

*Prohibition of Forcible Conversion of
Religion*

L.D.O/INC./7/2004

AN ACT TO PROVIDE MEASURES TO PREVENT THE CONVERSION OF
PERSONS BELONGING TO ONE RELIGION TO ANOTHER RELIGION BY THE
USE OF FORCE, ALLUREMENT OR BY FRAUDULENT MEANS; AND PROVIDE
FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS, Buddhism is the religion professed and practiced by the majority of people of Sri Lanka. Buddhism was introduced to Sri Lanka by the great Tathagatha, the Sambuddha during his visit to Mahiyangana, in Sri Lanka, in the Eight Month after he had attained Buddhahood and it come to complete realisation after the arrival of Arahat Mahinda Thero in the 3rd Century B.C :

Preamble.

AND WHEREAS the State has a duty to protect and foster the Buddha Sasana whilst assuring to all other religions the rights guaranteed by Article 10 and 14(1) (e) of the Constitution of the Republic of the Democratic Socialist Republic Sri Lanka :

AND WHEREAS the both Buddhists and other religious are now faced with a serious threat from forcible conversions and prosilytizing by force, allurement or by fraudulent means :

AND WHEREAS, the Maha Sanga and other religious leaders have realized the need to protect, promote and foster the religious harmony historically enjoyed by the people of all religions in Sri Lanka :

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

1. This Act may be cited as the Prohibition of Forcible Conversion of Religion Act, No. of 2008.

Short title.

2. (1) No person shall, either directly or indirectly, convert or attempt to convert any person professing one religion to another religion by the use of force, by allurement or by any fraudulent means.

Forcible conversion to be illegal.

(2) No person shall aid or abet the commission of any act prohibited by subsection (1).

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3. Whoever contravenes the provisions of section 2 shall, be guilty of an offence and on conviction after summary trial before a Magistrate be liable to be punished with imprisonment for a term not exceeding five years and also be liable to a fine not exceeding rupees one hundred and fifty thousand :

Offences.

15 Provided that whoever commits any of the acts specified in section 2 in relation to a minor, a woman or a person referred to in the Schedule hereto, shall on conviction after summary trial before a Magistrate be punished with imprisonment for a term not exceeding seven years and also be liable to a fine not exceeding rupees five hundred thousand.

20 4. Proceedings for the prosecution of an offence under this Act shall be instituted in terms of Section 136 of the Code of Criminal Procedure Act, No. 15 of 1979, upon a complaint made to the Police. The prior written sanction of the Attorney General should be obtained for the institution of proceedings under the Act.

Manner in which proceedings are to be instituted.

25 5. 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.

6. In this Act, unless the context otherwise requires — Interpretation.

20 "allurement" means the offer of any temptation for the purpose of converting a person professing one religion to another religion, in the form of —

- (i) any gift or gratification whether in cash or kind ;
- (ii) a grant of any material benefit, whether monetary or otherwise ;
- 25 (iii) the grant of employment or grant of promotion in any employment presently engaged in;

"convert" means to make one person to renounce one religion and profess another religion ;

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5 "force" means a show of force and includes a threat of harm or injury of any kind or threat of religious disgrace or condemnation of any religion or religious faith for the purpose of converting a person from one religion to another religion ;

"fraudulent" means any wilful misinterpretation or any other fraudulent contrivance used for the purpose of converting a person from one religion to another religion ;

10 "minor" means a person under eighteen years of age.

SCHEDULE

1. persons classified as samurdi beneficiaries
2. Prison inmates
3. Inmates of rehabilitation centres
4. Inmates of detention centres
5. Physically or mentally disabled persons
6. Employees of an organisation
7. Members of the armed forces or police force
8. Students
9. Inmates of hospitals and or places of healing
10. Inmates of refugee camps