed by the Bar Association of Sri Lanka, consisting of senior members of the profession to identify the implications of the Counter Terrorism Bill. The Committee chaired by Mr. Rienzie Arsekularatne, PC and convened by Mr. Vishwa de Livera Tennekoon, Assistant Secretary of BASL consists of Mr. Shavindra Fernando PC, Deputy President of BASL, Mr. Razik Zaroook PC, member Executive Committee of the BASL, Mr. Manohara de Silva PC, Mr. Jayantha Weerasinghe PC, Mr. Shanaka Ranasinghe PC, Mr. Nalin Ladduwahetty PC, Mr. Upul Jayasuriya PC, Mr. Anura Meddegoda PC, Mr. Neville Abeyratne PC, Mr. M. A. Sumanthiran PC, Mr. Saliya Pieris PC, Mr. Chanaka de Silva PC, Mr. Nalinda Indatissa PC and Mr. Asoka Weerasooriya AAL (hereinafter collectively referred to as the "Committee"). Several meetings and rounds of deliberation were held by the Committee in order to review the provisions of the proposed Counter Terrorism Bill (the "Bill"). In reviewing the Bill, the Committee referred to legislation and documents both from within and outside Sri Lanka in order to make a comparative study of the Bill. Documents so referred to include:

- the Prevention of Terrorism Act No.48 of 1979 (as amended) (the "PTA") of Sri Lanka
- the Penal Code of Sri Lanka (the "Penal Code")
- the Code of Criminal Procedure Act No. 15 of 1979 (as amended) (the "Code of Criminal Procedure")
- the Police Ordinance
- the Human Rights Commission of Sri Lanka Act No 21 of 1996
- the Acts enacted in the United Kingdom relating to terrorism (the "UK Acts")

The Committee has reviewed the English translation of the Bill and presumes consistency between the Sinhala, Tamil and English texts of the Bill. Therefore, the Committee notes that reference to any provision unless specifically provided otherwise is to the English text of the Bill.

Observations & Proposals

Provisions of the Bill were deliberated on extensively by the Committee, with various views being put forward by its members. This Report encapsulates those observations and proposals which were collectively agreed upon by

the Committee as being pertinent and requiring further consideration by the Legislature and the Legal Draftsman. The observations and the proposals of Committee pertaining to specific clauses of the Bill are as follows;

1) The Preamble

(i) The Committee notes that the second paragraph of the preamble of the Bill reads as "... to protect Sri Lanka, its people, and property from possible future acts of terrorism ..." (emphasis added). It is noted that the specific reference to "possible future acts", could potentially be a hindrance to the Bill being used to prosecute those who may have been involved in acts of terrorism prior to the enactment of the Bill. It was the view of the Committee that the words "possible future acts" are not essential to convey the meaning of this paragraph. Therefore, it is proposed by the Committee that the words "possible future acts of terrorism" be deleted and replaced by the words "acts of terrorism".

(ii) It was also noted that the preamble uses the phrases "acts of terrorism" and "acts of terrorism and related acts" interchangeably. The Committee was of the view that use of consistent language throughout the preamble would be desirable and proposes that the phrase "acts of terrorism and related acts" would be the more appropriate, given that it would cover a wider scope of acts.

(iii) The Committee also notes the absence of a definition of the term "terrorism" in the Bill. The Committee therefore proposes that the definition of 'terrorism' as found in the Convention on the Suppression of Terrorist Financing Act No. 25 of 2005 (as amended) may be used.

Clause 2

(i) The Committee observes that the ostensible reason for the inclusion of this clause appears to be to expand the application of this legislation beyond the general scope of the application of legislation. The Committee observes however that this clause appears to effectively limit the application of the Bill to principally five (05) categories of persons by clause 2(1)(a) – 2(1)(e). It was discussed that this clause may have the effect of being considered an exhaustive list of those to whom this Bill applies and therefore may result in restricting the application of the Bill.

It was further noted that the PTA as well as the UK Acts do not have such an application clause.

In this context it was proposed that clause 2(1) be removed in its entirety as an application provision may result in limiting the scope of the Bill and that in the absence of an application provision the State would be free to enforce the Bill against any party. The Committee observes however, that if this approach is adopted certain situations which are intended to be covered by the current wording of clause 2(1) may not be covered.

In evaluating the merits of providing such clause, the Committee notes that this clause attempts to reinforce the capacity of the State to apply the Bill in situations where generally there is ambiguity in application due to jurisdictional limitations or where application is not conventionally guaranteed (e.g. – application to acts done outside the territory of Sri Lanka). In other words, to give this Bill, a degree of extra-territorial application. Therefore, it was alternatively proposed that clause 2(1) be replaced with a broader provision which states that this legislation would be applicable to any person who commits an offence thereunder, whether within or outside the territorial limits of Sri Lanka, including but not limited to those situations currently provided for in clauses 2(1)(a) – 2(1)(e) of the Bill.

(ii) Notwithstanding the aforementioned proposals on the overall scope of the clause, the Committee also notes the following issues in relation to clauses 2(1)(a) – 2(1)(e) of the Bill and the possible persons or situations which are therefore not provided for by clause 2(1).

☒ The status of a non-citizen who conspires to commit or abets the commission of an offence under this legislation, from outside of Sri Lanka, is not covered by clause 2(1). (e.g. - a foreigner directing terrorist activities targeting Sri Lanka, from outside Sri Lanka.)

☒ The Committee was of the view that the formulation of the clauses 2(1)(b)(v) and 2(1)(b)(vi), does not seem to capture an offence committed ‘in respect of the premises described therein’ as the sub-clauses refer to “wholly or partly within”. (e.g. - an explosion caused outside the premises with the intent to damage the premises.)

☒ Clause 2(1) (c) does not appear to cover offences committed against the State. The Committee proposes that replacing the reference to “Government of Sri Lanka” in clause 2(1)(c)(ii) to “State” be considered as property is owned by the “State” as opposed to the “Government of Sri Lanka”. The Committee further proposes that the term ‘State’ be defined to include state agencies, public corporations and any entity wholly or partially owned by the State or in the alternative refer to ‘State and/or State owned enterprises’.

The Committee proposes that the aforementioned situation/persons also be provided for under clause 2(1).

(iii) The Committee strongly felt that the enforcement of clause 2(1)(d) is hindered by the condition that the Bill would only apply where the former citizen still has a

‘habitual residence’ in Sri Lanka and where he does not have ‘habitual residence’ in Sri Lanka, that the Bill maybe enforced only with the concurrence of the country of which he is now a citizen. In the context where the other sub-clauses of clause 2(1) refers to “any person” without any condition, which would manifestly include non-citizens, the Committee was of the view that, the specific condition requiring concurrence of the foreign state in clause 2(1)(d) is unnecessary and may lead to a contention that former citizens cannot be prosecuted under this Bill, without the concurrence of its present State where such person is not a habitual resident of Sri Lanka. Therefore, this requirement may in effect operate as an exception to the applicability of the Bill rather than an extension of its applicability. In the interest of national security and public interest the Committee proposes that the two provisos to clause 2(1)(d) be removed.

(iv) The Committee further noted that in the absence of specific definitions certain terms used in the clause such as “habitual residents” causes ambiguity and therefore proposes that such terms be clearly defined.

Clause 3

(i) The Committee proposes that the reference to “acts” in relation to clauses 3(1) and 3(2) of the Bill and other clauses creating offences in the Bill, should also be extended to “deliberate unlawful omissions”.

(ii) The Committee notes that the elements of ‘intention’ referred to in clauses 3(1)(a) -3(1)(d) of the Bill maybe too restrictive to define acts of terrorism, as the term ‘intention’ is commonly understood. The Committee therefore recommends that the manner in which ‘terrorism’ is defined in legislation such as the UK Acts be made use of, for this purpose. The Committee also observes that a useful definition of ‘terrorism’ is contained in the Convention on the Suppression of Terrorist Financing Act No. 25 of 2005 (as amended).

(iii) The Committee also notes the following matters in relation clause 3(1):

☒ the word “population” used in 3(1) (a) has the potential of being interpreted too restrictively as it is suggestive of a larger community of individuals. Therefore, it is proposed that the word “population” used in clause 3(1)(a) be replaced with “public or a section of the public” so that intimidation of even a smaller group of persons would also be covered.

☒ It was considered whether 3(1)(b) and 3(1)(c) were too broadly worded and as such could result in the said clauses being misused. It was noted in particular, that strikes and protests carried out by the public may also be caught up under these clauses. The Committee emphasizes the necessity of ensuring that legitimate rights of the public in relation to protests and strikes are protected in the application of this clause.

☒ ‘advancing a political religious, racial or ideological cause or inciting racial or religious disharmony’, which is commonly considered as an intention behind terrorist activity is not

covered under clause 3(1) and the Committee proposes that clause 3(1) be extended to cover such intention.

(iv) The Committee notes the following matters in relation clause 3(2):

▫ being a member of an unlawful assembly for the commission of any of the acts set out in clause 3(2)(a)-3(2)(j) is not captured in clause 3(2) and the Committee proposes that it ought to be considered for inclusion.

▫ the words “other than the person committing the act” in clause 3(2)(b) is unnecessary and the Committee proposes that it be removed.

(v) The Committee further notes the importance of incorporating a broad all-encapsulating provision similar to that found in section 2 (1) (h) of the PTA, which would serve the purpose of bringing under the Bill offences which are not specifically provided for but falling within the spirit of the Bill. However, the Committee, being mindful of the criticism of the said section 2(1)(h) being overbroad, also notes the importance of ensuring that such provision be well defined and drafted in a manner which does not allow for the misuse of such provision for prosecution of persons in relation to activities not falling within the spirit of this Bill.

Clause 4

(i) The Committee notes the disparity between the punishment for causing death under clause 4(1)(a) of the Bill and the Penal Code, given that the penalty prescribed under the Penal Code is the death and under the Bill, it is life imprisonment. The Committee is of the view that the penalty for an offence under this Bill should not be less onerous than under the Penal Code. Therefore, unless the death penalty is abolished, the Committee proposes that the punishment prescribed under the Bill for a specific offence be the same as the punishment prescribed for such offence under the Penal Code and in particular clause 4 (1)(a) & 4(1)(b) which reads “punished with life imprisonment” be amended to “punished with death”.

Several members of the Committee stressed the need for the abolishment of the death penalty under the general law while other members were of the view that the death penalty should be made operational and carried out.

Clause 5

(i) The Committee notes that clause 5(2) deals with the situation where an offence of terrorism is committed pursuant to abetment or conspiracy. Therefore, logically clause 5(1) appears to relate to those situations where the offence of terrorism is not committed despite abetment or conspiracy. However, the Committee notes that this position is not clear from the reading of clause 5(1). Considering that clause 5(1) is a Penal section, the Committee notes that it is necessary to state this position clearly in clause 5(1).

(ii) The Committee further notes that there should be no disparity between the penalties provided under the Penal Code and this Bill. It was proposed that the necessary

amendments be made so that the penalties under this Bill would be consistent as under the Penal Code.

Clause 6

(i) The Committee notes that the use of the words “common purpose” in this clause may not be appropriate as it is not a term commonly used in existing Penal legislation. Instead, the law generally recognizes the concept of a “common object”. The Committee observes that a mistake may have been made in translation since the Sinhala text of the Bill refers to “සාමාන්‍ය මාර්ගය”, which generally translates to “common object”. Therefore, the Committee proposes that the words “common purpose” be replaced with “common object” in clause 6.

(ii) The Committee was of the view that the intention of this clause appears to be to create an offence similar to unlawful assembly, where members of a group are found guilty for acts committed by one or more members in furtherance of a common object. However, the Committee was of the view that this position does not appear to be clearly expressed in this clause and therefore the Committee proposes that it be expressly provided at the end of this clause that ‘every member of such group shall be guilty of an offence under this Act’.

(iii) The Committee observed that whilst the first paragraph of clause 6 refers to a ‘common purpose’ (or a ‘common object’ as now proposed), the latter part of the clause specifies an additional element of intention. The Committee was of the view that this unnecessarily complicates the offence constituted by this clause. The Committee proposes that this reference to intention be linked to the ‘common purpose’ (or the ‘common object’ as proposed) in order to eliminate the complexity of this clause. The Committee was of the view that it may be appropriate to draft this clause along the lines of section 138 of the Penal Code. Additionally, the Committee notes that elements of ‘intention’ set out in clause 6 appears to differ from those set out in clause 3(1). The Committee was of the view the ‘intention’ or ‘common purpose’ (or ‘common object’ as now proposed) should correspond with the provisions set out in clause 3(1).

(iv) Further, the Committee notes that it might be necessary to ensure that criminal liability for the acts of one party could be imposed on any other persons in the group only if the relevant criminal act is committed ‘in furtherance of the common purpose’ (or ‘common object’ as now proposed) and the Committee proposes that this clause be amended to reflect such position.

Clause 7

(i) The Committee notes that the use of the words “... punished with a term of imprisonment of seven years or more” has a likelihood of causing ambiguity as to the sentencing requirements and therefore the Committee proposes that the clause be rephrased to read as “...punished with a term of imprisonment of not less than seven years”.

Clause 8

(i) The Committee notes that offences relating to financing of terrorism is not captured in the Bill and proposes that the Convention on the Suppression of Terrorist Financing Act No. 25 of 2005 (as amended) be included as a sub-clause to clause 8.

(ii) The Committee notes that whilst offences related to listed securities under the Securities and Exchange Commission Act No. 36 of 1987 is listed in clause 8(f), that offences relating to currency and Government securities are not so listed. The Committee was of the view that it would be appropriate to consider listing such matters.

(iii) Similarly, the Committee notes that offences of piracy and hijacking are not listed in this clause and proposes that those legislations by which such offences are created, be brought within the scope of this clause.

Clause 13

(i) The Committee notes that the maximum term of imprisonment under clause 13 of the Bill for the failure to provide information is three years, despite the corresponding maximum term of imprisonment under the PTA being seven years. The Committee is of the view that the penalties under this Bill should not be less onerous than under the PTA, especially given that the Judge may exercise his discretion in relation to sentencing. Therefore, the Committee proposes that the maximum term of imprisonment applicable to clause 13 be amended to seven years in order that it may be brought on par with the provisions under the PTA.

Clause 14

(i) The Committee proposes that the words "a direction or order..." be replaced by "lawful direction or order" for avoidance of doubt.

Clause 18

(i) The Committee notes that clause 17 of the Bill refers to "Any police officer, an officer or member of the armed..." (emphasis added), while clause 18 reads as "... by an officer other than a police officer...". The Committee notes that clause 18 only provides for officers and not 'members' and therefore would prevent persons who are not 'officers' falling within the scope of clause 18. The Committee proposes that the word "member" be added to clause 18 in order for it to be consistent with clause 17.

Clause 21

(i) Concerns were raised by a minority of the Committee as to whether the requirement for the officer to identify himself would compromise the safety of such officers and their families. They were of the view that in the alternative, the disclosure of the identity of the unit making the arrest maybe more appropriate. But the majority of the Committee was of the view that the

requirement of an officer to identifying himself should be in place to ensure that rights and safety of individuals are not compromised and also as a deterrent to any misuse of process under the Bill and therefore the clause remain as is.

Clause 25

(i) A minority of the Committee was of the view that clause 25 of the Bill be dispensed with, citing that such requirements would compromise the security of the officers involved in such arrest and would also unduly compromise the progress of the investigations. However, the majority of the Committee expressed the necessity of having such provisions in place to ensure that the rights and safety of individuals are not compromised and also as a deterrent to any misuse of process under the Bill. It was also highlighted how similar requirements are in any case present under the current law. Therefore, the majority of the Committee was of the view that clause 25 continue to remain as is.

Clause 26

(i) Concerns were raised by Committee as to the confidentiality of the data maintained in the database being compromised and the likelihood of such data being used against the interest of the State pursuant to such data being released under the obligations of clause 26(3). However, it was also noted that similar requirements of providing information exists in terms of the Human Rights Commission of Sri Lanka Act No 21 of 1996. The Committee was of the view that provisions be put in place to ensure that the requirement to provide information be limited to that of specific individuals on a case by case basis, in respect of the identity of the person arrested, date of arrest, reason for arrest and the place of detention, pursuant to a specific request for such information, in respect of the individual, as opposed to the right being afforded to access the entire database. Alternatively, the Committee proposes that clause 26(3) be removed as similar obligations already exist under the Human Rights Commission of Sri Lanka Act No 21 of 1996. However, a minority of the Committee is of the view that it should remain as currently found in the Bill.

Clause 27

(i) The Committee notes that the use of the word "shall" in relation to clause 27(2)(b) takes away the ability of the Magistrate to use his discretion in situations provided for in sub-clauses 27(2)(b)(i) – (iii). The Committee was of the view of that limiting the discretion of the Magistrate in such a manner would be against public interest and proposes that the word "shall" used in clause 27(2)(b) be replaced with "may" to ensure that the discretion of the Magistrate is not taken away.

(ii) The Committee observes that 27(2)(b)(i), provides for a situation where the Magistrate considers the grounds on which an application for remand is based, is reasonable.

However, the Committee notes that clause 27(2)(b) does not deal with the situation where a Magistrate considers that no reasonable grounds exist for a remand order. Therefore, the Committee proposes that provision be made in the Bill for the release of the suspect on bail in such circumstances.

Clause 28

(i) The Committee notes that the use of the word “torture” in this clause, is vague and may give rise to ambiguity. The Committee proposes that the word “torture” be replaced with a description which indicates instances where the Magistrate finds or suspects injury or the Magistrate has reasonable grounds to believe that the suspect has been subjected to or the suspect makes an allegation of cruel, inhumane, degrading treatment or torture.

(ii) The Committee also notes that clause 28(1) which provides for an officer to make representations in “defence thereto” as found in line 5, could result in an officer incriminating himself, particularly in a situation where such allegation may come as a surprise and where the officer does not have legal representation. The Committee observes that such a requirement would be unsuitable in the circumstances contemplated under the clause, especially in the absence of an opportunity for such officer to obtain legal representation. The Committee proposes that the requirement of the officer making representations in defence be removed, particularly since such representations in defence would be immaterial to any further orders that the Magistrate is called upon to make under this clause.

Clause 29

(i) Concerns were raised by the Committee that this clause contradicts the powers granted to the Magistrate under clause 27 in relation to bail since it removes the discretion of the Magistrate to decide whether or not to grant bail which has been conferred on the Magistrate under clause 27.

Clause 30

(i) The Committee is of the view that the maximum cumulative period of extension being limited to six months, which effectively limits the maximum period of remand to one year, in contrast to the period of eighteen months provided for under the PTA, maybe insufficient for a thorough investigation to be carried out, particularly given the nature of the offences involved. The Committee proposes that the reference to six months in clause 30(1) be amended to one year.

The Committee is of the view that, where the investigation is not concluded and the Attorney General is of the opinion that the suspect being in remand is required in order to continue the investigations, that the Bill make provision for the Attorney General to seek extensions of the remand period. The Committee proposes that such extensions of period only be granted on objective grounds satisfactory to court. Further, the Committee proposes that the maximum period

of such extension be limited to one (01) year.

The Committee therefore proposes that the second proviso to clause 30 of the Bill be removed.

(ii) The Committee proposes that the reference to time periods in this clause, which has been made with reference to the “date of his arrest” be amended to “date of his remand”, given that the conditions relating to producing a suspect before a Magistrate pursuant to an arrest is specifically provided for elsewhere in the Bill.

(iii) The Committee was of the view that the reference to ‘proceedings’ being ‘instituted’ in clause 30(2) may be ambiguous in this context and proposes that the wording be amended as ‘charges being presented in court’.

Clause 34

(i) The Committee notes that the majority of the members of the Committee endorses the content of this clause in its current form and is of the view that an amendment providing a requirement of prior notice may impede the purpose of this clause.

However, there was strong dissent by several members of the Committee to clause 34 and such members were of the view that this clause should be removed in its entirety. Certain members took specific objection to the entitlement of the officers of the Human Rights Commission to exercise their functions under clause 34 “without giving advance notice” and were of the view that the clause be amended to make the provision of prior notice mandatory.

Clause 36

(i) A minority of the Committee was of the view that considering the nature of the offences and the complexity of the investigations which may be required in such circumstances, periodic review of the necessity of continued detention may impose an extra burden upon the investigating officers. Additionally, they were of the view that the requirement of submitting a ‘confidential report’ and making the report (or any portion thereof) available to the Attorneys-at-Law of the suspect may compromise sensitive information which may be contained therein. Such minority of the Committee, notes that despite a legal requirement of confidentiality in relation to the report being included in the Bill, the risk of sensitive information being compromised may be substantial, given the number of individuals to whom the document is likely to be exposed to or whom may handle such document in this process.

In these circumstances a minority of the Committee recommends that clause 36 be removed in its entirety.

The majority of the Committee proposes that under clause 36(3) the Attorneys-at-Law for the suspect be entitled to obtain all information contained in the report.

Clause 37

(i) The Committee proposes that the maximum period of detention under Detention Orders which is specified as ‘eight

weeks' in the Bill, be amended to 'twelve weeks', in order to bring the maximum period in line with the maximum detention period of three months under the PTA.

Clause 38

(i) The Committee notes that practical circumstances would not permit the completion of an appeal process within the maximum detention period of eight week (or twelve weeks as proposed). Therefore, the Committee notes that the rights conferred by this clause will, in any event, not have any practical significance.

Clause 40

(i) The Committee notes that it does not see any specific reason to depart from the current legal requirement of obtaining an order from a Magistrate to interrogate or record a statement from a suspect in remand custody. Such applications are routinely made and required permission is generally granted.

The Committee therefore, proposes that the current requirement of the Police officer having to obtain permission of the Magistrate in order to access the suspect while in remand be maintained and that this clause be amended to reflect such position.

Clause 41

(i) The Committee recommends that clause 41 be worded broadly to leave no ambiguity that the initial issue as well the extensions of Detention Orders could be appealed against under this clause. (ii) The Committee notes with concern that the eligibility criteria of persons qualified to be members of the Board of Review is not specified in the Bill and is of the view that the eligibility criteria and the appointment process should be specified. Taking into consideration the role of the Board of Review, the Committee proposes that the Board of Review be comprised of retired judges of the Court of Appeal and/or the High Court and the Chairperson to be a retired judge of the Court of Appeal in addition to the person currently referred to in this clause. The Committee is of the view that it would be appropriate for the appointments to the Board of Review be made by the Judicial Services Commission, given that the Board of Review will be exercising quasi-judicial authority in making decisions regarding the validity and reasonableness of Detention Orders.

(iii) The Committee proposes that the requirement of making a 'request' in clause 41(5) (b) be removed and for the sub-clause to read as "... before a Magistrate for the suspect to be placed in remand ...". The Committee is of the view that thereupon, it will become possible for the suspect to make an application for bail under clauses 29 and 30 of the Bill.

(iv) The Committee notes that there is no provision in this clause which allows the Board of Review to order the discharge of the suspect where it finds that there is no valid

basis for the detention of the suspect, despite it being a possible conclusion that the Board of Review may arrive at. Therefore, the Committee proposes that specific provision be made under clause 41(5), that the Board of Review may grant rulings which contain direction to discharge the suspect.

(v) In view of the comments in (iii) above, the Committee is of the view that clause 41(5) (c) is in effect superfluous and proposes that it be removed.

(vi) The Committee considers the period of two weeks set out in clause 41(6) insufficient given that notice of appeal would have to be served on the relevant respondents and such respondents would in turn require adequate time for the presentation of material before the Board of Review, in order to justify the detention. Therefore, the Committee proposes that the two-week period specified in clause 41(6) be amended to six weeks.

(vii) The Committee further proposes that in order to ensure that the Detainee is aware of his right of appeal, provision be made in the Bill that the right of a suspect to appeal against the issue or the extension of a Detention Order to the Board of Review be expressly stated in the Detention Order.

Clause 42

(i) The Committee raises concern in relation to the provision under this clause that a suspect in remand maybe removed from remand custody and be placed in detention. The Committee is of the view that provisions under clause 40 provides the Police sufficient access to the suspect for purposes of interrogation whilst still in remand. The Committee proposes that in the circumstances envisaged under this clause, instead of the suspect being removed to detention, that such suspect continues to be kept in remand and the Magistrate be authorised to order that the suspect be held incommunicado, in isolation or under maximum security, as the Magistrate deems appropriate.

Clause 43

(i) The Committee proposes that in view of the proposed amendment to clause 41, an amendment be made to clause 43 to provide the words "subject to a discharge order made by the Board of Review under clause 41".

Clause 45

(i) The Committee proposes that the reference to section 120 of the Code of Criminal Procedure in this clause be removed as the Committee is of the view that the requirements under the said clause of submitting periodic reports relating to the investigations would encourage more transparent and efficient investigations. The Committee proposes that if necessary, it may be provided that such reports pertaining to the progress of the investigation, produced to the Magistrate be treated as confidential until the conclusion of the investigation.

Clause 47

(i) The Committee presumes that the purpose of this clause is to provide for situations where a suspect is charged in multiple jurisdictions for offences under this Bill and to require that all such offences be considered in the Magistrate Court in which the suspect is first produced. The Committee notes that the plain reading of this clause does not adequately convey the above circumstance or intention and that the clause as it stands, appears to merely provide that a suspect be produced before the same Magistrates Court pending an ongoing investigation (which is superfluous given that it is in any case the legal position under the current law). Therefore, the Committee proposes that this clause be redrafted to clearly convey the contemplated circumstances and the consequent intention of the Legislature.

Clause 49

(i) The Committee is of the view that the Police need not be granted additional powers of investigation under Part III of the Bill given that the Police currently possess adequate powers of investigation under the Code of Criminal Procedure and the Police Ordinance. Therefore, the Committee proposes that this clause be amended to merely state that the Police would have powers consistent with the Code of Criminal Procedure and the Police Ordinance during the period of investigation.

Clause 50

(i) The Committee proposes that this clause be removed in light of the recommendation made in relation to clause 49.

(ii) Notwithstanding the recommendation in (i) hereto, the Committee notes that the use of the term 'necessary measures' in clause 50(1) is ambiguous and introduces a concept or standard relating to the use of force which is hitherto unknown in our law. The Committee notes that the concept used in the Code of Criminal Procedure is the use of 'minimal force' and the Committee sees no necessity of deviating from this standard, since it permits and obliges the relevant officers to use minimum force that is necessary in the circumstances.

(iii) Notwithstanding the recommendation in (i) hereto, the Committee notes that the reference to the term 'Lethal force' is unsuitable as this clause maybe used as a license or justification for the use of lethal force. The Committee notes that the position relating to the use of lethal force is clear under the general law and therefore it is the view of the Committee that this sub-clause is unnecessary.

Clauses 51, 52 & 53

(i) The Committee notes that the Inspector General of Police currently has the power to carry out the functions contemplated by these clauses. Presently, these powers inter-alia enable setting up or the alterations of the assignment of a unit or agency. The Committee observes that the inclusion of these provisions may in effect work as a limitation of the powers so generally conferred on

the Inspector General of Police. The Committee therefore proposes, that this clause be removed in order to avoid any consequential inference of limitation of power.

Clause 54

(i) The Committee is of the view that the extensive powers granted under clause 54(1) to a Police officer of the rank of sub-inspector and above are unnecessary in view of the investigative powers currently available under the Code of Criminal Procedure. The Committee notes that these powers may lead to abuse and obstruct the proper administration of justice. The Committee additionally observes that these powers would be unnecessary in view of the provisions in clause 68 of this Bill.

(ii) The Committee in particular notes the risk of grave abuse in relation to the powers granted under clause 54(1)(e). It is the view of the Committee that such powers would be unnecessary as statements made to Police Officers are in any case inadmissible as evidence in terms of the provisions of the Evidence Ordinance. The Committee further observes that the power of obtaining such an affidavit or oath maybe used as a method of circumventing such provisions under the Evidence Ordinance. Therefore, the Committee proposes that the powers granted to Police officers by clause 54 (1) be curtailed.

(iii) The Committee proposes that the term 'if he so wishes' in clause 54(3)(a) be removed and the clause be amended to provide that the person interviewed shall be entitled to have access to or communicate with an Attorney-at-Law.

(iv) The Committee is also of the view that it would be prudent to add, for the avoidance of doubt, a clause expressly stating that a suspect arrested for an offence under this Bill, would have the right to be represented by an Attorney-at-Law.

Clause 55

(i) The Committee notes that the reference to the use of the term 'Lethal force' is unsuitable as this clause maybe used as a license or justification for the use of lethal force. The position relating to the use of lethal force is clear under the general law and therefore it is the view of the Committee that this proviso is unnecessary.

Clauses 58 and 59

(i) The Committee notes that the matters provided for in this clause are currently permitted in law and is in fact presently operational. Therefore, the Committee notes that this clause may not be required.

Clause 60

(i) The Committee notes the necessity that such transfer of material as contemplated under this clause be sanctioned by a Magistrate. Further, the Committee is of the view that such applications should be made by officers not below the rank of SSP. Accordingly, the Committee proposes that necessary amendments be made to reflect the above position.

Clause 61

(i) Concerns were raised by members of the Committee as to whether the requirement of obtaining 'prior approval from the relevant foreign country' to conduct an investigation outside Sri Lanka would stifle the ability of the Police to investigate, especially concerning countries with which Sri Lanka may not have cordial relations or where the interests of such country is not aligned with our own. However, the majority of the Committee was of the view that obtaining prior approval would be correct protocol taking into consideration norms and practices relating international relations.

Clause 62

- (i) The Committee proposes that the words "...purpose of protecting persons" clause 62(1) be amended to include 'property' in addition to persons.
- (ii) The Committee proposes that a provision be included to this clause that such directive may only be made 'with due regard to the Fundamental Rights and freedoms guaranteed under the Constitution'.
- (iii) The Committee is of the view that the requirement of publishing such Orders in the Gazette as provided for in clause 62(4) maybe impractical since the necessity of making such Orders may arise on an adhoc basis. The Committee therefore notes that such requirement may have the consequence of affecting the legality of these Orders and as such proposes that such requirement be removed.
- (iv) The Committee is also of the view that given the requirement of providing wide publication under clause 62(4), the requirement of informing the Human Rights Commission of these Orders as provided clause 62(2) maybe superfluous in addition to being impractical due to the adhoc nature of these Orders.

Clauses 63 and 64

(i) The Committee is of the view that it is necessary to expressly provide in clause 63 and clause 64 that the Orders under this clause maybe sought only in respect of an offence under this Act, as specifically found in clause 65(1) of the Bill.

Clause 65

(i) The Committee proposes that clause 65(1) be amended to include the 'Registrar General'.

Clause 66

(i) The Committee proposes that an all-inclusive provision be included following sub-clause (h) in clause 66(1) to provide for the making of any other orders necessary to facilitate an investigation.

Clause 68

(i) The Committee deliberated on the merits of the requirement under clause 68(1), that a statement be

taken by a Magistrate and whether not granting the Police, power to obtain such a statement, stifles the investigative abilities of the Police. The majority of the Committee was of the view that the provisions of this clauses are desirable as a confession made to a Magistrate is more likely to be accepted by court compared to a confession made to a Police officer, given the protections inherently available to a suspect before a Magistrate. The Committee further notes that it may reduce the possibility of false accusations of coercion being brought against the Police and would further encourage a more efficient investigation by the Police, independent of the reliance on a potential confession. Few members of the Committee were of the view that not providing the Police the power to obtain a confession is undesirable.

(ii) The Committee proposes that the word 'shall' in clause 68(2)(d) be amended to 'may', in order to provide the Magistrate discretion in exercising his powers.

Clause 72

(i) The Committee is of the view that the Attorney General must either indict or discharge the accused and that it would be contrary to principles of due process and administration of justice to deny the accused of an expeditious determination of the charges. The Committee further notes that such suspension or deferment as provided for in this clause has not hitherto been a part of our jurisprudences. In light of the above the Committee proposes that this clause be removed.

Clause 75

(i) The Committee notes that the requirement that all trials under this Bill be held day-to-day would not be practical and may further prejudice proper conduct of trials due restraints on legal counsel. Additionally, the Committee is of the view that the imposition of such a requirement may curtail the ability of an accused to retain a counsel of his choice.

Clause 77

- (i) The Committee was of the view that the requirements under clause 77(2)(a) – (c) would unnecessarily fetter the discretion of the Attorney-General.
- (ii) The Committee further notes that the conditions specified under clause 77 are not provided under the general law and proposes that the operation of this clause be subject to such conditions being incorporated into the general law.

Clause 81

(i) The Committee was of the view that clause 81(2) (a) is unnecessary in light of clause 81(1), since a recommendation by the Inspector General of Police would constitute a 'reasonable ground' on which the Proscription Order maybe made by the Minister. Therefore, the Committee proposes that clause 81(2) (a) be removed and the scope of clause 81(2) be limited to what is contemplated in clause 81(2)(b).

(ii) The Committee proposes that clause 81(3) additionally include matters such as;

- Prohibiting being a member;
- Prohibiting the recruitment of members;
- Prohibiting any person acting in furtherance of the objectives of the organisation

(iii) While the majority of the Committee was of the view that the requirement to communicate 'reasons' as provided in clause 81(5) acceptable, a minority of the Committee was of the view this requirement may compromise confidential information and sources relating to such investigation. Such minority, was of the view that in the event there is any challenge of the Order, such reasons maybe communicated to the Court of Appeal under confidential cover in an application for review under clause 81(8).

(iv) The Committee proposes that the use of the words 'entitled to appeal to the Court of Appeal' in clause 81(8) be amended to 'entitled to make an application for review to the Court of Appeal'.

Clause 82

(i) The Committee observes that clause 82(1) permits the Minister to make an application to High Court on the recommendation of the Inspector General of Police. The Committee was of the view that it is unnecessary for the Minister to make such an application since it is in any case based upon the recommendation of the Inspector General of Police. Therefore, the Committee proposes that the Inspector General of Police be allowed to make an application under clause 82(1) and proposes that the requirement for the Minister to make such application be removed.

(ii) The Committee further notes that this clause contemplates the Minister making the order with the sanction of Court. The Committee is of the view that such arrangement is unnecessary and the Committee proposes that the Court be empowered to make such order directly on an application by the Inspector General of Police.

(iii) The Committee proposes that the reference to 'Minister' in clause 82(5) be removed and replaced with 'Court'.

(iv) The Committee notes the inconsistency in treatment in relation to obtaining a statement in the course of an investigation under this Bill and under the general law (e.g. in relation to audio-visual recordings). The Committee proposes that the provisions under this Bill, be consistent with the general law and therefore necessary amendments to the general law be made prior to enacting such provisions under the Counter Terrorism laws.

(v) The Committee proposes that the word 'appeal' in clauses 82(10) and clause 82(11) be changed to 'review'.

Clause 83

(i) The Committee is of the view that clause 83(7) is

superfluous and as such proposes that such the clause be removed given that Curfew Orders are public orders.

(ii) The Committee notes that the reference to the use of the term 'Lethal force' is unsuitable as this clause maybe used as a license or justification for the use of lethal force. The Committee notes that the position relating to the use of lethal force is clear under the general law and therefore it is the view of the Committee that this sub-clause is unnecessary.

Clause 84

(i) The Committee is of the view that clause 84(4) is superfluous and as such proposes that such the clause be removed given that such Order would be public orders.

(ii) The Committee notes that the words '... term not extending' as found in clause 84(8) should be corrected as '... term not exceeding'.

Clause 85

(i) The Committee is of the view that the manner in which clause 85(5) is drafted is ambiguous therefore the Committee proposes that clause 85(5) be amended to provide that 'the powers under clause 95 of the Code of Criminal Procedure Act maybe exercised by...'

Clause 86

(i) The Committee observes that the power of seizure under clause 86(1) of the Bill has been given to 'any police officer' and that such power maybe exercised even in the absence of a judicial order. In this light, the Committee is of the view that the granting of this right to 'any police officer' in relation to immovable property would be excessive and disproportionate. The Committee therefore proposes that the reference to 'immovable property' in clause 86(1) be removed. The Committee is of the view that the Code of Criminal Procedure currently contains adequate provisions relating to the seizure of property and therefore proposes that such powers of seizure be made applicable for offences under this Bill.

(ii) The Committee further notes the need for the Magistrate to identify the person in possession or occupation of property, as this clause maybe abused by parties as a means of evicting tenants. The Committee therefore proposes that provisions similar to clauses 425 and 431 of the Code of Criminal Procedure ought to be incorporated to the Bill to address the entitlement to the property seized.

(iii) The Committee proposes that clause 86(6) and clause 86(7) be amended to provide that the forfeiture or confiscation of property would be subject to the rights of third parties.

Part X (Clauses 87 & 88)

(i) The Committee was of the view that although the provisions contained in this Part which deals with sentencing are salutary, it should be incorporated as a part of the general

law rather than in a legislation exclusively dealing with Counter Terrorism. The Committee therefore recommends that Part X of the Bill which contains guidelines in relation to sentencing be enacted in the general law prior to being enforced under this Bill.

Clause 89

(i) The Committee was of the view that the trial judge should retain the discretion of acting under clause 303 of the Code of Criminal Procedure even in other exceptional situations, in addition to the circumstances currently set out in clause 89 of the Bill. The Committee therefore, proposes that clause 89 (a) be amended to include that such exonerating circumstances should be recorded by the trial judge when acting under section 303 of the Code of Criminal Procedure, by adding words to the effect "... or for such other exceptional reasons to be recorded by the judge".

Clause 91

(i) The Committee extensively deliberated on the deemed liability imposed on the directors of a company under clause 91 of the Bill. The Committee notes that this clause imposes deemed personal liability on the directors of a corporate entity where such entity is found guilty of an offence under this Bill. The Committee notes that such provision effectively results in the burden of proof being shifted from the prosecution to the accused and as a result a director of such entity would be called upon to prove his innocence. The majority of the Committee was of the view that the shifting of the burden proof in such a manner is contrary to general principles of law, although provisions of this nature are contained in revenue collection statutes. The majority of the Committee was of the view that the inclusion of provisions of this nature is inappropriate in a statute dealing with offences relating to terrorism. The majority of the Committee observes that under existing principles of law such as; common intention, abetment and conspiracy, there exist adequate provisions through which directors who actively participate in procuring a corporate entity to commit an offence under this statute may be prosecuted along with such entity and that it would be possible to charge the relevant directors as co-accused along with the corporate entity being prosecuted. The majority of the Committee was of the view that personally charging directors found to be directly involved in the offences as opposed to imposing deemed liability on all directors of a corporate entity would be more desirable and aligned with established principles of law such as the presumption of innocence. Therefore, the majority of the Committee proposes that this clause be amended to remove the concept of deemed liability on directors, which contemplates the corporate entity being prosecuted and the directors being deemed guilty, upon the corporate entity being found guilty.

However, a minority of the Committee notes that provisions imposing deemed liability on directors were found under the PTA and therefore this clause should continue to remain under this Bill.

Clause 92

(i) The Committee observes that whilst clause 92 confers power on the President to promulgate regulations, there is no provision in the clause making the contravention of such regulation an offence. The Committee therefore recommends that a specific provision be included in this clause which expressly states the contravention of regulations made under this Bill constitutes an offence under this Bill. The Committee further proposes that this clause prescribe the maximum punishment which may be imposed for the offence of contravening regulations.

Clause 93

(i) The Committee is of the view that the provisions of clause 93 granting the President the power to make directions confers excessive discretion and is unnecessary in view of the regulation making power granted under clause 92. The Committee also observes that whilst regulations made under this Bill are required to be placed before Parliament for approval, such safeguard is not provided for in clause 92. Additionally, the President, being the Commander-in-Chief of the Armed Forces, will have the power to issue directions to such forces, in terms of the relevant legislation applicable to the armed forces. Therefore, the Committee was of the view that this provision relating to the power of issuing directions is superfluous. Therefore, the Committee proposes that this clause be removed.

Clause 98

(i) In view of the recommendation of the Committee to remove clause 72, the Committee notes that if clause 72 is to be removed, correspondingly, the proviso to clause 98(b) would also have to be removed.

(ii) The Committee notes that clause 98 (c) which provides that any sentences, decrees or orders made immediately prior to the commencement of this Bill is deemed to be made under the corresponding provisions of this Bill may have the likelihood of causing grave absurdities especially in instances where the Bill does not have a corresponding provision to a section under the PTA or prescribes inconsistent punishment. The Committee further notes the treatment of granting sentences, decrees and orders during the interim period as contemplated by this clause is adequately dealt with by section 6 of the Interpretations Ordinance. Therefore, the Committee proposes that clause 98(c) be removed which would invariably make section 6 of the Interpretations Ordinance applicable in such circumstance.

7

The Report of the sub committee appointed by the BASL on non - lawyers involved in legal practice in Sri Lanka

The Appointment Of The Subcommittee

The Bar Association of Sri Lanka¹ by letter dated 16th May, 2019² sought the assistance of 10 eminent members of the legal profession, including inter alia President's Counsel, leading senior practitioners, senior partners of law firms and other highly respected members of the Bar to look into the issue of the involvement of non-lawyers in legal practice in Sri Lanka.

The Members Of The Subcommittee

- 1) Mr. Upul Jayasuriya, PC - Chairman
 - 2) Dr. Ariththa Wikramanayake, AAL
 - 3) Mr. Sakeen Cader, AAL
 - 4) Mr. Rajkumar Selvaskanthan, AAL
 - 5) Dr. Asanga Gunawansa, AAL
 - 6) Mr. Harsha Fernando, AAL
 - 7) Mr. Moahan Balendra, AAL
 - 8) Mr. Savantha De Saram, AAL
 - 9) Ms. Ayomi Aluvihare, AAL
 - 10) Ms. Nilanthi Peiris, AAL
- Convenor: Ms. Mokshini Jayamanne, AAL

Mandate

As stated above, the Committee was called upon to consider the prevailing situation in the country in relation to the rising prevalence of non-lawyers being involved in legal practice in Sri Lanka; analyse the law governing this area; and make recommendations on how best the BASL could remedy the situation; in light of the serious impact it has had on the legal community of this country.

The First Meeting Of The Committee

The 1st meeting of the committee was convened on 18th June, 2019. Each member in attendance was provided with a docket containing copies of:

1. The Letter of Appointment to the Subcommittee
2. The Contact details of each subcommittee member
3. The Intermeddlers with Suitors Ordinance No. 11 of 1894 (as amended)³

4. The Petition of Supreme Court Reference No. SC/Ref 13/2019⁴
5. The Articles of Association of Silk Road International Business and Legal⁵ Consultancy Services Pvt Ltd
6. The letter sent to the BASL seeking the input of the BASL on an application submitted to the Registrar of Companies for the registration of Silk Road International Business and Legal Consultancy Services Pvt Ltd.⁶
7. The response of the BASL to the Registrar of Companies.⁷

After an initial discussion about instances prevalent in Sri Lanka where non-lawyers are involved illegally in the practice of law, a consensus was reached that all such instances could be categorised as follows:

1. Banks and Finance Companies
 - a) The charging of legal fees by these institutions from their customers and which fees do not reach the lawyer who provides such services.
 - b) Legal services being provided by non-lawyers.
 - c) Consultants being retained for the purpose of certain services, but the inhouse lawyer signing off on same.

2. Accountancy Firms

Accountancy Firms including legal services in the menu of services provided to their clients.

3. Limited Liability Companies

Limited Liability Companies providing legal services which results in:

- shielding the lawyers who provide such services as employees of such Companies, from accountability to the Supreme Court;
- Facilitation of legal services being provided through non-lawyers;
- Non-lawyers earning income from the provision of legal services.

4. Foreign Lawyers

Lawyers from different jurisdictions providing legal services in Sri Lanka without being qualified to do so in terms of the Constitution ie. individuals who are qualified to practice in a different jurisdiction but not in Sri Lanka, providing legal services here.

Methodology

At the first meeting of the committee held on 18th June, 2019, all members present shared their views and certain members agreed to prepare and submit a short paper on what he/she considers to be the main issues that need urgent attention by the BASL and provide recommendations on how best such issues could be addressed.

The submissions made by each member should broadly cover the 4 areas highlighted during the meeting. I.e:-

1. Banks and Finance Companies
2. Accountancy Firms
3. Limited Liability Companies
4. Foreign Lawyers

Once all submissions have been received, the contents of same would be consolidated in one paper and form the foundation of the Report to be submitted to the BASL.

Observations Submitted By Committee Members

Thus, members of the committee submitted papers setting out their observations and suggestions on how best to address the main issues with regards to the involvement of non-lawyers providing legal services in Sri Lanka. Dr. Arittha Wikramanayake AAL in his submission⁸ stated that the practice of law by non-lawyers can take place in several forms.

1. Local issues

a) Non-lawyers benefitting from the practice of law establishing entities with separate legal personality (i.e companies);

b) Mixed professional practices (e.g. auditing firms providing legal services); and

c) Commercial entities providing legal services as a bundle of services (e.g. financial institutions providing conveyancing services); and

2. External issues arising from the practice of law by foreigners Dr. Wikramanayake recommends the following:

- Formulating a definition on the Practice of Law: In terms of section 2 of the Intermeddlers with Suitors Ordinance it is an offence for persons not authorized to practice in a court to solicit or receive any gratification from a third party in consideration of procuring the employment of a legal practitioner.

- He suggested that a suitable definition on the term "practice of law" must be formulated and legislation must be enacted to prevent non-lawyers from engaging in such conduct.

- The report also consists of examples how other professions have sought to cover their positions

- He submitted the position in India and ASEAN countries in relation to the practice of law by non-nationals with reference to news reports.

- He suggests that practice of law by non-nationals or those without a local professional qualification needs to be regulated by the BASL, usually on the basis of a requirement of a local qualification or, in the case of provision of advice

on a non-Sri Lankan law matter under regulated conditions premised on reciprocity. No such regulation exists in Sri Lanka.

- He further suggests that the BASL needs to take urgent measures to seek the enactment of a comprehensive law on the right to practice law. The present structure is based on an antiquated law, which can only lead to causing conflict and confusion rather than providing clarity to the present crisis. The rules also need to address a wide range of issues such as admission qualifications, ethics and governance.

Mr. Savantha De Saram AAL in his submission⁹ elaborated on who may engage in legal practice in Sri Lanka, who can be an Attorney at Law, legal services provided by Banks, Financial Institutions and Accounting Firms to its customers through its in-house Attorneys at Law and foreign lawyers engaging in legal practice.

He further states that:

- In order to engage in legal practice in Sri Lanka a person is required to be an Attorney at Law of the Supreme Court of Sri Lanka.

- In order to qualify as an Attorney at Law an individual has to satisfy the conditions set out in the Supreme Court Rules.

- In terms of Rule 3 of the Supreme Court Rules an Attorney at Law who holds any office or appointment in his professional capacity in his professional capacity shall be entitled to practice the profession only in so far as is necessary for the due performance of his duties in such employment.

- As cited in A R B Amerasinghe at pg.35 of "Professional Ethics and Responsibilities of Lawyers" states, "a practicing lawyer in employment may provide legal services to his employer so long as he does not himself supply legal services to the public or section of this public..."

- It is submitted that the professional services rendered by the in house "employee" attorney is duly compensated by his employer who will be the only client of such Attorney at Law. The bank/financial institution/accounting firm cannot raise invoices on account of legal services rendered by its employee Attorney at Law to a third-party customer, as the said institution in itself does not have the capacity to render legal services. Mr. de Saram's recommendations are as follows:

- Foreign legal representation on a temporary basis be permitted within a stipulated limited scope such as provided for in India and Singapore, which would require no registration with a Regulator –
 - Representation to be limited only for and on behalf of a foreign client;
 - Services to be provided only on a fly in fly out basis with a time limit to be prescribed;
 - Services to be limited to acting as a mediator to render mediation services and consultations required for proposed business transaction or meeting/negotiation with Government or like situations.

- As in most jurisdictions legal services in excess of the above mentioned would require an enabling authority to be established such as the Solicitors Regulation Authority (SRA) in the United Kingdom, without whose approval no foreign lawyers can provide any form of legal services for any person within the jurisdiction of the United Kingdom.
- A foreign lawyer, not being registered in Sri Lanka with the Supreme Court would not come within the purview of any form of regulation.
- Recognizing the need for liberalizing the legal sector considering the everyday cross-border transactions and therefore, the requirement for a sharing of cross border legal services, an urgent revision of the applicable laws and rules is recommended.
- A revision to include inter alia a clear definition of „legal practice/services in keeping with the global contemporary requirements of legal services to encompass the cyber and digital spheres as well. In keeping with this trend providing for foreign lawyers to perform services as may be necessary for a foreign client, in so far as such service does not come within the scope of Legal Service as only an Attorney-at-Law is mandated to provide.
- Providing for a regulator for certain business/industries in Sri Lanka which require to have legal services as an essential support service to its core business (e.g. banks). Mr. Moahan Balendra, AAL in his submission¹⁰ had chosen to concentrate on Private Limited Companies possibly dabbling in legal services. He had caused searches of the records of the Department of the Registrar of Companies and found not less than 69 companies containing the term “legal”, not less than 46 companies containing the term “law” and not less than 10 companies containing the term “law” in their names.
- He had then caused details search of eight companies to ascertain further details including their Objects and cited Nawaloka Legal & Consultancy (Private) Limited, bearing a household name in Sri Lanka as an example of companies that could be providing legal services, in this instance by virtue of its Primary Object which was to provide legal and other consultancy services.

Mr. Balendra suggests the following:

- The public could be educated through a persistent campaign along with institutions such as the BOI/ Department of Foreign Exchange
- The Department of the Registrar of Companies could be alerted to the existence of such companies and required to take remedial action; and
- With foreign controlled entities seemingly keen on setting up companies to offer legal consultancy services such Silk Road International Business and Legal Consultancy Services (Private) Limited dealt with by the BASL could the Ministry of National Policies and Economic Affairs be influenced to make necessary changes to the Exclusions to Permitted Investments in Sri Lanka published under the Foreign Exchange Act No.12 of 2017 to include legal

consultancy services?

Ms. Ayomi Aluwihare AAL submitted¹¹ instances in which non-lawyers appear to be involved in legal practice.

1. Audit firms provide advisory services that include legal input/views/advise

2. Corporates are listed in legal directories or are holding out (in their websites) to be acting as legal practitioners – Legalbase (private) Limited, Kapruka (Kapruka virtual law office), Beehoney Solutions (private) Limited Ms. Aluwihare suggests that the BASL write a letter outlining the law/ regulation applicable to the practice of law in the country and request that the same be adhered to/ to cease any behaviour contravening the same. Dr. Asanga Gunawansa AAL submitted¹² the position in Singapore in relation to regulating the legal profession and foreign qualified lawyers practicing law in Singapore.

- Only a legal practitioner with a valid practicing certificate including a Singapore qualified lawyer or a registered foreign lawyer within the definition of the Legal Profession Act can provide legal services in or from Singapore.

- Foreign qualified lawyers who pass the Foreign Practitioner Examinations (FPE) and have at least three years of relevant legal practice or work which maybe gained in Singapore or overseas can apply to the Director Legal Services under section 36B of the Legal Profession Act for registration to practice in permitted areas of Singapore law.

Mr. Harsha Fernando, AAL was of the view¹³ that the BASL, in consultation with the Supreme Court should consider a licensing system for those who are in practice so that there will be a clear demarcation between “Attorneys in employment” and “Attorneys in active practice” and develop guidelines, based on the Supreme Court Rules, as to the conduct of attorneys in employment.

Mr. Fernando further drew the attention of the committee to The World Trade Organisation (WTO) and The General Agreement on Trade in Services (GATS) and submitted that as per the WTO “lawyers” are no longer seen as attorneys subject to regulatory oversight by municipal courts, but rather as professional services in transactional law which are increasingly becoming cross border. He opined that the BASL would have to revisit the regulatory bar placed on foreign lawyers rendering legal services here, as multinational corporations would eventually find a way of circumventing this for purposes of facilitating in-house counsel providing services to local clientele.

Recommendations

Based on the observations/recommendations made by the Members of the committee, it is recommended that the BASL Consider the following: -

1. It has been recognized that the existing legislation (i.e. the Supreme Court Rules and the Intermeddlers with Suitors Ordinance) are outdated and do not meet current requirements. Thus new/revised laws which reflect the global

contemporary requirements of legal services which encompass the cyber and digital spheres is urgently required, with particular attention on a comprehensive definition on what amounts to “the practice of law/ legal practitioner” together with detailed rules on admissions, qualification, ethics and governance governing the legal fraternity and the practice of foreign lawyers in Sri Lanka.

2. Pending the enactment of comprehensive laws/ regulations as discussed above, an interim regulatory mechanism be put in place to monitor and govern practice of law by foreign nationals/ entities in Sri Lanka in the manner provided below:

- Foreign legal representation on a temporary basis could be permitted within a stipulated limited scope such as provided for in India and Singapore, which would require registration with a Regulator (e.g. the BASL)
- Representation to be limited only for and on behalf of a foreign client for a specified assignment details of which would have to be provided prior, to the regulator and may be;
- Services as a mediator to render mediation services and consultations required for proposed business transaction or meeting/negotiation with Government or like situations.
- Services to be provided only on a „fly in fly out basis“ with a time limit to be prescribed;

It is also pertinent to examine if the provision of legal services by foreign lawyers as defined above would be tantamount to “work” requiring a work visa as envisaged by the Department of Emigration and Immigration.

- With foreign controlled entities seemingly keen on setting up companies to offer legal consultancy services such Silk Road International Business and Legal Consultancy Services (Private) Limited could the Ministry of National Policies and Economic Affairs be influenced to make necessary changes to the Exclusions to Permitted Investments in Sri Lanka published under the Foreign Exchange Act No.12 of 2017 to include legal consultancy services?
- The Department of the Registrar of Companies could be alerted to the existence of such companies and informed of the legal position that an incorporated body cannot have as its objectives the provision of legal services, notwithstanding that it may not be the primary objective and whether with foreign participation or not.

In the interim the BASL may consider writing to these entities requesting them to cease from providing legal services on the basis that only Attorneys at Law of the Supreme court can provide and be remunerated for legal services under their own name. The legal basis/ authority for such letters should be agreed and approved upon by the BASL.

3. Providing for a regulator to enable a limited scope of legal services to be undertaken by mixed professional practices (e.g. auditing firms providing legal services) and commercial entities providing legal services as a bundle of services (e.g. financial institutions/banks providing conveyancing services some of which are an essential support service to their core business).

• In the interim the BASL could consider writing to these entities requesting them to cease from providing legal services on the basis that only Attorneys at Law of the Supreme court can provide and be remunerated for legal services under their own name. The legal basis/ authority for such letters should be agreed and approved upon by the BASL. The committee has prepared Draft Letters for onward transmission to the Registrar of Companies and Audit Firms.¹⁴

4. Educating the public on who is authorized to practice law/ provide legal services in Sri Lanka. The Board of Investment in Sri Lanka and Department of Foreign Exchange can assist with such campaigns along with the BASL.

5. The committee also recommends that the BASL considers instituting legal action in a Magistrates Court of suitable jurisdiction under the The Intermeddlers with Suitors Ordinance No. 11 of 1894 (as amended) against institutions that are in breach thereof¹⁵.

Conclusion

This committee observes with concern the rising incidence of individuals not qualified as Attorneys of Law of the Supreme Court of Sri Lanka, providing legal services to the general public and various legal entities such as limited liability companies being established which has its objects the provision of legal services. Such individuals and entities have carried on thus far, unfettered and unhindered, with little or no regard to the law which prohibits the practice of law by non-lawyers. This committee believes this could be either due to ignorance of the law or because these individuals and/or entities believe that even though such laws do exist in Sri Lanka, as it has not been enforced in the past, there is no fear of it being enforced in the future and therefore, they need not fear any penal or other adverse consequences for engaging in this practice.

This committee would like to place on record the need to address this issue on an urgent basis and as such, recommends that the suggestions made by the committee to remedy the situation be given serious consideration, and that necessary action be taken to implement such recommendations within a short time span.

8

Committee Appointed To Streamline The Conduct Of Law College Examinations

Further to the decision taken at the meeting of the Incorporated Council of Legal Education (ICLE) to look into the streamlining of the conduct of Law College examinations, a sub-committee was appointed. In addition to the meetings held, the committee called for observations from the Law Students Union and also had a discussion with the office bearers of the Law Students Union (LSU). In addition, similar discussions were held with the Registrar of the Law College and the head of the Examination Unit of the Law College. LSU office bearers made representations on behalf of the students and the suggestions/grievances placed before the Committee by them were considered in compiling this report. Broadly, the following matters were discussed at the meeting.

- 1 / The Possibility of the conduct of Law College examinations to a fixed calendar.
- 2/ Identifying possible logistical and technical issues that may arise.
- 3/ Streamlining the scrutiny of answer scripts.
- 4/ Setting time lines for the scrutiny of answer scripts.
- 5/ Re introduction of the Short-Written Test (SWT) or as an alternative, to make available the facility of rescrutinising answer scripts.
- 6/Introducing a mechanism to periodically evaluate the quality of the examiners.

The conduct of law college examinations to a fixed calendar.

(I) Examination Calendar

The Committee observed that the existing Rules of the ICLE had made provision to conduct the examinations on dates that are predetermined under the Rules. The members noted that any deviation from these dates are tantamount to violation of the Rules, which should not be encouraged under any circumstances. Rules 54 and 55 specifically stipulate that the examinations should be held twice a year, in the months of April and October. Rule 55 is specific in that the examinations should commence on the first Monday after the commencement of the holidays in the first term (April) and on the first Monday after the commencement of holidays at the end of the third term (October). The Committee deliberated as

to whether these dates would pose any practical difficulties to the Law College Administration or the students, in particular the LLB graduates who would be required to face the Law College Final Examination immediately upon completion of the Degree.

The Committee observed that there are no impediments whatsoever to have the examinations conducted in compliance with the Rules, (specifically Rules 54 and 55) of the ICLE. There was consensus among committee members as well as the Law College officials that it is feasible to commence the examinations on the dates stipulated under the Rules referred to. Therefore, the Committee is of the view that the dates for the commencement of the examinations should be in compliance with Rules 54 and 55 aforesaid.

(II) Scheduling of the examinations

One of the grievances referred to by the students was, changing of the examinations timetable and highlighted the fact that the last examination timetable was changed on no less than nine occasions. Office bearers of the LSU also requested to consider maintaining gaps between the dates on which the examination is to be held and to avoid scheduling the examination on consecutive dates. This, the students stated, would give the candidates a respite in the preparation for each subject and thereby reduce the stress the students have to undergo during the examination periods. The committee was of the view that the request made by the students should be accommodated, not as a rule, but wherever such a concession could be accommodated. The committee was also mindful of the fact that there is a need to have all three examinations (Preliminary, Intermediate and Final) concluded within a reasonable time period. In this context the Committee considered the possibility of scheduling if three examinations simultaneously. The members were informed by the Law College officials that, there had been occasions where all three examinations in fact were held simultaneously. The committee is of the view that serious consideration must be given to hold all three examinations simultaneously. Example; If the exams are due to commence on a Monday, scheduling of papers should be:

Monday - Preliminary year examination paper
Tuesday- Intermediate year examination paper
Wednesday- Final year examination paper
And this cycle to continue in this order, wherever possible.
The committee was also informed that the Preliminary year students have to sit for 8 papers, the Intermediate year students 7 papers and the Final year students 8 papers, which adds up to 23 working days. The committee was also of the view that Saturday also should be considered as a working day for the purposes of holding examinations. The head of the Examination Unit expressed the view that scheduling the examinations in a manner afore stated is possible, provided the necessary logistical requirements are made available. The Committee is of the view that conducting a needs assessment of the Examination Unit is an immediate necessity on the premise that all three examinations are to be conducted simultaneously and a timeline must be set for this task.

(iii) Academic Calendar

The Committee members also addressed their minds as to whether an academic calendar could be published and made available to the students at the commencement of the academic year. It appears that there had been such a practice in previous years. We strongly recommend publishing an academic calendar at the commencement of the academic year.

The Committee was of the view that in addition to the information relating to various significant events referred to therein, the dates on which results of the examinations are to be released and the date on which the practical training for the apprentices is to be commenced, also should be fixed and notified at the beginning of the year. The Committee was made to understand that the Practical Training for the apprentices is now conducted in partnership with the Bar Association of Sri Lanka (BASL). Whilst appreciating the contribution made by the BASL in this regard, the Committee was also of the view that the Practical Training Course (FTC) also should be carried out in a structured manner rather than ad hoc and the schedule for the FTC must also be finalised by the month of December of the calendar year applicable to the year that follows. The Committee, however, wishes to note that the FTC is not within the mandate of the Committee.

Logistical issues relating to conduct of examinations and releasing of results.

The Committee was impressed by the Examination Unit of the Law College and the members were of the view that the same should be adequately strengthened where necessary to cope with the additional demands it may have to cope with if the recommendations of this Committee are to be implemented. The necessity to carry out a "needs assessment" has already been highlighted. We were informed that the Examination Unit has requested for an

upgrade of the software, to improve the efficacy of the functioning of the Unit. This needs to be prioritized and the use of the Unit should be extended to registration of students as well, which is done manually at present. The Committee is of the view that if the Examination Unit can be upgraded, the efficiency of the conduct of examinations can be improved considerably. This is another aspect that the Board of Studies needs to address on an urgent basis.

Streamlining the scrutiny of answer scripts

(I) The Committee is also of the view that the present scheme/ methodology of scrutiny of the answer scripts needs to be evaluated and any shortcomings will have to be addressed, if the results are to be released on a pre-determined date. It transpired in the discussion that some examiners default, in returning the answer scripts upon correcting.

(II) The Committee was unanimous that the lecturer who sets the paper should not be permitted to correct the answer- scripts. They should, however, be called upon to provide a comprehensive marking scheme along with the draft question paper.

(III) The competency of the examiners was another factor that the Committee thought that should be visited. The Committee was of the view that in order to ensure maintaining of the highest possible standard of scrutiny of answer scripts, persons with sufficient competency should be chosen and in addition they should be entrusted with only a reasonable number of answer scripts for marking. This may require not only to re-evaluate the examiners in terms of their qualifications and competency, who is currently in the pool but also consider enhancing the numbers as well.

Setting time lines for the scrutiny of answer scripts

(I) It was also agreed that the examiners should be permitted a maximum period of two months to carry out the scrutiny of the answer scripts and if an examiner fails to stick to the time stipulated, to have the answer scripts that have not been scrutinised collected and that they be given to another examiner for scrutiny.

(II) Examination budget

In the course of the discussions, it transpired that the cost incurred by the Law College in conducting the examinations, exceeds by a considerable amount the revenue collected from the students as examination fees. The Committee, however, was informed by the Law College that the Examination Fees has undergone a revision and the examination fee for each subject has been raised to Rs.750.00. It was also brought to the notice of the Committee that with the upward revision of the fees, the Law College does not envisage encountering a financial shortfall in holding the examinations with the revenue collected as examination fees.

Reintroduction of the short-written test (swt) or Introduction of rescruity of answer scripts.

The Committee was also of the view that the wisdom of doing away with the Short-Written Test (SWT) needs to be revisited. In the course of the representations by the office bearers of the LSU, it was pointed out that in the June/July Final year examination 2019, of the 28 referred Students who sat the Commercial Law II paper, only three (3) students had been successful'. In addition, it was also pointed out that a student who sat the final exam had got through all the , Papers and averaged near 50 but in one subject had received only 17 marks 2. The students complained that such students had no avenue even to check whether the low mark was due to any human/ technical error. Prof. Tamilmaran pointed out that the practice adopted by the University of Colombo is that the answer scripts are scrutinised by two examiners. In the event that there is a significant difference between the marks allocated by the respective examiners, the answer script is referred to a third examiner. In the absence of any such mechanism, the Committee was of the view that some opening should be made available to a student under limited circumstances to have an answer script rescruity or the option of facing the SWT. The Committee does not wish to make a firm recommendation at this point of time without a detail study as to the feasibility of what is proposed.

Findings and recommendations

Fixing dates, both for the conduct of examinations and releasing of results up front, are feasible. The members were of the view that this could be achieved with a minimum adjustment to the existing system of conducting examinations.

The reintroduction of SWT or any other mechanism to address any grievance of a candidate should be considered by the Board of Studies and the Board should be mandated in that regard in the event the present mandate does not permit them to do so. Prof. Tamilmaran also suggested that a mechanism should be put in place to face any systemic failure that might occur in the conduct of the examinations.

Recommendations in summary

1. The Law College to take immediate steps to prepare and publish an academic calendar, including dates of release of results and practical training.
2. The Practical Training program for the next batch of apprentices to be finalised before December.
3. Carry out a 'needs assessment' of logistics etc. required for examinations.
4. Take immediate steps to upgrade the software used by the Examination Unit to cope up with the additional demands on the system in implementing these recommendations.
5. The lecturer of the subject should not be permitted to scrutinise the answer scripts.
6. Increase the number of examiners.
7. Board of studies to carry out an in-depth study and report on the issue of SWT and relevant matters.

9 The Future Of Legal Education

A subcommittee of the Bar Association of Sri Lanka, headed by Mr. Ali Sabry, President's Counsel, was appointed in 2017 to look into the present status of legal education in Sri Lanka and to make recommendations on how best to overcome the challenges identified.

After extensive research and brainstorming for over 2 years, the committee comprising several highly respected senior and junior members of the Bar, made multiple rounds of presentations to various stakeholders and decision-making bodies, including inter alia, most notably, the then members of the Council of Legal Education and the Bar Council, regards the preliminary findings and conclusions arrived at by the Committee. It is salient to note that the public were made aware of the fact that the Bar Association had embarked on this process and recommendations and representations were called for by all State and Private Higher Education Institutions. Furthermore, presentations were made to senior members of the Bar on multiple occasions.

Based on the feedback received by various stakeholders, the report of the Committee was amended and refined so as to ensure all concerns were addressed. The Final Report was thereafter presented to the Council of Legal Education, along with a proposal on how best to amend the ICLE Rules so as to reflect the recommendations made in the Report.

Thereafter, a subcommittee of the Council of Legal Education was appointed to delve deeper into the Report, and revert to the Council regards same. Subsequent to this, the Council devoted several hours to exhaustively perusing each and every new Rule recommended by the Committee and the approval of the Council was given to same. Thereafter the same has been translated into Sinhala. Thereafter, as per the consensus arrived at by the members of the Council, the Rules have been forwarded to the Ministry of Justice to be gazetted.

The subcommittee has made recommendations with regards to the following:

1. Regulating the entry criteria to the Law College.
2. How to reform the Law College itself from the administration and infrastructure facilities to the curriculum.
3. Continuous Professional Development of the BASL: To benefit the members of the Bar by facilitating a means of continuing their development and thereby improving the standards in the practice.

10 Organisation Of Professional Associations (OPA) Committee Of The BASL

Chairman:

Mr. Kamal R. Goonesinghe

Convener:

Mr. Sujeewa Lal Dahanayake

At the OPA Annual General Meeting held in 2019, representing BASL, Ms. Ruchira Gunasekera was elected as the first ever female General Secretary of the OPA in its 45 year history since its inception in 1975. She is the immediate Chairperson of the OPA Committee of the BASL.

Mr. Sujeewa Lal Dahanayake was elected as a Vice President of the OPA for the second consecutive year. Mr. Kamal R. Goonesinghe and Mr. Sunil Abeyaratne were appointed as the Association Member and Representative Member-Law respectively to the Executive Committee of the OPA for the year 2019/2020.

The following members were appointed to the General Forum of the OPA for the year 2019/2020.

1. Mr. Jayantha De Z Gunasekera PC
2. Mr. Nihal Serasinge
3. Mr. Upali Gooneratne PC
4. Mr. Raja Collure
5. Mr. Upula Fernando
6. Mr. K. Gnanasegareem
7. Mr. Neil Dias
8. Mr. R. M. Sisira Rathnayake
9. Mr. Mass Usuf
10. Ms. Kishani Jayasinghe

The above committee members who were selected to the Forum of the OPA representing the

Bar Association of Sri Lanka are actively involved in OPA activities and also serving on many sub committees appointed by the OPA.

Mr. Sunil Abeyaratne, served in the three - member Election Panel of the OPA under which the General Election of the OPA was held in October 2019. Mr. Sunil Abeyaratne also chaired the Special Committee on "Constitutional Amendments of the OPA" for the year 2019/2020 and Mr. Kamal R. Goonesinghe was appointed as a member of the same committee.

Mr. Sujeewa Lal Dahanayake was appointed as the Chairman of the Sector Committee of National Security, Law and Order for the second consecutive year.

The Committee has held 05 meetings from May 2019 to January 2020.

The OPA committee had several discussions in relation to current national issues including "Applicability of a Common Law to all citizens in Sri Lanka", and formed three sub- committees namely Professional Interaction, Law & Order and Welfare.

The committee planned a Round Table Discussion and Annual Technical Session on the topics of "Role of the authorities on effective enforcement on the rights of women and children", and "Role of Secretaries of the Ministries: How to bring back good policies " to be held during the month of March 2020 and both events were postponed due to the prevailing situation in the country.

Chairman Mr. Sujeewa Lal Dahanayake and the members of the National Security, Law & Order Committee, Ms. Ruchira Gunasekera and Messrs. Sunil Abeyaratne, Kamal R. Goonesinghe, Maas Usuf and Sisira Ratnayake, were instrumental in organizing three back to back webinars, during the Covid 19 pandemic period. These were under timely national issues namely "The Post Covid 19 Employment Crisis", "The impact of the Covid 19 on Sri Lankan Migrant Workers" and the "Sustainable Cyber Security: The way forward". DIG- Legal Affairs Mr. Ajith Rohana who was co-opted to the National Security, Law & Order committee, has played a vital role as a Resource Person for those webinars and also in assisting the OPA- BASL committee in many ways.

We gratefully appreciate the great contribution of the senior committee member Late Mr. J. K. Liyanasuriya who served the OPA - BASL committee and represented BASL as a

Representative member -Law and Association member of the OPA for more than three decades.

The committee expressed its greatest appreciation for the support and cooperation extended by the President, Deputy President, Secretary, Treasurer, Assistant Secretary, and Executive Committee, Members of the Bar Council and Administrative Staff of the BASL towards the activities of the OPA -BASL committee.

06

ASSISTANCE TO OUTSTATION BARS

- Donation of Computers
 - Donation of Chairs
 - Donation of Legal Publications
 - Development of Courts in Outstations
-

The BASL was mindful of the assistance which needed to be extended to the Branch Associations of the BASL. In this context the letter dated 21st June 2019 was dispatched to all Branch Associations inter alia requesting to submit the details referred to therein. However, it is regrettable to place on record, even after

much persuasions, only 11 out of the 84 Branch Associations complied with the said request. In any event, the following assistance was extended by the BASL to the outstation bars with the prime object of assisting to discharge the professional duties in order to maintain the Rule of Law.



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

21st June 2019

TO ALL BRANCH PRESIDENTS AND SECRETARIES

I write to highlight some burning issues concerning the legal profession. I would thank you to consider the issues identified below and submit your proposals within 1 month so that the Bar Association of Sri Lanka (BASL) could take appropriate action on these matters.

1. Non-lawyers practicing law

During the last few months we observed that there are non-lawyers practicing the legal profession. In terms of the Judicature Act the licence to practice law is a licence granted to an individual. Partnerships are permitted where two or more persons who are qualified lawyers could get together and have a legal practice. Companies are not permitted to practice law. No foreign companies are also allowed to practice law.

If you find entities which violate the above rules please submit information of these entities so that the BASL could pursue action.

2. Touting

In terms of the Supreme Court Rules touting is banned. It amounts to unethical conduct. We have observed that this unsavoury practice is taking place in certain stations.

The Branch Association should conduct a meeting and identify those involved in practice. The Rules stipulate that a lawyer cannot share his earnings from the profession with a non-lawyer. Be mindful of this fact and please submit to us immediately the names of any such practitioner and also any intermeddler. The BASL will take action under the Intermeddlers with Suitors Ordinance.

President	Deputy President	Secretary	Treasurer	Assistant Secretary
Kalinga Indatissa PC	Shavindra Fernando PC	Kaushalya Nawaratne	Nalin C. De Silva	Vishwa de Livera Tennekoon

No. 153, Mihindu Mawatha, Colombo 12, Sri Lanka

3. Dress Code

The dress code for lawyers have been published in the Supreme Court Rules 1978 Gazette No. 14 and dated 07.09. 1978 . The rules were amended in 2018 specially regarding the dress code of female lawyers. However, the Extraordinary-Gazette dated 5th October 2018 and bearing No. 2091/72 has not been made operational up to now by the Hon. Chief Justice. Accordingly, the rules prevailing as at now are the Rules stated in Gazette No 14 dated 07.09.1978.

We will be informing His Lordship the Chief Justice of the necessity to make the 2018 Gazette operational. Please advise the members of the Branch Association to comply with the dress code requirements in the 1978 Rules until the 2018 Gazette is made operational.

4. Jurisdiction issue

In the recent past the jurisdiction of courts have been frequently changed on an ad hoc basis. On most occasions the stake holders are not contacted.

If your branch has any issue relating to the change of jurisdiction please make representations with material to substantiate your position and in a comprehensive way.

5. Security issue

Owing to the incidents that took place on the 21st of April 2019 the security of the court houses have been intensified. While recognizing the importance of security and security arrangements, the BASL has also received information that in certain stations a lot of inconvenience is being caused to the members by reason of rigid inflexible and imprudent approach specially relating to the parking facilities extended to the members.

If your Branch is undergoing such difficulty please make every effort to resolve the issue with the most senior judge. If there is no result please inform the issue in writing to the BASL so that we could take up this issue with the Hon. Chief Justice.

6. Court Hours

We have received information from a number of courts about the irregular court hours in their respective stations. This causes inconvenience to the members and the public. In the event your Bar is experiencing this difficulty please provide all details to us.

7. Land Registry issues

We have received a number of complaints pertaining to several issue at the respective Land Registries. Some appear to be common problems while there are some issues limited to particular stations. We intend to take up this issue with the authorities.

8. Lack or shortage of furniture

Please identify the requirements of your Bar as we intend to take this up with the Ministry.

Please submit your view on this aspect so that we could formulate a document covering all stations.

Please be good enough to make an effort to submit your observations on time. Ideally you should hold a meeting with the members and identify the issue applicable to your branch.

Please develop a document and submit the same within the time mentioned in this letter.

Please address all observations to the Secretary and keep your Zonal VP informed.

Thank you.

Yours faithfully,



Kalunga Indarissa PC
President
Bar Association of Sri Lanka

Donation of Computers

The BASL was mindful of the assistance which needed to be extended to the Branch Associations of the BASL. In this context the letter dated 21st June 2019 was dispatched to all Branch Associations inter alia requesting to submit the details referred to therein. However, it is regrettable to place on record, even after much persuasions, only 11 out of the 84 Branch Associations complied with the said request.

In any event, the following assistance was extended by the BASL to the outstation bars with the prime object of assisting to discharge the professional duties in order to maintain the Rule of Law.

1. Tangalla Bar Association	Donated by Mr. Chandaka Jayasundera , PC
2. Nawalapitiya Bar Association	Donated by Mr. Anurudha Perera, AAL
3. Kandy Bar Association	Donated by Mr. Faiz Mustapha, PC
4. Kurunegala Bar Association	Donated by Mr. Anil Tittawela, PC
5. Kuliypitiya Bar Association	Donated by Mr. Amila Palliyage, AAL
6. Ratnapura Bar Association	Donated by Mr. Anuja Premaratna, PC
7. Mathugama Bar Association	Donated by Mr. Manilal Fernando, AAL
8. Matale Bar Association	Donated by Mr. Mohan Weerakoon, PC
9. Mt. Lavinia Bar Association	Donated by Mr. Shavindra Fernando, PC
10. Kegalle Bar Association	Donated by Mr. Kalinga Indatissa, PC
11. Negombo Bar Association	Donated by Mr. A A M Illiyas, PC
12. Tissamaharama Bar Association	Donated by Mr. Chandima Muthukumarana , AAL
13. Anuradhapura Bar Association	Donated by Mr. Samantha Ratwatte, PC
14. Colombo Magistrates Lawyers Association	Donated by Mr. Kaushalya Nawarathna, AAL
15. Kekirawa Bar Association	Donated by Mr. Faris Sallay, AAL
16 . Batticaloa Bar Association	Donated by Mr. Mahesh Senaratne, AAL
17. Jaffna Bar Association	Donated by Mr. G G Arulpragasam, AAL
18. Trincomalee Bar Association	Donated By Mr. Mohan Balendra, AAL

Donation of Chairs

Chairs costing Rs. 5,180.75 each have been donated to the following branches in given quantities:

1. Kegalle Bar Association (10)
2. Ruwanwella Bar Association (10)
3. Balangoda Bar Association (15)
4. Bibile Bar Association (15)
5. Thissamaharama Bar Association (15)
6. Bandarawela Bar Association (15)
7. Colombo Magistrates Lawyers Association (15)
8. Welimada Bar Association (15)
9. Mahiyanganaya Bar Association (15)
10. Ratnapura Bar Association (10)
11. Mannar Bar Association (10)
12. Pelmadulla Bar Association (10)
13. Kilinichchi Bar Association (10)
14. Vavuniya Bar Association (10)
15. Samanthurai Bar Association (10)
16. Mulativu Bar Association (10)
17. Batticaloa Bar Association (10)
18. Matale Bar Association (10)

Donation of Legal Publications

- Blackhall's Laws of Sri Lanka (Vol. A-Z) was donated to the Kegalle Bar Association.
- A sent of SLR's were donated to the Bar Association of Matale.

The following Legal Publications were donated to the Branch Association hereinafter mentioned:

1. Lawyers Hand Book
2. Law Journal 2004-2006 (Unreported)
3. BASL Law Journal (Unreported) Vol 6 (2007)
4. BASL Law Journal (Unreported) Vol 2,3,4 (2008)
5. BASL Law Journal (Unreported) Vol 7 (2008)
6. Law Journal 2013
7. Law Journal 2015
8. Law Journal 2017
9. Law Journal 2018
10. Junior Bar Law Journal 2015
11. Junior Bar Law Journal 2016
12. Junior Bar Law Journal 2018
13. Civil & Criminal 2014 (Unreported)
14. Civil Law (Unreported) 2017 Vol 1
15. Civil Law (Unreported) 2018 Vol 1 & 2
16. Civil & Criminal 2019 Vol 1
17. Criminal 2009 (1) Unreported
18. Criminal Law 2012 Vol 1
19. Criminal Law 2016 Vol 2
20. Criminal Law 2017 Vol 2
21. Criminal Law 2018 Vol 1
22. Criminal Law 2018 Vol 2
23. Criminal Law 2019 Vol 1
24. Lawyers Directory 2017
25. Role of Instructing Attorney
26. Law Reports 2012 (CIVIL) Unreported
27. Supreme Court Rules
28. Laws of Sri Lanka Vol 1 & 2
29. Seminar Papers File
30. Constitution of the Bar Association of Sri Lanka
31. BASL Calendar 2020
32. Hand Book 1 for Apprentices & Young Lawyers 2019
33. Hand Book 2 on Admiralty Law & Practice 2019
34. Hand Book 3 on Laws Relating to Children 2019
35. Hand Book 4 on Laws Relating to Women's Rights 2019
36. Hand Book 6 for Notaries 2019
36. Hand Book 7 on Military Law 2019



Donations made to the following Branch Bars at the Provincial Law Conference, UVA held on 8th February 2020

1. Bandarawela Bar Association
2. Bibile Bar Association
3. Thissamaharama Bar Association
4. Welimada Bar Association
5. Mahiyangana Bar Association
6. Badulla Bar Association
7. Wellawaya Bar Association
8. Monaragala Bar Association

Donations made to the following Branch Bars at the Provincial Law Conference, Sabaragamuwa held on 9th February 2020

1. Kegalle Bar Association
2. Warakapola Bar Association
3. Ruwanwella Bar Association

Donations made to the following Branch Bars at the 11th Bar Council Meeting -29th February 2020

1. Colombo Magistrates Lawyers Association
2. Mannar Bar Association
3. Killinochchi Bar Association
4. Vavuniya Bar Association
5. Samanthurai Bar Association
6. Wariyapola Bar Association
7. Mulathivu Bar Association
8. Batticaloa Bar Association
9. Kurunegala Bar Association
10. Hettipola Bar Association
11. Pelmadulla Bar Association

Donations made to the following Branch Association at the Provincial Law Conference - Gall held on 9th March 2020

1. Elpitiya Bar Association
2. Tangalle Bar Association
3. Morawaka Bar Association
4. Balapitiya Bar Association
5. Kalutara Bar Association
6. Horana Bar Association
7. Matara Bar Association
8. Hambantota Bar Association
9. Galle Bar Association
10. Baddegama Bar Association
11. Panadura Bar Association
12. Matugama Bar Association

Donations made to the following Branch Association at the Provincial Law Conference – Marawila held on 14th February 2020.

1. Marawila Bar Association
2. Chilaw Bar Association
3. Puttalam Bar Association
4. Anamaduwa Bar Association
5. Gampaha Bar Association
6. Attanagalla Bar Association
7. Mahara Bar Association
8. Pugoda Bar Association
9. Minuwangoda Bar Association
10. Negombo Bar Association
11. Kuliypitiya Bar Association
12. Wattala Bar Association
13. Kaduwela Bar Association
14. Galgamuwa Bar Association
15. Kaduwela Bar Association

Development of Outstation Courts

Requests made by Branch Associations

Senior members of the BASL regularly attended meetings of the Parliamentary Sectoral Oversight Committee on Legal Affairs (Anti-corruption) & Media, to represent the BASL in national issues. The Committee requested information on requirement of facilities in courts of Sri Lanka, and the BASL wrote to its Branch Associations to immediately summon a meeting and identify such facilities they are in need of. Accordingly, the Branch Associations communicated the following requirement of facilities:

Mahara Lawyers' Association

- Starting proposed Mahara Land Registry without delay
- Repairing the roof of the court building to stop water leaking when it rains
- Repairing to avoid the electrical supply breakdown in the top floor of the Court building
- Granting permission to start the welfare canteen for lawyers and staff without charging rent
- Adjoining state-owned bare land to be acquired to the Ministry of Justice for the construction of an additional Court building, a car park for lawyers and a new lawyers' office complex.

Mount Lavinia Bar Association

- New building complex for court premises with adequate space for courts, new criminal High Court, judges' chambers, lawyers' rest rooms and underground car park.

Nugegoda Bar Association

- Allocation of space for the Additional Magistrate's Court
- Allocation of room for the lawyers' room in the ground floor
- Supplying 50 chairs and 6 tables for the court rooms and lawyers' room

- Supplying collection of New Law Reports, Sri Lankan Law Reports and Legislative Enactments for the use in the library of the court premises
- Supplying a computer and printer for the use of the library

Moratuwa Lawyers Association

- Construction of a new courts complex, making provision for court rooms, record rooms, judges' chambers, law library and lawyers' recreation rooms, as well as a second building for lawyers' chambers and office facilities for Legal Aid Commission, Family Counselor, and Probation Officer.
- Alternatively, revamping of the existing court premises by demolishing the existing structure and construction of new premises.

Balapitiya Lawyers Association

- Enlarging the record room of the District Court
- Providing a canteen and recreation room for lawyers

Mawanella Lawyers Association

- Construction of a new courts complex

Kegalle Lawyers Association

- Removing the wall built on 14.10.2019 blocking the path that connected the office of Mr. E.W.L. Peiris, PC, and the Court premises, for 35 years and constructing a new gate.

Puttalam Bar Association

- Supplying 2 Bar tables, 50 chairs, a generator, a computer, water filter, photocopy machine, and a book cupboard
- Renovating the toilet facilities

The above requirements were communicated to the Parliamentary Sectoral Oversight Committee by the President.



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

05th February 2020

Mr. C Kalansooriya,
Secretary,
Sectoral Oversight Committee on Legal Affairs,
The Parliament,
Committee Office 2,
Sri Jayawardenapura, Kotte.

Dear Sir,

SECTORAL OVERSIGHT COMMITTEE ON LEGAL AFFAIRS

We write with reference to your letter dated 14th November 2019.

Accordingly please find enclosed herewith copies of the letters received by the BASL wherein the members of the Bar have requested to furnish the facilities identified therein. It is appreciated if you could kindly take the necessary steps to provide the facilities requested therein specially in view of the hardships faced by the General public as well as the members of the Bar.

Your early attention in this regard is highly appreciated.

Thank you
Yours faithfully

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka

Copies

1. Mr. Ravindra Manoj Gamage, President, Moratuwa Bar Association
2. Mr. Vasantha Ranjith Gajanayake, PC, Zonal Vice President - Colombo South
3. Mr. G. K. Pathirana, President, Mahara Lawyers' Association
4. Ms. Ushala Somirathne, Secretary, Balapitiya Lawyers' Association
5. Mr. M. R. Sarath Bandara, President, Mawanella Bar Association
6. Mr. Romel Wijewardena, President, Kegalle Lawyers' Association
7. Mr. A. M. Samsu Rafi, Secretary, Puttalam Branch, B-6, Kachchery Road, Pauttalam.

President: Kailnga Indatissa PC Deputy President: Shavindra Fernando PC Secretary: Kaushalya Nawaratne Treasurer: Nalin C. De Silva Assistant Secretary: Vishwa de Livera Tennekoor

No. 153, Mihindu Mawatha, Colombo 12, Sri Lanka.
Telephone : +94 11 2447134, +94 11 2331697, Fax : +94 11 2448090 E-mail: basl.lawnet@gmail.com Web: www.basl.lk

Request for the New Court Complex for Matara Bar

The Matara Law Society communicated their concerns to the BASL regarding the relocating of the Matara Court Complex to Labeema, including the absence of adequate office space for the lawyers. The BASL took steps to bring the attention of his Lordship the Chief Justice to said matters. Subsequently a delegation of the Matara Law Society met the Honorable Prime Minister on 20th January 2020. The Prime Minister gave necessary instructions to the relevant authorities to hand over the state land allocated for the above-mentioned office complex to the Matara Law Society, through the BASL.

On the intervention of the President of the Bar Association of Sri Lanka the members of the Matara Law Society had discussions with Hon. Prime Minister and Hon. Nimal Siripala De Silva the Minister of Justice with favorable outcome.



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Matara Law Society

மாத்தறை சட்டத்தரணிகள் சங்கம்
The Law Library, Fort, Matara. T.P/ Fax: 041-2223379

20.01 2020

Honourable President
Bar Association of Sri Lanka,
Colombo 12.

Honourable Sir,

NEW LAWYERS OFFICE COMPLEX – KOTAWILA , MATARA

At the meeting attended by the President, Secretary and a delegation of the Matara Law Society with the Honourable Prime Minister at Temple Trees on the 20th of January 2020, the Honourable Prime Minister gave necessary instructions to the relevant authorities to hand over the state land allocated for the above mentioned office complex to the Matara Law Society, through the Bar Association of Sri Lanka.

The Honourable Prime Minister specifically instructed not to handover the said land to any other individual Lawyers, a body of Lawyers or any other Institution.

Therefore we urge your Honour to take necessary steps to take over the said land and entrust it to the Matara Law Society so that Matara Law Society can expeditiously construct the said office Complex.

Thanking You,

Yours faithfully

Chula Subadra Pathirana
President
Matara Law Society



Sumedha Kulathunga
Secretary
Matara Law Society

Members:

Chandra Kumara Wijayagunawardhana
041-2222750/041-2227370
D.H. Maltiresapala
041-2222448

President

Chula Subadra Pathirana
071 4260262

Secretary:

Sumedha Kulathunga
077 2267325

Treasurer:

C.N.Lokuyyanage
071 8254255/077 3447472

07

RELATIONS WITH INTERNATIONAL BAR ASSOCIATIONS

- LawAsia – 2019
 - Participation at the Opening of the Malaysian Legal Year 2020
 - MOU between Malaysian Bar Association and the Bar Association Of Sri Lanka
-

LawAsia-2019

32nd LAWASIA CONFERENCE 2019
"Harmonisation through Synergy"
 5-8 November 2019 | Hong Kong SAR

Registrations are now OPEN!

VENUES
 The conference and its social functions will be held across different venues

Wednesday 6 November 2019
 JW Marriott Hotel Hong Kong - Pacific Place, 88 Queensway, Hong Kong SAR

- Conference Registration
- Opening Ceremony

Conference Lunch including Guest Speaker presentation
 • Renaissance Harbour View Hotel Hong Kong, 1 Harbour Road, Woon Chai, Hong Kong SAR and is ideally located next to the Hong Kong Convention and Exhibition Centre (HKCEC).

Thursday 7 - Friday 8 November 2019

Conference
 Hong Kong Convention and Exhibition Centre

- Conference Registration Continues
- Conference Working Sessions
- Panel Meet Competition
- Closing Ceremony

CONFERENCE PROGRAM
<https://lawasia2019.com/program/conference-program>

CONFERENCE REGISTRATION
<https://lawasia.eventsb2b.com/32nd-lawasia-conference-2019/registration/516/register>

CONFERENCE REGISTRATION IN AUD.

DELEGATE CATEGORY	FEE (AUD)
YOUNG LAWYER - CATEGORY B*	1,399.00
LAWASIA MEMBER (EARLY BIRD) - CATEGORY B*	1,450.00
LAWASIA MEMBER - CATEGORY B*	1,550.00
NON-MEMBER (EARLY BIRD)	2,200.00
NON-MEMBER	3,400.00

LAWASIA MEMBERSHIP
<https://www.lawasia.asia.au/membership/member-ship-fees>

CONFERENCE REGISTRATION & MEMBERSHIP FEES HAVE TO BE PAID ONLINE BY PARTICIPANT.

FOR MORE INFO
<https://lawasia2019.com>

AWAIT DETAILS OF BASL TRAVEL & ACCOMMODATION PACKAGE.

LAWASIA MEMBERSHIP IN AUD.

CATEGORY	1 YEAR	3 YEARS
INDIVIDUAL MEMBERSHIP	28.00	284.00
YOUNG LAWYER MEMBERSHIP	77.00	314.00

KAUSHALYA NAWARATNE
 SECRETARY
 BAR ASSOCIATION OF SRI LANKA

CONTACT
 No. 133, Mirisalu Mawatha, Colombo 12
 Telephone: 0704 408 333

The BASL always encourages its members to participate in international events where Sri Lankan lawyers get the opportunity to cultivate new affiliations with regional and international legal communities. Accordingly, a delegation consisting of 33 members representing BASL attended the 32nd Law Asia Conference held in Hong Kong SAR, China from 5th to 8th November 2019 under the theme "Harmonization through Synergy".

The Annual Conference is LAWASIA's flagship event and the highlight of its professional events program. The Conference is a platform for the convergence of bar leaders, jurists, professional organizations and individual lawyers from across the Asia Pacific, and is designed to facilitate the discussion of regional developments in law, including such issues as judicial practice, legal education, cross border business and investment law and cross-border dispute resolution.

LAWASIA
 THE LAW ASSOCIATION FOR ASIA AND THE PACIFIC

LAWASIA Executive Committee 2019-2020

Connecting the legal profession in the Asia Pacific

At this Conference Mr. Kaushalya Nawaratne, Secretary of the Bar Association of Sri Lanka and Mr. Upul Jayasuriya, PC (former President BASL) were elected as members of the LAWASIA Executive Committee 2019/2020.

Mr. Upul Jayasuriya PC was the Chairman of the organizing committee of the LAWASIA Golden Jubilee Conference held in Colombo - Sri Lanka in August 2016, and has been an active member of LAWASIA since 1992.



Participation at the Opening of the Malaysian Legal Year 2020



The Opening of the Legal Year 2020 in Kuala Lumpur, Malaysia took place on 10th of January 2020. The Malaysian Bar had been invited by the Honorable Chief Justice YAA Tan Sri Tengku Maimun binti Tuan Mat to extend an invitation to help coordinate the participation of foreign bar leaders to that event and Mr. Kalinga Indatissa, PC had been invited to participate at that event.



MOU between Malaysian Bar Association and the Bar Association of Sri Lanka

A Memorandum of understanding between Bar Association of Sri Lanka and The Malaysian Bar was signed on 9th January 2020. The period of MOU commences on the date it is executed on 9 January 2020 and will continue indefinitely unless terminated by either Party in accordance with Clause 9.3 of the MOU.

It is the intention of both parties to communicate with each other on a regular basis. For these purposes, the Parties will endeavor to meet in person or communicate by electronic means on at least two occasions each year to discuss the progress of this MOU. As well as each party encourages and welcome visits by delegations, officers and representatives from the other Party to their respective territories as an avenue of exchanging ideas and learning the developments of the legal system in each Party's country. In addition to that, the Parties agreed to develop a reciprocal services arrangement for the benefit of each Party's members who travel between

Sri Lanka and Malaysia. The reciprocal services arrangement will enable members of each Party to access agreed member services on the same basis as local members.

Under this agreement each Party will provide guidance in relation to meeting mandatory CPD requirements to those members of the other Party who wish to hold practicing certificates in both Sri Lanka and Malaysia, shall endeavor to organize joint advocacy training activities to support the development of the legal profession, shall endeavor to provide promotional support for each organization's conferences or events through email distribution of relevant materials to their members or appropriate notice on the website or other means available. And also shall exchange information on the regulations of foreign lawyers in their respective jurisdictions and support members of both organizations in complying with the relevant regulations and guidelines with respect to liberalization of legal services.

08

**LEGAL AID
& ACCESS
TO JUSTICE**

• Legal Aid Clinic at
Killinochchiya

• Legal Aid Clinic at
Katuwapitiya

Regular Legal Aid Clinics conducted by the Legal Aid Standing Committee

In achieving its objective of ensuring equality and justice for all Sri Lankans the BASL calls for the contributions of the 'Legal Aid and Public Interest Litigation Committee'. The committee moves towards this goal through providing legal aid services and public interest litigation that will promote, reinforce and safeguard the rule of law and good governance. The responsibility of achieving said objective mainly lies on said committee.

Legal Aid Clinic at Killinochchiya

A very successful Legal Aid Clinic was held at Nelum Piyasa- Army camp Iranamadu, Killinochchiya on 14th Of July 2019. Nearly 1000 people in Northern Province sought Legal Aid at the clinic and Major General Mr. Wijitha

Ravipriya and Senior Deputy Inspector General Northern Province Mr. Ravi Wijegunawardana also participated and the clinic was facilitated by Army and Police Officers in Kilinochchiya.





Legal Aid Clinic in Katuwapitiya

A legal Aid Clinic was organized in Katuwapitiya by the Committee Chaired by Mr. Shamal Perera PC to Assist the Terrorist Attack Victims and Victims of Violence of the Easter Sunday Attacks.





09

**MATTERS RELATING
TO THE MEMBERS**

• Report of the Chairman
Professional Purpose Committee

• Matters relating to the attire
of Attorneys-at-Law

Report of the Chairman Professional Purpose Committee



Chairman:
Mr. G.G. Arulpragasam Attorney-at-Law
Convener:
Mrs. Suranee Samarasekara

As the Chairman of the Professional Purposes Committee of the Bar Association of Sri Lanka I have been tasked with overseeing all complaints made against Attorneys-at-Law and to adjudicate justice to the aggrieved litigants/party.

I continue my position as the Chairman of the Professional Purposes Committee of the Bar Association of Sri Lanka for the third consecutive year.

Over the years I have seen reputed members of the bar being subject to humiliation when explanations were called from them or where a disciplinary inquiry had commenced on frivolous and baseless complaints. It is due to this very reason that I put in place, a two pronged system whereby, every complaint made against an Attorney-at-Law would initially be screened by

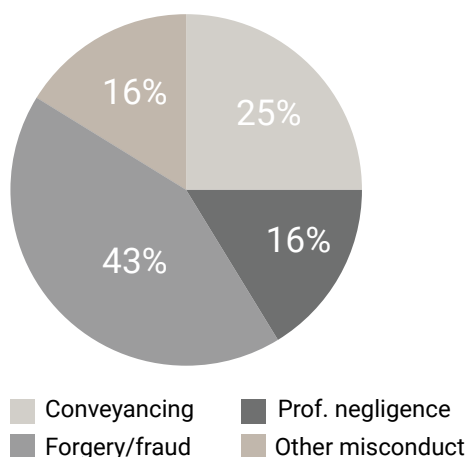
the Chairman of the Professional Purposes Committee in order to ascertain whether a prima facie case exists and upon being satisfied by the genuineness and/or the merits of the complaint, the Chairman would thereafter refer the complaint to a panel to inquire into the complaint.

For the year 2019, I have received close to One Hundred and Eighty Six (186) complaints against Attorneys-at-Law. In comparison to the year 2018, there is an increase in the number of complaints received, compared to the previous year and a majority of the complaints are in relation to forgery and fraud.

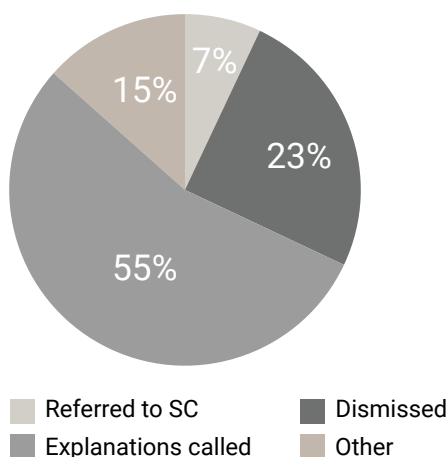
I have looked into all matters referred to me and given necessary instructions. Accordingly, I have recommended referring 7% of the complaints together with inquiry panel rulings to His Lordship the Chief Justice to take appropriate steps. I have also recommended dismissing 23% of the complaints received due to lack of genuineness and/or merits and/or jurisdiction. I have also recommended calling for explanations from 55% of the Respondent Attorneys-at-Law and the remaining 15% of the complaints shown as 'OTHERS' includes instances where I have requested for Affidavit/s, further information and/or documents from the complainant.

I believe it is of paramount importance to expedite the adjudication process as our profession will lose its nobility very soon if we fail to and/or neglect to take necessary steps in addressing the complaints received and allegations leveled against Lawyers.

Nature of Complaint/s



Steps taken by the PPC



Matters relating to the attire of Attorneys-at-Law

Chairman:

Mr. Amal A. Randeniya

Convener:

Ms. Rashmini Indatissa

The Committee to determine the rules relating to attire for Attorneys-at-Law was appointed by the President BASL Mr. Kalinga Indatissa PC consequent to concern expressed by members of the Bench and the Bar regarding the lack of uniformity when it comes to the attire of Attorneys-at-Law. This situation was further exacerbated by Extraordinary Gazette No. 2091/72 dated 05th October 2018, a regulation permitting smart suits for female Attorneys-at-Law. However, even though the Gazette was published, the BASL noted that it required an operative date to be nominated by the Chief Justice and as no such date had been specified, the aforementioned Extraordinary Gazette was inoperative. Therefore, only the Supreme Court Rules of 1978 were applicable to the attire of Attorneys-at-law.

As a result of the uncertainty surrounding permitted court attire, a 15 member committee

to review and determine the attire for Attorneys-at-Law was appointed under the Chairmanship of Mr. Amal Randeniya, Attorney-at-Law. The mandate of the aforementioned committee is (i) to identify the dress code for male Attorneys-at-Law, (ii) to identify the dress code for female Attorneys-at-Law, (iii) to identify the dress code for Silks. Furthermore, the committee was to review the applicability of the existing rules relating to attire of Attorneys-at-Law.

The first meeting was held on the 31st of October 2019 at the BASL Boardroom and in the subsequent meetings that followed, the committee reviewed the existing Supreme Court Rules and the rules enumerated in Extraordinary Gazette No. 2091/72 dated 05th October 2018 and concluded that in pursuance of uniformity and unambiguity, new rules were necessary. Furthermore, the Committee decided that a BASL Circular should be published further clarifying the new set of rules. The Committee is presently in the process of finalising the new rules and the guidelines.

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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 2091/72 - 2018 ඔක්තෝබර් මස 05 වැනි සිකුරාදා - 2018.10.05
No. 2091/72 - FRIDAY, OCTOBER 05, 2018

(Published by Authority)

PART II — LEGAL

Supreme Court Notices

SUPREME COURT RULES - 2018

RULES made under Article 136 of the Constitution of the Democratic Socialist Republic of Sri Lanka by the Chief Justice and the other Judges of the Supreme Court nominated by him under that Article.

1. W. P. G. Dep, Chief Justice
2. S. E. Wanasundera, Judge of the Supreme Court
3. B. P. Aluwihare, Judge of the Supreme Court
4. K. S. J. de Abrew, Judge of the Supreme Court.

Colombo,

1. These rules may be cited as the Attire of Judges and Attorneys-at-Law Rules of 2018. These rules amend the Attire of Judges and Attorneys-at-Law Rules 1978 by deletion of Rule 7 and substitution of new rule thereof and shall come into force on such date as may be appointed by the Chief Justice by Notification published in the *Gazette*.

Amendment to the Attire of Judges and Attorneys-at-Law Rules 1978 by the deletion of Rule 7 and Substitution of a new rule

7. The attire of women Attorneys-at-Law shall be as follows :

White, black, grey or mauve saree and jacket, or white, black, grey or mauve frock below the knee length or black coat and black long trousers up to the ankle with high necked white long sleeved shirt with collar tucked inside the trowse and black gown/cloak.



1A-G 28675—12 (10/2018)

This Gazette Extraordinary can be downloaded from www.documents.gov.lk



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

23rd October 2019

TO ALL BRANCH PRESIDENTS AND SECRETARIES

At a Bench and the Bar Meeting held on 02nd October 2016 at the Supreme Court Premises, chaired by His Lordship the Chief Justice and attended by all the Honourable Judges of the Supreme Court it was pointed out that the Attire for Female Lawyers as contained in Gazette (Extraordinary) dated 05th October 2018 and bearing No 2091/72, has not been made operational in terms of regulation one of the said Gazette.

Notwithstanding the fact that the Gazette has not been made operational, it was also observed that there are many Female Attorneys who have commenced using the attire specified in the said Gazette. It was also observed that there was no uniformity pertaining to the specified dress and the colours identified in the said Gazette.

It was decided further that the female attire has to be relooked at, and until such time this task is completed, the Female Attorneys should comply with the dress code specified in Government Extra Ordinary Gazette dated 07th September 1978 and bearing No1/4.

You are hereby requested to inform all members of your branch of the said decision. The Judicial Service Commission on their part would inform all Judges regarding the mandatory compliance with the rules set out in Government Extra Ordinary Gazette dated 07th September 1978 and bearing No1/4.

Kalinga N. Indatissa, PC
President
Bar Association of Sri Lanka

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka

President
Kalinga Indatissa PC

Deputy President
Shavindra Fernando PC

Secretary
Kaushalya Nawaratne

Treasurer
Nalin C. De Silva

Assistant Secretary
Vishwa de Livera Tennekoon

No. 153, Mihindu Mawatha, Colombo 12, Sri Lanka.
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10

THE BASL SECRETARIAT

- Sever Room and IT
Department

- New Computers
- New Junior Bar Wing

- Facelift to the Secretariat
- BASL Secretariat Staff

Server Room and IT Department

It is important to place on record that the legal profession shall compete with the rest of the professions in wake of the new trends in the globe. In this context Information Technology (IT) places a pivotal role in the legal profession inter alia in view of the steps been taken to digitalize the Courts as well as the respective registries. Having understood the importance of the upgrading the secretariat with new technology, the BASL sought the assistance of the USAID Core Justice Project to develop the IT system at the BASL. in this endeavour the said donor donated a fully equipped server room as well as the required computers, printers and accessories worth over 2.5 million.

The upgrading of the IT department and the infrastructure has clearly assisted the Management Committee to discharge its' functions more effectively for the benefit of the members. Our sincere thanks is extended to all members of the US AID Core Justice Program for all the support extended during the year under review.



New Computers



New Junior Bar Wing

The Junior Bar is the future of the legal profession. The Management Committee witnessed the difficulties faced by the junior members for not having a dedicated meeting room in Hulftsdorp. Due to the aforesaid the juniors were compelled to patronize places outside Hulftsdorp even to discuss BASL activities of the Junior Bar. Therefore, the Management Committee allocated a specific dedicated area at the BASL Secretariat for the juniors. We are happy to place on record that the Junior Bar Committee for the year 2019/2020 headed by Mr. Kuvera de Soysa, PC volunteered to refurbish the said room with necessary facilities.

This project was due to be completed in the month of March 2020. However, due to the Covid 19 pandemic the completion of the said project was prevented. The Management Committee is hopeful that the said project will be completed in the near future.



Facelift to the Secretariat



BASL Secretariat Staff

It is the view of the members of the Management Committee of the BASL that the BASL belongs to its membership. Thus, a vibrant, efficient and effective Secretariat is important to serve the numerous demands of our members. In this context several steps were taken by the Management Committee specially to mold and to train the staff to serve our members efficiently and with due respect. Further, several measures were taken to keep the membership updated with regard to the current affairs, news, and urgent matters on a prompt basis. Accordingly, we were able to serve the members more closely than ever.

In this regard several training programs were conducted for the staff of the BASL wherein steps were taken to develop the soft skills of the staff. Further, four sets of uniforms were handed over to each member of the staff. Importantly the staff were trained and directed to attend the needs of the members who visit the Secretariat efficiently, and without delay. We also recruited law interns for a fixed period to assist in the workload during the period under review.




11

MEMBERS' SOCIAL & WELFARE ACTIVITIES

• Exclusive Offers

Exclusive offers




Exclusive Offers from Mobitel


only for the Members of the Bar Association of Sri Lanka

BASL members can now enjoy amazing offers on Voice and Data packages

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Voice & Data Package	Rental Rs. 2,500 Unlimited Calls & SMS's to Mobitel numbers FREE 2000 mins to other networks Unlimited Data (FUP applicable)



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- 2017 - Platinum Excellence
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- විද්‍යුත් තැපෑල : pradeeeka@unionassurance.lk



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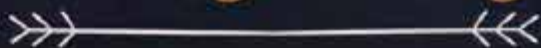
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Assewewa	-030 223 21 91	Kandy	-061 223 68 80	Makumbura	-061 223 61 91
Aswaramulla	-077 751 13 61	Kollumbura	-011 228 28 20	Makumbura	-077 282 66 62
Balawewa	-066 223 91 14	Kottawa	-011 217 03 94	Megginna Junction	-011 282 66 16
Balawewa	-071 287 82 61	Old Saldia Road	-011 228 02 28	Megginna Anula Roadside	-011 282 02 28
Colombo 07	-011 288 01 75	Pemppulaya	-011 228 12 53	Manakula Hospital	-011 288 63 63
Colombo 08	-011 228 43 23	Pitipattala	-077 177 66 44	Mount Ferrandis Teaching Hospital	-077 751 13 61
Dehiwala	-011 281 34 93	Ragalla	-011 223 15 24	The Central Hospital	-011 288 63 16
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12

BASL STAKEHOLDERS ENGAGEMENTS

- Bench and Bar Meeting
 - Ministry of Justice
 - Law Students
 - Release of Prisoners
-

During the past year several discussions were held among the Hon. Chief Justice, Judicial Service Commission, Ministry of Justice and Attorney General's Department with the BASL. The area of

discussions were mainly concentrated upon the improvement of infrastructure facilities in the court systems throughout the country and to amend the respective laws to meet the present day demands.

Bench & Bar Meeting

During the year of 2019, two Bench and Bar meetings were held by the BASL for the purpose of identification and solution of problems faced by members of the Bar on a day to day basis. The commitment of outstation bars by narrowing down problems faced by their members and duly communicating them to the BASL must be appreciated. It was recognized that the process of upholding the Rule of Law is hindered where judges and lawyers face shortcomings of court facilities. After so identifying issues that needed to be addressed, the BASL has been successful in providing much assistance to the outstation bars, as mentioned in this report. Hence the BASL urges that it is of great importance that such bench and bar meetings be held consistently in future, to ensure efficient administration of justice.

A meeting of the Bench and Bar committee of the Court of Appeal was convened on 20th September 2019, at the Conference Room of the Court of Appeal. The meeting was chaired by the President of the Court of Appeal, Hon. Justice Yasantha Kodagoda. The Bench was represented by the Justices who preside over the several Divisions of the Court. The meeting was also attended by the Hon. Attorney General and his nominees representing the Attorney General's Department, the President of the BASL and further four senior practitioners representing the BASL.

A Bench and Bar meeting was held on 2nd October 2019 at the Supreme Court Board Room in order to discuss certain pressing issues that have been brought to notice of legal practitioners. These issues were the dress code for lawyers, disciplinary matters, bail rules, Supreme Court administration and the buildings of the Hulftsdorp Court complex. His Lordship the Chief Justice, Hon. Attorney General, Secretary of the Ministry of Justice, Honorable Judges of the Commercial High Court, District Court and Magistrate Court took part in the deliberations on the invitation extended by the BASL.

His Lordship the Chief Justice noted that the new dress code for Lady Lawyers must be gazetted. He further observed that the BASL should identify the issues concerning the attire and if necessary, revise the same, and also that the BASL should identify the specification of the dress code to avoid confusion. It was stated that until the new dress code is made operational the old dress code stands.

Regarding disciplinary matters His Lordship the Chief Justice stipulated that the Supreme Court will refer disciplinary matters to the BASL for an inquiry, and based on the report the Supreme Court will take further action. The stakeholders present were informed that his Lordship has received the nominated list to constitute the Disciplinary Committee of the BASL. It was observed that having two separate inquiries is ineffective, and efforts are needed to harmonize the processes.

President of the BASL, Mr. Kalinga Indatissa PC was notified to send the list of pending inquiries to His Lordship the Chief Justice to identify duplications. Hon. Justice Aluwihare recommended that the number of disciplinary panels should increase and further that they should act impartially. Mr Sanjeewa Jayawardane PC informed the stakeholders present that he will make available Mr. Daluwatte's report on rules of conduct within a week.

In the discussion on bail rules, Hon. Justice de Abrew suggested having fixed time frames. Hon. Justice Surasena advised that multiple bail applications for the same accused must stop.

Means of improving Supreme Court administration were suggested by a number of stakeholders present. Hon. Justice Prasanna Jayawardane PC requested that all suggestions be submitted in writing under the following headings: Court procedures, Court registry procedures and Infrastructure.

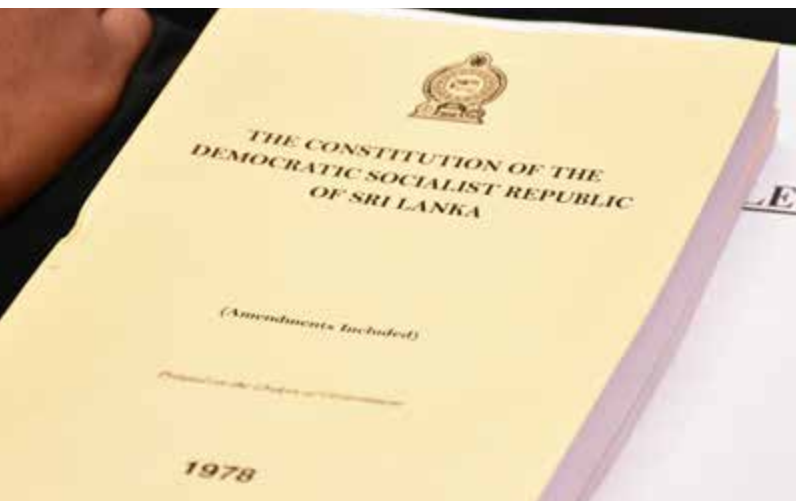
Further, the BASL was requested to provide a report identifying the urgent renovations that needs to be done in the buildings of the Hulftsdorp Court complex.

Ministry of Justice

Donations by the Ministry of Justice

The donation of 245 copies of the Penal Code and the Constitution were distributed by the MOJ among the new entrants to Law College. The books donated at the Orientation Program which was took place on the 16th of January 2020 at Law College.





Law Students

Hulftsdorp Study Tour

The historical setting of the Hulftsdorp court complex has been the cradle many a great legal minds of this country. However, young lawyers are usually first introduced to the layout of the court complex after they become Attorneys-at-Law, and they must seek out the court rooms they are required to appear in. This causes confusion and inconvenience, and it is not appropriate that new lawyers should perceive Hulftsdorp as foreign soil. In order to familiarize law students with the court complex, as well as to inspire professionalism and to instill legal ethics, the Bar Association of Sri Lanka conducted the first ever Hulftsdorp Study Tour for 1st year law students on 1st of February 2020. The Study Tour was coordinated by Mr. Amal Randeniya AAL, and the students were divided into 3 groups, guided by coordinators Mr. Amal Randeniya, Mr. Nalin de Silva and Mr. Vishwa de Livera Tennekoon.

The Study Tour commenced at 8.50am, and each of the 3 groups were given a tour of the Magistrate Court, District Court, and High Court where they were given a comprehensive introduction to the jurisdiction of each court and the layout of the court premises. Subsequently the students also toured the Court of Appeal and Supreme Court.

In a venture to instill ethics and values cherished in the legal profession in Sri Lanka's aspiring lawyers, the law students were then received at the BASL Auditorium where they were addressed by senior members of the Bar. The President of the BASL, Mr. Kalinga Indathissa PC enlightened the gathering on the history of the legal profession and the Bar, and afterwards they were also addressed by Mr. Kent Mortimore, Chief of Party- USAID/Core Justice Program. Mr. Prasanna Lal de Alwis, PC then delivered an illuminating lecture on Values, Traditions and Ethics of the Bar and the Role of a Law Student.





Program for Students of the Law Faculty of the University of Colombo



Release of Remand Prisoners to ease the congestion in the Prisons

On the invitation of His Excellency the President the BASL was able to recommend the release of nearly 3000 prisoners.

Nearly 3,000 prisoners released on bail Sunday, April 5, 2020.

On the recommendations of the special committee appointed on the directions of President Gotabhaya Rajapaksa, 2,961 prisoners were released on bail. This group of prisoners were gradually released from March 17th .

The committee was appointed based on a request made to the President by the prisoners when he visited the prisons on an inspection tour.

Based on the directions of the President, the special committee appointed by the president is expected to meet again to receive recommendations regarding legal relief measures for prisoners who are unable to pay their fines or bail.

The Legal Committee consists of officials of the Bar Association of Sri Lanka (BASL) and the Department of Prisons.

The President Legal Director General Hariguptha Rohanadheera said that in determining the release of prisoners' special attention was placed on prisoners who have been serving long periods and who suffer from health issues, minor offenders who are unable to post bail and those who have served a greater part of their sentence.

The prison capacity is around 10,000 but there are over 20,000 prisoners in prisons. The current health issue in the country was also taken into consideration. The prisoners who were released were advised to make good use of the relief granted by the judiciary and follow the guidelines and conditions and live as law-abiding and decent citizens of our society.



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

27th March 2020

His Excellency Gotabhaya Rajapakse
President of the Democratic Socialist Republic of Sri Lanka
Presidential Secretariat
Colombo 1.

May it Please Your Excellency,

RELEASE OF REMAND PRISONERS TO EASE THE CONGESTION IN THE PRISONS

I write with reference to the captioned subject and take this opportunity to thank Your Excellency for giving the BASL an opportunity to be involved in this.

The Committee had two very successful discussions. A significant contribution was made by the Commissioner General of Prisons and his staff. We wish to thank them and Mr.Guptha Rohanadheera, Attorney-at-Law from the Presidential Secretariat and the secretarial staff of the Secretariat for the assistance rendered.

The Committee discussed in detail the law and procedure applicable to different categories of prisoners as set out below;

1. Remand prisoners, who have been ordered bail, but who continue to be in remand due to the inability to furnish bail.
2. Remand prisoners, who can be considered for bail, but who have not been released on bail.
3. Prisoners in remand custody to whom the provisions of the Bail Act does not apply.
4. Prisoners in the death row.
5. Prisoners serving life sentence.
6. Prisoners serving long term sentences.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennekoon
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The Committee is in full agreement that the prisoners in remand who have been ordered bail yet are unable to satisfy bail conditions can be considered for immediate release to ease the congestion of the Prisons. Since bail has already been granted, no more judicial decisions would be required for this category. An application can be made under Section 3 of the Release of Remand Prisoners Act No.8 of 1991. This involves the release of 1590 prisoners, who have been granted bail already in 114 Courts island wide.

The BASL would assist by providing counsel to make the applications in the respective Courts. The procedure to be followed and the legal requirements have been already highlighted.

Apart from the above category, the BASL cannot recommend the release of any other prisoners. All the other categories require judicial intervention and His Lordship the Chief Justice and the Judicial Service Commission will have to be consulted. In the case of prisoners in remand or serving a sentence imposed by the High Court, the intervention of the Hon. Attorney General is absolutely necessary.

Hence, the only recommendation that the BASL would make at this point is to recommend the release of the remand prisoners falling within the 1st category.

Thank You.

Yours faithfully,



Kalinga Indatissa, PC
President
Bar Association of Sri Lanka

13

PRESS STATEMENTS

- BASL participation/support in national issues
-

BASL participation/support in national issues

Easter Sunday Attacks

Following the Easter Sunday attacks of 21st April 2019, BASL issued a statement on the 22nd April 2019 denouncing terrorism and violence and asking the people to remain calm and to assist the Security Forces and the Police to maintain law and order in the Country.

Regarding the above incident, the BASL took steps to file a Fundamental Rights application (SCFR Application 195/2019) against the Minister of Defence et al. Leave to proceed was granted by the Supreme Court on the 2nd of October 2019.

References made through media reports to pending and concluded cases, and conduct of Hon judges and Attorneys-at-Law

Any party to matters that are pending in court, any third party and even members of the legal profession should refrain from making comments on pending litigation. As a response to instances where references were made to pending cases and sometimes the Honourable Judges who heard such cases by members of the legal profession, the EXCO issued a press statement requesting its members to refrain from making any such references and to refrain from using the media for such purpose.

Impacts of the SOFA, ACSA and MCC Agreement on Sri Lanka

As a responsible institution which embodies a duty to uphold the Constitution of Sri Lanka, the BASL closely analyzed the effect of the SOFA, ACSA and MCC agreement on the sovereignty of the Sri Lankan people.

The President wrote to the National Secretariat for Non-Governmental Organizations objecting to the registration of the American Bar Association as a NGO in Sri Lanka.

The EXCO lead by the President extensively discussed the new developments, consequences and repercussions of the proposed grant of US \$ 480 million from the Millennium Challenge Corporation and issued statements encompassing the concerns of the BASL in relation to this grant. The BASL also held a press conference to create awareness on this grant.

On the 15th of February 2020 the EXCO appointed a Committee to examine the ACSA, MCC and SOFA, comprising of the following senior members of the Bar:

- Mr. Romesh De Silva, President's Counsel
- Mr. Manohara De Silva, President's Counsel
- Mr. Kalinga Indatissa, President's Counsel
- Mr. Sanjeewa Jayawardena, President's Counsel
- Mr. Samanthe Ratwatte, President's Counsel
- Mr. Kaushalya Nawaratne, Attorney-at-Law
- Mr. Lasitha Kanuwanaarchchi, Attorney-at-Law

Observations made by this Committee were forwarded to Prof. Lalithasiri Gunawarun, Chairman of the Committee appointed by the Prime Minister to Evaluate the MCC Compact. Such observations included the requirement under the Agreement on the Sri Lankan Government to make specific policy legal and regulatory reform commitments.

The BASL Committee pointed out that This compromises the sovereign right of the State as the Government of Sri Lanka will not be able to change its policies based on a future need of the Country without the threat of the Agreement being cancelled by the MCC at its discretion. Further the Agreement allows the MCC to demand money from the Government of Sri Lanka with interest for any component deemed by them as being repayable if any MCC funding is used in violation of the Agreement. As there is no method given to determine whether the Government of Sri Lanka has in fact used the money in violation of the Agreement, the MCC could demand such money at its sole discretion. It was also emphasized that although the objectives of the Agreement of creating a road network and identifying under-utilized State lands are by themselves commendable objectives, when the emphasis is to increase land market activities and not agricultural activity, such can spell disaster. The sovereign rights of the citizens of this Country to prevent lands from falling into the hands of foreigners in whatever form must be achieved by placing suitable caveats in all amendments and new Laws proposed. The BASL Committee therefore specifically recommended that the Government states clearly that no provision of any Law can ever be interpreted to allow the transferring of any immovable property to any non-citizen, and that no land given under the Land Development Ordinance could be utilized for any purpose other than agricultural purposes.

Statement issued by the Government of Switzerland relating to proceedings pending in the Magistrate Court of Colombo

The Government of Switzerland issued a statement relating to proceedings pending in the Magistrate Court of Colombo, that involved an employee in the Swiss Embassy in Sri Lanka. Mindful of certain content in the said statement which conveys a wrong potentially harmful

impression about the role of the judiciary in Sri Lanka and the concept of “Due Process” the BASL issued a statement to set the record straight.

Presidential Pardon granted to Shramantha Jude Anthony Jayamaha

Following the Pardon granted by His Excellency the President to Shramantha Jude Anthony Jayamaha the BASL expressed its concerns about the reasonableness of said executive action. In a letter to His Excellency, the President of the BASL stressed that while appreciating the fact that the President has powers to grant a pardon to a convicted prisoner under Article 34 of the Constitution, the Bar Association of Sri Lanka is of the view that such power should not be exercised arbitrarily or in a selective manner. Any pardon granted under the Article 34(1) without due regard to transparency would establish a bad precedent which would be adverse to the very concept of Rule of Law.

A Fundamental Rights petition was filed challenging said decision by the Women and Media Collective, and the BASL came in as an intervenient petitioner. On 29th The Supreme Court yesterday issued an interim order to prevent Jayamaha from leaving the country until December 11.

Non-members of the Bar providing legal services

The serious concern of non-members of the Bar, especially non-Sri Lankans, providing legal services was addressed by the BASL. The BASL intervened in the Fundamental Rights application filed by Mr. Nayantha Wijesundera Attorney-at-Law challenging the Chinese Baqian Law Group for attempting to practice law in Sri Lanka. The petition was filed before the Supreme Court under Case No. SC/FR 13/2019.

Regarding appointment of President's Counsel

Article 33(2)(e) of the Constitution confers upon the president the power to appoint as President's Counsel, Attorneys-at-Law who have reached eminence in the profession and have maintained high standards of conduct and professional rectitude.

As it is the responsibility of the BASL to protect the repute of the profession, the President of the BASL communicated to His Excellency the President Maithripala Sirisena the opinion of the Association regarding appointment of President's Counsel. That is, the accepted tradition in the legal profession is to appoint as President's Counsel those Attorneys-at-Law who have preserved diligently the renown of the profession and served the profession and their clients with integrity and zeal. It is the belief of the BASL that such appointments should not be made influenced by Ministers of Cabinet, Ministers of Parliament or other external parties, or based on irrelevant considerations.

The appointment of Attorneys-at-Law as President's Counsel was challenged in SC/FR 302/2019 by an Attorney-at-Law as Petitioner. The Secretary to His Excellency the President, The President and Secretary of the BASL and the Attorney General were the respondents. The case was concluded on 23rd October 2019 with a set of guidelines being agreed upon by the parties to be followed by his Excellency the President in all future appointments. The Gazette giving effect to the orders made by the SC in said FR application, named 'Guidelines relating to the appointment of President's Counsel' was published on 29th October 2019.

Release of CDs allegedly recovered from the possession of an MP

Recent developments concerning the Legal Profession including the Judiciary in wake of the release of CD's which are alleged to have been recovered from the possession of a Member of Parliament. In addition to requesting the Attorney General to conduct an investigation into the recently released telephone conversations, the BASL promptly called upon His Lordship the Chief Justice Jayantha Jayasuriya, requesting immediate steps to be taken, including strong remedial steps to arrest situations of this nature taking place again.

BASL CONDEMNS THE TERRORIST ATTACKS

The Bar Association of Sri Lanka expresses its deep shock and sorrow at the incidents of violence which took place this morning resulting in severe loss of life and injuring many others.

We express our condolences to friends and families of those affected and pray for speedy recovery of those who are injured.

We urge all Sri Lankans to act with restraint and responsibility and extend the maximum support to the law enforcement authorities to maintain law and order.

The Bar Association strongly and unreservedly condemns the perpetration of such acts of violence. These acts of terrorism unless curtailed, will be a serious threat to the concept of Rule of Law and good social order.

We express our solidarity with all those who came under attack while celebrating Easter Sunday and the many others who became victims of this brutal act of terrorism.

We call upon the Government to carry out an impartial and efficient investigation expeditiously and bring the perpetrators of these heinous acts to justice.

We also urge the Government and security forces to take all steps which are required to maintain law, order and peace in the country.

Most importantly, we call upon the people of Sri Lanka to stand united in this moment of grief and not allow these acts of terrorism to cause divisions and fear among the different communities in our land.

Statement by Mr. Kalinga Indatissa PC - President BASL

BASL FILES PUBLIC INTEREST LITIGATION AGAINST THE STATE

The Management Committee of the Bar Association of Sri Lanka filed a Fundamental Rights application today under Articles 17 and 126 of the Constitution of the Democratic Socialist Republic of Sri Lanka against 65 Respondents. The Hon Prime Minister and the Cabinet of Ministers and several other officials have been made Respondents to this application.

In the Petition filed by the BASL it is alleged that the Respondents being members of the Cabinet and other officials in charge of National Security have acted in violation of the fundamental Rights of the Petitioners and the general public of Sri Lanka, guaranteed to them under Articles 12 (1), 12 (2), 14 (1) (a) 14 (1) (e) and 14 (1) (g) of the Constitution. The Petitioners have come forward to file this application as civic minded citizens and representatives of the largest professional body for members of the legal profession.

The Petition states that even in the past the BASL has come forward in protecting the rights of people and the Rule of Law. The role that the BASL played during the 1988/1989 period and in the shooting incident in Ratupaswala has been referred to in the Petition.

The application is based on the violent terrorist attacks that took place on Easter Sunday on the 21st of April 2019. The Petitioners state that the only interests that the BASL has in this instance is the interest in the Nation, it's people and their security.

The Petitioners allege that some of the Respondents acted contrary to the doctrine of " Public Trust" deposed in them by the people by failing to provide the people with adequate security and that the breaches in security and the failure on the part of the said Respondents to take adequate action while being in possession of information relating to the said attacks, has resulted in an infringement of their fundamental rights.

The President Kalinga Indatissa PC, the Deputy President Shavindra Fernando PC, the Secretary Kaushalya Navaratne Attorney-at-Law, the Assistant Secretary Vishwa de Livera Tennekoon Attorney-at-Law and the Treasurer of the BASL Nalin Chandika De Silva Attorney-at-Law are the Petitioners in this application and the Petitioners have stated that they have received the mandate of the Executive Committee of the BASL to institute this application.

The Petition has been filed by Ashoka Nivunella Attorney-at-Law who is the Registered Attorney. The Petition has been settled by Manisha Dissanayake Attorney-at-Law, Kethmini Dharmasena Attorney-at-Law, Saranee Gunatilleke Attorney-at-Law, Rukshan Senadheera Attorney-at-Law, Ranmalee Meepegala Attorney-at-Law, Lakmini Warusevithane Attorney-at-Law, Charitha Rupasinghe Attorney at Law and Sanjeewa Jayawardene PC.



ශ්‍රී ලංකා නීතිඥ සංගමය
இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

2019.07.11

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"ශ්‍රී ලංකා නීතිඥ සංගමයේ සභාපති ජනාධිපති නීතිඥ කාලිංග ඉන්දනිස්ස මහතා 2019-7-5 දින විපක්ෂ නායක මහින්ද රාජපක්ෂ මහතා සමග පැවති සාකච්ඡාවේදී සිදුකර ඇති ප්‍රකාශය සම්බන්ධයෙන් මාධ්‍ය නිවේදනය" මැදයෙන් ගරු අධිකරණය හා බන්ධනාගාර ප්‍රතිසංස්කරණ අමාත්‍ය නීතිඥ කලනා අනුකෝරළ අමාත්‍යවරිය විසින් සිදු කරන්නට යෙදුණු 2019-7-10 දිනැති මාධ්‍ය නිවේදනය වෙත ශ්‍රී ලංකා නීතිඥ සංගමයේ විධායක කමිටුවේ අවධානය යොමු වී ඇත.

එම මාධ්‍ය නිවේදනය තුළින් ප්‍රකාශයට පත් කොට ඇති කරුණු සමහරක් නිවැරදි නොවන බැවින් පැහැදිලි කිරීමක් සිදුකළ යුතුව ඇති බව අප සංගමයේ විධායක කමිටුවේ මතය වී ඇත.

ගරු ඇමතිතුමිය විසින් සඳහන් කරන්නට යෙදෙන විපක්ෂනායකවරයා සමග පැවැති සාකච්ඡාව 2019-7-5 දින පැවැති සාකච්ඡාවක් නොවන බව මුලින්ම අවධාරණය කර සිටිමු.

පසුගිය දින කිහිපය මුළුල්ලේ ශ්‍රී ලංකාව තුළ පුළුල් වශයෙන් සාකච්ඡා කරන්නට යෙදුණු ACSA, SOFA හා Millennium CC යන ශීඝ්‍රම සම්බන්ධව අතිගරු ජනාධිපතිතුමා, ගරු අග්‍රාමාත්‍යතුමා, ගරු විපක්ෂනායකවරයා සහ ගරු විදේශ කටයුතු ඇමතිතුමා වෙත ශ්‍රී ලංකා නීතිඥ සංගමයේ මතය ප්‍රකාශ කළ යුතු බවට අප සංගමයේ විධායක කමිටුව විසින් ඒකමතිකව තීරණය කරන්නට යෙදුණි. ඒ අනුව මේ සම්බන්ධව සාකච්ඡාවක් පැවැත්වීමට දිනයක් ලබා දෙන මෙන් ගරු ජනාධිපතිතුමා, ගරු ඇමතිතුමා, ගරු විපක්ෂනායකතුමා හා ගරු විදේශ කටයුතු ඇමතිතුමා වෙත ඉල්ලීමක් යොමු කරන්නට යෙදුණි.

ගරු විදේශ කටයුතු අමාත්‍ය, ජනාධිපති නීතිඥ තිලක් මාරපන මැතිතුමා මුලින්ම අප ඉල්ලීම පිලිගෙන ඒ සඳහා සාකච්ඡාවකට පැමිණෙන මෙන් 2019-7-4 දිනය අපට ලබාදුන් අතර, අප සංගමය විධායක කමිටුව නියෝජනය කරමින් සාමාජිකයන් රැසක් එතුමාට 2019-7-4 වන දින හමුවූ අතර, එතුමාගේ අවධානය කෘතඥතා පූර්වකව සිහි කරමු.

ඉන් අනතුරුව ගරු විපක්ෂනායකතුමා විසින් එදිනම එනම් 2019-7-4 දින පස්වරු 5.00 ට එතුමා හමුවීමට අප හට අවස්ථාවක් ලබාදුන් අතර, එම සාකච්ඡාවටද අප විධායක කමිටුවේ සාමාජිකයන් රැසක් සහභාගී වූ බව ප්‍රකාශ කරණු කැමැත්තෙමු.

ඒ අනුව ගරු අධිකරණ හා බන්ධනාගාර ප්‍රතිසංස්කරණ ඇමතිවරියගේ මාධ්‍ය ප්‍රකාශය මෙම සාකච්ඡාව පැවැත් වූ දිනය සම්බන්ධයෙන් නිවැරදි නොවන බවත්, එම සාකච්ඡාව පැවතුනේ 2019-7-5 දින නොව 2019-7-4 දින බවත් මුලින්ම අවධාරණය කර සිටිමු.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennekoon
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ACSA, SOFA හා Millennium CC යන ගිවිසුම් වලට අදාළව කරුණු දැක්වීම කරන අවස්ථාවේදී ඇමරිකානු නීතිඥ සංගමය විසින් 2018 වසරේ පටන් ඔවුන්ගේ ශාඛාවක් ශ්‍රී ලංකාව තුළ ස්ථාපිත කිරීමට ගනු ලැබූ උත්සාහය සම්බන්ධව කරුණු දක්වන්නට යෙදුණි. ඒ සම්බන්ධයෙන් එදින වන විට පැවැති තත්ත්වය පැහැදිලි කළ අප සභාපතිවරයා විසින් ප්‍රකාශ කොට සිටියේ, අධිකරණ අමාත්‍යාංශය, මේ සම්බන්ධයෙන් ශ්‍රී ලංකා නීතිඥ සංගමයේ නිරීක්ෂන කැඳවා ඇති බවත්, අපගේ විරෝධතාවයන් ඒ සම්බන්ධව ඉදිරිපත් කර ඇති බවත්ය. එම විරෝධතාවයන්ද විධායක කමිටුවේ ඒකමතික තීරණය මත ඉදිරිපත් කොට ඇති බව අප විසින් අවධාරණය කොට සිටියෙමු.

ඉන් අනතුරුව අප සභාපතිවරයා විසින් ප්‍රකාශ කොට සිටියේ ඇමරිකානු නීතිඥ සංගමය විසින් ජාත්‍යන්තර රාජ්‍ය නොවන සංවිධානයක් ලෙස (NGO) ලියාපදිංචි කිරීමට ඉල්ලුම්පතක් ඉදිරිපත් කොට ඇති බවත්, ඒ සම්බන්ධයෙන්ද අපගේ විරෝධතාවයක් ඉදිරිපත් කොට ඇති බවත්ය. රාජ්‍ය නොවන සංවිධානයක් ලියාපදිංචි කිරීමේදී අනුගමනය කළ යුතු කාර්ය පටිපාටිය ක්‍රමවත්ව අප විසින් පැහැදිලි කළ අතර, සභාපතිවරයා වැඩිදුරටත් කියා සිටියේ ඒ වන විටත් ජාත්‍යන්තර රාජ්‍ය නොවන සංවිධානයක් ලෙස (NGO) ලියාපදිංචි කිරීම උදෙසා සාමාන්‍ය ක්‍රමවේදය යටතේ විදේශ කටයුතු අමාත්‍යාංශය විසින් ලබාදිය යුතු අනුමැතිය ලබා දී ඇති බවයි.

ගරු අධිකරණ ඇමතිවරිය විසින් තමන් විසින් තමන්ම සම්බන්ධ කරගනිමින් උක්ත මාධ්‍ය ප්‍රකාශය නිකුත් කර ඇත්තේ වුවද, එම සාකච්ඡාව අතරතුරදී අපගේ සභාපතිවරයා විසින් සඳහන් කළ " ඇමතිතුමාගේ අනුමැතිය" යන්න ගරු අධිකරණ " ඇමතිවරිය" ට අදාළ නොවන බව ජරකාශ කර සිටීමු.

අධිකරණ අමාත්‍යාංශයට අදාළව එම සාකච්ඡාවේදී කරුණු 2 ක් සඳහන් කරන්නට යෙදුණු අතර, එම කරුණු වූයේ ඇමරිකානු ආධාර සහිතව අධිකරණ අමාත්‍යාංශය හරහා කලක් පටන් අධ්‍යාපනික වැඩසටහන් පවත්වන බවත්, ඇමරිකානු නීතිඥ සංගමය විසින් කරනු ලැබූ ඉල්ලුම්පතට අදාළව අප සංගමයේ නිරීක්ෂන කැඳවා ඇති බවත්ය.

ඒ අනුව ඉහත කී සාකච්ඡාවේදී ගරු අධිකරණ ඇමතිවරිය විසින් අනුමැතිය ලබාදීමක් සම්බන්ධව කරුණු ඉදිරිපත් කිරීමක් සිදු නොවූ බව අවධාරණය කර සිටීමු.

තවද, එම මාධ්‍ය ප්‍රකාශයේ සඳහන් වන ආකාරයට සභාපතිවරයා හෝ අප සංගමය දේශපාලනික අරමුණු සාක්ෂාත් කර ගැනීම උදෙසා කටයුතු කරන බවට ඉදිරිපත් කර ඇති පදනම් විරහිත වෝදනාව එකඟලාම ප්‍රතික්ෂේප කර සිටීමු.

ශ්‍රී ලංකා නීතිඥ සංගමයේ වර්තමාන විධායක කමිටුව තෝරාපත් කර ගැනීමෙන් අනතුරුව නීතිඥ වෘත්තීයට හා අධිකරණ ක්ෂේත්‍රයට අදාළ කරුණු සාකච්ඡා කර ගැනීමට අප හට අවස්ථාවක් ලබා දෙන මෙන් 2019 මාර්තු මස පටන් මේ දක්වා දිගින් දිගටම අප ගරු ඇමතිතුමියගෙන් ඉල්ලා සිටියෙමු. මේ සම්බන්ධව ගරු සභාපතිතුමා අවස්ථා ගණනාවකදී ගරු ඇමතිවරියව දුරකථනයෙන් සම්බන්ධ කර ගැනීමට උත්සාහ කළද පසුගිය මාස 5 ක කාලය තුළදී කිසිදු විටක දුරකථනයට පිළිතුරු දීමක් හෝ නැවත ඇමතිමක් එතුමිය විසින් සිදු කොට නොමැත. සභාපතිවරයා විසින් යවනු ලැබූ කෙටි පණිවිඩ වලට හෝ ඇය කිසිදු ජරතිවාරයක් දක්වා නොමැත. මේ සම්බන්ධව එතුමියගේ අවධානය 2019-2-11 දින පෙ.ව. 7 ට, 2019-3-25 දින ප. ව. 8.43 ට, 2019-4-23 පෙ. ව. 8.41 ට එවනු ලැබූ කෙටි පණිවිඩ වලට යොමු කිරීමට කැමැත්තෙමු.

විශේෂයෙන් 2019-4-21 දින පාස්කු ඉරිදා දින සිදු වූ බෝම්බ ප්රහාරය හේතුවෙන් ගෙන උද්ගත වූ තත්වය මත මේ රටේ සියලුම අධිකරණ වල සුරක්ෂිතභාවය හා අධිකරණයට පැමිණෙන්නා වූ මහජනතාවගේ සුරක්ෂිතභාවය සඳහා සාකච්ඡා කිරීමට සභාපතිවරයා උත්සාහ ගත්තද එම කෙටි පණිවිඩයට මේ දක්වා ගරු ඇමතිවරියගෙන් පිළිතුරක් ලැබී නොමැත.

මෙයට අමතරව අධිකරණ ක්ෂේත්‍රයට මෙන්ම නීතිඥ වෘත්තියට අදාළ කරුණු සම්බන්ධ එතුමිය වෙත යොමු කරනු ලැබූ ලිපි වලටද ප්‍රතිචාරයක් ලැබී නොමැත.

මේ අනුව එතුමියගේ මාධ්‍ය ප්‍රකාශය තුළින් අප සංගමයට හා සභාපතිවරයාට සිදුකර ඇති වෝදනා පදනම් විරහිත ලෙස ප්‍රකාශ කරන අතර, එම වෝදනා ප්‍රතික්ෂේප කර සිටිමු. එම ප්රකාශය මාධ්‍යය විසින් ප්‍රකාශයට පත් කළ ආකාරය මත එතුමිය තුළ යම් අවිනිශ්චිතභාවයක් උද්ගත වූයේනම් එතුමිය විසින් කළ යුතුව තිබුණේ ඇයගේ වචන වලින්ම ප්‍රකාශ කරන ආකාරයට අපගෙන් විමසීමයි.

නීතිඥ සංගමයට හෝ එහි කීර්ති නාමයට කැළලක් වන කිසිදු තීරණයක් සභාපතිවරයා විසින් ගෙන නොමැති අතර, ගනු ලබන සියලු තීරණ කෙරෙහි විධායක සභාවේ අනුමැතිය ලබා දී ඇති අතර, අප විසින් ඒ සම්බන්ධයෙන් සාමූහිකව වගකියනු ලබන බවද සඳහන් කරනු කැමැත්තෙමු.

අනෙක් අතට අමාත්‍යවරිය කියනු ලබන ආකාරයේ පටු අරමුණු කිසිවක් අප හට නොමැති අතර, සමස්ථ රාජ්‍යය කෙරෙහි, එහි පුරවැසියන් කෙරෙහි හා අප සාමාජිකයන්ගේ අයිතිවාසිකම් කෙරෙහි මිස කිසිදු දේශපාලන ධාරාවකට අප වග නොකියන බවද ගෞරවයෙන් යුතුව සඳහන් කරනු කැමැත්තෙමු. කවුරුත් විසින් හෝ රටට එරෙහිව ගනු ලබන ඕනෑම තීරණයකදී තරාතිරම නොබලා ඊට මැදිහත් වනු ලබන බවද, රටට වැඩදායක තීරණයකදී හැකි සෑම අයුරින් ඊට සහාය වන බවද අභිමානයෙන් යුතුව ප්‍රකාශ කිරීමට කැමැත්තෙමු.



කෞෂල්‍ය නවරත්න
ලේකම් - විධායක කමිටුව වෙනුවෙන්
ශ්‍රී ලංකා නීතිඥ සංගමය

Kaushalya Nawarathne
Secretary
Bar Association of Sri Lanka
Colombo 12.



ශ්‍රී ලංකා විචිත්‍ර සංගමය
இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

31/10/19

**PRESS RELEASE - CONCERNS ON THE NEWS ITEM PERTAINING TO
THE CABINET PAPER SEEKING APPROVAL FOR THE ENTERING
INTO OF THE MCC AGREEMENT.**

The Bar Association of Sri Lanka views with grave concern the news item pertaining to the Cabinet paper seeking approval for the entering into of the MCC agreement.

Despite news reports seeking to assure the public of the benign nature of the said agreement, the draft that was previously made available to us had a multitude of disadvantageous clauses for Sri Lanka. The BASL as a responsible organization took a lot of time to study the proposed MCC and submitted a detailed report which is attached to this press release. The BASL outlined the grave consequences that Sri Lanka would face as an independent and sovereign state in the event the GOSL proceeded to sign the MCC in that form.

The proposed MCC as it stood then contained many issues of a very grave nature, as explained by us to the Honourable Prime Minister in writing, which we now disclose to the public to make their own observations. In fact, on 5/8/2019, the BASL received a letter of the Hon. Prime Minister thanking us for our efforts.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennekoon
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ශ්‍රී ලංකා නීතිඥ සංගමය
இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

2019.11.04

මාධ්‍ය නිවේදනයයි

මිලේනියම් වැලෙන්ජ් කෝපරේෂන් ගිවිසුමට එළඹීමට අනුමැතිය ලබාගැනීම පිණිස කැබිනට් පත්‍රිකාවක් අමාත්‍ය මණ්ඩලයට ඉදිරිපත් වී ඇති බවට පළ වූ පුවත්පත් වාර්තා ගැන ශ්‍රී ලංකා නීතිඥ සංගමය දැඩි අවධානයක් යොමු කර සිටී

මහජනතාවට හානිකර නොවන බවට පළවන පුවත්පත් වාර්තා නොතකා හැර විමසා බැලීමේදී, මීට පෙරාතුව අප වෙත යොමුකර තිබූ යෝජිත කෙටුම්පතෙහි ශ්‍රී ලංකාවට අවාසි සහගත වගන්ති රැසක් ඇතුළත්ව තිබුණි. වගකිවයුතු සංවිධානයක් ලෙස ශ්‍රී ලංකා නීතිඥ සංගමය යෝජිත මිලේනියම් වැලෙන්ජ් කෝපරේෂන් ගිවිසුම සම්බන්ධව අධ්‍යයනයකට බොහෝ කාලයක් මීඩංගු කළ අතර, ගරු අග්‍රාමාත්‍ය වරයා හට සවිස්තර වාර්තාවක් ද පිළිගන්වන ලදී. එය මෙම මාධ්‍ය නිවේදනයට අමුණා ඇත. මේ ආකාරයෙන් මිලේනියම් වැලෙන්ජ් කෝපරේෂන් ගිවිසුම අත්සන් කිරීමට ශ්‍රී ලංකා රජය කටයුතු කළහොත් නිදහස් ය්වෙට් රාජ්‍යයක් ලෙස ශ්‍රී ලංකාවට බරපතළ ප්‍රතිවිපාකවලට මුහුණ දිය හැකි බවට නීතිඥ සංගමය විසින් පෙන්වා දී ඇත.

අප විසින් ගරු අග්‍රාමාත්‍යවරයා වෙත ලිඛිතව පහදා දෙන ලද පරිදි යෝජිත මිලේනියම් වැලෙන්ජ් කෝපරේෂන් ව්‍යාපෘතිය ඉතා බරපතළ ස්වභාවයේ ගැටලු රැසකින් සමන්විතය. ඒ මොනවාද යන්න මහජනතාවගේ දැනුවත්වීම පිණිස අප දැන් හෙළි කර සිටින්නෙමු. සැබැවින්ම 2019.08.05 දින අපගේ උත්සාහයට සතුණිය පළ කරමින් අග්‍රාමාත්‍යවරයා විසින් ශ්‍රී ලංකා නීතිඥ සංගමයට ලිපියක් ද එවා තිබිණි.

සංශෝධනවලින් හා අන්තර්ගතය පිළිබඳ මහජනතාවට සම්පූර්ණ අනාවරණයකින් තොරව ගිවිසුම අත්සන් කිරීමට කිසිදු ඉදිරි පියවරක් නොගන්නා බවට රජය විසින් අප වෙත ලබාදුන් සහතිකයට පරිබාහිරව කටයුතු කර ඇති බැවින් වගකිවයුතු සංගමයක් ලෙස අප විසින් මෙම පියවර ගන්නෙමු.

අපගේ මතය වන්නේ රට ගිවිසුමකට එළඹීමට පෙර යෝජිත කෙටුම්පත මහජන මතය සඳහා ඉදිරිපත් කළ යුතු බවයි. පුවත් වාර්තා පවසන පරිදි එය වරප්‍රසාද ලත් සුළු පිරිසකට පමණක් සීමා වී ඇත. අතීතයේ ද වගකිව යුතු රජයන් විසින් අන්තර්ගතය පිළිබඳව මහජනතාව දැනුවත් කිරීමකින් තොරව කඩිනමින් එළඹී ගිවිසුම් හරහා රට සහ ජනතාවට ප්‍රතිවිපාක වලට මුහුණදීමට සිදුවූ අවස්ථා ඇත.

ශ්‍රී ලංකා නීතිඥ සංගමයේ මතය වනුයේ, ගිවිසුමේ සැබෑ ස්වරූපය අවබෝධ කරගැනීමට මහජනතාවට ඉඩ නොතබා මිලේනියම් වැලෙන්ජ් කෝපරේෂන් ගිවිසුම අත්සන් නොකළ යුතු බවයි.

එම නිසාවෙන් කෙටිකාලීන ආර්ථික හේතු දක්වමින්, අප සඳහා වූයෙන් පිළිගත් සහ අප වෙත ලබාදුන් සහතිකයට ගරු කරමින් යෝජිත ගිවිසුමට එළඹීමට කටයුතු නොකරන ලෙස අපි රජයට බලකර සිටින්නෙමු.

ජනාධිපති නීතිඥ කලිංග ඉන්දතිස්ස
 සභාපති
 ශ්‍රී ලංකා නීතිඥ සංගමය.

President Kalunga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennekoon
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ශ්‍රී ලංකා විචිඤා සංගමය
இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

5th November 2019.

PRESS RELEASE

THE BAR ASSOCIATION CALLS UPON THE GOVERNMENT NOT TO PROCEED WITH THE SIGNING OF THE MCC AND URGES THE PRESIDENT TO INFORM THE MCC AND THE US GOVERNMENT THAT IT WILL BE RESCINDED WITH IMMEDIATE EFFECT.

The BASL has been reliably informed that the Finance Ministry is in the process of making arrangements to sign the MCC today.

In our opinion the Finance Ministry has no legal authority to sign the MCC Agreement which contains many more matters other than a simple agreement to borrow money from the lender. As explained to the Hon PM by the BASL in August 2019, the proposed agreement goes much beyond a simple loan/ grant and contains many clauses dealing with land and jurisdiction. These are matters clearly outside the purview of the Ministry of Finance and the Cabinet could not have authorized the Minister of Finance to proceed with the MCC.

It is rather unfortunate that the basic concepts of Governance such as collective responsibility and Constitutional assignment of subjects are not considered at all in arriving at such decisions which have a serious impact on the sovereignty of the Nation.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tenne
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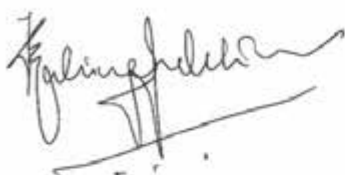
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The BASL vehemently opposes such a move by the Ministry of Finance and call upon the Hon. Prime Minister to honour the undertaking given to us in July/August 2019 that the MCC would not be signed without taking into consideration the observations of the Bar.

It is totally misleading for certain persons holding responsible positions to maintain that the MCC will be placed before Parliament after it is signed. Such a course of action is meaningless and once signed the Agreement will have a binding effect.

We call upon the Hon PM who is a very senior politician on this country to refrain from proceeding with this move unless sufficient discussion takes place.

We also urge HE the President to immediately inform the MCC and the US Government that even if the Agreement is signed it would be rescinded with immediate effect if the signing is done without placing the Agreement before Parliament.



Kalinga Indatissa, PC
President,
Bar Association of Sri Lanka.



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

07th November 2019

PRESS RELEASE

The Executive Committee of the Bar Association of Sri Lanka is deeply concerned about the media reports relating to an incident of shooting at Ginigathhena last evening where it is alleged that the security officers of a Member of Parliament have been involved.

By and large the pre run to the Presidential elections has been peaceful and violence cannot be condoned in any way.

Such activity if proven to be correct will have a serious impact on the Rule of Law.

The BASL requests the IGP and the other authorities including the Election Commission to take immediate appropriate action to investigate this incident and all other pending election violence complaints and report matters to Court on an urgent basis.

We also urge all political parties to educate their members and followers to refrain from resorting to such acts.

Kalinga N. Indatissa, PC
President
Bar Association of Sri Lanka



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

11th November, 2019

His Excellency Maithripala Sirisena,
President of the Democratic Socialist Republic of Sri Lanka,
Presidential Secretariat,
Colombo 1

Your Excellency,

The attention of the executive committee of the Bar Association of Sri Lanka has been drawn to a pardon granted by Your Excellency to one Shramantha Jude Anthony Jayamaha, a convicted prisoner who was convicted for the murder of one Yvonne Jonsson on the 1st July 2005.

Article 34 of the Constitution of the Democratic Socialist Republic of Sri Lanka authorises the President to grant such a pardon, either free or subject to lawful considerations. The proviso to Article 34 (1) requires the President to call for a report from the Judge who tried in a case, in a case where the offender has been condemned to suffer death. Such report is required to be forwarded to the Attorney General for advice and the proviso also requires the Attorney General's opinion to be referred to the Minister of Justice who too is required to submit a recommendation to the President.

Article 33A of the Constitution introduced by the 19th Amendment to the Constitution, mandates the President to be responsible to Parliament for the due exercise, performance and discharge of his power's duties and functions.

President	Deputy President	Secretary	Treasurer	Assistant Secretary
Kalinga Indatissa PC	Shavindra Fernando PC	Kaushalya Nawaratne	Nalin C. De Silva	Vishwa de Livera Tennekoon

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The Bar Association of Sri Lanka is mindful of the fact that in the recent past there had been a few instances where pardons have been granted without any material to justify the basis on which the respective prisoners were selected for granting of such pardon.

While appreciating the fact that the President has powers to grant a pardon to a convicted prisoner under Article 34 of the Constitution, the Executive Committee of the Bar Association of Sri Lanka is of the view that such power should not be exercised arbitrarily or in a selective manner.

The BASL is not concerned about the individuals pardoned or the facts pertaining to the commission of the offence for which the accused has been pardoned. A conviction is made by a competent Court of Law in the course of judicial functions expected from such court. Hence, any pardon to be granted under Article 34 of the Constitution should be made after a careful analysis of the necessity to grant such a pardon as stipulated in the proviso to Article 34(1) of the Constitution.

While reiterating the fact that BASL is not concerned about the individuals concerned, we hold the view that there ought to be transparency in making a decision under Article 34(1.) Such transparency should necessarily include the need and the necessity to grant such a pardon and whether the steps identified under the proviso to Article 34(1) have been followed.

Any pardon granted under the Article 34(1) without due regard to any of the above factors, would establish a bad precedent which would be adverse to the very concept of Rule of Law.

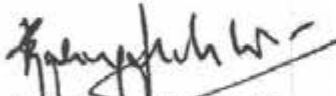
In the aforesaid circumstances we would thank Your Excellency, the President to convey to the Bar Association of Sri Lanka;

- a) The basis on which Shramantha Jude Anthony Jayamaha was selected for the purpose of granting a pardon under Article 34(1) of the Constitution,
- b) The circumstances which were taken into consideration in the granting of such pardon,
- c) The reasons as to why the case of Shramantha Jude Anthony Jayamaha stands out from others who are currently sentenced,
- d) Whether a report was called for from the Trial Judge as required by the Proviso to Article 34(1),
- e) Whether the advice of the Attorney General was called for, and
- f) Whether the recommendation of the Hon. Minister of Justice was called for prior to granting of the pardon to Shramantha Jude Anthony Jayamaha.

The Bar Association of Sri Lanka maintains that if any one or more considerations stated above, were not satisfied in the current case, the pardon granted to Shramantha Jude Anthony Jayamaha would be unreasonable. We would be extremely grateful if this communication is responded to by Your Excellency on a priority basis.

Thank you,

Yours Faithfully,



Kalanga Indratissa, PC,
President,

Bar Association of Sri Lanka.



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

15th November, 2019

PRESS RELEASE

In less than 24 hours Sri Lankans will participate at the **8th Presidential Elections** to elect the Executive President for **2020 - 2025**.

As a responsible professional body, we urge all Sri Lankans to exercise your franchise in a peaceful manner. We urge all candidates, all political parties and their respective supporters to respect Rule of Law and assist the Election Commission, the Public Servants on Elections duty, the Police and the Security Forces to maintain Law and Order throughout this period namely from the commencement of the polling until the announcement of the results and thereafter.

We urge the electronic and the print media to report all facts and news in an impartial manner in keeping with the applicable laws and the guide lines.

In the event of any breach of the applicable laws, we urge the Elections Commission and the IGP to take immediate action irrespective of the personalities or individuals concerned.

Kalinga Indatissa
President's Counsel.
President,
Bar Association of Sri Lanka,
On behalf of the Executive Committee.



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

12th December 2019

**STATEMENT ISSUED BY THE BAR ASSOCIATION OF SRI LANKA ON
“REFERENCES MADE IN RESPECT OF THE JUDICIARY AND
INDIVIDUAL MEMBERS OF THE BAR”.**

The attention of the Executive Committee of the Bar Association of Sri Lanka has been invited to several media reports that has been given much publicity through the electronic and print media, where references have been made to concluded and pending court cases, the individual conduct of Hon Judges, prosecutors and Attorneys-at-Law representing their respective clients.

It is an accepted norm that no references can be made to matters that are pending in court. Any party to such proceedings, any third party and even members of the legal profession should refrain from making such comments on pending litigation. This rule based on the doctrine of "sub judice" has been consistently followed within our legal system almost since its inception.

Even in the recent past there were a quite a few instances where references were made to pending cases and sometimes the Hon Judges who heard such cases. It is regrettable that this practice is permitted to be continued without any notice being taken in such regard.

What is more alarming to note is that there are a few instances where members of the legal profession too have resorted to this unsavoury conduct.

Judges and prosecutors exercise a public duty and the BASL is of the opinion that no such Judge or a prosecutor should be taken to task for conducting a prosecution or hearing a case. Our judicial system is a well structured system and any party affected by a decision of a court could always appeal or follow the process identified by the law.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennekoc
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It is a basic tenet in our criminal justice system that every suspect or an accused has a right to be defended by an Attorney-at-Law. Every aggrieved party too has a right to be represented by an Attorney-at-Law. This right of representation is guaranteed by the provisions of the 1978 Constitution, the provisions of Section 41 and 42 of the Judicature Act of 1978 and Section 260 of the Code of Criminal Procedure Act of 1979.

Apart from the above statutory provisions, the right of representation is an extremely important aspect encompassed within the concept of "Rule of Law".

The BASL unreservedly condemns the statements made with reference to concluded cases, pending litigation, role of Judges, role of prosecutors and the right of representation relating to litigants who are parties to court.

The BASL requests its members to refrain from making any such references and to refrain from using the media for such purpose. We request our members to act within the ethical standards of the profession and preserve and protect the dignity of the profession.

If any such conduct continues the BASL will not be hesitant to refer such matter for appropriate action.


Kalina Indatissa, PC
President


Shavindra Fernando, PC
Deputy President


Kaushalya Nawaratne
Secretary


Nalin De Silva
Treasurer


Vishwa De Livera Tennakoorn
Assistant Secretary

President	Deputy President	Secretary	Treasurer	Assistant Secretary
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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

03rd January 2020

To the attention of the News Editor

Dear Sir / Madam,

Press Release of the Bar Association of Sri Lanka

We are forwarding herewith a press release of the Bar Association of Sri Lanka for publishing in your esteemed media titled -

“THE BAR ASSOCIATION OF SRI LANKA ON THE STATEMENT ISSUED BY THE GOVERNMENT OF SWITZERLAND RELATING TO PROCEEDING PENDING IN THE MAGISTRATES COURT OF COLOMBO”

We shall thank you to give due publicity immediately to this statement.

Thanking you for your cooperation extended to us always.

Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka

President	Deputy President	Secretary	Treasurer	Assistant Secretary
Kalinga Indatissa PC	Shavindra Fernando PC	Kaushalya Nawaratne	Nalin C. De Silva	Vishwa de Livera Tennekoon

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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

PRESS RELEASE BY THE BAR ASSOCIATION OF SRI LANKA ON THE STATEMENT ISSUED BY THE GOVERNMENT OF SWITZERLAND RELATING TO PROCEEDINGS PENDING IN THE MAGISTRATES COURT OF COLOMBO.

The attention of the Bar Association of Sri Lanka has been invited to the most recent statement issued by the Government of Switzerland on 30th December 2019, pertaining to the judicial proceedings currently pending in the Magistrates Court of Colombo, involving an employee of the Swiss Embassy in Sri Lanka.

This statement refers to an incident which is alleged to have taken place on 25th November 2019 and in respect of which a court case is currently pending in the Magistrates Court of Colombo.

The Bar Association of Sri Lanka being the largest representative body of the Legal professionals in Sri Lanka and as a body that has been in the forefront in protecting the Rule of Law and equal application of the Law is mindful of certain material contained in the said statement which conveys a wrong and misconceived impression about the role of the judiciary in Sri Lanka and the concept of "Due Process" as referred to in such statement.

Hence, in our capacity as the largest professional body of the members of the Legal profession we believe that it is our duty to set the record straight in this instance.

In this regard we would invite the attention of the Swiss Government and the Swiss Embassy in Sri Lanka and any other individual or institution which views the incident on the same footing as the makers of the above statement, to the following matters ;

1. The alleged incident of abduction is claimed to have taken place on the 25th of November 2019, 9 days after the recently concluded Presidential Election in Sri Lanka.
2. However, according to the Reports filed in Court, no complaint was made regarding the alleged abduction of the employee of the Swiss Embassy until the 27th of November 2019.
3. It is elementary knowledge that under any criminal justice system spontaneity and consistency of a complaint is considered to be extremely vital in the assessment of the credibility of such a statement.

President
Kalinga Indatissa PC

Deputy President
Shavindra Fernando PC

Secretary
Kaushalya Nawaratne

Treasurer
Nalin C. De Silva

Assistant Secretary
Vishwa de Livera Tennekoon

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4. When such a complaint is made, it is imperative that the legal enforcement mechanism requires the launch of an immediate investigation. The proceedings in the Magistrates Court reflect that this requirement has been satisfied by the investigators.
 5. The record bears out that, for several days, the Swiss Embassy took up the position that the employee concerned was unwell and could not make out a testimony. The word "testimony" is generally referred to evidence given in a court of Law under oath and is not referred to an instance where a person has to make a statement to the police or the investigating authorities the stage of investigations and interrogation. To this extent this term has been wrongly used.
 6. The sequence of events would reflect that investigations have taken its normal pace. No ad hoc arrests have been made. The employee concerned was permitted to be free without being called upon to make a statement, for the purpose of the judicial proceedings, for a considerable period. She has been permitted legal representation at the CID. Embassy officials were permitted to be present as observers at the point of recording her statement. All material emanating from the investigations and the surfacing evidence had been placed before the Court.
 7. In these circumstances, the BASL is of the view that the investigations have proceeded in this case as expected by the Law and on the basis of the normal legal norms accepted domestically and internationally.

The statement issued by the Swiss Government is a basic and a bare statement. Even though the statement makes an allegation of "Due Process" not being followed, the issuer of the statement has failed to identify, at least 1 single ground that has not been followed by the law enforcement officers in this instance.

"Due Process" is a concept which can be traced back to the Magna Carta of 1215. The essential requirements of the 'Due Process' lay down that no person shall be arrested or produced or harassed without proper evidence or material or a charge.

8. In fact, a few weeks ago when a reference was made regarding the right of certain members of the legal profession to appear in this case on behalf of the Swiss Embassy, the BASL immediately issued a statement confirming that every person who is aggrieved or is a party to a court proceeding has a right of representation under our law.

The matter is before court and whenever a matter is sub judice, it is wrong and incorrect for statements to be made in respect of such matter before court. The statement issued by the Swiss Government dated 30th December 2019 violates this basic Rule.

Also, it is relevant to note that none of the lawyers representing the Swiss Embassy has gone down on record regarding the failure to observe due process as alleged in the statement.

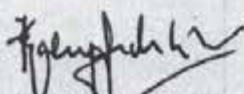
In these circumstances, the Bar Association of Sri Lanka strongly condemns the statement issued by the Swiss Government where it is alleged that the "Due Process" has not been followed. We request the makers of this statement to immediately disclose the areas of "Due Process" that has not been followed in this instance. Without mentioning such specific instances, to issue a bare statement, as has been done in this instance, amounts to a serious undermining of the judiciary and the other Law enforcement agencies in Sri Lanka which are more than equipped to follow the accepted norms.

We request the Embassy to refrain from making such baseless statements and if there is any concern that they have, to bring it before the relevant forum without making ad hoc and inconsistent statements which undermines our legal system and the judiciary.

Furthermore being a responsible Nation as claimed, The Government of Switzerland should be mindful of Article 41 of the Vienna Convention which clearly states that all persons enjoying such privileges and immunities have an equal duty to respect the Laws and Regulations of the receiving State, in this instance; Sri Lanka. It is further illustrated in Article 41 that there should not be any interference in the internal affairs of the State.

It is best if the Government of Switzerland would make an attempt to understand their role in making comments about the judicial system and the Law enforcement system of a separate, independent and a sovereign State.

We strongly condemn the statement issued by the Swiss Embassy as we see that, as an attempt to undermine our core values in the judicial system which we have followed and treasured for more than 2 centuries.



Kaingaludatissa, PC
President
Bar Association of Sri Lanka



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

8th January 2020

Hon Jayantha Jayasuriya PC,
His Lordship the Chief Justice,
Chief Justices Chambers,
Superior Court Complex,
Colombo 12.

May it please Your Lordship,

It is with grave concern that we wish to express the sentiments contained in this communication.

"Public confidence" in the Judicial system is extremely important for a Nation that bases its judicial system on the concept of Rule of Law. In this context all members of the Judiciary are expected to perform an extremely vital role.

Independence of the judiciary and individual judicial independence are two main factors upon which public confidence is built on. While the Judiciary should be free from any type of interference from the Executive or the Legislature, individual judicial conduct on the part of all Judges is also extremely relevant to maintaining the high standards expected from the members of the judiciary.

The media has recently reported about telephone conversations between several members of the judiciary and a Member of Parliament. The conversations contained in these tapes refer to the promotions in the judicial system, pending cases, discussions on arrests to be made and matters relevant to cases where judgments were about to be delivered.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennek
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This issue has raised several questions relating to the very concept of "independence of the judiciary" that we expect and the conduct of these judges to be involved in discussions pertaining to their judicial functions.

In our view this is an issue that has to be cleared up immediately and without delay. Generally, our systems are known to bypass issues by postponing decisions on such issues. We at the BASL, see this as an issue which has to be addressed immediately.

Any attempt to bypass or postpone resolving this issue would result in a further erosion of public confidence of the judicial system.

As the largest Association of the members of the legal profession representing more than 20000 members, we humbly request Your Lordship to immediately look into this grave situation and take strong remedial steps to arrest situations of this nature taking place again.

As the head of the judiciary we believe that this is a duty that Your Lordship owes to the judiciary, the legal profession and the people of this country.

In that endeavour the BASL would stand with all remedial decisions that Your Lordship would take towards the betterment of the judicial administration.

We would thank Your Lordship to grant us the opportunity of an immediate meeting to discuss the mechanism that ought to be adopted to resolve this issue.

Thank you,
Yours faithfully,



Kalinga Indatissa PC
President
Bar Association of Sri Lanka



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

17th January 2020

PRESS RELEASE BY THE BAR ASSOCIATION OF SRI LANKA

The attention of the BASL has been invited to several statements made by members of the legal profession on certain issues pertaining to the Judiciary.

It appears that references have been made regarding pending cases, concluded cases and to names of certain individual Judges.

The BASL is mindful of the need to protect the Rule of Law and also the role that the BASL is required to play regarding the Independence of the Judiciary. Recently and in the past and at all material times, the BASL has played its role regarding the Independence of the Judiciary and upholding the Rule of Law.

We are also mindful of the fact that individual incidents cannot be permitted to be used to attack the entire Judiciary. The Judiciary is an extremely important institution for the protection of individual liberties and upholding the Rule of Law.

We have brought to the notice of His Lordship the Chief Justice and the Honourable members of the Judicial Services Commission the importance of acting swiftly and the need to make decisions on an urgent basis to address the issues that have been highlighted.

We are confident that His Lordship the Chief Justice and the JSC will take appropriate steps regarding the individual Judicial Officers in accordance with the process identified by Law and the Constitutional provisions.

President	Deputy President	Secretary	Treasurer	Assistant Secretary
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Immediate attention in this regard is extremely important so that the Judicial Officers who are truly independent and who have exercised their duty fearlessly and without any kind of influence are protected. We have stressed the importance of this need to take immediate decisions.

While we expect His Lordship and the JSC to act in a swift and an urgent basis, it is equally important that the members of the legal profession are cautious in making public statements.

The BASL wishes to request the members of the profession to refrain from making any statements relating to any pending or concluded cases or individual Judges.

If any member of the profession has any grievance relating to the judicial independence of a judicial officer, we request them to make their grievances addressed to us or the JSC.



Kalinga Indatissa, PC
President,
Bar Association of Sri Lanka



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இலங்கைச் சட்டத்தரணிகள் சங்கம்
BAR ASSOCIATION OF SRI LANKA

27th March 2020

His Excellency Gotabhaya Rajapakse
President of the Democratic Socialist Republic of Sri Lanka
Presidential Secretariat
Colombo 1.

May it Please Your Excellency,

PRESIDENTIAL PARDON

Whilst thanking Your Excellency for the effective steps taken thus far to ensure the safety of the public from Covid 19, the Executive Committee of the Bar Association is compelled to write to Your Excellency regarding the recent pardon granted to one Rathnayake Mudiyansele Sunil Ratnayake, a convicted prisoner who was convicted before a High Court Trial-at-Bar for the murder of eight persons and the manner in which it was reported by certain media institutions.

As Your Excellency is aware the conviction of the High Court Trial-at-Bar was affirmed by a Divisional Bench of 5 Judges of the Supreme Court which is the apex Court of the Country.

Hence, reportage by any section of the media implying that the pardon has been given as the Judgement in this instance has been assessed by Your Excellency to be partial is condemned by the BASL as reprehensible conduct on the part of that section of the media.

The BASL views this reportage to be calculated to harm the system as no one has authority or reason even to remotely suggest partiality regarding the Conviction.

Such irresponsible reportage will only create misconceptions regarding the Rule of Law in the minds of the public.

This in turn will cause irreversible harm to the system of Justice making effective implementation of the Rule of Law a difficult prospect, which we are certain is not the aim of Your Excellency's Government.

President Kalinga Indatissa PC	Deputy President Shavindra Fernando PC	Secretary Kaushalya Nawaratne	Treasurer Nalin C. De Silva	Assistant Secretary Vishwa de Livera Tennekoon
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Article 34 of the Constitution of the Democratic Socialist Republic of Sri Lanka authorizes the President to grant a pardon, either free or subject to lawful conditions.

The proviso to Article 34 (1) requires the President to call for a report from the Judge who tried a case, in a case where the offender has been condemned to suffer death. Such report is required to be forwarded to the Attorney General for advice and the proviso also requires the Attorney General's opinion to be referred to the Minister of Justice who too is required to submit a recommendation to the President.

Article 33A of the Constitution introduced by the 19th Amendment to the Constitution, mandates the President to be responsible to Parliament for the due exercise, performance and discharge of his powers duties and functions.

The Bar Association of Sri Lanka is conscious of the fact that there had been a number of instances in the past where pardons had been granted seemingly without a reasonable basis on which the respective prisoners were selected for granting of such pardons.

Fundamental Rights application bearing No. SC(FR) Application No. 446/2019, filed in respect of a Presidential Pardon granted by the immediate former President is presently before Their Lordships of the Supreme Court.

The outcome of this Case may determine inter alia the reasonable application and scope of the powers of Presidential pardons and whether the correct procedure as prescribed in the Constitution had been followed in that instance.

While appreciating the fact that the Your Excellency has powers to grant a pardon to a convicted prisoner under Article 34 of the Constitution, and the right of the media to report facts, the Executive Committee of the Bar Association of Sri Lanka is of the view that no power should be exercised arbitrarily or in a selective manner and the media should not report any matter in a manner that diminishes the esteem of the system of justice in the minds of the public.

The BASL has consistently maintained this position.

The BASL is only concerned of the impact on the Rule of Law irrespective of the individuals involved or the facts pertaining to the commission of an offense for which an accused has been pardoned.

A conviction is made by a competent Court of Law in the course of judicial functions expected from such Court.

Hence, any pardon to be granted under Article 34 of the Constitution should be made after a careful analysis of the necessity to grant such a pardon and also strictly following the stipulations in the proviso to Article 34(1) where an offender has been condemned to death.

The BASL holds the view that there ought to be transparency in making a decision under Article 34(1) as public confidence in the system needs to be protected.

The BASL has consistently demanded such transparency.

Such should necessarily include valid reasons for the need and the necessity to grant such pardon and whether the steps identified under the proviso to Article 34(1) have been followed.

Any pardon granted under the Article 34(1) without due regard to any of the above factors, would establish a precedent which would adversely impact the very concept of the Rule of Law.

The conduct of sections of the media in the aforesaid manner also will weaken the ability of the State to effectively govern according to the Rule of Law.

As a responsible Association we refrain from releasing this letter to the media at the current juncture in view of the present distressful situation faced by the country.

Thank You.

Yours faithfully,



Kalinga Indatissa, PC
President
Bar Association of Sri Lanka

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- Active cases

List of Active Cases

1. Easter Sunday Attack	SCFR Petition No. 195/2019
2. Appointments of President's Counsel Matter	SC(FR) Application No. 302/2019
3. Colombo City Coroners Matter	SC(FR) 230/2018
4. Royal Park Murder Case	SC(FR) Application No. 446/2019
5. Peter Mohan Maithri Peiris vs. 1. Justice Titus Bodhipala Weerasuriya and 7 others	SC Write Application No.22/18
6. Death Penalty Matter	Supreme Court Case Nos. SCFR 272/2019, SCFR 274/2019, SCFR 275/2019, SCFR 276/2019, SCFR 277/2019, SCFR 278/2019, SCFR 279/2019, SCFR 280/2019, SCFR 281/2019, SCFR 282/2019

CASE NO	PREVIOUS DATE	NEXT DATE	STEP
		17.03.2020	
SC/FR/272/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/274/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/275/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/276/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/277/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/278/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/279/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/280/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/281/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/282/19	09.12.2019	18.03.2020	Support
		19.03.2020	
		17.03.2020	
SC/FR/287/19	09.12.2019	18.03.2020	Support
		19.03.2020	
SC /WRIT/22/18	15.10.2019	15.05.2020	Argument
SC /WRIT/23/18	15.10.2019	15.05.2020	Argument
SC /FR/13/19	06.02.2020	19.03.2020	Resumed

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MEDIA

- Print Media
 - Broadcasting
 - Social Media
-



President Rajapaksa delivering key note address

Unnecessary judicial interventions harmful to democracy - President

President Gotabaya Rajapaksa has said that considerable harm could be caused to democracy by executive and the legislative interference in the legal process and the courts as well as the judiciary needlessly interfering in the functioning of the executive and legislative branches of the government.

President Rajapaksa said so in his keynote address at the Inauguration of the National Law Conference 2020 at the Jetwing Blue, Negombo on Friday, Feb 14.

The President stressed the need for separation of powers and checks and balances

The President said: "Any system is a reflection of the participating stakeholders. This is true even in the case of the executive, legislature, judiciary, business or any other domain. Whilst all stakeholders within the domain of justice can be proud of the Sri Lankan judicial system, particularly the milestones it has reached over a period of time, it is also time for us to reflect whether the Sri Lankan system of justice had been able to work as an efficient and an effective

without independence of the judiciary, the rule of law will inevitably fail. However, independence of the judiciary alone cannot make the legal system and the administration of justice on par with the best legal systems in the world. The system of justice will also have to be complemented with an efficient, effective and an affordable process which will provide a meaningful avenue for the ordinary citizens of the country to resolve their disputes expeditiously and in a convenient and an affordable manner.

"The legal fraternity is often familiar with the phrase justice delayed is justice denied. One of the most common complaints that we hear from the public is that their legal battles get dragged on for many years. This had made the entire process less effective for innocent litigants and conducive for interested parties to frustrate the administration of justice. Therefore, it is time for all stakeholders including the judiciary, the government and the legal fraternity to come up with a holistic solution to make Sri Lankan legal system to be

මානව හිමිකම් කොමිෂණේ චෝදනා නීතිඥ සංගමය ප්‍රතික්ෂේප කරයි

සමඳු මහේන්ද්‍ර විරෝධය

සාපේක්ෂ ඉරිදා මරාගෙන මැරෙන බෝම්බ ප්‍රහාරයෙන් පසු අත්අඩංගුවට පත්වූ මුක්තිමි පාඨිකයන් වෙනුවෙන් අධිකරණයක් පවුළුවී පෙනී සිටීම මාරාන්තික, බදුන්ගු යනාදී ප්‍රදේශවල නීතිඥ සංගමී සාමාජිකයන් විසින් ප්‍රතික්ෂේප කරන ලද බවට සැලකෙන චෝදනා සපයුම්කම් ප්‍රතික්ෂේප කරන බව ශ්‍රී ලංකා නීතිඥ සංගමය ශ්‍රී ලංකා මානව හිමිකම් කොමිෂන් සභාව වෙත දන්වා ගැනූ බව එම සංගමයේ සභාපති ජනාධිපති නීතිඥ සාමුයේ ඉන්ද්‍රගීර්ණ මහතා විශේෂයෙන් 'මිච්චි'ට ප්‍රකාශ කළේය.

එමෙන්ම නිතරින් අධිකරණයේදී සලකාබැඳී සිටින සම්බන්ධයෙන් අත්අඩංගුවට ගත් සිංහලයන් පිරිසකට ඇතැම්වරුන්ට රක්ෂිත බන්ධනාගාර ගතකරන ලෙසට පොලීසිය කරන ලද ඉල්ලීම් නීතිඥ සංගමී සාමාජිකයන් විසින් බාධා කරන ලද බවට කොමිෂනේ සභාපතිවරයා විසින් කොටු ඇති චෝදනාවක් ප්‍රතික්ෂේප කරන බවද ඔහු පැවැසීය.

ශ්‍රී ලංකා මානව හිමිකම් කොමිෂනේ සභාපතිවරයා ආචාර්ය උඩගම මහේන්ද්‍ර විසින් සිය අත්සනින් ප්‍රචාරය කරන ලද 2019 මැයි මස 30 දිනට ශ්‍රී ලංකා නීතිඥ සංගමී සභාපති ජනාධිපති නීතිඥ සාමුයේ ඉන්ද්‍රගීර්ණ මහතාගේ සමීර කොමිෂනට එවා ඇති එම ලිපිය මගින් මෙම චෝදනා කොටු ඇති අතර ඊට ප්‍රතිචාර දක්වමින් එම ප්‍රදේශයෙන් ශ්‍රී ලංකා නීතිඥ සංගමී සභාව ආරම්භ වන ලිපිපතක් සාරාංශයක් ලෙසට පිළිගෙන සිටින බවද සභාපතිවරයා විසින් සිය අත්සනින් ප්‍රචාරය කරන ලද බවද නීතිඥ සංගමී සභාපති ජනාධිපති නීතිඥ ඉන්ද්‍රගීර්ණ මහතා සිය සිටියේය.

ශ්‍රී ලංකාවේ පුරා විහිදී ඇති සම සංගමයේ සාමාජිකයන් සංඛ්‍යාව 8468 ප්‍රකාරයෙන් සාමාජිකයන් පැමිණීමට නීතියෙන් අධිකාරය සහතික කිරීමටත් නීතිඥ විද්‍යාලයේ ප්‍රවේශය වැඩිදියුණු කිරීමටත් කොමිෂන් සභාවට ප්‍රවේශය ලබාදීමටත් සිය විෂයයේ වගකීම් ඉටු කිරීමට දීර්ඝ කාලයක් මැදි සිටින බවත් එම ලිපියෙන් ප්‍රකාශ කොට ඇත.

සම සංගමී සභාව වෙතින් මෙම සම්බන්ධයෙන් ලිඛිත වාර්තා ලැබුණු විෂය වැඩිදියුණු කිරීම සම්බන්ධ පිළිතුරක් බොහෝම සපුරා දෙන බවද වැඩිදියුණු කිරීම ප්‍රකාශිතය.

ලේඛන මාසික වෛරස පතුරුවන්නන් අත්අඩංගුවට ගත හැකිය

ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්

පසන් ශ්‍රී මණිංග

ලේඛන මාසික මාසික වෛරස පතුරුවන්නන් අත්අඩංගුවට ගත හැකිය. ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්.



ජනාධිපති - ඉන්දුනිස්

ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්. ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්.

ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්. ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්.

ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්. ජනාධිපති තීරණය කාලිංග ඉන්දුනිස්.

Ranil, Gotabaya at Port City promotion project

BASL, govt agree on need for law reforms to facilitate investment

Monday 17th February 2020

By SHAMINDRA PERINANDO

The Bar Association of Sri Lanka (BASL) has thrown its weight behind the mega Port City Colombo Development Project with its President Kalindra Indatissa, PC, offering the association's whole-hearted support to the initiative launched in Sept 2014. The pledge was made at the inauguration of the three-day National Law Conference 2020 at Jetwing Blue, Nuwara, on Friday, Feb 14.

Turning towards Chief Guest at the event President Gotabaya Rajapaksa, Indatissa said: "The new economic concepts being require some law reforms. The BASL and our membership will be glad to offer our professional expertise if called upon to do so."

The gathering included Speaker Kenu Jayawaraya, Chief Justice Jayantha Dissanayake and judges of the Supreme Court, Justice Minister Nimal Siripissa de Silva, Attorney General Dissanayake de Silva, the President and other judges of the Court of Appeal, the Solicitor General, and members of the diplomatic community. President's Counsel and attorney-at-law, Chief Guest of honour Prime Minister Mahinda Rajapaksa was not present.

The flagship event of the BASL, aptly titled 'Sri Lanka, a Financial and Commercial Hub, Vision, Challenges and Opportunities' also featured a panel discussion on 'The Way Forward for the Legal Profession in Sri Lanka' moderated by Attorney General Dissanayake de Silva.

Chief Port City Colombo (PCC) Limited was among the major sponsors of the project, which included both public and private sector enterprises as well as CSAs.

Declaring that the high profile Chinese project offered a range of opportunities to the business community and members of the legal profession, PC Indatissa emphasized the pivotal importance in the

participants fully utilizing the sessions over the weekend to enhance their knowledge in offshore banking, foreign direct investments and their legal regime, ports, aviation and maritime security, shipping, maritime trading and piracy; labour laws and conflict of laws in the given context. Amidst simmering crisis over the Acting Inspector General of Police C.D. Wickremaratne so far declining to carry out instructions

had been stormy times but the prosecution and the judicial system stood such challenges unwaveringly. He said: "The system of justice plays a significant role in every democratic society. To the people, the judiciary is the sole protection against tyranny, arbitrariness, and abuse of power by the executive. To them, it is the place where the wrong can be remedied,

in this regard, the President's Counsel said, adding that they would not hesitate to act in the interest of the profession and the legal system.

Indatissa said that it would be the responsibility of those within the legal system to instill public confidence.

Chief Port City Colombo (PCC) Limited on the basis of the report prepared by the PricewaterhouseCoopers (PwC) Limited promised the project with the assurance a further USD 500 m during the next 12 to 18 months.

The gathering was informed of the USD 900 m investment made so far and the responsibilities on the part of the powers that be to take the initiative to improve conditions for investment.

The initiative stressed that tax incentives alone would not be sufficient to attract foreign direct investment. The company distributed a 26-page report titled 'Economic Impact Assessment of The Port City Colombo among the audience.

President Rajapaksa called for the elimination of bureaucratic red tape and prohibitive regulations to facilitate both local and foreign investment. He said the members of the legal profession could help the country achieve required changes.

Commenting on the Port City project, the President said that a considerable amount of work needed to be done to ensure that the legal and regulatory framework in the area were structured in such a way as to enable it to reach its full potential. Similarly, there were improvements that could be introduced in financial regulations, bureaucratic processes and legal framework for which BASL members contribution was vital.

"For us to become a properly functioning financial and commercial hub, our laws must be in accordance with internationally accepted norms, our legal process must be efficient, and the judiciary must remain independent."



BASL President Kalindra Indatissa, PC at the inauguration of the Three-day National Law Conference 2020 at Jetwing Blue, Nuwara

issued by the Attorney General Dissanayake de Silva, PC, to obtain an arrest warrant on High Court Judge (John Philip) over having telephone conversations with UNP lawmaker Ranjan Ramanasighe and a spate of other controversies involving members of the profession, organizers included a session on professional ethics and responsibility.

In his brief address, PC Indatissa emphasized that the BASL considered that particular session as being extremely important.

Referring to what he called a well-structured judicial system that had been in place during the time of kings as well as the passage of the Chapter of Justice in 1800, PC Indatissa said that there

is they committed by a fellow citizen or by the State. To them, it is the only forum in which they can challenge the State on even grounds.

Referring to the spate of recent incidents, PC Indatissa acknowledged that no system was fool-proof. "These issues require immediate attention and any attempt to resolve them must be made with a high degree of maturity."

Having dealt with the responsibility on the part of the state to ensure what he called a competitive business environment for development of commercial activity, the BASL President underscored the obligation of the state as regards introduction of firm policies. The BASL would continue to observe the process adopted in



ශ්‍රී ලංකා නීතිඥ කංගමයේ මහ කමුළුවේදී...

ශ්‍රී ලංකා නීතිඥ සංගමයේ වාර්ෂික මහ සමුළුව ජනාධිපති තෝරාගැනීමේ ආරක්ෂා මහතාගේ ප්‍රධානත්වයෙන් පෙරේද (15) රාත්‍රියේ මහලුමේද පැවැත්විණි. සමුළුව ආරම්භයේ දී ජනාධිපති තෝරාගැනීමේ ආරක්ෂා, කතානායක සාරා ජයසූරිය, අභ්‍යන්තර රජයේ සේවයේ, සිටින අනුමාප්ත රාජිත් විදුමසිංහ, අධිකාරීන් අමාත්‍ය විමල් සිරිසාම ද සිල්වා, නීතිපති උපදුල ද සිල්වා, ශ්‍රී ලංකා නීතිඥ සංගමයේ සභාපති ජනාධිපති නීතිඥ කාමරේ ඉන්දරික සහ ශ්‍රී ලංකා පොදුරාජ්‍ය මණ්ඩලයේ සභාපති මහාචාර්ය ජී.විල් පීරිස් යන මහත්වරුන් ජාතික ගීයට ආචාර කළ අයුරු.

BASL FILES FR OVER EASTER SUNDAY ATTACKS

LAKMAL SOORIYAGODA

Five attorneys representing the Bar Association of Sri Lanka (BASL) yesterday filed a Fundamental Rights petition in the Supreme Court against Easter Sunday attack probe operations.

They are seeking a declaration that any person found interfering with or attempting to interfere with the anti-terrorism operations of the Police and the Armed



Forces should be forthwith arrested and arraigned before the law or otherwise

dealt with swiftly in terms of the law. This Application was filed in the aftermath of the debilitating carnage that was perpetrated against the people of this country and indeed, the country per se, by the recent Easter Sunday bombings, launched by Jihadist terrorists, that effectively tore into the heart of this country and virtually cannibalised it with its violence, intensity and with its

incomprehensibly wanton, murderous intent, which resulted in irreversibly debilitating consequences to the innocent victims, hundreds of whom lost their lives and several hundreds more, who were maimed and crippled and their families who were rendered permanently destitute.

This petition had been filed by BASL President Kalinpa N. Indatissa PC,

BASL Deputy President Shavindra Fernando PC, BASL Secretary Kaushalya Nawaratne, BASL Treasurer Nalin Chandika De Silva and BASL Assistant Secretary Vishwa De Livera Tennekoon naming Defence Secretary Gen. S.H.S. Kottegoda (Retd), former Defence Secretary Hemasiri Fernando, IGP Pujith Jayasundera and the cabinet of ministers as respondents.

BASL files FR over Easter Sunday attacks...from page 01

The petitioners further sought a declaration that special and sustained investigations and other related preventive actions should be taken by any and all of the respondents to identify, locate, confiscate and prevent all funding and sources of funding being made accessible to terrorism and terrorists.

They further sought a declaration that special resources be allocated to enhancing the efficacy of the intelligence services of Sri Lanka and the training of personnel and also direct that co-operation in the form of intelligence sharing with other countries should be maximised. The petitioners further sought a

declaration that the Fundamental Rights of the Petitioners as well as all persons and the citizens of Sri Lanka, as well as those of the victims of the Easter Sunday bombings and their families guaranteed by Articles 12(1), 14(1)(b), 14(1)(e), 12(2), 10 and 14(1)(g) of the Constitution have been infringed by the respondents.

Broadcasts



The BASL took part in many programs on electronic media to educate the general public on matters of interest and public importance. Accordingly, the President & the Secretary participated in such programmes as resource persons. One such programme was the “Balaya” programme on Hiru TV where the Secretary participated on the 11th July 2019 to discuss the implications of the ACSA, SOFA and the MCC Agreement.



Social Media

The President of the BASL started an online Petition on Change.org for the Restoration and Infrastructure Development of Hulftsdorp Court Complex, Sri Lanka. The Petition which garnered over 1500 signatures is as follows;

Petition for Restoration and Infrastructure Development Of Hulftsdorp Court Complex, Sri Lanka to His Excelency the President Maithripala Sirisena et all.

Sri Lanka is an Island which cherishes a very long history. The judicial system in Sri Lanka and the Legal Profession in its current form are rich heirs to a system of judicial administration which commenced in 1801 consequent to the parsing of the Charter of Justice.

Since 1801, Hulftsdorp has been the center of the Judicial system and the legal profession in this country. Since the appointment of Sir Codrington Edmund Carrington as the 1st Chief Justice of Ceylon, it has been the home of 47 Chief Justices. The buildings and the environment were protected by all Chief Justices and the members of the Bar.

Unfortunately, since of late the main building in Hulftsdorp has been left unattended by the authorities concerned. The attached photographs will demonstrate the state of the buildings and the environment.

On numerous occasions and repeated requests have been made for the restoration of this building. We regret to state that none of these requests were considered by the respective authorities who held office.

The building itself is a historical site. It is very depressing that the relevant officials have continuously turned a binding eye to the plight of these buildings.

The judicial system makes a significant contribution to the economy through the fines

levied and through the collection of statutory dues. These monies are transferred to the consolidated account and is used for other purposes.

This building is about to collapse and if it does happen a significant landmark in our cherished history will be evaporated due to the inaction and default on the part of the officials concerned. Over the years, we have come to realize that there is no institution which is prepared to bear responsibility towards the restoration of this iconic landmark. Lack of concerns, accountability and responsibility is a matter of concern to us at the Bar.

We wish to respectfully bring to your notice the appalling condition of the buildings and urge you;

- a) Collectively make an effort to vest these buildings in a more responsible institution,
- b) Involve the Ministry of Justice to take immediate measures to restore this building with the involvement of His Lordship the Chief Justice, Hon. The Attorney General and the BASL,
- c) Create a Trust with all stake holders for the development of the Court houses.

Apart from the Hulftsdorp Court complex most of the Court complexes throughout the Island lack basic facilities. Public sitting areas, public toilets, facilities for the local practitioners, child friendly premises, child care facilities and disabled access are same such facilities that ought to be introduced immediately.

The above immediate measures are absolutely necessary and we urge you take immediate steps to take action to resolve these issues. Any further delay would result in a major catastrophe. We at the BASL would request you to make this collective effort to save this heritage for the future generations of this Nation.

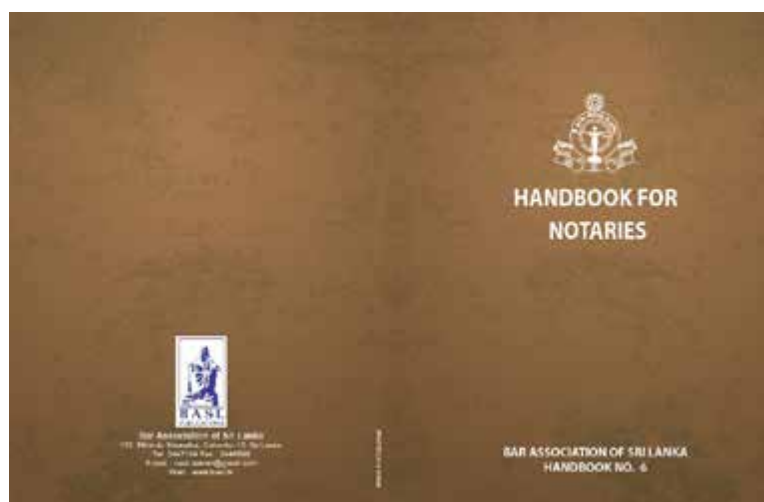
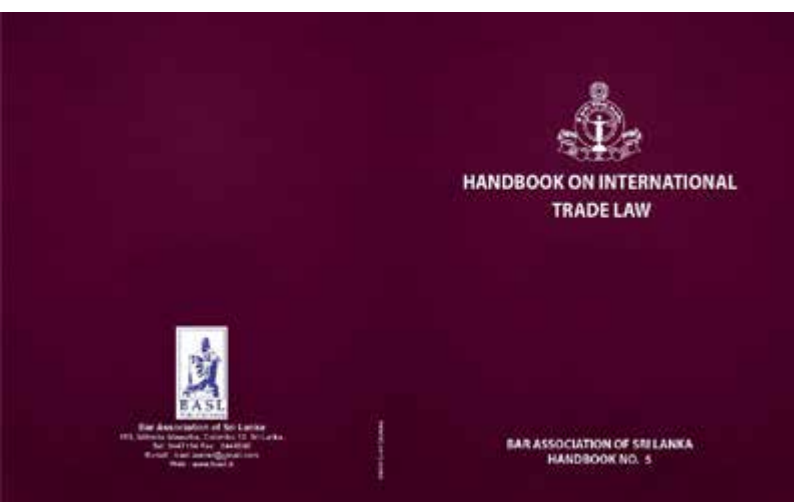
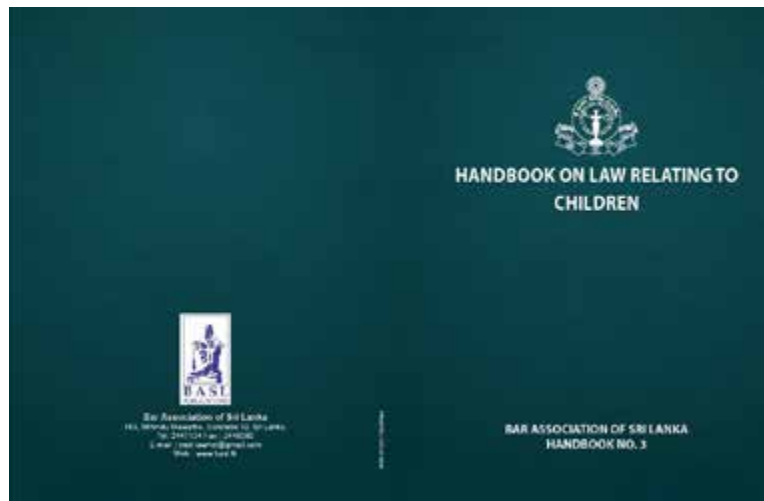
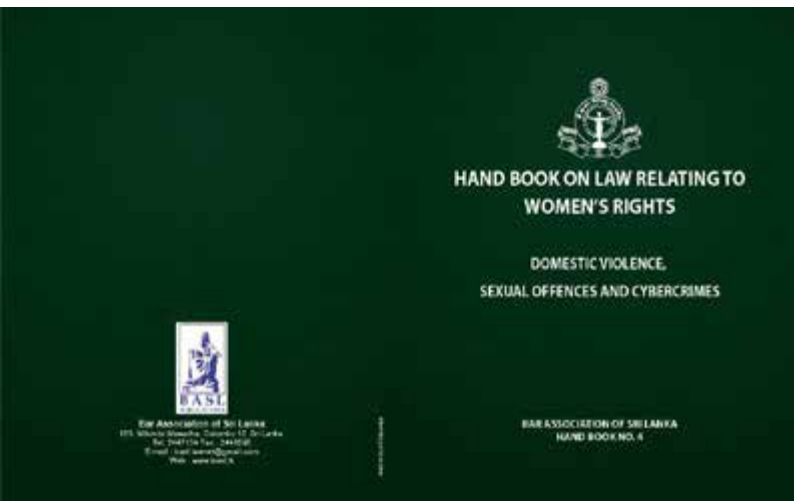
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BASL PUBLICATIONS

• BASL publications for
the year 2019/2020

BASL Publications for the year 2019/2020

1. 1st Hand Book for Apprentices and Young Lawyers Authored by Mr. Kalinga Indatissa, PC
2. 2nd Hand Book for Admiralty Law and Practice Authored by Mr. Chandaka Jayasundera, PC
3. 3rd Hand Book on Law Relating to Children Authored by Mr. Harshana Nanayakkara
4. 4th Hand Book on Law Relating to Women's Rights Authored by Mr. Harshana Nanayakkara, AAL and Mr. Mahesh Senaratne, AAL.
5. 6th Hand Book on Notaries Authored by Ms. Nirodha Kalansooriya, AAL
6. 7th Hand Book on Military Law
7. Supreme Court Law Reports on Civil and Criminal 2019 Vol (1) (January to June)
8. Law Journal 2018/2019 Vol. XXIV
9. Judgments Published in BASL Law Journals 2019 (UNREPORTED)
10. Supreme Court Rules
11. Management Diary 2020
12. Pocket Diary 2020
13. Slim Diary 2020
14. BASL Calendar 2020





HANDBOOK FOR APPRENTICES AND YOUNG LAWYERS

**BAR ASSOCIATION OF SRI LANKA
HANDBOOK NO. 1**



HAND BOOK ON ADMIRALTY LAW & PRACTICE



Bar Association of Sri Lanka
153, Mihindu Mawatha, Colombo 12, Sri Lanka.
Tel: 2447134 Fax : 2448000
E mail : basl.lawnet@gmail.com
Web : www.basl.lk

BAR ASSOCIATION OF SRI LANKA

BAR ASSOCIATION OF SRI LANKA
HAND BOOK NO. 2



HAND BOOK ON MILITARY LAW



Bar Association of Sri Lanka
153, Mihindu Mawatha, Colombo 12, Sri Lanka.
Tel: 2447134 Fax : 2448000
E mail : basl.lawnet@gmail.com
Web : www.basl.lk

BAR ASSOCIATION OF SRI LANKA

BAR ASSOCIATION OF SRI LANKA
HAND BOOK NO 7

**JUDGMENTS
PUBLISHED IN
B A S L LAW
JOURNALS
2009
(UNREPORTED)**



Published by
BAR ASSOCIATION OF SRI LANKA
2019



BAR ASSOCIATION OF SRI LANKA

JUNIOR BAR LAW JOURNAL

VOLUME X



2019



JUNIOR BAR OF THE BASL



THE BAR ASSOCIATION LAW JOURNAL

2018/19 VOL.XXIV

JOURNAL OF THE BAR ASSOCIATION OF SRI LANKA

SUPREME COURT RULES

(Incorporating Amendments up to 2018)



Published By:
Bar Association of Sri Lanka

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SPORTS

- Law/Med Cricketing Encounter

- Lawyers Cricket
- Lawyers Football

- Lawyers Rugby

Law & Medical Cricket

There was enthusiastic participation by the members of the BASL at the 2019 edition of the Annual Law Medical Encounter. The event was held at the Colombo Cricket Club Grounds, organized by the Bar Association of Sri Lanka. The direct and personal involvement of both the President and Secretary of the BASL was a monumental contribution towards making the event a success, as was the patronization by the members of the Bar.

To complete a successful event the Lawyers Cricket Team representing the BASL comprehensively beat the Doctors Team representing the Sri Lanka Medical Association. The value of this annual event in bringing together members of these two celebrated professions, for a day of fellowship and camaraderie, was appreciated by all present.



The poster features a stylized silhouette of a batsman in purple and red, holding a bat. To the right is the logo of the Bar Association of Sri Lanka, which includes a scale of justice. Below the title is a group photograph of the cricket teams. The event details are listed in a pink banner, followed by a green banner for entertainment and a red banner for an invitation. At the bottom, there is a quote about the 'Lawyers' Cricket World Cup' and the name of the Secretary.

**ANNUAL
LAW MEDICAL
CRICKET ENCOUNTER**

**SUNDAY 24TH NOVEMBER 2019 AT CCC - CN&FC (GYMKHANA CLUB) GROUNDS
FROM 9.30 ONWARDS MAITLAND CRESCENT COLOMBO 7**

FOLLOWED BY FELLOWSHIP AND ENTERTAINMENT

FOOD STALLS / DJ MUSIC / ENTERTAINMENT / RAFFLE DRAW

All members are invited to cheer the lawyers' cricket team

*"Lawyers' Cricket World Cup is scheduled to be held in New Zealand"
from 29th December 2019 to 09th January 2020*

**Kaushalya Nawaratne
Secretary
Bar Association of Sri Lanka**





Lawyers Cricket

The year 2019 has been one of the most exciting years for the Sri Lanka Lawyers' Cricket Club. It has been a remarkable journey since 2009 and the achievement of the Club throughout the last ten years has indeed been extraordinary.

The launch of the Lawyers' Cricket League in 2019 was a key landmark for Sri Lanka Lawyers' Cricket as it saw fruition of longstanding efforts of the Club to extend the reach of Lawyers' Cricket into various administrative zones in the country. The inaugural tournament saw the participation of four teams representing the Western Province, Southern Province, Central Province and the North Western Province respectively. Western Province emerged victorious in this inaugural tournament.

The Sri Lanka Lawyers' Cricket team became the runners-up in the Professional' Cricket League held in year 2019. This was the fifth edition of the League. The Doctors cricket team became the champions after winning a thrilling final against the Lawyers. The other teams that participated in the tournament were the Aviators, Architects, Town Planners and Engineers.

The Lawyers' Cricket team that represented the Bar Association of Sri Lanka won the annual Law-Medical encounter which was held in November by defeating the Doctors comprehensively.

The most significant achievement of the Sri Lanka Lawyers' cricket team in the year 2019 was becoming runners-up in the 7th Lawyers Cricket world Cup held in Hamilton, New Zealand. Sri Lanka lost to Australia in the Final, which incidentally is a repeat of the Final of 2017 World Cup when Australia defeated Sri Lanka narrowly in Colombo. A total of 12 teams representing all test countries participated in the Tournament.

Sri Lanka Lawyer's Cricket Club conveys its appreciation to the President of the Bar Association of Sri Lanka Mr. Kalinga Indratissa PC and his committee for all the support given to the Club in the last year.









Lawyers Football

The Sri Lanka Lawyers Football Association was formed in 2017 under the guidance of Mr. Amal Randeniya AAL, Mr. Nihal Perera AAL and the Coach Mr. Kabeer Kamaldeen. The Lawyers Football Association team participated in the Asia Cup held in Vietnam in 2017 and qualified

for the 2018 Lawyers Football World Cup to be held in Barcelona, Spain.

During this World Cup the Sri Lanka Lawyers Football Team played against the teams from Brazil, Spain, Italy and Mexico.



In 2019 Mr. Didula Rajapaksha was appointed as the Captain of the team. The Sri Lanka Lawyers Football Team participated in the Asia Cup held in Bangkok, Thailand in 2019 and gained qualification for the Lawyers Football World Cup to be held in Morocco in 2020.



Lawyers Rugby

Lawyers with passion for Rugby rallied together to establish "Sri Lanka Lawyers' Rugby Football Club" with the accreditation of the Bar Association of Sri Lanka. The Annual General

Meeting of the club was convened on the 29th January 2020 at the High Court Lawyers' Lounge at Hulftsdorp, Colombo 12. The attendance at this meeting reflected the enthusiasm of the

members, particularly of senior counsel in the likes of Mr. Anuja Premaratne, PC and Mr. Kaushalya Nawaratne who rendered much needed advice on the way forward for the club.

With adoption of the amendments to its constitution, the club devised their complete strategy and solemn commitment to the game.

The club was later accredited by the Bar Association of Sri Lanka at the Bar Council Meeting held on the 29th February 2020 when Lawyers Rugby was unanimously adopted. From the inception of the year, the team has vigorously engaged in weekly practice sessions without fail – covering various fitness regimes and game ploys. Despite the pandemic, the team members have dedicated themselves to 'virtual workouts' in order keep fit and share their progress ensuring that everyone stays fit and motivated.

When civilian life was restated to normalcy after the COVID-19 situation, the club geared forward with presentation of



SRI LANKA LAWYERS' RUGBY FOOTBALL CLUB

No.50/11, Wijithapura Liyanage Mw, 4th Cross St, Pelawatta, Battaramulla.
E-mail: lawyersrugby@gmail.com Mobile: 0774177432 / 0713789554

Patrons

Kalinga Indatissa P.C.
Razik Zarook P.C.
Shavindra Fernando P.C.
Kaushalya Nawaratne

President

Anuja Premaratne P.C.

Vice Presidents

Newman Henry
Amila Palliyage
Sandun Gunawardana

Secretary

Anthony Gunawardana

Treasurer

Erick Balasuriya

Team Manager

Shabdika Wellappili

Coordinator

Damithu Surasena

Committee Members

Didula Rajapaksha
Imaz Imthiyaz
Rishan Vidanagama
Anjula Rajapakshe
Ganisha Jagodaarachchi

Captain

Sehan Soya

Vice-Captain

Dhanya Gunawardana

24th February 2020

Mr. Kaushalya Nawaratne
Attorney-at-Law
Secretary
Bar Association of Sri Lanka
No. 153, Mihindu Mawatha,
Colombo 12.
Dear Sir,

Sri Lanka Lawyers' Rugby Football Club

I would be grateful to you if you could recognize the Sri Lanka Lawyers' Rugby Football Club as the Rugby Football Club of the Bar Association of Sri Lanka which would have similar status to the Lawyers Football Club and Lawyers Cricket Club of the Bar Association of Sri Lanka.

At the first Annual General Meeting of the Sri Lanka Lawyers' Rugby Football Club which was convened at 2.30pm on 29th January 2020 at the High Court Lawyers' Lounge, Hulftsdorp, Colombo 12 and the following Office Bearers were appointed;


Patrons	: Mr. Razik Zarook, PC, Mr. Kalinga Indatissa, PC, Mr. Shavindra Fernando, PC, Mr. Kaushalya Nawaratne
President	: Mr. Anuja Premaratne, PC
Vice Presidents	: Mr. Newman Henry, Mr. Amila Palliyage, Mr. Sandun Gunawardana
Secretary	: Mr. Anthony Gunawardana
Treasurer	: Mr. Erick Balasuriya
Team Manager	: Mr. Shabdika Wellappili
Coordinator	: Mr. Damithu Surasena
Committee Members	: Mr. Didula Rajapaksha, Mr. Imaz Imthiyaz, Mr. Rishan Vidanagama, Mr. Anjula Rajapakshe, Mr. Ganisha Jagodaarachchi
Captain	: Mr. Sehan Soya
Vice-Captain	: Mr. Dhanya Gunawardana

A copy of the minutes of the said meeting are attached hereto marked at X for your reference.

Please note that the 1st Match of the Sri Lanka Lawyers' Rugby Football Club is scheduled for the 21st of March 2020 against Sri Lanka Law College Rugby Team. I humbly request you to recognize the Sri Lanka Lawyers' Rugby Football Club as the Rugby Football Club of the Bar Association of Sri Lanka and to give us your fullest support.

I take this opportunity to thank Mr. Kalinga Indatissa PC, the President BASL, Mr. Shavindra Fernando, PC Deputy President BASL, you, the Secretary BASL, Mr. Nalin de Silva, Treasurer BASL and Mr. Vishwa de Livera Tennakoon, Assistant Secretary BASL and Mr. Razik Zarook, PC for the valuable support and guidance.

Yours faithfully,


Anuja Premaratne, PC
President
Sri Lanka Lawyers' Rugby Football Club


jerseys to the members of the team, setting an example on how we need to get back to work in a different and new environment. Accordingly, the ceremony took place at the Bar Association

of Sri Lanka with participation of Mr. Kalinga Indatissa PC, Mr. Razik Zarook PC, Mr, Shavindra Fernando PC, Mr. Anuja Premaratna PC, Mr. Kaushalya Nawaratne and Mr. Rajeev

Amarasooriya. Marking its territory online, Sri Lanka Lawyers' Rugby Football Club has now launched its Facebook and Instagram pages. Members of the legal fraternity and the

supporters of the team can now stay updated on all updates directly from the club.

"Rugby is a game of commitment, teamwork and love. Scrums are tough and powerful. Lineouts make trust and friendships come together. Constant support wherever you are. And when that one person scores a try, the whole team take the glory"



**SRI LANKA
LAWYERS'
RUGBY
FOOTBALL
CLUB**

Accredited By:
BAR ASSOCIATION OF SRI LANKA

Patrons
Kalinga Indatissa P.C.
Razik Zarook P.C.
Shavindra Fernando P.C.
Kaushalya Nawaratne

President
Anuja Premaratne P.C.

Vice Presidents
Newman Henry
Amila Palliyage
Sandun Gunawardena

Secretary
Anthony Gunawardena

Treasurer
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Team Manager
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Committee Members
Didula Rajapaksha
Imaz Imthiyaz
Rishan Vidanagamage
Anjula Rajapakshe
Ganisha Jagodaarachchi

Captain
Sehan Soyza

Vice-Captain
Dhanya Gunawardena









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TREASURER'S REPORT

- Report
 - Accounts
-

Treasurer's Report



It is a great pleasure for me to present my Report for the year ending 31st December 2019 along with the Audited Statement of Accounts and the Financial Statement of the Bar Association of Sri Lanka on behalf of the Executive Committee for approval from the Bar Council.

I assumed duties as Treasurer of the Bar Association of Sri Lanka on the 1st of April 2019 at a crucial time where the Bar Council had been making a lot of allegations against the financial status of the Bar Association. I have always taken strict measures in all activities of BASL and transparency was one of my main goals. It was a challenge for me to manage our accounts and at the same time maintaining the growing desires of Hon. President, Hon. Secretary and the Committees to raise the Bar in their respective projects.

I have made several innovative changes to the format of the financial information and the

accounting policies from April onwards. I must thank the President, Secretary, Management Committee, Finance Committee and the Executive committee for their guidance, assistance and the support which gave me the strength to complete my duties in the year 2019/ 2020 as Treasurer. It has been a financially progressive year for the Bar Association under the leadership of Mr. Kalinga Indatissa PC, the President of BASL, and Mr. Kaushalya Nawaratne Attorney-at-Law, the Secretary of BASL and the Management Committee have successfully managed to increase the income of the BASL even though we have conducted seminars, events. Moreover, donations and additional assistance were given to all outstation bar associates during said period as well.

- As agreed by the office Management, any office equipment purchases for Rs.50,000/- and above must obtain approval from the Procurement Committee before purchase.
- We have obtained the On-line banking facility (PAYFAST) from HNB, and now we are in the process of obtaining similar facility from Bank of Ceylon (BOC) & People's Bank (PB) as well where BASL has its main bank accounts and this enables to manage our respective bank accounts On-Line such as Viewing, Transfer funds within BASL accounts, Pay utility bills, Payroll Processing, to make on-line EPF & ETF transfer to relevant Government departments, etc.
- On my request, I was able to place a cash register at the point where car passes and BASL Publication materials are being issued and it makes a great convenience to members where they can complete payment transaction at the same place where above materials are issued.
- In order to cut down photocopying expenses, I have proposed to the Bar Council for their approval to send by email instead of photocopying related materials of EXCO & BAR COUNCIL meetings to respective members and this process has been in practice since last year

and had made a significant effect not only on the cost factor but on the time utilization of the photocopy operator as well.

- As requested in many occasions by the former President (BASL) Mr. Upul Jayasuriya PC, we managed to transfer the Law Asia interest to a separate account in order to utilize same for members medical requirements.
- Management Committee of the BASL used to frequently organize seminars out of Colombo and part of the expenses incur on these seminars such as transportation of staff (BASL) and all expenses of junior lawyers (Transportation, Food & Lodging) who participate on these seminars were borne by the Office Bearers (President, Secretary & Treasurer) throughout the year. Further, I would like to place a special note of appreciation to the President of the Bar Association PC, Mr. Kalinga Indatissa, PC and the Secretary of the Bar Association for maintaining a mutual respect & understanding among the Management Committee and the staff of the BASL. Beyond doubt I strongly believe, that due to our good relationship and the effective communications that we had, we were able to maintain transparency on all transactions that we did during the said period and had smooth function in all areas of which helped to achieve our goals in the year 2019/2020.

It is worthy to note that as at 31st December, a total sum of Rs.130,077,768/49 is available as fixed deposits of the Bar Association.

As always, I sincerely value the comments, suggestions about the financial reports that I have presented at Bar council meetings during year 2019/2020.

MEMBERSHIP SUBSCRIPTIONS

There is a significant increase in income from life membership. We have received a sum of Rs.8,812,850/10 on account of Membership Subscription made up as follows:

Ordinary Membership – Rs.853,476/60
Life Membership - Rs.7,959,373/50

FIXED DEPOSITS

During the period under review we have collected a sum of Rs.12,898,582/94 by investing money on fixed deposits. Fixed deposits were placed at the best interest rate offered by banks and the Life Membership Subscriptions were deposited in Fixed Deposits.

INCOME FROM THE BASL BOOKSHOP

The BASL bookshop recorded an income of Rs.225,524/20 during this year.

PURCHASE OF FIXED ASSETS

During the period under review, Fixed Assets purchased for Rs.998,856/50 include purchasing of fittings for the Secretariat, President's Room of BASL building, furniture items for BASL Server Room, Air Conditioner to the BASL Room of OPA.

LOANS GRANTED TO BASL STAFF

Loan facilities were granted for the permanent staff of BASL RS.1,752,180/- (Recovery will be in accordance with the agreement).

BASL STAFF SALARIES

The total amount that was paid for BASL staff members was Rs.14,487,581/90 as salaries.

PROFIT FROM SALE OF BASL DIARIES

We have gained a profit of Rs. 4,101,882/62 from the sale of Diaries of 2020.

BASL VEHICLE PASSES

We were able to make Rs.3,663,747/30 from the sale of BASL Vehicle Passes during the year of 2019.

BASL PUBLICATIONS

We were able to make a surplus of Rs.181,409/88 from the sale of BASL Publications.

PROVINCIAL LAW CONFERENCES

I am grateful to pay my appreciation for USAID for their contribution in providing financial assistance to hold the Provincial Law Conferences in Nuwaraeliya, Badulla, Negombo

PROVINCIAL HUMAN RIGHTS LAW CONFERENCES

I am grateful to pay my appreciation for Max Planck Foundation for their contribution in providing financial assistance to hold the Provincial Human Rights Law Conferences in Dambulla, Jaffna, Batticaloa, Galle, Nuwaraeliya and Negombo.

OTHER ACTIVITIES OF THE BASL

The standing committees of the BASL organized the seminars and activities during the period under review. It has shown a surplus of Rs.9,222,368.99

I pay my gratitude to the Chairpersons and the Conveners of the committee for their time and contributors.

- Diary Committee
- National Law Conference Committee
- Junior National Law Conference Committee
- Seminars Committee
- Special Project Committee
- Notarial Practice Committee

PROJECTS LAUNCHED TO RAISE ADDITIONAL FUNDS

During the period under review, the following projects were launched by the BASL to raise additional funds.

- Issuance of Vehicle Passes
- Insurance scheme for members
- Membership Benevolent Fund
- Computer Donations Fund
- Printing of BASL Identity Cards
- The Certificate Course on Effective Instructing Attorneys
- Legal English Certificate Course
- Speech Craft Programme
- Cross Examination Certificate Course

Based on above financial statistics it is noted that in the year 2019 a significant increase on Associations Investments (FD) & Fixed Assets. Settlements related to purchases of some of the fixed assets in the year 2018 were made in the year 2019 (Solar Power System & Generator). Therefore, mainly due to the above reason, there

was a negative impact on payments and the net cash flow in the year 2019.

CONCLUSION

I wish to extend my heartfelt appreciation and gratitude to Mr. Kalinga Indatissa PC, the President of BASL, Mr. Kaushalya Nawaratne Attorney-at-Law, the Secretary of BASL, the Management Committee, the Executive Committee, the Finance Committee, the Bar Council, the Membership of the Bar Association of Sri Lanka, and all those who assisted me in various capacities to execute my duties effectively and efficiently. I also thank to the Auditors Ms. B.R. De Silva & Company for the wonderful job done by preparing the Audit Report 2019 -2020.

I will be failing in my duties if I have not extend my sincere appreciation towards the hard work and the tireless services rendered by the Administrative Secretary Mrs. Suranee Samarasekara, Accountant Mr. Malinga Bandara, the Accounting staff Mrs. W. A. D. Aruni and Mrs. Surangi Liyanage and the entire staff of the BASL, and I thank them as well for their good work done during my tenure in office. BASL financing would never have been able to achieve the success during the year under review if not for the support of the said staff.

Thank you.



Nalin De Silva,
Treasurer,
Bar Association of Sri Lanka

Private & Confidential

INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF BAR ASSOCIATION OF SRI LANKA

Opinion

We have audited the Financial Statements of Bar Association of Sri Lanka, which comprise the Statement of Financial Position as at 31st December 2019, and the Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year then ended, and notes to the Financial Statements, including a summary of significant Accounting Policies and Other Explanatory Notes.

In our opinion, except for the matters stated in the basis for qualified opinion paragraph below and any consequent adjustments that may arise therefrom, the accompanying Financial Statements give a True and Fair view of, the Financial Position of the association as at 31st December 2019, and of its Financial Performance and its Cash Flows for the year then ended in accordance with Sri Lanka Accounting Standards.

Basis for Qualified Opinion

1. Building has been constructed on a land owned by the government of Sri Lanka. We have not seen any documents to determine the period of occupancy. Further, no depreciation has been provided on the building as required by Sri Lanka Accounting Standards.
2. Association has not registered for Income Tax with the Department of Inland Revenue. Further, a provision has not been provided for income tax payable for past financial years and current financial year.

We conducted our audit in accordance with Sri Lanka Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are Independent of the Association in accordance with the Code of Ethics issued by the Institute of Chartered Accountants of Sri Lanka, and we have fulfilled our other ethical responsibilities in accordance with the Code of Ethics issued by the Institute of Chartered Accountants of Sri Lanka. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified opinion.



Partners - N.S.C.De Silva FCA, FCMA (UK),CGMA, I.C.Prasena FCA, L.L.S.Wickremasinghe FCA,
F.S.N.Maratika FCA, S.M.S.S.Bandara M.B.A. FCA, D.S.De Silva LL.B. Attorney - at -Law
ACA, ACMA (UK),CGMA
Partner (Kansly) W.L.L. Perera FCA.

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Responsibilities of Management and Those Charged with Governance for the Financial Statements

Executive Committee is responsible for the preparation and fair presentation of the financial statements in accordance with Sri Lanka Accounting Standards, and for such internal control as committee determines is necessary to enable the preparation of Financial Statements that are free from material misstatement, whether due to fraud or error. In preparing the Financial Statements, committee is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to Going Concern and using the going concern basis of accounting unless management either intends to liquidate the Association or to cease operations, or have no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Association's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our Objectives are to obtain reasonable assurance about whether the Financial Statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is an assurance of high level, but not a guarantee that an audit conducted in accordance with Sri Lanka Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of the auditor's responsibilities for the audit of the financial statements is located at Sri Lanka Accounting and Auditing website at: www.slaasc.com/auditingstandards/auditorsresponsibility. This description forms part of our auditor's report.

B.R. De Silva
B. R. DE SILVA & CO.
Chartered Accountants

Colombo 05.

Date... 09.06.2020 .

DS/SK/ms



BAR ASSOCIATION OF SRI LANKA**INCOME STATEMENT**
FOR THE YEAR ENDED 31ST DECEMBER, 2019

	<i>Notes</i>	<u>2019</u>		<u>2018</u>
		Rs.	Cts.	Rs.
Income	(3)	11,191,850.10		11,377,500
Other Income	(4)	41,696,112.31		41,287,558
Expenses	(5)	(45,142,943.55)		(31,132,570)
Surplus before Taxation		7,745,018.86		13,532,488
Taxation		-		-
Net Surplus for the year		7,745,018.86		13,532,488

The Accounting Policies and Notes from (05) to (21) form an integral part of these Financial Statements.



BAR ASSOCIATION OF SRI LANKA
STATEMENT OF FINANCIAL POSITION
AS AT 31ST DECEMBER, 2019

	<u>Notes</u>	<u>31.12.2019</u>		<u>31.12.2018</u>
		Rs.	Cts.	Rs.
ASSETS				
NON-CURRENT ASSETS				
Property, Plant & Equipment	(6)	61,237,092.64		51,250,069
Investments	(7)	130,077,768.49		121,430,749
		<u>191,314,861.13</u>		<u>172,680,818</u>
CURRENT ASSETS				
Inventories	(8)	7,517,560.77		4,138,961
Trade & Other Receivables	(9)	11,108,441.99		8,222,284
VHT Receivable	(10)	1,230,048.21		1,662,132
Deposits & Advances	(11)	914,266.00		6,771,166
Cash & Cash Equivalents	(12)	14,101,323.36		20,799,598
		<u>34,871,640.33</u>		<u>41,594,141</u>
		<u>226,186,501.46</u>		<u>214,274,959</u>
Total Assets				
EQUITY & LIABILITIES				
Capital & Reserves				
Capital Reserves		113,851,269.50		105,891,896
Accumulated Fund		77,701,554.27		77,915,909
Revaluation Reserve		4,322,415.00		4,322,415
Total Equity		<u>195,875,238.77</u>		<u>188,130,220</u>
NON-CURRENT LIABILITIES				
Non-Current Financial Liabilities	(13)	4,796,000.00		6,398,000
Specific Funds	(14)	1,603,006.95		3,143,459
Post Employment Benefits	(15)	7,947,569.50		7,677,250
Fund - BASL Programme Committee		1,178,213.96		884,335
		<u>15,524,790.41</u>		<u>18,103,044</u>
CURRENT LIABILITIES				
Trade & Other Payables	(16)	13,184,472.28		6,439,695
Current Financial Liabilities	(13)	1,602,000.00		1,602,000
Total Current Liabilities		<u>14,786,472.28</u>		<u>8,041,695</u>
Total Liabilities		<u>30,311,262.69</u>		<u>26,144,739</u>
Total Equity & Liabilities		<u>226,186,501.46</u>		<u>214,274,959</u>

The Executive committee is responsible for the preparation and presentation of these Financial Statements.

Approved by the Executive Committee:

	<u>Name</u>
PRESIDENT	(1) Kalunga N. Indatissa, PC
SECRETARY	(2) Kaushalya Nawarathne, AAL
TREASURER	(3) Nalin De Silva, AAL
DATE OF THE APPROVAL BY THE EXECUTIVE COMMITTEE	} 05.06.2020

Signature



BAR ASSOCIATION OF SRI LANKA

STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 31ST DECEMBER, 2019

	<u>Capital Reserve</u>		<u>Revaluation Reserve</u>		<u>Accumulated Fund</u>		<u>Total</u>	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
Balance as at 01.01.2018	97,011,896.00		4,322,415.00		73,234,892.00		174,569,203.00	
Prior year Adjustment	-		-		28,529.28		28,529.28	
Transfer - Life Membership	8,880,000.00		-		(8,880,000.00)		-	
Net Surplus for the year	-		-		13,532,487.63		13,532,487.63	
Balance as at 31.12.2018	105,891,896.00		4,322,415.00		77,915,908.91		188,130,219.91	
Prior year Adjustment	-		-		-		-	
Transfer - Life Membership	7,959,373.50		-		(7,959,373.50)		-	
Net Surplus for the year	-		-		7,745,018.86		7,745,018.86	
Balance as at 31.12.2019	113,851,269.50		4,322,415.00		77,701,554.27		195,875,238.77	

The Accounting Policies and Notes from (05) to (21) form an integral part of these Financial Statements.



BAR ASSOCIATION OF SRI LANKA**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<u>2019</u>	<u>2018</u>
	Rs.	Rs.
<u>Cash Flow from/(Used in) Operating Activities</u>		
Surplus before Income Tax Expenses	7,745,019	13,532,488
<u>Adjustments for:</u>		
Interest Income	(12,898,583)	-
Interest on Loans	968,599	-
Prior year Adjustment	-	28,529
Gratuity Provision	1,185,102	1,546,774
Bad Debts Written Off	1,269,922	-
V/HT Receivable Written Off	1,030,815	-
Stocks Written Off	-	538,714
Depreciation	1,651,758	1,392,342
Surplus/(Deficit) before Working Capital Changes	952,632	17,038,847
<u>Adjustment for Working Capital Changes</u>		
(Increase)/Decrease in Inventories	(3,378,600)	(2,306,139)
(Increase)/Decrease in Trade & Other Receivables	(4,156,080)	3,949,911
(Increase)/Decrease in Deposits & Advances	5,856,900	(5,168,941)
Increase/(Decrease) in Trade and Other Payables	6,744,777	(5,461,682)
Cash Generated from Operations	6,019,629	8,051,996
Withholding Tax Paid	(598,731)	(631,317)
Interest paid	(968,599)	-
Gratuity Paid	(914,783)	-
Net Cash Flows from/(Used in) Operating Activities	3,537,516	7,420,679
<u>Cash Flows from Investing Activities</u>		
Acquisition of Property, Plant & Equipment	(11,638,782)	(2,745,168)
Interest Income	12,898,583	-
Additions/(Withdrawals) of Financial Assets	(8,647,019)	(7,899,999)
Net Cash Flows from/(Used in) Investing Activities	(7,387,218)	(10,645,167)
<u>Cash Flows from Financing Activities</u>		
Net Movements in Funds	(1,246,573)	(1,217,232)
Loan Repayments	(1,602,000)	8,000,000
Net Cash Flows from/(Used in) Financing Activities	(2,848,573)	6,782,768
Net Increase/(Decrease) in Cash and Cash Equivalents	(6,698,275)	3,558,280
Cash & Cash Equivalents at the beginning of the year	20,799,598	17,241,318
Cash & Cash Equivalents at the end of the year	14,101,323	20,799,598
Cash at Bank	14,101,323	20,799,598
Bank Overdrafts	-	-
Cash & Cash Equivalents at the end of the year	14,101,323	20,799,598



BAR ASSOCIATION OF SRI LANKA
NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER 2019

1. General Information

The principal place of business of the Bar Association of Sri Lanka (The Association") is located at No.153, Mihindu Mawatha, Colombo 12.

The objective of the Association is to maintain the honour and independence of the lawyers in Sri Lanka, promotion of good relationships and co-operating consideration of matters of national importance, maintenance of standards of professional conduct of the Bar.

The financial statements of the association for the year ended 31st December 2019 were authorized for issued by the Executive Committee on 31th December, 2019.

2. Basis of Preparation and Summary of Significant Accounting Policies

The financial statements have been prepared on a going concern basis and in compliance with the Sri Lanka Accounting Standard for Small and Medium-sized Entities (SLFRS for SMEs) laid down by the Institute of Chartered Accountants of Sri Lanka. All values presented in the financial statements are in Sri Lanka Rupees (Rs.) rounded to the nearest rupee. The measurement basis used is the historical cost basis except where otherwise stated in the accounting policies below.

2.1. Income and Expenditure Recognition

2.1.1. Income Recognition

Membership Fees/ Subscriptions

Subscription income is accounted on a cash basis.

Total Income from the life membership fee transferred to capital reserve account.

Income from Activities/Projects

Income from various other activities is recognized on an accrual basis.

Specific Funds

Auditorium grants are recognized in the income statement over a period of five years.

Contd..6



BAR ASSOCIATION OF SRI LANKA

NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31ST DECEMBER, 2019

Investment Income

Investment income consists of interest received from fixed deposits recognized on accrual basis.

Rental Income

Rental income from the premises is recognized on a straight-line basis over the respective lease terms and is included in "other income".

2.1.2 Expenditure Recognition

Expenses are recognized in the statement of comprehensive income on the basis of a direct association between the cost incurred and the earning of specific items of income. All expenditure incurred in the running of the Association and in maintaining the property, plant and equipment in a state of efficiency has been charged to income in arriving at the net income for the year.

2.2 Income Taxes

The Association has not provided for the income tax liability as required by the Act No.10 of 2006 and amendment thereto.

2.3 Property, plant and equipment including investment property measured at cost

Furniture and equipment are stated in the statement of financial position at their revalued amounts, being the fair value at the date of revaluation, less any subsequent accumulated depreciation. Any revaluation increase arising on the revaluation of furniture and equipment is credited to equity.

Upon disposal of a revalued property and equipment, any corresponding revaluation surplus remaining is transferred to retained earnings.

Land given by the Government of Sri Lanka has not been valued and taken to the financial statements.

Building is not depreciated. For all other assets depreciation is charged so as to allocate the cost of assets less their residual values over their estimated useful lives, using the straight-line method at 15% per annum. Depreciation is charged on all assets in the year of disposal, but no depreciation will be charged in the year of purchase.

Contd..07



BAR ASSOCIATION OF SRI LANKA
NOTES TO FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31ST DECEMBER 2019

2.4 Financial Instruments

2.4.1 Trade and Other Receivables

Trade and other receivables are initially recognized at the transaction price. All income is made on the basis of normal credit terms, and the receivables do not bear interest. At the end of each reporting period, the carrying amounts of trade and other receivables are reviewed to determine whether there is any objective evidence that the amounts are not recoverable. If so, an impairment loss is recognized immediately in profit or loss.

Financial liabilities are initially recognized at the transaction price (including transaction costs). Trade payables are obligations on the basis of normal credit terms and do not bear interest.

2.4.2 Inventories

Inventories are stated at cost or net realizable value whichever is lower. Net realizable value is the price at which inventories can be sold in the ordinary course of the business less estimated costs of sales.

2.5 Defined Benefit Plan - Gratuity

Gratuity is a defined benefit plan. In order to meet this liability, a provision is carried forward in the statement of financial position. The provision is calculated considering half month salary in to the number of completed years.

However, as per the Payment of Gratuity Act No. 12 of 1983, the liability arises only upon the completion of five years of continuous service.

2.6 Defined Contribution Plan - EPF & ETF

A defined contribution plan is a post-employment benefit plan under which an entity pays fixed contributions into a separate entity and will have no legal or constructive obligation to pay further amounts. Obligations for contributions to defined contribution plans are recognized as an employee benefit expense in the income statement as in the periods during which services are rendered by employees.

Employees' Provident Fund

The association and employees contribute 12% and 8% respectively on the salary of each employee to the approved Provident Fund.

Contd... 08



BAR ASSOCIATION OF SRI LANKA
NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019

Employees' Trust Fund

The association contributes 3% of the salary of each employee to the Employees' Trust Fund.

2.7 Significant accounting judgments estimates and assumptions

The preparation of the financial statements of the Association require management to make judgments, estimates and assumptions that effect the reported amounts of revenue, expenses, assets and liabilities and the disclosure of contingent liabilities at the reporting date. Actual results may differ from these estimates.

Commitments and Contingencies

There were no material commitments and contingencies as at the date of the statement of financial position.

2.8 Events after the end of the Reporting Period

There were no significant events after the reporting date that require adjustments to or disclosure in the interim financial statements.



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<i>Notes</i>	<u>2019</u>		<u>2018</u>
		Rs.	Cts.	Rs.
(3) INCOME				
Ordinary Membership Fees		853,476.60		878,500
Life Time Membership Fees		7,959,373.50		8,880,000
Delegate Fees		2,379,000.00		1,619,000
		<u>11,191,850.10</u>		<u>11,377,500</u>
(4) OTHER INCOME				
Net Income from Other Activities	(4.1)	9,222,368.99		7,242,244
Investment Income	(4.2)	12,898,582.94		13,446,477
Profit from Book Shop	A	225,524.20		524,581
Profit on Sale of Lawyers' Directories 2017	C	74,500.00		830,000
Profit on Sale of Law Journals	D	441,118.30		524,832
Profit on Unreported Judgment & BASL Publications 2007-2019	E	410,327.63		701,724
Profit from Identity Cards	G	3,486,426.85		3,670,925
Profit from Car Passes	H	3,663,747.30		2,362,330
Profit on Sale of Diaries	M	4,101,882.62		3,725,097
Profit on Sale of Appellate Court 2017 Voll I (393)	P	22,010.00		54,385
Donations for Computers		1,000,000.00		-
Auditorium Grant		2,210,955.00		2,206,535
Other Income	(4.3)	3,938,668.48		4,998,428
		<u>41,696,112.31</u>		<u>40,287,558</u>
(4.1) NET INCOME FROM OTHER ACTIVITIES				
Neethi Kekulu 2018		-		3,910
Members' Welfare		-		7,150
Criminal Defense Course		1,068,895.00		371,728
Criminal Defense Course - Tri Forces		686,440.00		-
Legal English Course		612,840.00		452,925
Forensic Science Course		741,745.00		901,060
Legal Drafting Course		2,204,329.00		-
Legal Drafting Course - Kandy		316,260.00		-
Cross Examination Course		600,447.50		-
Election Law Course		7,750.00		-
EIA Course (Effective Instructive Attorney)		-		410,203
6th Provincial Law - Kandy		-		499,075
7th Provincial Law - Rathnapura		-		395,248
8th Provincial Law - Matara		-		840,320
Provincial Law - Batticaloa		-		500,590
Seminar on Labour Law		-		792,207



Contd...

BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(4.1) NET INCOME FROM OTHER ACTIVITIES (Contd...)			
Felicitation Dinner (CJ)	470,850.00		162,040
Junior National Law Conference (JNLC)	(187,125.07)		826,524
Law Asia Conference	242,600.00		252,000
Speech Craft Course - Galadari	144,375.00		97,909
Profit from ICT Course	27,675.00		403,570
Neethi Seminar 2019	141,623.00		-
Annual Tour	(243,768.00)		-
Cruise Tour - Singapore	742,823.22		-
Cricket Tournament	(191,371.00)		-
Appreciation Night	(563,487.25)		-
Sports Gala 2017/2018	-		9,250
Seminar - Arbitration (Nawaloka)	100,285.00		-
Seminar - Arbitration and Public Interest 2019	115,204.50		-
Seminar - Arrest and Detention 2019	123,205.08		-
Seminar - Convencing	490,474.95		-
Seminar - Court of Appeal Criminal 2019	70,850.00		-
Seminar - Land Laws 2019	226,120.00		-
Seminar - Maritime Law 2019	116,997.30		-
Seminar - Money Recovery 2019	442,810.00		-
Seminar - Provincial Laws	820,453.49		-
Seminar - Dialog 2019	(662,763.73)		-
Seminar - Debt Recovery	(28,000.00)		316,535
Seminar - H C Criminal Practice 2019	240,031.00		-
Seminar - Hire Purchase Leasing Action	343,800.00		-
	<u>9,222,368.99</u>		<u>7,242,244</u>
(4.2) INVESTMENT INCOME			
Interest on Fixed Deposits	12,723,096.97		13,303,563
Interest on Savings Deposits	175,485.97		142,914
	<u>12,898,582.94</u>		<u>13,446,477</u>
(4.3) OTHER INCOME			
Sales - Telephone Calls	(1,233.56)		70
Auditorium Hall Hire	224,000.00		893,500
Credit Card Commission - Sampath Bank	1,117,018.47		1,055,242
Membership Subs , Law & Society	810.00		685



Contd...

BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<u>Notes</u>	<u>2019</u>		<u>2018</u>
		Rs.	Cts.	Rs.
(4.3) OTHER INCOME (Contd....)				
Miscellaneous Income		261,565.25		1,011,426
Reim. Salary UNHCR		360,000.00		220,000
PAP Janashakthi		3,133.84		500
Processing Fee - Union Assurance		39,308.68		38,687
SHE 2018/2019 - S L Insurance Corp - Processing		5,000.00		59,754
E-mail Charges		70,000.00		-
Charges from Non-Refundable Tender Notices		425,000.00		-
SLR Sets (1978 - 2013) - Processing charges		(10,000.00)		160,000
Advertisement -Bar Reports		150,000.00		245,000
Sponsorship MOJ (Managing Web Site)		100,000.00		500,000
Profit from Sale of Ties	B	125,199.65		141,000
Profit on Sale of Lapel Pins and Tie Pins	F	56,021.30		34,050
Profit from Duplo Bureau	I	69,049.00		201,777
Profit from Sale of Stationery (APO)	J	-		7,735
Profit from Hand Book	K	195,461.82		6,748
Profit from Supreme Court Rules	L	370,380.00		103,250
Profit on Sale of Stamps (APO)	N	370,141.00		319,004
Profit on Sale of Calendars	O	7,813.03		-
		3,938,668.48		4,998,428



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019**

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(5) PROFIT BEFORE TAX IS STATED AFTER CHARGING ALL EXPENSES INCLUDING THE FOLLOWING			
Salaries & Wages	12,592,720.92		11,850,437
EPF - 12%	1,516,210.39		1,397,702
ETF - 3%	378,650.59		349,425
Allowances & Overtime	1,594,589.50		1,520,733
Staff Bonus	1,794,457.50		1,409,250
Staff Entertainment & Welfare	16,823.84		9,975
Labour Charges	43,550.00		34,762
Casual Wages	159,887.96		-
Professional Fee	197,000.00		131,963
Annual Audit Fee	180,249.00		150,000
Purchases - Library Books	13,500.00		25,440
Depreciation	1,651,758.13		1,392,342
Maintenance - Fixed Assets	719,983.79		497,341
Computer Maintenance	226,751.81		186,635
Maintenance - Building	2,620,938.68		617,591
BASL Building Maintenance (Refurbishment Lunch Room)	-		200,221
BASL Building Maintenance (Refurbishment Admin Sec.)	-		160,000
Building Maintenance - Library Premises	281,310.00		14,322
Building Maintenance - BASL 2nd Floor (BASL PC Section)	-		413,025
Building Maintenance - Repairing Bathroom	-		235,945
Building Maintenance - Rest Room Refurbishment	-		16,860
Refurbishment - OPA Room	-		566,725
BASL Staff Uniform	185,380.00		216,000
Electricity - BASL	552,619.18		2,109,967
Electricity - Library	51,631.70		23,762
Water Charges- BASL	124,281.72		182,741
Telephone & Internet	599,160.39		593,183
Security Charges	-		4,500
Rates & Taxes - BASL	355,740.00		263,275
Service Agreement Charges	188,921.76		256,833
Building Insurance - Fire	29,255.37		29,255
Travelling	272,614.84		125,466
Donation - Outstation Bar	-		371,808

Contd...



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019**

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(5) <u>PROFIT BEFORE TAX IS STATED AFTER CHARGING ALL EXPENSES INCLUDING THE FOLLOWING</u>			
<u>CONTD....</u>			
Donations	2,439,550.62		-
Courier Charges	23,965.99		3,934
SMS - Gateway - E- arrow	72,865.00		96,000
SMS Charges - Mobitel	137,130.49		616,118
SMS Charges - Dialog	1,005,567.56		-
Domain - Name Renewal	18,320.70		6,692
Sankalpa Exhibition	-		34,045
Advertisements	91,447.00		130,947
Website Maintenance - Hosting and Renewal	190,684.91		135,064
Bank Charges and Debit Tax	82,881.32		87,964
Withholding Tax	2,039.35		-
Interest on Loans	968,598.91		-
Seminar - Legal Aid	82,600.00		-
CLE Seminar	299,620.00		-
CLE Seminar - Bandarawela	-		20,390
CLE Seminar - Yapahuwa	-		17,430
Action files for Easter Sunday Attack	352,670.14		-
Printing Bar News Letters	416,000.00		435,200
50th Felicitatation & Appreciation Night	-		986,160
Mobile Book Shop - Ambalangoda	-		4,880
Data Base Modification	-		7,500
Avissawella Seminar - CLE	-		40,000
Bar Council and Convocation	2,973,780.11		2,631,770
Sponsorship - OPA	-		50,000
News Papers and Periodicals	57,234.00		54,320
Seminar - OPA	24,150.00		84,100
OPA - Annual Session - Sponsorship	-		25,000
Miscellaneous Expenses	90,083.08		411,345
IBA Membership	69,882.57		67,100
Future Legal Education Seminar on 13/12	-		200,850

Contd...



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019**

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(5) <u>PROFIT BEFORE TAX IS STATED AFTER CHARGING ALL EXPENSES INCLUDING THE FOLLOWING</u>			
<u>CONTD....</u>			
Deposit on Franking Machine	424,993.50		625,511
Law Asia Membership	58,330.00		58,310
OPA - Rates, Electricity & Taxes	122,572.88		100,023
Stationery and Printing	1,239,383.00		1,166,119
Stamps - Office Use	209,120.00		-
Purchases - Acts (Colombo MC)	-		14,120
Refreshments - BC & Exco	726,478.00		855,949
Refreshments - Mobile Book shops	338,521.00		-
Purchases - Ink (Franking Machine)	-		4,750
National Law Week 2018	-		1,318,257
Stocks Written Off	12,057.66		538,714
Bad Debts Written Off	1,269,922.00		-
WHT Receivable Written Off	1,030,815.00		-
Gratuity Provision	1,185,102.00		1,546,774
Election Charges	674,199.69		-
Ex-gratia	3,000.00		-
Compensations	1,860,000.00		-
Website Development	211,140.00		-
Photograph	30,250.00		141,450
Loss on Sale of Calender	(O)	-	258,300
	<u>45,142,943.55</u>		<u>38,132,570</u>



BAR ASSOCIATION OF SRI LANKA

NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER 2019

(6) PROPERTY, PLANT AND EQUIPMENT

ASSET CATEGORY	Balance as at 01.01.2019		Additions during the year		Disposals during the year		Balance as at 31.12.2019		Charge for the year		Disposals during the year		Balance as at 31.12.2019		W. D. V. as at 31.12.2019		W. D. V. as at 31.12.2018	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
Buildings	42,947,438.98	-	-	-	-	-	42,947,438.98	-	-	-	-	-	-	-	42,947,438.98	-	42,947,438.98	-
Furniture and Fittings	5,823,763.00	-	111,525.00	-	-	-	5,935,288.00	-	873,564.45	-	-	-	2,440,158.40	-	3,495,129.60	-	4,257,169.05	-
Electrical Equipment	1,783,425.00	-	-	-	-	-	532,961.75	-	267,513.75	-	-	-	800,475.50	-	982,949.50	-	1,250,463.25	-
Air Conditioners	399,426.00	-	408,970.00	-	-	-	78,594.00	-	59,913.90	-	-	-	138,507.90	-	669,888.10	-	320,832.00	-
Computer Equipment	1,333,350.00	-	333,150.00	-	-	-	380,625.50	-	203,002.50	-	-	-	583,628.00	-	1,102,872.00	-	972,724.50	-
Software	122,429.00	-	-	-	-	-	30,606.90	-	18,364.35	-	-	-	48,971.25	-	73,457.75	-	91,822.10	-
Generator	-	-	2,689,925.00	-	-	-	2,689,925.00	-	-	-	-	-	-	-	2,689,925.00	-	-	-
Solar Power System	-	-	7,950,000.00	-	-	-	7,950,000.00	-	-	-	-	-	-	-	7,950,000.00	-	-	-
Lighting, Equipment & Fittings	28,425.00	-	-	-	-	-	8,882.75	-	4,263.75	-	-	-	13,146.50	-	15,278.50	-	19,542.25	-
Restaurant Tables & Chairs	380,000.00	-	-	-	-	-	380,000.00	-	57,000.00	-	-	-	57,000.00	-	323,000.00	-	380,000.00	-
Duplo Machine	13,500.00	-	-	-	-	-	13,500.00	-	2,025.00	-	-	-	6,244.00	-	7,256.00	-	9,281.00	-
Other Fixed Assets	1,107,402.89	-	145,211.50	-	-	-	1,252,614.39	-	166,110.43	-	-	-	272,717.18	-	979,897.21	-	1,000,756.14	-
GRAND TOTAL	53,959,159.87	-	11,638,781.50	-	-	-	65,597,941.37	-	2,709,090.60	-	-	-	4,360,848.73	-	61,237,092.64	-	51,250,069.27	-

Note

Building has been constructed on a land owned by the Government of Sri Lanka



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019**

	<u>31.12.2019</u>	<u>31.12.2018</u>
	Rs. Cts.	Rs.
(7) INVESTMENTS		
Investment Fixed Deposits		
Hatton National Bank	25,037,760.37	28,912,760
National Savings Bank	21,500,000.00	21,500,000
People's Merchant Bank PLC	1,500,000.00	1,500,000
Bank of Ceylon	28,475,019.48	28,753,000
State Mortgage & Investment Bank	6,100,000.00	6,100,000
Nations Trust Bank	1,900,000.00	1,900,000
Commercial Bank	26,452,988.64	26,452,989
People's Bank	13,112,000.00	6,312,000
People's Leasing PLC	6,000,000.00	-
	<u>130,077,768.49</u>	<u>121,430,749</u>
(8) INVENTORIES		
Law Journals	775,087.98	428,038
Directory 2017	851,000.00	928,000
Hand Books	441,695.82	29,232
Tie Pins	378,400.00	92,225
Ties	660,500.00	1,004,800
Diaries 2020	297,840.96	-
Diaries 2019	900.00	24,848
Stamps APO	142,450.00	89,859
Stationery - Bookshop	1,281.50	2,835
Publications	1,823,507.92	1,229,980
Stationery APO	10,565.00	10,565
Supreme Court Rules	388,555.00	268,600
Car Passes 2018	6,864.00	6,864
Car Passes 2019	2,870.00	-
BASL Calendar 2019	49,813.03	-
Appellate Court 2017	1,725.00	23,115
Consignment Law Books	1,684,504.56	-
	<u>7,517,560.77</u>	<u>4,138,961</u>
(9) TRADE & OTHER RECEIVABLES		
Accounts Receivable	4,914,728.39	3,661,122
Interest Receivable	2,941,737.81	1,579,113
Staff Loans	3,227,925.79	2,957,899
Returned Cheques	24,050.00	24,150
	<u>11,108,441.99</u>	<u>8,222,284</u>



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019**

	<i>Notes</i>	<u>31.12.2019</u>		<u>31.12.2018</u>
		Rs.	Cts.	Rs.
(10) <u>WHT RECEIVABLE</u>				
Balance at the beginning of the year		1,662,131.91		1,030,815
WHT Deductions for the year		598,731.30		631,317
WHT Receivable Written Off		<u>(1,030,815.00)</u>		-
Balance at the end of the year		<u>1,230,048.21</u>		<u>1,662,132</u>
(11) <u>DEPOSITS & ADVANCES</u>				
<u>Deposits</u>				
Deposits		<u>66,650.00</u>		<u>66,650</u>
		66,650.00		66,650
<u>Advances</u>				
Sports Gala 2020		50,000.00		-
Foot Ball Tournament 2016		562,866.00		562,866
Neethya Foundation (From Thivanka Fund)		-		150,000
Aitken Spence - Cruiz Tour		-		1,430,400
Printing - NLR Reports		-		1,000,000
Advance Payment - Solar System		-		3,000,000
Advance - Car Passes 2019		-		61,250
Advance Payment - Generator		-		500,000
Neethi Ranga		135,000.00		-
Advance - Printing of Law Journals		<u>99,750.00</u>		-
		847,616.00		<u>6,704,516</u>
		<u>914,266.00</u>		<u>6,771,166.00</u>
(12) <u>CASH & CASH EQUIVALENTS</u>				
Cash in Hand	(12.1)	2,361.45		128,220
Cash at Bank	(12.2)	<u>14,098,961.91</u>		<u>20,671,378</u>
		<u>14,101,323.36</u>		<u>20,799,598</u>
(12.1) <u>CASH IN HAND</u>				
Petty Cash		2,361.45		184
A/C 1188		-		30,500
A/C 28625		-		45,000
A/C 9768		-		52,536
		<u>2,361.45</u>		<u>128,220</u>



BAR ASSOCIATION OF SRI LANKA

NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019

	31.12.2019		31.12.2018
	Rs.	Cts.	Rs.
(12) <u>CASH & CASH EQUIVALENTS (Contd....)</u>			
(12.2) <u>CASH AT BANK</u>			
<u>Current Accounts</u>			
<u>Bank of Ceylon, Mihindu Mawatha, Colombo 12</u>			
A/C 9762	-	-	38,635
A/C 9765	-	-	407,451
A/C 9753	1,847,115.17	-	1,767,941
A/C 9763	736,860.14	-	2,915,010
A/C 0180	10,074.00	-	10,074
A/C 9768	1,979,185.58	-	1,297,034
<u>Hatton National Bank - Hulftsdorp Street, Colombo 12</u>			
A/C 1188	669,479.61	-	4,699,027
A/C 3227	-	-	806,532
A/C 3667	-	-	246,919
A/C 4105	843,877.30	-	548,400
A/C 4979	-	-	100,756
A/C 4962	-	-	87,956
A/C 17253	(1,782,409.87)	-	412,020
<u>Peoples' Bank</u>			
A/C No.297-1003-7-001293	3,360,844.90	-	2,761,655
A/C No.297-1001-9-001293	796,628.86	-	605,969
A/C No.297-1002-8-0001293	-	-	56,310
<u>Nations Trust Bank</u>			
A/C No. 1336	-	-	27,619
<u>Savings Accounts</u>			
<u>Hatton National Bank - Hulftsdorp Street, Colombo 12</u>			
A/C 83040	4,341,874.33	-	94,938
A/C 37499	-	-	35,637
A/C 30226	-	-	299,357
A/C 28625	328,272.01	-	1,774,137
A/C 6604	967,159.88	-	1,335,322
A/C 10069	-	-	159,402
<u>Commercial Bank</u>			
A/C 823200001	-	-	1,638
<u>Nations Trust Bank</u>			
NTB 4152	-	-	181,639
	14,098,961.91		20,671,378



BAR ASSOCIATION OF SRI LANKANOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019(13) NON - CURRENT FINANCIAL LIABILITIES

	<u>Balance</u> <u>as at</u> <u>31.12.2019</u>	<u>Amount</u> <u>Repayable</u> <u>Within 1 year</u>	<u>Amount</u> <u>Repayable</u> <u>after 1 year</u>	<u>Total</u>	<u>Balance</u> <u>as at</u> <u>31.12.2018</u>
	Rs. Cts.	Rs. Cts.	Rs. Cts.	Rs. Cts.	Rs.
<u>Loans</u>					
Term Loan - HNB	6,398,000.00	1,602,000.00	4,796,000.00	6,398,000.00	8,000,000
	<u>6,398,000.00</u>	<u>1,602,000.00</u>	<u>4,796,000.00</u>	<u>6,398,000.00</u>	<u>8,000,000</u>

Long Term Loan - Hatton National Bank

Amount	-:	Rs 8,000,000.00
Purpose	-:	Working capital requirements
Interest Rate	-:	3% above the deposit rate
Repayment	-:	Repayable over a period of 60 months
	-:	Rs. 133,500/- x 59 months + Interest
	-:	Rs. 123,500/- x 01 month + Interest
Security	-:	Lien over Fixed Deposit A/C No: 063030019503 for Rs. 10,037,760.37/-



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS
AS AT 31ST DECEMBER, 2019**

	<i>Notes</i>	<u>31.12.2019</u>		<u>31.12.2018</u>
		Rs.	Cts.	Rs.
(14) <u>SPECIFIC FUND</u>				
Flood Relief - Meethotamulla		60,908.00		60,908
National Defence Fund		10,074.00		10,074
NED Grant		449,502.00		449,502
Auditorium Grant	(14.1)	-		2,210,955
Transfer of Funds		(390,986.74)		-
UNHCR		1,473,509.69		412,020
		<u>1,603,006.95</u>		<u>3,143,459</u>
(14.1) <u>AUDITORIUM GRANT</u>				
Balance at the beginning of the year		2,210,955.00		4,417,490
Amortized during the year		(2,210,955.00)		(2,206,535)
Balance at the end of the year		<u>-</u>		<u>2,210,955</u>
(15) <u>POST EMPLOYMENT BENEFITS</u>				
Balance at the beginning of the year		7,677,250.00		6,130,476
Provision for the year		1,185,102.00		1,546,774
Payments during the year		(914,782.50)		-
Balance at the end of the year		<u>7,947,569.50</u>		<u>7,677,250</u>
(16) <u>TRADE & OTHER PAYABLES</u>				
Accounts Payable	(16.1)	6,892,541.10		2,099,394
Advances Received	(16.2)	3,730,090.00		3,441,031
Consignment Vendor		1,646,347.12		-
Accruals		874,494.06		899,270
Unidentified Deposit		41,000.00		-
		<u>13,184,472.28</u>		<u>6,439,695</u>



BAR ASSOCIATION OF SRI LANKA**NOTES TO THE FINANCIAL STATEMENTS**
AS AT 31ST DECEMBER, 2019

	<u>31.12.2019</u>	<u>31.12.2018</u>
	Rs. Cts.	Rs.
(16) <u>TRADE & OTHER PAYABLES (Contd....)</u>		
(16.1) <u>ACCOUNTS PAYABLE</u>		
Benevolent Trust Fund - Interest	690,982.42	706,389
Thiwanka Wickramasinghe Fund - Interest	125,527.00	125,527
Solar Power System	750,000.00	-
20% EPF Payable	-	192,628
Refundable Deposit - President	250,000.00	250,000
Payables - JNLC	3,112,930.07	-
Other	1,963,101.61	824,850
	<u>6,892,541.10</u>	<u>2,099,394</u>
(16.2) <u>ADVANCES RECEIVED</u>		
Advance Received for SHE Claim	150,000.00	150,000
Advance Received for Lawyers' Books	2,406,831.00	1,931,031
Advance Received - Sales SLR set (1978-13)	-	1,320,000
Advance Received - NLR set	807,959.00	-
Advance Received - NPC Convencing	280,800.00	-
Advance Received - Sale of Car Passes	4,500.00	-
Advance Course Fees- Speech Craft	80,000.00	40,000
	<u>3,730,090.00</u>	<u>3,441,031</u>



BAR ASSOCIATION OF SRI LANKA

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(A) Profit from Book Shop			
Income - Sales Commission		208,642.70	508,056
Profit from Stationery		60,430.00	54,237
Sales - Stationery and SLR Publications		<u>269,072.70</u>	<u>562,293</u>
<u>Cost of Sales</u>		2,835.00	2,692
Stock as at the beginning of the year		41,995.00	37,855
Purchases		(1,281.50)	(2,835)
Stock as at the end of the year		<u>43,548.50</u>	<u>37,712</u>
Net Income/(Loss)		<u>225,524.20</u>	<u>524,581</u>
(B) Profit from Sale of Ties		469,499.65	528,000
Sales			
<u>Cost of Sales</u>		1,004,800.00	685,600
Stock as at the beginning of the year		-	715,000
Purchases		-	(8,800)
Stocks Written Off		(660,500.00)	(1,004,800)
Stock as at the end of the year		<u>344,300.00</u>	<u>387,000</u>
Net Income/(Loss)		<u>125,199.65</u>	<u>141,000</u>
(C) Profit on Sale of Lawyers' Directories 2017		151,500.00	962,000
Sales		-	410,000
Advertisement		<u>151,500.00</u>	<u>1,372,000</u>
<u>Cost of Sales</u>		928,000.00	2,272
Stock as at the beginning of the year		-	1,500,000
Purchases		-	(32,272)
Stock Written off		(851,000.00)	(928,000)
Stock as at the end of the year		<u>77,000.00</u>	<u>542,000</u>
Net Income/(Loss)		<u>74,500.00</u>	<u>830,000</u>



BAR ASSOCIATION OF SRI LANKA

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(D) <u>Profit on Sale of Law Journals</u>			
(D1) <u>LJ Volume 2012 (378)</u>			
Sales		1,000.00	1,000
<u>Cost of Sales</u>			
Stock as at the beginning of the year		970.16	1,940
Purchases		-	-
Stock as at the end of the year		-	(970)
		<u>970.16</u>	<u>970</u>
Net Income/(Loss)		<u>29.84</u>	<u>30</u>
(D2) <u>LJ Volume 2013 (384)</u>			
Sales		4,000.00	6,500
<u>Cost of Sales</u>			
Stock as at the beginning of the year		44,163.00	126,811
Purchases		-	-
Stocks Written Off		-	(75,708)
Stock as at the end of the year		(40,377.60)	(44,163)
		<u>3,785.40</u>	<u>6,940</u>
Net Income/(Loss)		<u>214.60</u>	<u>(440)</u>
(D3) <u>LJ - Law Journal 2016 (390)</u>			
Sales		3,600.00	72,840
<u>Cost of Sales</u>			
Stock as at the beginning of the year		-	-
Purchases		9,000.00	-
Stocks Written Off		(5,400.00)	-
Stock as at the end of the year		-	-
		<u>3,600.00</u>	<u>-</u>
Net Income/(Loss)		<u>-</u>	<u>72,840.00</u>
(D4) <u>Law Journal 2015 (388)</u>			
Sales		8,000.00	18,200
<u>Cost of Sales</u>			
Stock as at the beginning of the year		20,852.52	48,923
Purchases		-	-
Stocks Written Off		-	(12,832)
Stock as at the end of the year		(15,238.38)	(20,853)
		<u>5,614.14</u>	<u>15,238</u>
Net Income/(Loss)		<u>2,385.86</u>	<u>2,962</u>



BAR ASSOCIATION OF SRI LANKA

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<u>2019</u>	<u>2018</u>
	Rs. Cts.	Rs.
(D) <u>Profit on Sale of Law Journals (Contd...)</u>		
(D5) <u>LJ Volume 2017 (396)</u>		
Sales	96,000.00	1,111,600
<u>Cost of Sales</u>		
Stock as at the beginning of the year	362,052.00	-
Purchases	-	1,068,000
Stocks Written Off	(1,068.00)	(43,788)
Stock as at the end of the year	(303,312.00)	(362,052)
	<u>57,672.00</u>	<u>662,160</u>
Net Income/(Loss)	<u>38,328.00</u>	<u>449,440</u>
(D6) <u>Law Journal 2018 (314)</u>		
Sales	1,208,000.00	-
<u>Cost of Sales</u>		
Stock as at the beginning of the year	-	-
Purchases	1,224,000.00	-
Stock as at the end of the year	(416,160.00)	-
	<u>807,840.00</u>	<u>-</u>
Net Income/(Loss)	<u>400,160.00</u>	<u>-</u>
Total Income from Sale of Law Journals (D1+D2+D3+D4+D5)	<u>441,118.30</u>	<u>524,832</u>
(E) <u>Profit on Unreported Judgment and BASL Publications 2007-2019</u>		
<u>Sales - LJ Vol Vi & Vii</u>		
Sales	1,846,450.00	1,200,440
<u>Cost of Sales</u>		
Stock as at the beginning of the year	1,229,980.29	484,724
Purchases	2,029,650.00	1,270,000
Stocks Written Off	-	(26,028)
Stock as at the end of the year	(1,823,507.92)	(1,229,980)
	<u>1,436,122.37</u>	<u>498,716</u>
Net Income/(Loss)	<u>410,327.63</u>	<u>701,724</u>



BAR ASSOCIATION OF SRI LANKA

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	2019		2018
	Rs.	Cts.	Rs.
(F) Profit on Sale of Lapel Pins and Tie Pins			
Sales	338,996.30		85,900
<u>Cost of Sales</u>			
Stock as at the beginning of the year	92,225.00		158,525
Purchases	569,575.00		-
Stocks Written Off	(425.00)		(14,450)
Stock as at the end of the year	(378,400.00)		(92,225)
	<u>282,975.00</u>		<u>51,850</u>
Net Income/(Loss)	<u>56,021.30</u>		<u>34,050</u>
(G) Profit from Identity Cards			
Sales	3,987,841.85		3,759,800
Photography Processing	55,500.00		226,950
	<u>4,043,341.85</u>		<u>3,986,750</u>
<u>Cost of Sales</u>			
PVC Cords and Ribbons	556,915.00		315,825
	<u>556,915.00</u>		<u>315,825</u>
Net Income/(Loss)	<u>3,486,426.85</u>		<u>3,670,925</u>
(H) Profit from Car Passes			
Sales	4,043,997.30		2,470,900
<u>Cost of Sales</u>			
Stock as at the beginning of the year	6,864.00		41,470
Purchases	383,120.00		115,500
Stocks Written Off	-		(41,536)
Stock as at the end of the year	(9,734.00)		(6,864)
	<u>380,250.00</u>		<u>108,570</u>
Net Income/(Loss)	<u>3,663,747.30</u>		<u>2,362,330</u>
(I) Profit from Duplo Bureau			
Sales	803,266.00		844,655
<u>Cost of Sales</u>			
Purchases	734,217.00		642,878
	<u>734,217.00</u>		<u>642,878</u>
Net Income/(Loss)	<u>69,049.00</u>		<u>201,777</u>



BAR ASSOCIATION OF SRI LANKA

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	2019		2018
	Rs.	Cts.	Rs.
(M) Profit on Sale of Diaries (Contd....)			
(M2) Diaries 2019			
Sales	491,500.00		5,494,950
Advertisements	-		880,000
	<u>491,500.00</u>		<u>6,374,950</u>
Cost of Sales			
Stock as at the beginning of the year	24,848.00		-
Printing of Diaries	292,260.00		2,897,100
Stocks Written Off	(754.64)		(41,414)
Stock as at the end of the year	(900.00)		(24,848)
	<u>315,453.36</u>		<u>2,830,838</u>
Net Income/(Loss)	<u>176,046.64</u>		<u>3,544,112</u>
(M3) Diaries 2020			
Sales	5,858,500.00		-
Advertisements	679,000.00		-
	<u>6,537,500.00</u>		<u>-</u>
Cost of Sales			
Stock as at the beginning of the year	-		-
Printing of Diaries	2,912,385.00		-
Stocks Written Off	(2,880.02)		-
Stock as at the end of the year	(297,840.96)		-
	<u>2,611,664.02</u>		<u>-</u>
Net Income/(Loss)	<u>3,925,835.98</u>		<u>-</u>
Total Income from Sale of Diaries (M1+M2+M3)	<u>4,101,882.62</u>		<u>3,725,097</u>
(N) Profit on Sale of Stamps			
Sales	8,457,550.00		7,312,369
Commission	460,000.00		320,000
	<u>8,917,550.00</u>		<u>7,632,369</u>
Cost of Sales			
Stock as at the beginning of the year	89,859.00		103,224
Purchases	8,600,000.00		7,300,000
Stock as at the end of the year	(142,450.00)		(89,859)
	<u>8,547,409.00</u>		<u>7,313,365</u>
Net Income/(Loss)	<u>370,141.00</u>		<u>319,004</u>



BAR ASSOCIATION OF SRI LANKA

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST DECEMBER, 2019**

	<u>2019</u>		<u>2018</u>
	Rs.	Cts.	Rs.
(O) Profit on Sale of Calendars			
Sales	38,400.00		81,700
<u>Cost of Sales</u>			
Stock as at the beginning of the year	-		233,220
Printing Calendars	80,400.00		340,000
Stocks Written Off	-		(233,220)
Stock as at the end of the year	(49,813.03)		-
	<u>30,586.97</u>		<u>340,000</u>
Net Income/(Loss)	<u>7,813.03</u>		<u>(258,300)</u>
(P) Profit on Sale of Appellate Court 2017 Voll I (393)			
Sales	43,400.00		107,860
<u>Cost of Sales</u>			
Stock as at the beginning of the year	23,115.00		80,385
Purchases	-		-
Stocks Written Off	-		(3,795)
Stock as at the end of the year	(1,725.00)		(23,115)
	<u>21,390.00</u>		<u>53,475</u>
Net Income/(Loss)	<u>22,010.00</u>		<u>54,385</u>





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BASL ELECTION 2020/2021

• BASL elections for
the year 2020/2021

BASL election 2020/2021

Nominations for the post of President and Secretary were called on the 16th January 2020, by the returning officer Hon. Solicitor General Sanjay Rajaratnam, PC. Mr. Kalinga Indatissa, PC was reelected to the post of President uncontested, whilst Mr. Rajeev Amarasuriya, Attorney-at-Law and Mr. Dinoo Dharmaratne, Attorney-at-Law tendered nominations for the post of Secretary for the year 2020/2021.

Elections were thereafter held on the 27th February 2020 wherein the respective candidates obtained votes as follows:

President- Uncontested

Mr Kalinga Indatissa, PC

Secretary- Election Results

Mr. Rajeev Amarasuriya	3,575 votes
Mr. Dinoo Dharmaratne	747 votes

Accordingly, Mr. Rajeev Amarasuriya was elected as the Secretary of the BASL for the year 2020/2021 with a clear majority.

Similar to previous years, the election was coordinated in an orderly manner by the BASL. The election for BASL Secretary was commenced at 84 election centres island wide. The BASL unreservedly acknowledges the professional manner in which the returning officer Hon. Solicitor General Sanjay Rajaratnam, PC together with the members of the official Bar and the staff of the Attorney General's Department conducted the said election. The BASL further acknowledges with gratitude all judges of the respective outstation Bars and the respective office bearers who worked tirelessly to ensure smooth sailing of the election process.

Designed for the Bar Association of Sri Lanka by:

·D· DHARINI NADINE
U UDUGAMA

