

# OBSCENE PUBLICATIONS ORDINANCE

## Arrangement of Sections

1. Short title.
2. Offences relating to Obscene Publications.
3. Abetment of offences.
4. Saving of provision of Penal Code.

4 of 1927.  
22 of 1983,  
12 of 2005.

**AN ORDINANCE** relating to Obscene Publications.

[Date of Commencement: *1st August, 1927*]

### 1. Short title.

This Ordinance may be cited as the Obscene Publications Ordinance.

### 2. Offences relating to Obscene Publications.

It shall be an offence against this Ordinance punishable on conviction by a Magistrate—

(1) for the first offence, with a fine not exceeding two thousand five hundred rupees or imprisonment of either description for a term not exceeding six months, or with both such fine and imprisonment; and

[S 2(1) am by First Schedule of Act 12 of 2005.]

(2) for a subsequent offence committed after a conviction for the first offence, with imprisonment of either description for a term not exceeding six months and in addition with a fine not exceeding five thousand rupees, to do any of the following acts namely—

[S 2(2) am by First Schedule of Act 12 of 2005.]

- (a) for purposes of or by way of trade or for distribution or public exhibition to make or produce or have in possession for purposes stated or otherwise, obscene writings, drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, cinematograph films, video cassettes or any other obscene objects;
- (b) for the purposes above mentioned to import, convey, or export or cause to be imported, conveyed, or exported any of the said obscene matters or things, or in any manner whatsoever to put them in to circulation;
- (c) to carry on or take part in a business, whether public or private, concerned with any of the said obscene matters or things, or to deal in the said matters or things in any manner whatsoever, or to distributes them or to exhibits them publicly or to make a business of lending them;
- (d) to advertise or make known by any means whatsoever, in view of assisting in the said punishable circulation or traffic, that a person is engaged in any of the above punishable acts, or to advertise or to make known how or from whom the said obscene mailers or things can be procured either directly or indirectly.

[S 2 subs by s 2 of Act 22 of 1983.]

### 3. Abetment of offences.

(1) Any person who abets the commission of an offence against this Ordinance shall be deemed to be guilty of the same offence.

(2) Any person who in Sri Lanka aids, abets, counsels, or procures the commission in any place outside Sri Lanka of any offence punishable under the provisions of any corresponding law in force in

that place, or does any act preparatory to, or in furtherance of, any act which if committed in Sri Lanka would constitute an offence against this Ordinance, shall be deemed to have committed an offence against this Ordinance and shall be punishable accordingly.

(3) The expression "corresponding law" in this Ordinance means any law stated in a certificate purporting to be issued by or on behalf of the Government of any country outside Sri Lanka to be a law providing for the suppression of the circulation of and traffic in obscene publications in accordance with the provisions of the International Convention for that purpose signed at Geneva on the 12th day of September, 1923, and any statement in any such certificate as to the effect of the law mentioned in the certificate, or any statement in any such certificate that any facts constitute an offence against that law, shall be conclusive.

#### **4. Saving of provision of Penal Code.**

Nothing in this Ordinance shall affect or prevent a prosecution under the Penal Code or any other written law; but a person shall not be punished more than once for the same offence.