



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

NATIONAL ARCHIVES (AMENDMENT)
ACT, No. 30 OF 1981

[Certified on 15th May, 1981]

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National Archives (Amendment)
Act, No. 30 of 1981

[Certified on 15th May, 1981]

L. D.—O. 97/78.

AN ACT TO AMEND THE NATIONAL ARCHIVES LAW,
No. 48 OF 1973.

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

1. This Act may be cited as the National Archives (Amendment) Act, No. 30 of 1981. Short title.

2. Section 6 of the National Archives Law, No. 48 of 1973 (hereinafter referred to as the "principal enactment") is hereby amended in subsection (5) of that section, by the substitution for the words "once at least in each period of three months", of the words "once at least in every calendar year". Amendment of section 6 of Law No. 48 of 1973.

3. Section 9 of the principal enactment is hereby amended in subsection (2) of that section by the substitution, for paragraph (d) of that subsection, of the following new paragraph:— Amendment of section 9 of the principal enactment.

" (d) to transfer any record, being a record not less than twenty-five years from the date of its creation, as is required by the Director to be transferred to the National Archives for permanent preservation;".

4. The following new section is hereby inserted immediately after section 9, and shall have effect as section 9A, of the principal enactment:— Insertion of new section 9A in the principal enactment.

9A. Notwithstanding anything in any other provision of this Law—

"Presidential
Archives
Division
and
Reference
Service.

(a) it shall be the duty of the Secretary to the President of the Republic of Sri Lanka, to transfer to the National Archives at the expiration of the term of office of a President, all public records and any other printed matter, in the office of the President of Sri Lanka.

(b) it shall be the duty of the Director—

(i) to deposit in the Presidential Archives Division—

(a) all public records and printed matter transferred to the National Archives under paragraph (a); and

(b) all such papers and documents, news items, magnetic tapes, discs, photographs or any other materials relating to any event in the official or personal life of a President or past President of the Republic as are received, by donation or otherwise, by the National Archives ; and

(ii) to establish a reference service utilizing the public records, printed matter, documents and materials referred to in subparagraph (i) ; and

(iii) to submit to the President reports based on any such public records, printed matter, documents and materials as are referred to in subparagraph (i), when required to do so by the President.

5. Section 12 of the principal enactment is hereby amended by the repeal of subsection (1) of that section, and the substitution therefor, of the following new subsection :—

“(1) A private individual or the Chief Executive Officer of any institution in possession of any manuscript or document, over fifty years old, being a manuscript or document, of historical, cultural, literary, economic, or scientific value or which is otherwise of national importance shall notify the Director of the existence of such document or manuscript, and in the event of a change of ownership or possession of such document or manuscript shall notify the Director, within a period of three months of such change of ownership or possession, the name and address of the new owner or possessor thereof.”.

6. Section 13 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for paragraph (a) of that subsection, of the following new paragraph :—

Amendment
of
section 13
of the
principal
enactment

“ (a) the responsible officer of any public office to transmit to the Director a copy of every annual report, statement of accounts or any other publication, whether printed or otherwise, and whether intended for sale or distribution to the public or intended for circulation in secret or for circulation only amongst officials, issued by such office, within thirty days of such issue ;”.

7. Section 14 of the principal enactment is hereby amended as follows :—

Amendment
of
section 14
of the
principal
enactment.

“ (1) in subsection (1) of that section, by the substitution, for the words “literary value.”, of the words “literary or economic or scientific value or is otherwise of national importance.” ; and

(2) in subsection (2) of that section, by the substitution, for the words “cultural or literary value”, of the words “cultural, literary, economic or scientific value or is otherwise of national importance”.

8. Section 16 of the principal enactment is hereby amended as follows :—

Amendment
of
section 16
of the
principal
enactment.

(1) in subsection (1) of that section in paragraph (g) thereof, by the substitution for the words “literary value”, of the words “literary or economic or scientific value or which are otherwise of national importance” ;

(2) by the repeal of subsection (2) of that section and the substitution therefor of the following new subsection :—

“ (2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.” ;
and

(3) by the insertion immediately after subsection (2) thereof, of the following new subsections :—

“ (3) Every regulation made by the Minister shall, as soon as convenient after its publication in the *Gazette*, be brought before Parliament for approval. Any regulation which is not so approved

shall be deemed to be rescinded as from the date of disapproval but without prejudice to anything previously done thereunder.

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

**Amendment
of
section 17
of the
principal
enactment.**

9. Section 17 of the principal enactment is hereby amended by the repeal of subsection (1) of that section, and the substitution thereof, of the following new subsection:—

"(1) Any person who knowingly defaces, marks on, mutilates, or causes damage to any record, manuscript or document deposited in the National Archives or removes without authority, any such record, manuscript or document or who destroys any public record otherwise than in accordance with the provisions of this Law or any regulation made thereunder or who contravenes any provision of this Law or any regulations made thereunder shall on conviction, be liable to rigorous imprisonment for a term not exceeding three months or to a fine not exceeding one thousand rupees or to both such imprisonment and fine."

**Amendment
of
section 21
of the
principal
enactment.**

10. Section 21 of the principal enactment is hereby amended by the substitution in subsections (1), (2) and (3) of that section, for the words "an Assistant Director", wherever those words appear in those subsections of the words "any Deputy Director".

**Amendment
of
section 24
of the
principal
enactment.**

11. Section 24 of the principal enactment is hereby amended as follows:—

(1) by the substitution for the definition of "Director" of the following definition:—

" "Director" means the Director of National Archives and includes any Deputy Director of National Archives ;' ; and

(2) by the insertion immediately after the definition "National Archives" of the following definition:—

" "Presidential Archives Division" means a branch office and repository of the National Archives referred to in section 9A ;' .