

**Bill Drafted by Hon. Ratnasiri Wickramanayake, Minister of Buddha Sasana**  
*(June 2004)*

*(Translated to English from the Official Version in Sinhala)*

## **Introduction**

With a view to strengthening the mutual trust/unity that exists among religions and with a view to protecting the religious freedom that people have enjoyed in the past, an Act to provide for the prohibition of conversion to another religion forcibly or by use of force or inducement, or by fraud, or by unethical means or in any other manner as well as to provide for matters connected or incidental there unto.

Parliament of the Democratic Socialist Republic of Sri Lanka enacts as follow:-

- |  |         |   |
|--|---------|---|
| Title in brief:                                | 0.1     | This Act will be known as “Act No..... of 2004 for the Protection of Religious freedom”.  |
| That conversion to another religion is illegal | 0.2     | No person shall convert or attempt to convert another person to another religion, and no person shall provide assistance or encouragement towards such conversion to another religion.  |
| Conversion by force                            | 0.3     | An employer or any person holding any position of trust or responsibility; or any officer of the armed forces or police; any teacher or principal of any school or institute of higher education or any institute where teaching or training is imparted; or any authorized person in charge of any prison, or detention camp, or refugee camp, or hostel, or hospital, or nursing home, or medical centre, or children’s home, or home for elders or the disabled or the sick, or any other such place shall not induce or compel any other person to attend any prayers or prayer meetings of any religion of which he is not a member, nor attempt to do so; nor subject any such person to any punishment or disadvantage whatsoever for not attending any such prayers or prayer meetings; nor deny him any right or privilege which he would otherwise have been entitled to. |
|  | 0.4 (I) | No person shall remit, hold, be in charge of, exchange or use funds or resources for the purpose of engaging in any act that is declared an offence under this Act.   |

0.5 (I) Notwithstanding any provisions whatsoever in the Code of Criminal Procedure, any person contravening Sections 2,3 or 4 of this Act shall be guilty of an offence and upon conviction before a magistrate will be liable to imprisonment for a period not exceeding 5 years or a fine not exceeding Rs. 100,000/- or to both such imprisonment and fine.

However, where the contravention has been in respect of a minor, notwithstanding anything to the contrary in the Criminal Procedure Code, the offender will be liable to imprisonment for a period not exceeding 7 years or to a fine not exceeding Rs. 500,000/- or to both such imprisonment and fine.

(ii) If the offence has been committed in a place mentioned in Section 3, the matter shall be regarded as more serious when determining the punishment to be meted out.

(iii) Where a person is convicted of contravention of Section 4 of this Act, all funds or resources in his charge or that portion of such funds or resources to be determined by Courts, shall be forfeited to the state.

(iv) Notwithstanding anything contrary to the Criminal Procedure Code Act No. 15 of 1979, all offences under this Act shall be treated as deliberate / conscious offences.

(v) Where an offence under this Act has been committed by a group of persons.

(a) Where the group of persons form a corporate body, every director or shareholder or officer or member or employee shall be guilty of that offence.

(b) Where the group of persons do not form a corporate body or company, each partner, member, employee or officer of that group or company shall be guilty of an offence.

(vi) Where a person who is not a citizen of Sri Lanka but who has arrived in Sri Lanka on a visa issued to him is declared guilty of an offence under this Act, the Minister in charge of Immigration and Emigration shall, notwithstanding whatever contrary provisions found in Sub-Section 31 (I) of the Immigration and Emigration Act or any other provisions, issue an extradition order against him. Where such a person is declared guilty, the relevant Minister shall issue a further order under Section 12 of this Act declaring such person 'persona non-grata'. Such order shall be enforced once the sentence imposed by the magistrate is completed.

0.6 Action may be initiated before a magistrate in the following manner:

(i) By the police or by any such officer on a complaint made to the police or to any such officer by any persons affected aggrieved by the offences or by any other interested persons.

(ii) By any person affected aggrieved by an offence.

(iii) By any person interested in the welfare of the public, who has reason to believe that the provisions of this Act have been contravened.

However, the police shall not be exempt from its obligation to enforce this Act.

0.7 (I) The Minister in charge of Justice for the time being may frame rules and regulations for the enforcement and execution of the provisions of this Act, and all such rules and regulations shall be published in the Government Gazette and shall be presented to Parliament for approval.

0.8 In this Act, unless the context otherwise requires:

(a) i } See below.  
ii }

- (b) "Inducement" includes any gift or gratification bestowed in the form of any benefit or privilege in cash or kind, and also includes the grant of any financial or other benefit.
- (c) "forcibly" includes use of force, compulsion or any undue influence."
- (d) "use of force" includes any form of threat or harassment or hurt, or any threat of divine curse or ridicule of any religion or religious belief or social ostracization.
- (e) "Fraudulently" includes the submission of false information and the use of any dishonest means.
- (f) "unethical" means the use of any procedure contrary to accepted norms of ethics that may be used to propagate a religion.
- (g) "person" includes a person or establishment whether incorporated or not. It also includes any project incorporated by an Act, or approved by the Registrar of Companies, or the B.O.I. It also includes trusts registered under the Trustee's Ordinance.
- (h) "priest" includes any cleric / religious or any member of a clergy of any religion.
- (i) "person" may also include a bank, a finance company, and company supplying credit, the Public Trustee or any other trustee.
- a (I) } "Conversion to another religion" means any direct or  
(ii) } indirect action or behaviour designed to cause a person to embrace a religion or religious practice, or religious philosophy to which he does not subscribe or to attempt to cause a person to do so.

or any direct or indirect action or behaviour designed to cause a person to abandon his practice of religion, religious philosophy or to attempt to cause a person to do so, or to exert or attempt to exert any undue influence on a person's religion, religious beliefs or philosophy or his practice of religion.