



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

NAVY (AMENDMENT) ACT, No. 32 OF 2011

[Certified on 24th June, 2011]

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Navy (Amendment) Act, No. 32 of 2011

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L. D.— O. 30/2010.

AN ACT TO AMEND THE NAVY ACT (CHAPTER 358)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This act may be cited as the Navy (Amendment) Act, No. 32 of 2011. Short title.

2. Section 28 of the Navy Act (Chapter 358) is hereby amended by the repeal of subsection (1) of that section and the substitution of the following subsection therefor :— Amendment of section 28 of the Navy Act. (Chapter 358).

“Summary trial of offenders.

28. (1) The Commander of the Navy may—

- (a) where it is in relation to an offence, other than an offence which is expressly required by this Act to be tried by a court martial;
- (b) where an officer of the rank of Lieutenant Commander or below commits and is to be charged with a non-capital offence; and
- (c) if in his opinion, the nature of the offence committed does not warrant a court martial,

authorise an officer not below the rank of a Captain, to summarily try the accused:

Provided that prior to the commencement of the trial, the officer authorised to conduct the trial shall ask the accused whether he chooses—

- (i) to be tried by a court martial ; or
- (ii) to be tried summarily.

Provided however, if the accused chooses to be tried by a court martial, such officer shall forthwith take steps for the trial of the accused by a court martial:

Provided further, the power of punishment of an officer trying an offence summarily shall be limited to forfeiture of seniority or any other less severe punishment in the scale of punishments.”.

In case of an inconsistency the Sinhala text to prevail.

3. In the event of any inconsistency between the Sinhala and the Tamil texts of this Act, the Sinhala text shall prevail.

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