LAWS GOVERNING THE COVID-19 SITUATION IN SRI LANKA O

NOTE

If you, or anyone in your family/anyone visiting/staying with you:

- have any symptoms such as (fever, dry cough, sore throat, breathing difficulty etc)
- have come into contact with anyone who has been diagnosed with coronavirus
- have recently travelled overseas
- have severe acute pneumonia

you have to:

- seek medical advice from the nearest government hospital if you have these symptoms and you have come into contact with someone diagnosed with coronavirus, travelled recently or if you have severe acute pneumonia;
- report to the Public Health Officer (PHI) or the Medical Officer of Health (MOH) regarding recent overseas travel

The entire world is currently facing a global pandemic resulting in many cities and countries going on lockdown.

In an attempt to curb the spread of the disease and bring the situation under control, the Sri Lankan government declared an island wide curfew from Friday 20th March till Monday 23nd March for certain districts and Tuesday 24th March for others. The curfew period was lifted for 8 hours followed by which it was re-imposed in all districts for 3 more days in an effort to minimize social interaction and curb the spread of Coronavirus. Travel between districts too was prohibited.

Following the rise of reported cases in certain districts between 23rd to 29th March 2020, the Sri Lankan government indefinitely extended the curfew in the Colombo, Gampaha, Kalutara, Puttalam, Jaffna and Kandy districts. In all other districts, the curfew period is lifted once every few days from 6 a.m. to 2 p.m. and re-imposed thereafter.

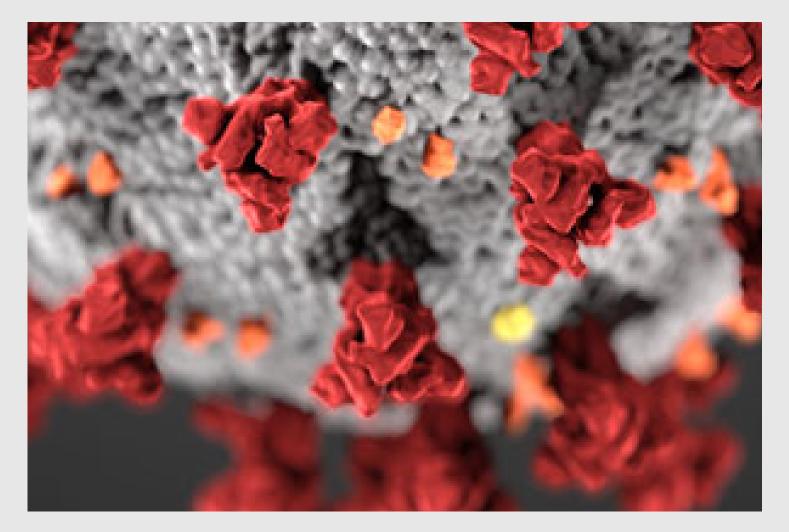
In this situation, we are duty bound, as responsible citizens, to adhere by the laws in place and cooperate with state efforts to bring the situation under control. These guidelines are to make you aware of the laws governing this period of time, so that you can know the law and abide by it.

On 20th March 2020, by Extraordinary Gazette No. 2167/18, the Minister of Health declared the Coronavirus Disease 2019 (COVID -19) to be a quarantinable disease.



Quarantine and Prevention of Diseases Ordinance No. 3 of 1897

The purpose of this law is to prevent the introduction into Sri Lanka of any contagious or infectious diseases and to prevent the spread of such diseases in and outside Sri Lanka.



SECTION 3

Under this Section, the relevant Minister can make regulations with regards to the following among others:

- prohibiting or regulating the landing of persons or goods from aircrafts, ships etc.
- establishing, maintaining and managing quarantine centres
- detaining any person intending to travel by air or sea from any Sri Lanka port
- segregating those who are infected in hospitals or any other place
- isolating all cases of disease and diseased persons
- prescribing the mode of burial or cremation of any person dying of disease
- regulating the number of persons allowed to live in any dwelling place
- removing persons from infected localities to places of observation or other places
- sending diseased persons to hospitals or other places for medical treatment
- detaining diseased persons until they can be safely discharged
- disinfecting places that have been occupied by a diseased person
- prescribing that the householder/occupier of any house or premises report any illness in that house or premises

SECTION 4

states that it is an offence to contravene regulations made under this law, without a valid or legal excuse, or obstruct any inspector or officer in carrying out their duties under this law.

SECTION 5

states that the punishment for the above offense is imprisonment for a maximum period of six months or a fine of maximum Rs. 1000, or both imprisonment and fine.

SECTION 6

authorizes any officer under this law, inspector, or police officer to stop and detain any person committing or reasonably suspected of committing an offense under this law, without a warrant.

Further, if the offender's name and address are not known, the offender can be arrested without a warrant.

A person arrested under this Section should be taken as soon as practicably possible before a Magistrate or a Judge of a Primary Court.

SECTION 7

states that if a person is in charge of someone who is diseased, the person who is in charge is presumed to have known that the person she/he is looking after is ill; If not, she/he has to prove to the satisfaction of the Magistrate or Judge of a Primary Court that she/he did not or could not have known. A regulation was gazetted by the Minister of Health by extraordinary gazette number 2170/08 on 11th April 2020 stating that the corpse of any person who dies due to the coronavirus has to be cremated and cannot be buried.

The Penal Code No.2 of 1883

SECTION 262 states that it is an offence if a person:

- does anything unlawfully or negligently
- which is, and which she/he knows or has reason to believe to be
- likely to spread the infection of any disease that is dangerous to life.
- This offence is punishable with imprisonment up to 6 months, or with fine, or with both.

SECTION 263 states that it is an offence if a person:

- does anything which is, and which she/he knows or has reason to believe to be,
- likely to spread the infection of any disease dangerous to life.
- This offence is punishable with imprisonment up to 2 years, or with fine, or with both.

SECTION 264 states that it is an offence if a person:

- knowingly disobeys any rule made and promulgated by the Government for:
 - putting any vessel into a state of quarantine or
 - regulating movement of vessels in a state of quarantine with the shore or with other vessels
 - regulating movement between places where an infectious disease prevails and other places
- This offence is punishable with imprisonment up to 6 months, or with fine, or with both.



Curfew in any part of the country can be ordered by the President

- When the curfew is in place you are not allowed to be on any public spaces such as public roads, parks, any public building or premises
- During curfew you are not allowed to gather together for religious activities, weddings, prayers, bible studies, worship etc.
- An exemption will be made if you have prior written permit granted by the relevant competent authority
- Sometimes the curfew will be restricted to some parts of the country only
- Breaching curfew is a punishable offense



Even when curfew is lifted, as the government has advised social distancing (not gathering together in large numbers and when in public always maintaining at least 1m distance between individuals) you CANNOT do the following:

- visiting friends and relatives;
- visiting congregants or members of your church;
- having prayer meetings, bible studies.

Police Ordinance No. 16 of 1865

SECTION 98 states that it is an offence to spread false reports to alarm anyone and create panic.

It is punishable with fine, or imprisonment, with or without hard labour, up to one year.

Therefore remember to:

- Check the date and time in which the information has been first published
- Check the source giving out the information, and see if it is a reliable source
- Read beyond the headline and to the end, to ensure it is relevant
- Check if other sources are also reporting the same news
- Do not share information, pictures, videos etc., the authenticity of which is not confirmed
- Do not share information, photos, videos etc which incite hatred against any community



Produced by:

Religious Liberty and Social Justice Commission of The National Christian Evangelical Alliance Sri Lanka

For more information:

Call 1999 - for medical and other advise on COVID-19 Call 1990 - for ambulance services in an emergency Call 1390 - information and advice on the coronavirus Visit https://hpb.health.gov.lk/en

