

CHAPTER IX

THE CENTRAL LEGISLATURE

Parliament

Parliament. 77. (1) There shall be a Parliament, which shall consist of two hundred and twenty-five members elected in accordance with the provisions of the Constitution.

(2) Unless Parliament is sooner dissolved, every Parliament shall continue for six years from the date appointed for its first meeting and no longer, and the expiry of the said period of six years shall operate as a dissolution of Parliament.

Official oath. 78. Except for the purpose of electing the Speaker, a Member shall not sit or vote in Parliament until the Member has made and subscribed the following affirmation or taken and subscribed the following oath before Parliament: -

I,, do solemnly declare and affirm/swear that I will uphold and defend the Constitution of the Republic of Sri Lanka.”

Speaker, Deputy Speaker and Deputy Chairman of Committees. 79. (1) Parliament shall, at its first meeting after a General Election, elect three Members to be respectively the Speaker, the Deputy Speaker and Chairman of Committees (hereinafter referred to as the “Deputy Speaker”) and the Deputy Chairman of Committees thereof.

(2) A Member holding office as the Speaker or the Deputy Speaker or the Deputy Chairman of Committees shall vacate such office —

(a) if the Member ceases, save upon a dissolution of Parliament, to be a Member of Parliament; or

(b) if the Member resigns from such office by a writing addressed to the President.

(3) Whenever the office of Speaker, Deputy Speaker or Deputy Chairman of Committees becomes vacant, Parliament shall at its first meeting after the occurrence of the vacancy, elect another Member to be the Speaker, the Deputy Speaker or the Deputy Chairman of Committees, as the case may be.

(4) The Members holding office respectively as Speaker, Deputy Speaker and Deputy Chairman of Committees immediately prior to the dissolution of Parliament shall, unless they vacate office earlier and notwithstanding such dissolution, continue to hold such office until the conclusion of the General Election.

(5) The Speaker, or in the Speaker's absence the Deputy Speaker, or in their absence the Deputy Chairman of Committees, shall preside at sittings of Parliament and if none of them is present, a Member elected by Parliament for the sitting shall preside at that sitting of Parliament.

80. Where the Speaker is unable to discharge the functions of the Speaker's office, the powers, duties and functions conferred on or assigned to the Speaker by any provision of the Constitution may be exercised, performed or discharged by the Deputy Speaker.

Deputy Speaker
to act for
Speaker.

81. (1) There shall be a Secretary-General of Parliament who shall be appointed by the President and who shall hold office during good behaviour.

Secretary-
General of
Parliament.

(2) The salary of the Secretary-General shall be determined by Parliament by resolution, shall be charged on the Consolidated Fund of Sri Lanka and shall not be reduced during the term of office of the Secretary-General.

(3) The members of the staff of the Secretary-General shall be appointed by the Secretary-General with the approval of the Speaker on such terms and conditions as may be determined by the Secretary-General.

(4) The salaries of the members of the staff of the Secretary-General shall be charged on the Consolidated Fund of Sri Lanka.

(5) The office of the Secretary-General shall become vacant —

- (a) upon death;
- (b) on resignation in writing addressed to the President;
- (c) on attaining the age of sixty years, unless Parliament otherwise provides by law;
- (d) on removal by the President on account of ill health or physical or mental infirmity; or
- (e) on removal by the President upon an address of Parliament.

(6) Whenever the Secretary-General is unable to discharge the functions of the office of Secretary-General, the President may appoint a person to act in the place of the Secretary-General.

82. The seat of a Member shall become vacant —

- (a) upon the death of the Member;
- (b) if, by a writing addressed to the Secretary-General of Parliament, the Member resigns such Member's seat ;

Vacation of
seats.

- (c) upon the Member assuming the office of President or Vice-President consequent to the Member's election to such office by Parliament ;
- (d) if the member becomes subject to any disqualification specified in Articles 107 and 108 ;
- (e) if the Member becomes a member of any service of the State or an employee of a public corporation or, being a member of any service of the State or an employee of a public corporation, does not cease to be a member of such service or an employee of such corporation, before the Member sits in Parliament;
- (f) if, without the leave of Parliament first obtained, the Member is absent from the sittings of Parliament during a continuous period of three months ;
- (g) if the Member's election as a Member is declared void under the law in force for the time being; or
- (h) upon the dissolution of Parliament.

Privileges and Powers of Parliament and its Members.

83. The privileges, immunities and powers of Parliament and of its members may be determined and regulated by Parliament by law, and until so determined and regulated, the provisions of the Parliament (Powers and Privileges) Act, shall, *mutatis mutandis*, apply.

Remuneration and allowances of Members.

84. (1) The Ministers of the Cabinet of Ministers, Deputy Ministers and Members of Parliament, including the Speaker, the Deputy Speaker and the Deputy Chairman of Committees, shall be paid such remuneration or allowance as may be provided by Parliament, by law or by resolution, and the receipt thereof shall not disqualify the recipient from sitting or voting in Parliament.

(2) Until Parliament so provides, the remuneration or allowance payable to Ministers of the Cabinet of Ministers, Deputy Ministers and Members of Parliament, including the Speaker, the Deputy Speaker and the Deputy Chairman of Committees, shall be the same as the remuneration or allowance paid to Ministers of the Cabinet of Ministers, Deputy Ministers and Members of Parliament including the Speaker, the Deputy Speaker and the Deputy Chairman of Committees of Parliament immediately prior to the commencement of the Constitution.

Power to act notwithstanding vacancies.

85. Parliament shall have power to act notwithstanding any vacancy in its membership, and its proceedings shall be valid notwithstanding that it is discovered subsequently that a person who was not entitled so to do sat or voted or otherwise took part in the proceedings.