

CHAPTER IV

LANGUAGE

- Official languages. **32.** The official languages of the Republic shall be Sinhala and Tamil.
- National languages. **33.** The national languages of the Republic shall be Sinhala, Tamil and English.
- Use of languages in Parliament &c. **34.** A Member of Parliament or a Member of a Regional Council or a member of a local authority shall be entitled to perform the duties and discharge the functions of such Member in Parliament or in such Regional Council or local authority in any of the national languages.
- Languages of administration. **35.** (1) Sinhala and Tamil shall be the languages of administration throughout the Republic.
- (2) Sinhala shall be the language used for the maintenance of public records by national and regional public institutions and local authorities in the Capital Territory and all the Regions other than the Regions specified in Parts B and C of the First Schedule, wherein Tamil shall be used.
- (3) Sinhala and Tamil shall be used as the languages for the maintenance of public records by national and regional public institutions or local authorities in any area comprising a division of a Divisional Secretary where the Sinhala or Tamil linguistic minority, as the case may be, in such area exceeds one eighth of the total population of that area.
- Rights relating to communication &c.. **36.** (1) In any area where Sinhala is used as a language for the maintenance of public records, a person shall be entitled -
- (a) to receive communication from and to communicate and transact business with, any official in his or her official capacity, in either Tamil or English and to receive a response to such communication from such official in the language in which the person communicated ;
- (b) if the law recognizes the person's right to inspect or to obtain copies of or extracts from any official register, record, publication or other document, to obtain a copy of, or an extract from, such register, record, publication or other document, or a translation thereof, as the case may be, in either Tamil or English;
- (c) where a document is executed by an official for the purpose of being issued to the person, to obtain such document or a translation thereof, in either Tamil or English;
- (d) to give information as regards any birth, death or marriage in either Tamil or English and to receive the original certificate of such birth, death or marriage in such language ;

(e) to give information with regard to the commission of an offence to a police or peace officer in either Tamil or English.

(2) In any area where Tamil is used as a language for the maintenance of public records, a person shall be entitled to exercise the rights and to obtain the services referred to in sub-paragraphs (a), (b), (c), (d) and (e) of paragraph (1) of this Article in Sinhala or English.

37. (1) Subject to paragraph (2) of this Article, a Regional Administration or local authority which maintains its public records in Sinhala, shall be entitled to receive communications from and to communicate and transact business with, any official, in his or her official capacity, in Sinhala and a Regional Administration or a local authority which maintains its public records in Tamil shall be entitled to receive communications from and to communicate and transact business with, any official in his or her official capacity, in Tamil.

Rights of
Regional
Administrations
&c.

(2) A Regional Administration, local authority or public institution or any official functioning in an area in which one of the national languages is used for the maintenance of public records shall be entitled to receive communications from and to communicate and transact business in English with, any other Regional Administration, local authority or public institution or any official functioning in an area in which a different national language is used for the maintenance of public records.

38. (1) A person shall be entitled to be examined through the medium of either Sinhala or Tamil or English at any examination for the admission of persons to any national or regional service or any public institution, subject to the condition that the person may be required to acquire a sufficient knowledge of Tamil or Sinhala, as the case may be, within a reasonable time after admission to such service or public institution where such knowledge is reasonably necessary for the discharge of duties of the person.

Language of
examinations
for admission to
services of the
State &c.

(2) A person may be required to have a sufficient knowledge of Sinhala or Tamil or English as a condition for admission to any service or public institution where no function of the office or employment referred to in paragraph (1) of this Article for which the person is recruited can be discharged otherwise than with a sufficient knowledge of such language.

39. (1) All Acts of Parliament, Statutes of Regional Councils and subordinate legislation shall be enacted or made in Sinhala, Tamil and English.

Language of
legislation.

(2) In the event of any inconsistency between any two such texts of any Act, Statute or provision of subordinate legislation, each such text shall be regarded as equally authoritative unless the authority enacting or making such written law shall otherwise provide.

Publication of written laws in force in Sinhala and Tamil.

40. All written law in force immediately prior to the commencement of the Constitution, save those enacted or made in Sinhala and Tamil, shall be published in the *Gazette* in Sinhala and Tamil as expeditiously as possible.

Language of the Courts.

41. Sinhala and Tamil shall be the languages of the courts throughout the Republic.

Language of record and proceedings in Courts.

42. (1) Subject to paragraph (3) of this Article, Sinhala shall be used as the language of the record and proceedings in the courts situated in all the areas of the Republic except in the Regions specified in Parts B and C of the First Schedule for which Regional Councils are established, wherein Tamil shall be used.

(2) In the event of any appeal from any court, the record shall also be prepared in the language of the court hearing the appeal, if the language of such court is other than the language used by the court from which the appeal is preferred.

(3) The Minister of the Cabinet of Ministers in charge of the subject of Justice may, with the concurrence of the Cabinet of Ministers, direct that the record of any court shall also be maintained and the proceedings conducted in a national language other than the language of the court.

Initiating proceedings in Courts.

43. Any party or applicant or any person legally entitled to represent such party or applicant may initiate proceedings and submit to court pleadings and other documents, and participate in the proceedings in court, in Sinhala, Tamil or English.

Providing interpretations and translations in proceedings.

44. Any judge, juror, party or applicant or any person legally entitled to represent such party or applicant who is not conversant with the language of the court shall be entitled to be provided by the State with interpretation and to translation into Sinhala, Tamil or English, to enable the judge, juror, party or applicant or other person to understand and participate in the proceedings before such court, and in the case of a party, applicant or person, shall also be entitled to obtain in such language any such part of the record or a translation thereof, as the case may be, as the party, applicant or other person, may be entitled to obtain according to law.

Permitting the use of English.

45. (1) The Minister of the Cabinet of Ministers in charge of the subject of Justice may, with the concurrence of the Cabinet of Ministers, issue directions permitting the use of English in or in relation to the records and proceedings in any court for all purposes or for such purposes as may be specified therein and every judge shall be bound to implement such directions.

(2) A judge may at the request of the parties to any proceedings use English in relation to the records and proceedings where the use of such language would facilitate, in the opinion of the judge, the expeditious conclusion of such proceedings.

46. A person shall be entitled to be educated through the medium of either Sinhala or Tamil and if facilities are available, through the medium of English.

Medium of instruction.

47. (1) A person shall be entitled to be instructed in any course, department or faculty of any University in any national language of the person's choice if instruction in such language at such University is reasonably practicable.

Language of instruction in Universities.

(2) Subject to paragraph (3) of this Article, where one national language is a medium of instruction for or in any course, department or faculty of any University directly or indirectly financed by the State, the other national languages shall also be made the media of instruction for or in such course, department or faculty for students who prior to their admission to such University, were educated through the medium of any such other national language.

(3) Compliance with the preceding paragraph of this Article shall not be obligatory if such other relevant national language is the medium of instruction for or in any like course, department or faculty either at any other campus or branch of such University or of any other like University.

48. The State shall provide adequate facilities for the use of the languages provided for in this Chapter.

Facilities for the use of languages.

49. In the event of any inconsistency between the provisions of any law and the provisions of this Chapter, the provisions of this Chapter shall prevail.

This Chapter to prevail in the event of inconsistency.

50. In this Chapter -

Interpretation.

"court" means any court or tribunal created, ordained and established for the administration of justice including the adjudication and settlement of industrial and other disputes or any other tribunal or institution exercising judicial or quasi-judicial functions or any tribunal or institution created, ordained and established for the conciliation and settlement of disputes ;

"judge" includes the President, Chairperson, presiding officer and a member, of any court ;

"official" means the President, any Minister of the Cabinet of Ministers, Deputy Minister, Governor, Chief Minister or a Minister of the Board of Ministers of a Region, or any officer of a public institution, local authority or Regional Administration;

"public institution" means a department or institution of the State, a public corporation or a statutory institution;

“**record**” includes pleadings, judgments, orders and other judicial and ministerial acts ; and

“**University**” includes any institution of higher education.