



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

GRANT OF CITIZENSHIP TO STATELESS
PERSONS
ACT, No. 5 OF 1986

[Certified on 18th February, 1986]

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**Grant of Citizenship to Stateless Persons
Act, No. 5 of 1986**

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L.D.—O. 4/86

AN ACT TO PROVIDE FOR THE GRANT OF STATUS OF SRI LANKA
CITIZEN TO CERTAIN STATELESS PERSONS OF INDIAN ORIGIN

WHEREAS for the purposes of the Indo-Ceylon Agreements of October 30, 1964 and January 27, 1974, it was estimated that there were 975,000 persons of Indian origin residing in Sri Lanka in October 1964, who had not been recognised either as citizens of Sri Lanka or as citizens of India :

And whereas by the Indo-Ceylon Agreement of October 30, 1964 (known as the Sirima-Shastri Pact), it was agreed between the Government of Sri Lanka and the Government of India, that of those persons of Indian origin 300,000 persons would be granted Sri Lanka citizenship and 525,000 persons would be granted Indian citizenship and repatriated to India :

And whereas by the Indo-Ceylon Agreement of January 27, 1974 it was agreed between the Government of Sri Lanka and the Government of India, that of the remaining 150,000 persons of Indian origin, 75,000 persons would be granted Sri Lanka citizenship and 75,000 persons would be granted Indian citizenship and repatriated to India :

And whereas under the aforesaid agreements, of a total of 975,000 persons of Indian origin, 375,000 persons were to be granted Sri Lanka citizenship and 600,000 persons were to be granted Indian citizenship and repatriated to India :

And whereas only 506,000 of the 600,000 persons to be granted Indian citizenship and repatriated to India under the aforesaid agreements have applied to the Indian High Commission for the grant of Indian citizenship and the remaining 94,000 persons have applied for the grant of Sri Lanka citizenship :

And whereas the Government of India has given an undertaking to complete the granting of Indian citizenship to the 506,000 persons who have applied for Indian citizenship, within six to eight months of the date of enactment of this Act :

And whereas the Government of Sri Lanka has resolved to solve the problem of statelessness within eighteen months of the date of enactment of this Act :

And whereas it is in the national interest that the problem of stateless persons in Sri Lanka should be solved without delay :

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Now, therefore, be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

Short
title.

1. This Act may be cited as the Grant of Citizenship to Stateless Persons Act, No. 5 of 1986.

Grant of
Citizenship
to
certain
state-
less
persons.

2. In addition to the 375,000 persons to be granted the status of Sri Lanka citizen under the Indo-Ceylon agreements of October 30, 1964 and January 27, 1974, the 94,000 persons who were to be granted Indian citizenship under those agreements and have not applied for such citizenship, but have applied for the status of Sri Lanka citizen shall be granted the status of Sri Lanka citizen by registration, making up a total of 469,000 persons of Indian origin who shall be granted the status of Sri Lanka citizen by registration.

Manner
of
granting
status
of Sri
Lanka
Citizen.

3. The status of Sri Lanka citizen by registration shall be granted to the 469,000 persons referred to in section 2 in the following manner:—

(a) 289,140 persons shall be granted such status under the Indo-Ceylon Agreement (Implementation) Act, No. 14 of 1967, in accordance with subsection (3) of section 8 of that Act;

(b) upon the 289,140 persons referred to in paragraph (a) being granted such status, the balance 179,860 persons shall upon their subscribing the oath or affirmation of citizenship, in the prescribed form, within the prescribed period, be granted such status by the Minister.

Persons
born
after
October 30,
1964.

4. Where any person is granted the status of Sri Lanka citizen by registration under the Indo-Ceylon Agreement (Implementation) Act, No. 14 of 1967 or under this Act, every child born to such person after October 30, 1964 and before the date of such grant shall be granted the status of Sri Lanka citizen under, and in accordance with, the Indo-Ceylon Agreement (Implementation) Act, No. 14 of 1967 or this Act, as the case may be.

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5. Where a person is granted the status of Sri Lanka citizen by the Minister under this Act, upon his taking the prescribed oath or affirmation of citizenship within the prescribed period, the Minister shall—

Registration as a citizen of Sri Lanka under this Act.

- (a) cause such person to be registered as such citizen in a register to be kept for that purpose, by the entry in that register, of the name and other prescribed particulars of such person ;
- (b) issue to such person, a certificate of registration in the prescribed form and shall include in such certificate, the name of every child under the age of fourteen years of such person, on the date of such issue ; and
- (c) publish in the *Gazette*, a notification setting out the fact that such person has been registered as a citizen of Sri Lanka under this Act.

6. (1) Every person who is registered as a citizen of Sri Lanka under this Act, shall be entitled to the same rights and be subject to the same obligations and liabilities, in law as persons registered as citizens of Sri Lanka under any other law in force relating to the registration of persons as such citizens and the provisions of such other law, so far as they relate to the liability to loss or deprivation of citizenship, and the renunciation of citizenship, in the case of persons registered as citizens thereunder, shall apply in like manner and to the same extent in the case of persons who are registered as citizens of Sri Lanka under this Act.

Status of persons who are registered under this Act.

(2) A person who is registered as a citizen of Sri Lanka under this Act—

- (a) shall be deemed in law to have renounced all rights to the civil and political status such person has had, or would but for such registration in Sri Lanka, have had, under any law in force in the territory of the origin of such person or such person's parent, ancestor or husband, as the case may be ; and
- (b) shall, in all matters relating to or connected with status, personal rights and duties and property in Sri Lanka be subject to the laws of Sri Lanka.

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Provision
in regard
to residue
of state-
less
persons.

7. If after the 506,000 persons referred to in the preamble to this Act, are granted Indian citizenship, and the 469,000 persons referred to in section 2 are granted the status of Sri Lanka citizen by registration, there still remain in Sri Lanka, any persons of Indian origin, who are lawfully resident in Sri Lanka and are stateless, the Minister shall grant the status of Sri Lanka citizen to such person in accordance with such procedure as may be prescribed.

Regula-
tions.

8. (1) The Minister may make regulations in respect of all matters which are required by this Act, to be prescribed or in respect of which regulations are authorized to be made.

(2) No regulation made under subsection (1) shall have effect until that regulation has been approved by Parliament, and notification of such approval has been published in the *Gazette*.

This Act
to residue
over
other
laws.

9. This Act shall have the force and effect of law notwithstanding anything to the contrary in any other law relating to the grant of the status of citizen of Sri Lanka.