

CHAPTER I

THE PEOPLE, THE STATE AND SOVEREIGNTY

1. (1) The Republic of Sri Lanka is one, free, sovereign and independent State consisting of the institutions of the Centre and of the Regions which shall exercise power as laid down in the Constitution.

The State.

(2) The State shall safeguard the independence, sovereignty, unity and the territorial integrity of the Republic and shall preserve and advance a Sri Lankan identity, recognizing the multi-ethnic, multi-lingual and multi-religious character of Sri Lankan society.

2. (1) In the Republic, Sovereignty is in the People and is inalienable.

Sovereignty of the People.

(2) Sovereignty includes powers of government, fundamental rights and the franchise and shall be exercised in the following manner :—

(a) the legislative power of the People shall be exercised, by the People at a Referendum, by Parliament and by Regional Councils to the respective extents and in the manner hereinafter provided;

(b) the executive power of the People shall be exercised by the President of the Republic acting on the advice of the Prime Minister and the Cabinet of Ministers, and by the Governors acting on the advice of the respective Chief Ministers and Regional Boards of Ministers to the extent hereinafter provided;

(c) the judicial power of the People shall be exercised through courts, tribunals and institutions created and established, or recognized by the Constitution, or created, ordained and established by law, except in regard to matters relating to the privileges, immunities and powers of Parliament and of its Members, wherein the judicial power of the People may also be exercised directly by Parliament to the extent provided by law ;

(d) the fundamental rights which are by the Constitution declared and recognized shall be exercised and enjoyed by the People individually and collectively, and shall be respected, secured and advanced by all institutions of the State and shall not be abridged, restricted or denied, save in the manner and to the extent hereinafter provided ; and

(e) the franchise shall be exercisable at the election of Members of Parliament and of Members of Regional Councils and local authorities and at every Referendum by every citizen who has attained the age of eighteen years, and who, being qualified to be an elector as hereinafter provided, has the citizen's name entered in the register of electors.

Territory and
Rights of the
Republic.

3. (1) The territory of the Republic shall consist of the Regions as set out in the First Schedule, its territorial waters and airspace and the Republic shall have all rights recognized by law, custom and usage, pertaining to such territory.

(2) Any Regional Council or Regional Administration shall not, by direct or indirect means, promote or otherwise advocate or attempt to promote or otherwise advocate an initiative towards -

- (a) the separation or secession of any Region or part thereof, from the Republic;
- (b) the alteration of the area or boundaries of a Region;
- (c) the alteration of the name of a Region;
- (d) the formation of a new Region by separation of territory from any Region or by uniting two or more Regions or parts of Regions or by uniting any territory with a part of any Region.

(3) Anything in paragraph (2) of this Article shall not be read and construed as prohibiting a Regional Council or Regional Administration from making representations to the Central Government regarding the matters referred to in sub-paragraph (b), (c) or (d) of that paragraph.

National Flag.

4. The National Flag of the Republic shall be the Lion Flag depicted in the Third Schedule.

National
Anthem.

5. (1) The National Anthem of the Republic shall be "*Sri Lanka Matha*", the words and music of which are set out in Part I of the Fourth Schedule.

(2) The Tamil language translation of the National Anthem shall be as set out in Part II of the Fourth Schedule

National Day.

6. The National Day of the Republic shall be the fourth day of February.