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SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of August 23, 2019

SUPPLEMENT

(Issued on 26.08.2019)



PREVENTION OF OFFENCES RELATING TO SPORTS

A

BILL

to provide for the prevention of match fixing, corruption, illegal manipulation and illegal betting in sports and for the appointment of a special investigations unit for investigation of offences and to provide for matters connected therewith or incidental thereto

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Prevention of Offences relating to Sports

L.D.—O. 17/2014

AN ACT TO PROVIDE FOR THE PREVENTION OF MATCH FIXING, CORRUPTION, ILLEGAL MANIPULATION AND ILLEGAL BETTING IN SPORTS AND FOR THE APPOINTMENT OF A SPECIAL INVESTIGATIONS UNIT FOR INVESTIGATION OF OFFENCES AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the Prevention of Offences relating to Sports Act, No. of 2019. Short title.

5

PART I

OBJECTS AND THE APPLICATION OF THE PROVISIONS OF THE ACT

2. The objects of the Act shall be— Objects of the Act.

- (a) to prevent match fixing, corruption, illegal manipulation and illegal betting in sports;
- 10 (b) to strengthen national and international co-operation among sports organizations, law enforcement agencies and betting operators to exchange information relating to match fixing, corruption, illegal manipulation and illegal betting in sports and promote best practices in sports;
- 15 (c) to conduct programs in order to promote awareness on issues relating to match fixing, corruption, illegal manipulation and illegal betting in sports and improve coordination amongst stake holders;
- 20

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- (d) to protect and maintain the integrity of national sports;
- 5 (e) to introduce and promote preventive measures in collaboration with law enforcement agencies against match fixing, corruption, illegal manipulation and illegal betting in sports;
- (f) to protect the goodwill and livelihood of professional sports personnel; and
- 10 (g) to appoint an independent, impartial Special Investigations Unit to carry out investigations into offences of match fixing, corruption, illegal manipulation and illegal betting in sports.
- 15 3. For the purpose of achieving the objects of this Act, Secretary to the Secretary may, with the concurrence of the Minister- enter into agreements, &c.
- (a) enter into any agreement or memorandum of understanding under this Act with any sports organization or law enforcement agency, whether national or international, to promote best practices in sports and maintaining and upgrading professional standards of sports; and
- 20
- (b) exchange information relating to match fixing, corruption, illegal manipulation and illegal betting in sports with any national or international sports organization or law enforcement agency.
- 25

PART II

CHAPTER I

30 OFFENCES OF MATCH FIXING, CORRUPTION, ILLEGAL MANIPULATION AND ILLEGAL BETTING IN SPORTS

4. (1) Any person or any person connected to a sport who, directly or indirectly, alone or in conjunction with another or others gets involved in any arrangement on an Offence of match fixing in sports.

irregular alteration of the course or the result of any sport or sporting event for money or any other reward or benefit, including any arrangement where—

(a) any person or any person connected to a sport—

- 5 (i) engages in betting, gambling or any other activity involving financial or any other advantage to himself or another person, or causes a financial disadvantage or loss to another person knowing that it would corrupt any sport or sporting event;
- 10
- (ii) acts in a manner that ensures the occurrence of any improper performance, act, omission or an outcome, which is the subject of an illegal bet relating to a sport or any sporting event;
- 15
- (iii) provides for financial or any other advantage, reward or benefit, any inside information relating to a sport, any sporting event or any person, to any person including a betting operator, other than in connection with *bona fide* media interviews and commitments;
- 20
- (iv) provides or receives any gift, payment, reward or benefit, financial or otherwise, that might reasonably be expected to bring such person or any sport or sporting event into disrepute; or
- 25
- (v) engages in any act or omission that is directly or indirectly related to any of the conduct specified in the preceding paragraphs and is prejudicial to the interests of any sport or sporting event;
- 30

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(b) any individual player or a group of players—

5 (i) receives money or any other reward or benefit individually or collectively to underperform or to withdraw from such sport or sporting event for non-genuine reasons; or

(ii) bets on such sport or sporting event in which such player or group of players plays undermining the performance;

10 (c) any umpire, match adjudicator or match referee deliberately misapplies the rules of the sport or sporting event for money or any other reward or benefit;

15 (d) any curator or any member of any venue staff, ground staff or support staff receives money or any other reward or benefit—

20 (i) to prepare any turf, ground or playing surface of any sport or sporting event in a way agreeable to any person including a betting operator; or

(ii) to disclose information of the preparation and condition of the turf, ground or playing surface of any sport or sporting event; or

25 (e) any person including a retired player or any person connected to a sport is utilized by any other person to gain access to local or foreign players in order to influence their performance for money or any other reward or benefit,

commits the offence of match fixing in sports.

30 (2) Any person or any person connected to a sport who directly or indirectly, alone or in conjunction with another

or others gets involved in any arrangement on an irregular alteration of the course or the result of any sporting tournament by any of the acts specified in paragraphs (a) to (e) of subsection (1) commits the offence of tournament fixing in sports.

5. Any person or any person connected to a sport who— Offence of corruption in sports.

(a) solicits or accepts or agrees to accept or offers money or any other reward or benefit;

(b) controls any other person or thing for such person's own advantage or to the advantage of another dishonestly or fraudulently; or

(c) solicits, entices, persuades, induces or instructs any person directly or indirectly to perform or refrain from performing an act,

to influence the result, progress, conduct or any other aspect of any sport or sporting event commits the offence of corruption in sports.

6. Any person or any person connected to a sport who influences improperly, unfairly or dishonestly the result, progress, conduct or any other aspect of any sport or sporting event commits the offence of illegal manipulation in sports. Offence of illegal manipulation in sports.

7. Any person or any person connected to a sport who possesses information in connection with any sport or sporting event knowing such information to be inside information or information on illegal, corrupt conduct and— Offence of illegal betting in sports.

(a) bets on that sport or sporting event;

(b) encourages another person to bet on that sport or sporting event in a particular way; or

(c) communicates such information to another person who the first person knows, or ought reasonably to

know, would or would be likely to bet on that sport or sporting event,

commits the offence of illegal betting in sports.

8. Any person who—

Aiding, abetting, attempting, &c., to be an offence.

5 (a) aids, abets, attempts or conspires in the commission of any offence specified in section 4, 5, 6 or 7; or

10 (b) approaches, induces, influences, encourages, enables or facilitates any person connected to a sport to commit any offence specified in section 4, 5, 6 or 7,

commits an offence.

9. Any person who commits an offence specified in section 4, 5, 6, 7 or 8 shall on conviction be liable to a fine not exceeding rupees one hundred million or to imprisonment for a period not exceeding ten years or to both such fine and imprisonment. Penalty for an offence under section 4, 5, 6, 7 or 8.

CHAPTER II

OTHER OFFENCES

20 10. Any person or any person connected to a sport who fails to comply with the provisions of section 16 or 18 commits an offence under this Act and shall, on conviction by a Magistrate, be liable to a fine not exceeding rupees two hundred thousand or to imprisonment for a period not exceeding three years or to both such fine and imprisonment. Failure to disclose information to be an offence.

11. Any person who—

Failure to cooperate etc., in relation to an investigation to be an offence.

30 (a) willfully obstructs, hinders or fails to cooperate with the Secretary, the Director of Sports, the Unit or any person authorized by the Unit in the investigation of any offence under this Act;

- (b) fails, without reasonable cause, to appear before the Unit when such person is required to do so by the Unit for the purpose of any investigation conducted under this Act;
- 5 (c) refuses or fails without reasonable cause, to answer any question put to him by the Unit in relation to any matter under investigation by the Unit;
- 10 (d) refuses or fails without reasonable cause, to comply with the requirements of a notice issued to such person by the Unit under this Act;
- 15 (e) fails to provide any information, report or document when requested to do so by the Unit for the purpose of any investigation conducted under this Act;
- 20 (f) provides any information, report or document or makes any statement when required to do so by the Unit for the purpose of any investigation conducted under this Act, knowing it to be false, incomplete or misleading; or
- 25 (g) conceals, falsifies, destroys or otherwise disposes of, or causes or permits the concealment, falsification, destruction or disposal of, any information, report, document or material knowing or having reasons to believe that such information, report, document or material is relevant to an
- 30 investigation conducted under this Act,

commits an offence under this Act and shall on conviction by a Magistrate, be liable to a fine not exceeding rupees two hundred thousand or to imprisonment for a period not exceeding three years or to both such fine and imprisonment.

12. Any person who acts in contravention of the duty imposed on such person by section 32 to maintain confidentiality, commits an offence under this Act and shall, on conviction by a Magistrate, be liable to a fine not exceeding rupees five hundred thousand or to imprisonment for a period not exceeding ten years or to both such fine and imprisonment.

Failure to maintain confidentiality by a service provider to be an offence.

13. Any person who makes any false allegation in any information disclosed by such person under section 16 of this Act, knowing the content of such allegation to be false or having reasons to believe that such allegation is not true, commits an offence under this Act and shall, on conviction by a Magistrate, be liable to a fine not exceeding rupees one hundred thousand or to imprisonment for a period not exceeding three years or to both such fine and imprisonment.

Making false allegations to be an offence.

14. Where an offence under this Act is committed by a body of persons, then, if that body of persons is—

Offences by a body of persons.

(a) a body corporate, then every person who, at the time of the commission of the offence, was a director, manager, officer or servant of such body corporate;

(b) a firm, then every person who, at the time of the commission of the offence, was a partner of that firm; or

(c) an unincorporated body other than a firm, every individual who was a member of such body and every officer who was responsible for the management and control of such body, at the time of the commission of the offence,

shall be deemed to have committed that offence, unless such person, individual or officer, as the case may be, proves that the offence was committed without his knowledge or that such person exercised all due diligence to prevent the commission of that offence.

15. For the purposes of this Part— Interpretation.

5 (a) “information on corrupt conduct” means information relating to conduct or proposed conduct that corrupts an outcome of any sport or sporting event;

10 (b) “inside information” means information which is not generally available and which, if it were generally available, would or would be likely to influence any person who commonly bets on any sport or sporting event in deciding whether or not to bet on such sport or sporting event or making any other betting decision; and

15 (c) “aiding”, “abetting”, “attempting” and “conspiring” shall have the same meaning as in the Penal Code (Chapter 19).

PART III

DISCLOSURE OF INFORMATION

20 **16.** (1) Where any person or any person connected to a sport— Disclosing information to the Secretary, &c.

(a) is approached, induced or threatened by any person to engage in or perform any act or omission that constitutes an offence under section 4, 5, 6, 7 or 8; or

25 (b) becomes aware of, or has reasons to believe, or reasonably suspects that any person or any person connected to a sport has—

(i) been engaged in or performed;

30 (ii) been approached, induced or threatened to engage in or perform; or

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(iii) received, direct or indirect threats to engage in or perform,

any act or omission which constitutes an offence under section 4, 5, 6, 7 or 8,

5 such person or person connected to a sport shall forthwith disclose such information in writing, in person or by electronic means to the Secretary, or the Director of Sports or the Unit appointed under section 21 of this Act.

(2) Where any betting operator becomes aware of, or
10 reasonably suspects any unusual betting patterns in any betting carried out by any person, such betting operator shall forthwith disclose such information in writing, in person or by electronic means to the Secretary or the Director of Sports or to the Unit.

15 **17.** (1) The Secretary or the Director of Sports, as the case may be, shall, upon receipt of any information under section 16, refer such information to the Unit, for investigation:
Secretary or Director of Sports to refer information to the Unit.

20 Provided however, that where such information discloses the commission of an offence under section 70 of the Bribery Act (Chapter 26), the Secretary or the Director of Sports, as the case may be, shall refer such information to the Commission to Investigate Allegations of Bribery or Corruption, for investigation and prosecution.

25 (2) Notwithstanding the provisions of subsection (1), the Secretary or the Director of Sports may, on his own motion, refer any information relating to any offence under this Act to the Unit, for investigation.

30 **18.** (1) Any person connected to a sport shall disclose to the Secretary or the Director of Sports all information relating to such person's personal or business interests, or any other connections with any betting operator, or any personal or business interests such person has relating to sports.
Disclosing connections with betting operators to the Secretary or Director of Sports.

(2) The Secretary or the Director of Sports, as the case may be, shall, on a request made by the Unit, make available to that Unit any information received by such Secretary or Director of Sports under subsection (1), for the purpose of any investigation of any offence under this Act.

PART IV

INVESTIGATION AND PROSECUTION OF OFFENCES

15 **19.** (1) Except as otherwise provided for by this Act, all offences under this Act shall be investigated, tried or otherwise dealt with in accordance with the provisions of the Code of Criminal Procedure Act.

Offences under this Act to be investigated under the provisions of the Code of Criminal Procedure Act.

(2) All investigations carried out by the Unit under this Act shall be discreet except where the circumstances require otherwise.

20 **20.** An offence under Chapter I of Part II of this Act shall be a cognizable and non-bailable offence within the meaning, and for the purposes, of the Code of Criminal Procedure Act.

An offence under Chapter I of Part II to be a cognizable and non-bailable offence.

25 **21.** (1) The Minister shall, in consultation with the Minister assigned the Department of Police, appoint by Order published in the *Gazette*, an independent, impartial Special Investigations Unit (in this Act referred to as the "Unit") consisting of such number of police officers not below the rank of an Assistant Superintendent of Police, as may be determined by the Minister, for conducting investigations in relation to an offence under this Act.

Appointment of the Special Investigations Unit.

(2) The police officers to be appointed under subsection (1) shall be nominated by the Inspector General of Police.

30 (3) The Minister shall appoint the seniormost member from among the members of the Unit to be the Head of the Unit.

(4) The term of office of any member of the Unit shall be three years and a member of the Unit shall be eligible for reappointment.

5 (5) A member of the Unit may at any time, resign his office by letter addressed to the Minister, and such resignation shall be effective from the date on which it is accepted by the Minister.

(6) The Minister may, if he considers it expedient to do so, with reasons assigned therefor, remove any member of
10 the Unit from office.

(7) In the event of a vacancy occurring in the membership of the Unit as a result of the death, resignation, removal from office or otherwise of any member of the Unit, the Minister shall, having regard to the provisions of subsection
15 (1), appoint another person to fill such vacancy.

(8) Where another person is appointed to fill a vacancy caused by death, resignation, removal from office or otherwise of any member of the Unit, the person so appointed shall hold office for the unexpired period of the term of
20 office of the member of the Unit whom he succeeds.

(9) Every member of the Unit shall be paid such remuneration as may be determined by the Minister in consultation with the Minister assigned the subject of Finance.

25 (10) The members of the Unit, in the exercise and performance of their powers and functions under this Act—

(a) shall be subject to such conditions of appointment as may be prescribed; and

30 (b) in relation to any investigation under this Act, shall not be under the direction, control, or supervision of the Inspector General of Police:

Provided however, the Inspector General of Police shall have power to exercise disciplinary control over, or to transfer the members of the Unit.

(11) The Unit shall at all times act independently and
5 impartially.

22. (1) The Minister shall, prior to appointing any
police officer as a member to the Unit under section 21,
satisfy himself that such officer has no financial, personal or
other interest or relationship in relation to any matter which
10 is under investigation under this Act, as is likely to affect
prejudicially the discharging of such officer's duties as a
member of the Unit.

Disclosure of
conflict of
interest.

(2) A member of the Unit shall disclose to the Minister
and the Inspector General of Police of any instance of conflict
15 of interest or relationship—

(a) prevailing at the time of such member's appointment
as a member of the Unit; or

(b) arising or likely to arise in the course of any
investigation, in relation to any matter or person
20 subject to an investigation by the Unit under this
Act.

23. (1) The Unit shall—

(a) upon receipt of any information under
section 16 or 17, if it is satisfied that such
information is credible and that such
information discloses material upon which
an investigation ought to be conducted;
25 or

Investigation
of offences
by the Unit.

(b) on its motion, if the Head of the Unit is
satisfied that there is *prima facie* evidence
of the commission of an offence under
30 this Act,

conduct investigations as may be necessary for the purpose of institution of criminal proceedings in respect of any offence under this Act:

5 Provided however, that where such information or evidence discloses the commission of an offence under section 70 of the Bribery Act (Chapter 26), the Unit shall refer such information or evidence to the Commission to Investigate Allegations of Bribery or Corruption, for investigation and prosecution.

10 (2) Upon completion of an investigation under subsection (1), the Head of the Unit shall—

(a) prepare a report containing the findings of such investigation; and

15 (b) where the Unit finds that it has reasonable grounds to suspect that an offence under this Act has been committed, refer such report along with any other documents available with the Unit in relation to such alleged offence, to the Attorney General for consideration and prosecution; or

20 (c) where the investigation discloses the commission of an offence under the Bribery Act, refer such report to the Commission to Investigate Allegations of Bribery or Corruption, for investigation and prosecution.

25 **24.** For the purpose of conducting any investigation of an offence under this Act, the Unit shall have power to— Powers of the Unit.

30 (a) procure and receive all such evidence, written or oral, and to examine all such persons as the Unit may think necessary or desirable to procure, receive or examine;

- 5 (b) require any person to attend before the Unit for the purposes of being examined by the Unit and to submit answers to questions raised by the Unit, relevant in the opinion of the Unit, to the matters under investigation by way of an affidavit or, if necessary administer oath or affirmation in accordance with the Oaths or Affirmations Ordinance (Chapter 17);
- 10 (c) summon any person to produce any data, information, document or other thing in his possession or control;
- (d) require any service provider to produce any subscriber information or traffic data in the possession or control of such service provider;
- 15 (e) direct by notice in writing the manager of any bank to produce, within such time as may be specified in the notice, any book, document or cheque of the bank containing entries relating to any account of—
- 20 (i) any person in respect of whom an investigation of an offence under this Act is conducted;
- (ii) the spouse or any child of such person;
- (iii) a company of which such person is a director;
- 25 (iv) a trust in which such person has a beneficial interest;
- (v) a firm of which such person is a partner,
- 30 or to produce as specified in that notice, certified copies of such book, document, cheque or of any entry therein;

- 5 (f) notwithstanding the provisions relating to confidentiality of information contained in the Inland Revenue Act, No. 24 of 2017, direct by notice in writing the Commissioner-General of Inland Revenue to produce, as specified in the notice, all information available to such Commissioner-General relating to the affairs of—
- 10 (i) any person in respect of whom an investigation of an offence under this Act is conducted; or
- (ii) the spouse or any child of such person,
- 15 and to produce, as specified in the notice, any document or a certified copy of any document relating to such person, spouse or child which is in the possession or under the control of such Commissioner-General;
- (g) direct any person in respect of whom an investigation of an offence under this Act is conducted, to furnish an affidavit—
- 20 (i) enumerating all movable or immovable property owned or possessed at any time, or at such time as may be specified by the Unit by such person, or the spouse or any child of such person and specifying the date on
- 25 which each of the properties so set out was acquired, whether by way of purchase, gift, bequest, inheritance or otherwise; and
- (ii) containing particulars of such other matters
- 30 which in the opinion of the Unit are relevant to the investigation;

- (h) direct any other person to furnish an affidavit—
- 5 (i) enumerating all movable or immovable property owned or possessed at any time, or at such time as may be specified by the Unit, by such person, where the Unit has reasonable grounds to believe that such information can assist an investigation conducted by the Unit; and
 - 10 (ii) containing particulars of such other matters which in the opinion of the Unit are relevant to an investigation conducted by the Unit;
- (i) prohibit, under the authority of an Order issued in that behalf by a Magistrate, on application made for such purpose by the Unit—
- 15 (i) any person in respect of whom an investigation of an offence under this Act is conducted;
 - (ii) the spouse or any child of such person;
 - 20 (iii) any other person holding any property in trust for such first-mentioned person;
 - (iv) a company of which such person is a director; or
 - (v) a firm in which such person is a partner,
- 25 from transferring the ownership of, or any interest in, any movable or immovable property specified in such Order, until such time the Order is revoked by the Court;

(j) require, under the authority of an Order issued in that behalf by a Magistrate, on application made for such purpose by the Unit—

5 (i) the Controller of Immigration and Emigration to impound the passport and other travel documents of any person in respect of whom an investigation of an offence under this Act is conducted, for such period not exceeding three months, as may be specified in such Order;

10 (ii) any police officer as shall be specified in that Order, whether by name or by office, to take all such steps as may be necessary to prevent the departure from Sri Lanka of any person in respect of whom an investigation of an offence under this Act is conducted, for such period not exceeding three months, as may be specified in such Order; and

15 (k) call or receive any data, information, document or evidence from any person, government or non-government institution or from any foreign agency.

20 **25.** Notwithstanding anything to the contrary in the Code of Criminal Procedure Act, or any other law, the Attorney General may institute criminal proceedings in the High Court of Sri Lanka in respect of an offence under Chapters I and II of Part II of this Act based on the material collected in the course of an investigation conducted by the Unit under section 23.

25 **26.** (1) Where the Unit has reasonable grounds to suspect that— Unit to enter and search premises or persons.

(a) an offence under this Act is being committed, or has been committed at any premises and evidence

of the commission of such offence is to be found at any premises or with any person; or

5 (b) any data, information, document or device connected to the commission of any offence under this Act is to be found at any premises or with any person,

10 a member of the Unit or any person authorised by the Head of the Unit may, enter and search such premises or any person found on such premises in accordance with the provisions of the Code of Criminal Procedure Act. Such member or person may obtain the assistance of police officers outside the Unit to carry out such search.

15 (2) A member of the Unit or any person authorised by the Head of the Unit who enters and search any premises or person under subsection (1) may, in the manner provided for by the Code of Criminal Procedure Act—

20 (a) seize any device which is found on such premises or with such person and which such member or authorised person has reasons to believe to be evidence of the commission of an offence under this Act;

25 (b) seize data, information or document which is found on such premises or with such person and which such member or authorised person has reasons to believe to be evidence of the commission of an offence under this Act, or obtain any copy thereof; or

30 (c) arrest any person found on such premises who such member or authorised person has reasons to believe to be connected with the commission of an offence under this Act.

(3) A member of the Unit or any person authorised by the Head of the Unit making an arrest without a warrant of any person suspected of committing an offence under this Act, shall, without unnecessary delay and within twenty four
5 hours of such arrest, exclusive of the time taken for the journey from the place of arrest to the presence of the Magistrate, produce such person before the Magistrate of the Court nearest to the place such person is arrested.

(4) Where, by virtue of this section, a person has any
10 power to enter into any premises such person may use such force as is reasonably necessary for the purpose of exercising such power.

(5) Whenever it is necessary to cause a woman to be searched the search shall be made by another woman with
15 strict regard to decency.

27. (1) Where a member of the Unit or any person authorised by the Head of the Unit is satisfied— Preservation
of
information.

(a) that any information or data stored in any electronic device is reasonably required for the purposes of
20 an investigation under this Act; and

(b) that there is a risk that such information or data may be lost, destroyed, modified or rendered inaccessible,

such member or the authorized person may by written
25 notice require the person in control of such electronic device to ensure that the information or data be preserved for such period not exceeding thirty days as may be specified in such notice.

(2) On an application made to a Magistrate having
30 jurisdiction, the period for which the information or data is to be preserved may be extended for such further period, which in the aggregate shall not exceed ninety days.

28. A member of the Unit or any person authorised by the Head of the Unit who conducts any search, inspection or does any other thing in the course of an investigation of an offence under this Act-

Seizure of any device not to hamper its ordinary use.

5 (a) shall make every endeavor to ensure that the ordinary course of legitimate business for which any device which is being searched or inspected may be used is not hampered by such search, inspection or investigation; and

10 (b) shall not seize such device if such seizure will prejudice the conduct of such ordinary course of business, unless-

15 (i) it is not possible to conduct the search or inspection on the premises where such device is located; or

20 (ii) seizure of such device is essential to prevent the commission or continuance of the offence or to obtain custody of any information or data which would otherwise be lost, destroyed, modified or rendered inaccessible.

29. Where any data, information, documents, or devices have been seized or rendered inaccessible during any search or inspection in the course of an investigation of an offence under this Act, the member of the Unit or the person authorised by the Unit conducting such search or inspection shall issue a complete list of such data, information, documents, or devices including the date and time of such seizure or of rendering it inaccessible to the owner or the person in charge of such data, information, documents or devices.

Issuing a list of seized documents, &c.

30. (1) Every offence under Chapter I of Part II of this Act shall be triable by the High Court of Sri Lanka established under Article 154P of the Constitution.

High Court to try offences under Chapter I of Part II

(2) Where an offence under Chapter I of Part II of this Act is committed outside Sri Lanka, such High Court shall have the jurisdiction to try such offence as if such offence is committed in Sri Lanka if –

- 5 (a) the person who committed such offence is present in Sri Lanka;
- (b) the person who committed such offence is a citizen of Sri Lanka;
- 10 (c) the person in relation to whom the offence is alleged to have been committed is a citizen of Sri Lanka; or
- (d) such offence is committed on board an aircraft or vessel while in the air space of Sri Lanka or the territorial waters of Sri Lanka.

15 (3) Where in any proceedings in relation to any offence under this Act, any question including the exercise of any power arises in respect of which no provision or adequate provision has been made by or under this Act or any other enactment, the High Court shall have power to make such
20 Orders and give such directions in so far as the same shall not conflict or be inconsistent with any provision of this Act.

PART V

GENERAL

25 **31.** The Secretary, Director of Sports, every member of the Unit or every officer, employee or other person appointed to assist the Secretary or Director of Sports or the Unit under this Act shall, before entering upon the duties of such
30 person sign a declaration pledging not to disclose any information received by him or coming to his possession or knowledge in the exercise and discharge of his powers and functions under this Act, except-

Duty to maintain secrecy.

- (a) for the purpose of giving effect to the provisions of this Act;
- (b) when required under any provision of any other written law; or
- 5 (c) when required to do so by a court of law.

32. (1) Every service provider from whom any information or data has been requested or obtained under this Act or any person to whom a written notice has been issued for the preservation of any information or data under
10 section 27 shall maintain strict confidentiality in relation to such information or data and the fact that such information or data has been requested, obtained or required to be preserved, and shall not make any disclosure in regard to such matters other than with lawful authority.

Service providers to maintain confidentiality.

15 (2) A service provider shall not be held liable under the civil or criminal law for the disclosure of any information or data for the purposes of an investigation under this Act.

33. (1) The secretary of the Board of Management of every National Association of Sports recognized under this
20 Act shall maintain a code of ethics, subject to the directions of the Secretary, governing the conduct of persons connected to such sport for the purpose of ensuring the maintenance of discipline and prevention of match fixing, corruption, illegal manipulation and illegal betting in such sport.

Maintenance of code of ethics.

25 (2) Every person connected to a sport shall be bound by the provisions of the code of ethics of the respective sport.

(3) Any person connected to a sport who acts in contravention of the provisions of the code of ethics of such
30 sport shall also be liable to such sanctions as may be provided for in such code of ethics.

34. (1) There shall be established a Reward Fund under the control and administration of the Secretary for the purpose of rewarding persons who provide information that results in the detection of any offence committed by any person under this Act and the prosecution of such offence. The members of the Unit shall not be entitled to any reward from the Reward Fund.

Reward Fund.

(2) There shall be paid into the Reward Fund all such sums of money as may be voted upon from time to time by Parliament for the purpose.

(3) The Minister may prescribe the manner in which rewards shall be paid to persons who provide information. The amount of reward shall be determined on the basis of detection, institution of proceedings and successful prosecution, of an offence.

(4) The Secretary shall cause proper books of accounts to be kept of the income and expenditure of the Reward Fund and all other financial transactions in relation to the Reward Fund.

(5) The provisions of Article 154 of the Constitution shall apply to, and in relation to, the audit of the accounts of the Reward Fund.

35. No member of the Unit or any officer, employee or other person appointed to assist the Unit for the purposes of this Act, shall be liable in any suit or other legal proceedings for any lawful act which is done or purported to be done in good faith by such member, officer, employee or person as the case may be, in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act.

Protection for acts done in good faith.

36. Where there is an extradition arrangement in force between the Government of Sri Lanka and the Government of any other State, such arrangement shall be deemed, for the purpose of the Extradition Law, No. 8 of 1977, to include provisions for the extradition in respect of an offence under Chapter I of Part II of this Act.

Provisions relating to extradition arrangements.

37. The Extradition Law, No. 8 of 1977 is hereby amended by the insertion immediately before Part B of the Schedule to that Law, of the following:-

Amendment of the Extradition Law, No. 8 of 1977.

10 “() An offence within the meaning of the Prevention of Offences relating to Sports Act, No. of 2019.”.

38. Notwithstanding anything contained in the Extradition Law, No. 8 of 1977, an offence under Chapter I of Part II of this Act shall, for the purposes only of extradition under that Law, be deemed not to be a fiscal offence, or an offence of a political nature, or an offence connected with a political offence or an offence inspired by political motives.

Interpretation in relation to the Extradition Law.

39. (1) The Minister may make regulations under this Act in respect of all matters which are required by this Act to be prescribed or in respect of which regulations are required or authorized to be made under this Act.

Regulations.

25 (2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations in respect of the measures to be taken for the purpose of preventing, detecting and investigating offences under this Act.

30 (3) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of publication, or on such later date as may be specified therein.

(4) (a) Every regulation made by the Minister shall, within three months after its publication in the *Gazette*, be brought before Parliament for approval.

(b) Any regulation which is not so approved shall be
5 deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any regulation made by the Minister is deemed to be so rescinded shall be
10 published in the *Gazette*.

40. In this Act, unless the context otherwise requires - Interpretation.

“betting operator” means any company or undertaking that promotes, brokers, arranges or conducts any form of betting activity in relation to any sport or sporting event and includes any director, partner, officer, employee, servant and agent of such company or undertaking;
15

“Board of Management” means the body which is in charge of the management and administration of the affairs of any National Association of Sports;
20

“child” means a male or a female under the age of eighteen;

25 “Code of Criminal Procedure Act” means the Code of Criminal Procedure Act, No. 15 of 1979;

“Commissioner-General of Inland Revenue” means the Commissioner-General of Inland Revenue appointed under section 97 of the Inland Revenue Act, No. 24 of 2017;
30

- 5 “Commission to Investigate Allegations of Bribery or Corruption” means the Commission to Investigate Allegations of Bribery or Corruption established by section 2 of the Commission to Investigate Allegations of Bribery or Corruption Act, No. 19 of 1994;
- “computer system” means a computer or group of inter-connected computers, including the internet;
- 10 “Controller of Immigration and Emigration” means the Controller of Immigration and Emigration appointed under section 4 of the Immigrants and Emigrants Act (Chapter 351);
- 15 “Director of Sports” means the Director of Sports appointed under section 3 of the Sports Law, No. 25 of 1973;
- “device” includes an electronic device;
- “document” includes an electronic record;
- 20 “electronic device” means any device used for communication or for processing or transmission of information or data;
- “electronic means” includes e-mail, fax, short message service (sms), fixed telephone, mobile phone and any online method;
- 25 “electronic record” means information, record or data generated, stored, received, or sent in an electronic form or microfilm, or by any other similar means;
- 30 “information” includes data, text, images, sound, codes, database or microfilm;

“Minister” means the Minister assigned the subject of Sports under Article 43 or 44 of the Constitution;

5 “National Association of Sports” means any National Association of Sports established in terms of the Sports Law, No. 25 of 1973;

“person connected to a sport” means-

10 (a) any member or an employee of the National Olympic Committee of Sri Lanka established by section 18 of the Sports Law, No. 25 of 1973;

(b) any person who is a member or an employee of any National Association of Sports;

15 (c) any person or body of persons being an affiliated member, club, team, association or league of any National Association of Sports;

20 (d) any player who participates in any sport, sporting event, international game, tournament or championship organized, held, convened or authorized by any National Association of Sports nationally or
25 internationally;

(e) in the case of a minor player who is a member of any National Association of Sports, such player’s parents, guardians or agents; and

30 (f) any person who is an official, selector, sports manager, committee member, coach, trainer, masseur, physiotherapist, medical official, paramedic, umpire, match adjudicator, match referee, curator, member of
35 support staff, venue staff or ground staff, sports associate and a sponsor associated with any sport or sporting event;

“player” means any person who participates in any sport or sporting event at school, club, provincial, national or international level;

“premises” includes any vehicle, vessel or aircraft;

5 “prescribed” means prescribed by regulations made under this Act;

“Secretary” means the Secretary to the Ministry of the Minister assigned the subject of Sports under Article 43 or 44 of the Constitution;

10 “service provider” means-

(a) a public or private entity which provides the ability for its subscribers to communicate by means of a computer system or electronic system or by any other means; and

15

(b) any other entity that processes or stores computer data or information on behalf of that entity or its customers;

20 “sport” includes any form of sport, game, pastime, physical training, body building and exercise which is recognized by the Secretary as a sport for the purposes of the Sports Law, No. 25 of 1973;

25 “sporting event” includes a match, game, competition, race or any event connected with any sport, whether at national or international level;

30 “subscriber information” means any information, contained in the form of computer data or any other form that is held by a service provider, relating to subscribers of its services; and

“traffic data” means data—

30 *Prevention of Offences relating to Sports*

- (a) that relates to the attributes of a communication by means of a computer system;
- 5 (b) which is generated by a computer system that is part of a service provider; and
- 10 (c) which shows communications origin, destination, route, time, data, size, duration or details of subscriber information.

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

Sinhala text to prevail in case of inconsistency.

