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Long Title	<p>AN ACT TO ESTABLISH A NATIONAL COMMISSION ON WOMEN PURSUANT TO THE NATIONAL POLICY ON GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN IN ORDER TO SECURE EQUAL RIGHTS FOR WOMEN: TO ESTABLISH MECHANISMS INCLUDING THE APPOINTMENT OF AN OMBUDSMAN, FOR THE PROTECTION AND PROSECUTION OF WOMEN’S RIGHTS AND VIOLATIONS OF SUCH RIGHTS: AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.</p>
Preamble	<p>WHEREAS the Universal Declaration of Human Rights affirms the principle of non-discrimination and proclaims that all human beings are born free and equal in dignity and rights and entitled to all rights and freedoms without distinction, including distinctions based on gender:</p>
	<p>WHEREAS Sri Lanka has ratified the Convention on the Elimination of All Forms of Discrimination against Women adopted by the United Nations General Assembly and in pursuance of its obligations under the aforesaid Convention, the Government of Sri Lanka has undertaken the task of ensuring that its national laws are in harmony with the principles recognized by such Convention and where required the enactment of new laws:</p>
	<p>WHEREAS it is necessary in the national interest to provide for a mechanism mandated with the task of ensuring that the aforesaid principles, commitments and obligations as well as the principles of the United Nations Charter and other relevant international Conventions, Treaties and other instruments are provided for within a legal framework:</p>
	<p>AND WHEREAS the establishment of the National Women’s Commission operating at national level, vested with necessary powers to give effect to the aforesaid principles, commitments and obligations will serve as the effective mechanism for ensuring Gender Equality and the Empowerment of Women:</p>
	<p>NOW THEREFORE be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-</p>
Short Title.	<p>1. This Act may be cited as the National Commission on Women Act No. of 2022. The Act shall come into operation on such date as the Minister may, by Order published in the Gazette, appoint. (Hereinafter referred to as the “appointed date”).</p>

PART I	
OBJECTIVES OF THIS ACT	
Objective of the Act.	<p>2. (1) The overall objective of this Act shall be to provide for the realization, protection and promotion of the rights and freedoms guaranteed to women under the Constitution, the Gender Equality and Women’s Empowerment Act, No. of 2022 and other national legislation, as well as obligations undertaken by the State in relation to women in terms of the Convention on the Elimination of All Forms of Discrimination Against Women hereinafter referred to as “CEDAW”, through the establishment of a National Commission on Women (hereinafter referred to as “the Commission”). The Commission shall be vested with all powers, duties and functions as are necessary to achieve and implement the objectives enumerated in this Act.</p>
	<p>(2) For the purpose of the implementation of the Act the following shall be the specific objectives entrusted to the Commission -</p> <ul style="list-style-type: none"> (a) to prevent and protect women from all forms of discrimination based on gender, marginalization, and violence and establish measures for the prosecution and punishment of acts of violence against women; (b) to address the causes of gender inequality based on formal and informal norms and practices related to existing social and economic structures; (c) to safeguard the rights of women and promote the realization of, and ensure equality and justice for women and take measures to ensure as far as possible, women’s participation in all measures and mechanisms connected with transitional justice; (d) to take necessary action to ensure that the government of Sri Lanka takes the required measures to implement its obligations under the CEDAW convention and other international instruments in order to secure equal rights for women.

	PART II THE NATIONAL COMMISSION ON WOMEN
Establishment of the National Commission on Women	<p>3 (1) There shall be established a Commission called the “National Commission on Women” (hereinafter referred to as the “Commission”).</p> <p>(2) The Commission shall by the name assigned to it by subsection (1) be a body corporate with perpetual succession and a common seal and may sue and be sued in such name.</p>
Members of the Commission	<p>4 (1) The Commission shall consist of seven members appointed by the President on the recommendations of the Constitutional Council chosen from among persons who have distinguished themselves in the advancement of gender equality and women’s rights and freedoms or have knowledge or practical experience in such matters.</p> <p>(2) The Constitutional Council shall make its recommendations within one month from the date of the coming into operation of this Act, or from the date of a vacancy arising in the membership of the Commission.</p>
	(3) At least five members of the Commission shall be women and not more than two members shall be men.
	(4) The President shall appoint a Chairperson from among the appointed women members, on the recommendation of the Constitutional Council.
	(5) At least three members inclusive of the Chairperson shall be appointed as full time members.
	(6) Every member shall unless such member vacates office earlier by death, resignation or removal, hold office for a period of four years from the date of appointment and shall, unless removed from office, be eligible for re-appointment.
Removal of	5 (1) A member of the Commission may be removed from office –

<p>members of the Commission</p>	<p>(a) by the President, if such member-</p> <ul style="list-style-type: none"> (i) is adjudged as an insolvent by a court of competent jurisdiction; (ii) engages in any paid employment outside the duties of his or her office, which in the opinion of the President, formed on the recommendation of the Prime Minister in consultation with the Speaker and the Leader of the Opposition, conflict with his or her duties as a member of the Commission; (iii) is unfit to continue in office by reason of infirmity of mind or body; (iv) is declared to be of unsound of mind by a court of competent jurisdiction; (v) is convicted of an offence involving moral turpitude, or (vi) absents himself or herself from three consecutive meetings of the Commission without obtaining prior leave of the Chairperson; or <p>(b) by an order of the President made after an address of Parliament supported by a Resolution passed by a majority of two-thirds of the total number of members of Parliament (including those not present), has been presented to the President for such removal on the ground of proven misbehavior or incapacity:</p> <p>Provided however, that no resolution for the presentation of such an address shall be entertained by the Speaker or placed on the Order Paper of Parliament, unless notice of such Resolution is signed by not less than one - third of the total number of members of Parliament and sets out full particulars of the alleged misbehavior or incapacity.</p>
	<p>(2) The procedure for the presentation and passing on an address of Parliament for the removal of a judge of the Supreme Court or the Court of Appeal, shall apply in all respects to the presentation and passing of an address of Parliament for the removal of an appointed member of the Commission.</p>

Salaries of members of the Commission.	<p>6. The salaries of the members of the Commission shall be determined by Parliament and be a charge on the Consolidated Fund and shall not be diminished during a members term of office.</p>
Powers of the Commission.	<p>7. (1). The Commission shall have all such powers as are necessary to efficiently carry out its functions.</p>
	<p>(2) Without prejudice to the generality of the powers vested under subsection (1), the Commission shall have the power to: -</p> <ul style="list-style-type: none"> (a) inquire into and investigate the infringement or imminent infringement of women’s rights in terms of the provisions of Part III; (b) intervene in any proceedings relating to the infringement or imminent infringement of a woman’s right, pending before any Court, with the permission of such Court; (c) conduct public inquiries in relation to the infringement or imminent infringement of women’s rights; (d) institute action in Court on its own motion; (e) take such steps as may be directed by a superior court or by any other court in respect of any matter relating to women’s rights referred to by that Court; (f) request or call for any information or reports from any governmental or other authority for the purpose of performing any function vested in the Commission under this Act; (g) require any governmental or any other authority to appear in person before the Commission to provide any information, report or data required for the purpose of performing any function vested in the Commission under this Act; (h) appoint committees to assist the Commission;

	<ul style="list-style-type: none"> (i) open regional or provincial offices of the Commission; (j) acquire take and hold any property movable or immovable which may be vested in it by this Act or by virtue of any purchase grant gift or otherwise and to sell, mortgage, lease, grant, convey devise, assign exchange dispose of any such movable or immovable property; (k) appoint officer's and other employees of the Commission as are necessary to carry out the functions of the Commission; (l) invest its funds in such manner as the Commission may deem necessary (m) open operate and close bank accounts; (n) receive grants gifts or donations whether from local or foreign sources: <p style="margin-left: 40px;">Provided the Commission obtains prior written approval of the Department of Eternal Resources in respect of all foreign grants, gifts or donations;</p> (o) award in its absolute discretion, to an aggrieved person such sum of money as it may deem sufficient to meet the expenses that may have been reasonably incurred by such person in making a complaint to the Commission under this Act; (p) conduct programmes to create awareness and disseminate information regarding women's rights and internationally accepted norms relating to women;
<p>Functions of the Commission</p>	<p>8. The functions of the Commission shall be to –</p> <ul style="list-style-type: none"> (a) to take all such steps as are necessary to secure respect for women's rights and to prevent and protect all forms of discrimination, marginalization and violence; (b) to promote the realization of, and ensure due diligence with regard to the prevention of violence against women;

	<ul style="list-style-type: none"> (c) to provide for legal redress or resolution thereof by conciliation and mediation in accordance with the provisions hereinafter provided, either on receiving a complaint or on its own motion; (d) to make recommendations to the Government – <ul style="list-style-type: none"> (i) on measures to be taken to ensure that national laws and policies and administrative practices are in accordance with internationally accepted norms and standards on women’s rights; and (ii) on the formulation of legislation and administrative directives and procedures required for of respecting, promoting, protecting, and fulfilling women’s rights; (e) to monitor and evaluate legislation, policies and practices of organs of State at all levels, statutory bodies, functionaries, public bodies and authorities, for their impact on women’s rights and make recommendations to the relevant bodies; (f) to inquire into, and investigate complaints regarding procedures, with a view to ensuring compliance with the provisions of the Constitution relating to women’s rights and to promoting respect for and observance of women’s rights; (g) to liaise and interact with state institutions, bodies or authorities in order to foster common policies and practices and to promote co-operation in relation to the handling of complaints; (h) to monitor compliance with and secure the realization of obligations assumed by the state under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) relating to the objectives of the commission including the obligation of the State to ensure compliance by the private sector; (i) to monitor and evaluate policies and practices of private enterprises and other non-state institutions in so far as they pertain to women’s rights; (j) to undertake research in furtherance of the promotion and
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	<p>protection of women’s rights and to promote awareness and provide education regarding matters relating to women’s rights.</p>
	<p style="text-align: center;">PART III</p> <p style="text-align: center;">THE OMBUDSMAN FOR WOMEN’S RIGHTS</p>
<p>Appointment of an Ombudsman for Women’s Rights.</p>	<p>9. (1) There shall be appointed to the staff of the Commission, a person who shall be called and known as the Ombudsman for Women’s Rights who shall be charged with the responsibility of entertaining in the first instance, any complaint connected to gender based inequality or to a complaint concerning the infringement or imminent infringement of women’s rights.</p> <p>(2) The person appointed to hold the office of Ombudsman for Women’s Rights in terms of subsection (1) shall be a person of good repute with proven ability in the areas of law, human rights, mediation and dispute resolution.</p> <p>(3) Any person who is subjected to, or who is aware of the occurrence of, gender based violence or to the infringement or imminent infringement of women’s rights may make a complaint to the Ombudsman for Women’s Rights.</p> <p>(4) The Ombudsman for Women’s Rights shall maintain a record of all complaints received and shall in the order that such complaints are received, make inquiries into the facts of each complaint.</p> <p>(5) On the conclusion of an inquiry into a complaint, the Ombudsman for Women’s Rights shall forward to the Commission a Report containing recommendations and possible avenues of relief available to the complainant in terms of the provisions of this Act. The Commission shall take cognizance of the recommendations made by the Ombudsman in determining action to be taken in terms of Part IV of this Act.</p> <p>(6) Regulations may be made specifying the terms of reference applicable to the Ombudsman for Women’s Rights, the remuneration payable, the term of office including manner of removal therefrom and Code of Conduct to be adhered to by the Ombudsman.</p>

	<p>PART IV</p> <p>POWERS OF INQUIRY AND INVESTIGATION OF THE COMMISSION</p>
<p>Procedure upon reference in terms of Article 126.</p>	<p>10. (1) The Supreme Court may refer any matter relating to an infringement or imminent infringement of women’s rights, arising in the course of a hearing of an application made to the Supreme Court in terms of Article 126 of the Constitution, to the Commission for inquiry and report.</p> <p>(2) The Commission shall inquire into and report to the Supreme Court any matter referred to it under subsection (1), within the period if any, specified in such reference.</p> <p>(3) Where the Supreme Court makes a reference to the Commission under subsection (1), the period commencing from the date of such reference and ending on the date on which the Report of the Commission is submitted to the Supreme Court, shall not be taken into consideration in computing the period of two months referred to in paragraph (5) of Article 126.</p> <p>(4) Where in the course of an inquiry or investigation conducted by the Commission in terms of the provisions of this Act, a question arises as to the scope or ambit of women’s rights as protected by this Act, the Commission may refer such question to the Supreme Court for its determination thereon.</p>
<p>Commission empowered to investigate the infringement or imminent infringement of women’s rights.</p>	<p>11. (1) The Commission may on its own motion or upon application made to the Commission under section 11, inquire and investigate into an alleged infringement or imminent infringement of women’s rights, cause an investigation to be conducted within three months of the date of the motion or of the application as the case may be, by a Committee appointed under this Act:</p> <p>Provided that the Commission shall not entertain any application regarding the infringement or imminent infringement of women’s rights if relief in respect of such infringement has already been sought in any Court,</p>

	<p>Tribunal or any Institution created or established by the Constitution or any other law for the time being in force.</p> <p>(2) The Committee appointed under subsection (1) shall on conclusion of its investigation, submit a Report thereon to the Commission. The Commission shall after consideration of such Report, arrive at a final decision on whether there has been an infringement or imminent infringement of women’s rights.</p> <p>(3) The members of a Committee appointed under subsection (1) shall be paid out of the Fund of the Commission, such allowance as may be determined by the Commission with the concurrence of the Ministry of Finance.</p> <p>(4) Regulations shall be made by the Minister specifying the manner in which the Commission shall appoint the Committee referred to in subsection (1), the eligibility required of the persons appointed to the Committee, the procedure to be followed by the Committee in relation to an inquiry being conducted in terms of this section.</p>
Application to investigate infringement of women’s rights.	<p>12. Any women who is aggrieved by the infringement or imminent infringement of women’s right (hereinafter referred to as an “aggrieved person”), or by any person acting on behalf of such person may apply to the Commission as referred to in subsection (1) of section 10, within one month of the date of the alleged infringement or imminent infringement, requesting the Commission to inquire and investigate into such infringement or imminent infringement in terms of the procedures herein provided</p>
Both parties to be given opportunity to be heard at inquiry or investigation	<p>13. (1) In every inquiry and investigation conducted under the provisions of this Act, the aggrieved person as well as the party who is alleged to have infringed the rights of the aggrieved person shall be afforded an opportunity to be heard.</p>
Steps to be taken after conclusion of investigation.	<p>14. (1) Where an investigation conducted by the Commission under section 10 does not disclose that an infringement or imminent infringement of the rights of an aggrieved person had taken place, the Commission shall record that fact and shall, if the investigation was commenced upon an application made therefor, forthwith inform the applicant accordingly.</p>

	<p>(2). Where an investigation conducted by the Commission, under section 10 discloses that an infringement or imminent infringement of a rights of the aggrieved person had in fact taken place, the Commission may –</p> <ul style="list-style-type: none"> (a) where the Commission is of the opinion, that the grievance complained of may be effectively resolved by Mediation, refer the matter for Mediation in terms of section and direct the parties to appear before the Mediator so appointed; or (b) forward to the appropriate Authority, a recommendation as to the manner in which in the opinion of the Commission, the infringement or imminent infringement may be remedied or prevented; or (c) where, in the view of the Commission, the infringement justifies prosecution, forward to the Attorney General a report on the investigation conducted stating that the findings merit further action.
	<p>(3) Where an investigation conducted by the Commission under section 11 discloses that the infringement or imminent infringement of the rights of the aggrieved person, did in fact take place, and -</p> <ul style="list-style-type: none"> (a) the Commission is of the opinion that it is appropriate to refer the matter for mediation, but all or any of the parties' object or objects to mediation; or (b) where the attempt at mediation is not successful, the commission may – <ul style="list-style-type: none"> (i) make such recommendation as it may think fit for the appropriate authority or person or persons concerned, with a view to preventing or remedying such infringement or the continuation of such infringement. (ii) recommend to the appropriate authority, that prosecution or other proceedings be instituted against the person infringing women's rights; (iii) grant such relief or make such direction as it may deem just and equitable in the circumstances.
	<p>(4) The Commission shall inform the aggrieved person of the action that has been taken by the Commission in terms of subsection (2) above within</p>

	fourteen days of the date of the decision.
Mediation	<p>15. (1) Where the Commission refers a dispute for Mediation the Mediator or Mediators assigned to mediate such dispute shall, in compliance with the Rules of Procedure applicable to the conduct of mediation proceedings -</p> <p>(a) mediate between the parties with a view to assisting the parties to amicably resolve the dispute;</p> <p>(b) conclude the mediation process within a period of sixty days from the date on which the said Mediator or Mediators were appointed; and</p> <p>(c) during the mediation process, abide by norms set out in the Code of Conduct for Mediators.</p>
	<p>(2) The Commission may make Rules setting out the Rules of procedure which will apply to the conduct of mediation proceedings.</p> <p>(3) The qualifications required of a Mediator, preparation of Panels of Mediators who shall be assigned to mediate disputes and the Code of Conduct setting out the norms applicable to a Mediator shall be prescribed by regulation. .</p>
Procedure upon conclusion of Mediation	<p>16. (1) Where a settlement by mediation is reached between the aggrieved parties' grievance is resolved by Mediation, the terms of the settlement agreed to by the parties shall be reduced to writing, by the Mediator or Mediators assigned to mediate the dispute, in the form of an Agreement and shall be signed by the parties who shall thereafter comply with the obligations thereunder. The Mediators shall forward a copy of the Agreement to the Commission.</p>
	<p>(2) Where a matter is referred to for mediation under this section and a settlement is arrived at, the Commission shall make such directions (including directions as to the payment of compensation) as may be necessary to give effect to the terms of such settlement.</p>

	<p>(3) In the event of the mediation process not being successful, or where one party objects to the same the Mediator shall accordingly report the situation to the Commission.</p>
<p>Commission require parties &c., to give effect to the recommendations in the Agreement.</p>	<p>17. (1) The Commission shall consequent to the Agreement being forwarded to it, notify the parties to the dispute and any other relevant person or body of persons, or government department or institution mentioned in the recommendations of the settlement as embodied in the Agreement, to take all such steps as may be necessary to give effect to such decisions or recommendations.</p> <p>(2) Any relevant person or body of persons, or government department or institution who has ben directed to give effect to a decision or recommendation contained in an Agreement specified in subsection (1), who is unable to take necessary steps to give effect to such decision or recommendation shall forthwith inform the Commission of its inability stating its reasons therefor.</p>
<p>Powers of Inquiry or investigation under this Act</p>	<p>18. (1) The Commission shall, for the purposes of inquiry or investigation under this Act, have the power to –</p> <ul style="list-style-type: none"> (a) procure and receive all such evidence, written or oral, and to examine all such persons as witnesses, as the Commission may think it necessary or desirable to procure or examine; (b) require the evidence, whether written or oral, of any witness, to be given on oath or affirmation. Such oath or affirmation shall be that which would be required of the witness if such witness were giving evidence in a Court of law, and such oath or affirmation shall be administered to every witness giving evidence before the Commission, by an officer authorized in that behalf by the Commission; (c) to summon any person residing in Sri Lanka, to attend any proceedings of the Commission to give evidence or produce any document or other material in the possession of such person, and to examine such person as a witness or require such person to produce any document or other material. (d) admit, notwithstanding the provisions of the Evidence Ordinance,

	<p>any evidence, whether written or oral, which might be inadmissible in civil or criminal proceedings, if such evidence is material to the dispute in question; and</p> <p>(e) to admit or exclude the public from such inquiry or investigation or any part thereof.</p>
	<p>(2) It shall be the duty of every person summoned under subsection (1) to comply with such summons unless such person is prohibited from disclosing the information required in terms of the Right to Information Act, No. 12 of 2016.</p>
Privileges of persons giving evidence before the Commission	<p>19. (1) Any person who gives evidence before the Commission shall, in respect of such evidence, be entitled to all the privileges to which a witness giving evidence before a Court of law is entitled to, in respect of the evidence given by such person before such Court.</p>
	<p>(2) No person shall, in respect of any evidence, written or oral, given by that person to, or before the Commission be liable to any action, prosecution or other proceedings, civil or criminal in any court;</p>
	<p>(3) Subject as hereinafter provided, no evidence or any statement made or given by any person to, or before, the Commission, shall be admissible against that person in any action, prosecution or other proceeding, civil or criminal any Court:</p> <p>Provided that, nothing in the provisions of this paragraph shall affect, or be deemed or construed to affect, any prosecution or penalty for any offence under Chapter XI of the Penal Code (Chapter 19) read with section 17 of this Act:</p> <p>Provided further that nothing in the provisions of this paragraph shall prohibit or be deemed or construed to prohibit the publication or disclosure of the name, or of the evidence or any part of the evidence of any witness who gives evidence before the Commission for the purposes of the prosecution of that witness for any offence under Chapter XI of the Penal Code (Chapter 19).</p>

Summons to be under the hand of the Chairperson	<p>20. (1) Every summons issued by the Commission shall be under the hand of the Chairperson of the Commission.</p>
	<p>(2) A summons may be served by delivering it to the person named therein or where that is not practicable by leaving it at the last known place of abode of that person, or by sending it by registered post to the abode of that person.</p>
	<p>(3) Every person to whom a summons is served shall attend before the Commission at the time and place specified therein and shall answer the questions put to him by the Commission or produce such documents or materials as are required of him and are in his possession or power.</p>
Contempt of the Commission	<p>21. (1) An act done or omitted to be done in relation to the Commission, whether in the presence of the Commission or otherwise, shall constitute an offence of contempt against, or in disrespect of, the authority of the Commission if such act would, if done or omitted to be done in relation to the Supreme Court, have constituted an offence or contempt against, or in disrespect of, the authority of such Court.</p> <p>(2) Every offence of contempt committed against, or in disrespect of the authority of the Commission shall be punishable by the Supreme Court as though it were an offence of contempt committed against, or in disrespect of, the authority of that Court, and the Supreme Court is hereby vested with jurisdiction to try every such offence.</p>
	<p>(3) Any person who—</p> <ul style="list-style-type: none"> (a) fails without cause, to appear before the Commission at the time and place mentioned in the summons served under this Act; (b) refuses to be sworn or affirmed or having been duly sworn or affirmed refuses or fails without cause to answer any question put to him regarding matters being inquired into, or investigated by, the Commission; or (c) refuses or fails without cause in the to comply with the requirements of a notice or written order or direction issued or

	<p>made to him, by the Commission;</p> <p>(d) upon whom a summons is served under this Act, refuses or fails without cause, to produce and show to the Commission any document or other material, which is in the possession or control of such person and which is in the opinion of the Commission required for ascertaining the truth of the matters being inquired or investigated into; or</p> <p>(e) fails to comply with a recommendation or decision of the Commission,</p> <p>shall be guilty of the offence of contempt of against, or in disrespect of the authority of the Commission.</p>
	<p>(4) Where the Commission determines that a person is guilty of an offence of contempt under paragraph (b) or (c) of subsection (3) the Commission may transmit to the Supreme Court a Certificate setting out such determination: every such Certificate shall be signed by the Chairperson of the Commission.</p>
	<p>(5) In any proceedings for the punishment of an offence of contempt which the Supreme Court may think fit to take cognizance of, as provided in this section, any document purporting to be a Certificate signed and transmitted to the Court under subsection (4) shall –</p> <p>(a) be received in evidence, and be deemed to be such a Certificate without further proof, unless the contrary is provided; and</p> <p>(b) be evidence that the determination set out in the Certificate was made by the Commission and of the facts stated in the determination.</p>
	<p>(6) In any proceeding taken as provided in this section for the punishment of any alleged offence of contempt against, or in disrespect of, the authority of the Commission, no member of the Commission shall, notwithstanding anything to the contrary in this Act, except with his own consent be summoned or examined as a witness.</p>

	PART V
	FUND OF THE COMMISSION
Establishment of the National Fund for Women.	22. (1) There shall be established for the purposes of this Act, a Fund to be called the National Fund for Women (hereinafter referred to as the “the Fund”).
	(2) There shall be paid into the Fund – (a) all such sums of money as shall be voted from time to time by Parliament for the use of the Commission; (b) all such sums of money as may be received by the Commission by way of aid, gift, grants, donations or bequests from any source whatsoever, whether in Sri Lanka or abroad with the approval of the Department of External Resources; (c) all such sums of money as may be received by the Commission by way of proceeds from the sale of any movable or immovable property of the Commission.
	(3) There shall be paid out of the Fund – (a) all such sums of money as are required to defray any expenditure incurred by the Commission, in the exercise, performance and discharge of its powers, duties and functions under this Act; (b) all such sums of money as are authorized by the Commission to make any <i>ex-gratia</i> payments to any individual or organization in recognition of any exceptional or outstanding contribution to the cause of women’s rights; or (c) all such sums of money as are required to be paid out of the Fund, by or under this Act.
Commission may invest its money	23. The Commission may invest any sum of money belonging to the

	Commission, which is not immediately needed, in such manner as it may determine.
Audit and Accounts	24 (1) The Commission shall cause proper accounts to be kept of the income and expenditure, assets and liabilities and all other transactions, of the Commission.
	(2) The financial year of the Commission shall be the calendar year.
	(3) The provisions of Article 154 of the Constitution relating to the audit of accounts of Public Corporation shall apply to the audit of the accounts of the Commission.
Annual Report	25. The Commission shall at the end of each financial year submit to Parliament, a report containing a list of all matters referred to it, the action taken in respect of them along with the recommendations of the Commission in respect of each of such referrals and the achievement of its objectives.
	PART VI STAFF OF THE COMMISSION
Executive Director	26. (1) There shall be appointed a qualified person to be the Executive Director of the Commission who shall act on the instructions of and be subject to, the general direction and control of the Commission and be responsible to, the Commission. The qualifications required for the position, the term of office and remuneration shall be as determined by Regulation.
	(2) The Executive Director may be present at meetings of the Council and speak at such meetings but shall not be entitled to vote any such meeting. (3) The Commission may for reasons assigned, remove the Executive Director appointed under subsection (1), from such office.
Staff of the Commission	27. (1) The Commission may appoint such other officers and employees, as the Commission may deem necessary for the proper and efficient

	discharge of its functions.
	<p>(2) The Commission may –</p> <ul style="list-style-type: none"> (a) exercise disciplinary control over or dismiss any officer or employee of the Commission; (b) fix the wages or salaries or other remuneration of such officers and employees in consultation with the Minister to whom the subject of Finance is assigned and the Salaries and Cadre Commission; (c) determine the terms and conditions of service of such officers and employee; (d) establish and regulate a provident fund and any other welfare sand security schemes for the benefit of the officers and employees of the Commission and make contributions to any such fund or scheme.
	<p>(3) At the request of the Commission, any officer in the public service may, with the consent of that officer and the Secretary to the Ministry under which that officer is employed and the Secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the staff of the Commission for such period as may be determined by the Commission, or with like consent, be permanently appointed to such staff-</p> <ul style="list-style-type: none"> (a) Where any officer in the public service is temporarily appointed to the staff of the Commission, the provisions of subsection (2) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall, <i>mutatis mutandis</i>, apply to an in relation to, such officer. (b) Where any officer in the public service is permanently appointed to the staff of the Commission, the provisions of subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall, <i>mutatis mutandis</i>, apply to an in relation to, such officer. (c) Where the Commission employs any person who has entered into any contract with the Government by which he has agreed to

	<p>serve the Government for a specified period, any period of service to the Commission by that person shall be regarded as service to the Government for the purpose of discharging his obligation under such contract.</p>
	<p>(4) The Commission may delegate to any officer or officers appointed to assist the Commission any of its powers, duties or functions in so far as is required for the efficient functioning of the Commission and the person or persons to whom such powers are so delegated may exercise those powers subject to the direction and control of the Commission. Any delegation made under this section may be withdrawn by the Commission.</p>
	<p>PART VII</p> <p>GENERAL PROVISIONS</p>
<p>Members of the Commission deemed to be public servants.</p>	<p>28. The members of the Commission and the officers and servants appointed to assist the Commission shall be deemed to be the public servants within the meaning and for the purposes of the Penal Code (Chapter 19) and every inquiry of investigation conducted under this Act, shall be deemed to be judicial proceeding within the meaning of that Code.</p>
<p>Commission to be deemed a Schedules Institution within the meaning of the Bribery Act. (Chapter 26)</p>	<p>29. The Commission shall be deemed to be a scheduled institution within the meaning of the Bribery Act, (Chapter 26) and the provisions of that Act shall be construed accordingly.</p>
<p>Protection of members of the Commission and officers and servants of the Commission from suit or prosecution.</p>	<p>30. (1). No proceedings civil or criminal, shall be instituted against any member of the Commission or any officer or servant appoint to assist the Commission, other than for contempt, or against any other person assisting the Commission in any other way, for any act which in good faith is done or omitted to be done, by such person, as such member or officer or servant or other person.</p>
	<p>(2) A member of the Commission or an officer or servant or any other</p>

	<p>person appointed to assist the Commission shall not be required to produce in any court, any document received by, or to disclose to any Court, any matter or thing coming to the notice of the Commission in the course of any inquiry or investigation conducted by the Commission under this act, except as may be necessary for the purpose of proceedings for contempt or for an offence under this Act.</p>
	<p>(3) Any expenses incurred by the Commission in any suit or prosecution brought by, or against, the Commission before any Court, shall be paid out of the Fund of the Commission and any costs paid to, or recovered by, the Commission in any such suit or prosecution, shall be credited to the Fund of the Commission.</p>
	<p>(4) Any expense incurred by any member of the Commission or any officer or servant thereof or any person appointed to assist the Commission, in any suit prosecution brought against him in any Court in respect of any act which is done, or purported to be done, by him under this Act or on the direction of the Commission shall, if the Court holds that the act was done in good faith, be paid out of the fund of the Commission, unless such expense is recovered by him in such suit or prosecution</p>
Rules of the Commission	<p>31. The Commission may make rules in respect of all matters for which rules are required or authorized to be made under this Act. Every Rule made under this Act shall be published in the Gazette.</p>
No writ to issue against person or property of a member	<p>32. No writ against person or property shall be issued against a member of the Commission in any action brought against the Commission.</p>
Offences	<p>33. Any person who –</p> <ul style="list-style-type: none"> (a) fails to furnish any information or return in compliance with any requirement imposed on him under this Act; (b) knowingly makes any false statement in any information or return furnished by him; (c) willfully omits any matter in any information or return furnished by him;

	<p>(d) contravenes the provisions of this Act or any regulation or rule made thereunder;</p> <p>(e) fails to comply with an order or directive of the Commission;</p> <p>shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate, be liable to a fine not exceeding one year or to both such fine and imprisonment.</p>
Offences by bodies of persons	<p>34. In the case of any offence under this Act committed by a body of persons, then –</p> <p>(a) where such body of persons is a body corporate, every Director, Secretary and Officer of that body corporate shall each be deemed to be guilty of that offence; and</p> <p>(b) where that body of persons is a firm, every partner of that firm shall be deemed to be guilty of that offence,</p> <p>unless the Director, Secretary, Officer or partner as the case may be, proves that the offence was committed without the knowledge of such Director, Secretary, Officer or partner and that all due diligence was exercised by them to prevent the Commission of the offence.</p>
Regulations	<p>35. (1) The Minister in charge of the subject of Women’s Affairs in consultation with the Commission make regulations in respect of matters required by this Act to be prescribed or in respect of which regulations are authorized to be made.</p> <p>(2) Without prejudice to the generality of the powers conferred by subsection (1), regulations may be made in respect of all or any of the following;-</p> <p>(a) for the purposes of subsection (6) of section 9, specifying the terms of reference applicable to the Ombudsman for Women’s Rights, the remuneration payable, the term of office including manner of removal therefrom and Code of Conduct to be adhered to by the Ombudsman;</p>

	<p>(b) for the purpose of subsection (4) of section 11, specifying the manner in which the Commission shall appoint the Committee referred to in subsection (1), the eligibility required of the persons appointed to the Committee, the procedure to be followed by the Committee in relation to an inquiry being conducted in terms of this section.</p>
	<p>(3) Every regulation made by the Minister shall be published in the <i>Gazette</i> and shall come into operation on the date of its publication or on such later date as may be specified therein.</p>
	<p>(4) Every regulation made by the Minister, shall as soon as convenient after its publication in the gazette, be brought before Parliament for approval. Every regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval but without prejudice to anything previously done thereunder.</p>
	<p>(5) The notification of the date on which any regulation is deemed to be so rescinded shall be published on the <i>Gazette</i>.</p>
Interpretation	<p>36. In this Act, unless the context otherwise requires –</p> <p>“person” includes any body of persons corporate or incorporate;</p> <p>“women’s rights” includes the right to equality and non-discrimination on the basis of sex and gender and other fundamental rights guaranteed by the Constitution and the rights contained in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other international conventions, treaties and instruments on women’s rights ratified and endorsed by the Government of Sri Lanka.</p>
Sinhala text to prevail in case of an inconsistency	<p>37. In the event of any inconsistency between the Sinhala and Tamil text of this Act, the Sinhala text shall prevail.</p>

