

CHAPTER XXVI

GENERAL

**227.** Where Parliament by resolution passed by not less than two-thirds of the whole number of Members of Parliament approves as being essential for the development of the national economy, any treaty or agreement between the Government of the Republic of Sri Lanka and the Government of any foreign State for the promotion and protection of the investments in Sri Lanka of such foreign State, its nationals, or of corporations, companies and other associations incorporated or constituted under its laws, such treaty or agreement shall, notwithstanding anything in the preceding provisions of the Constitution, have the force of law in Sri Lanka, and otherwise than in the interests of national security, no written law shall be enacted or made, and no executive or administrative action shall be taken, in contravention of the provisions of such treaty or agreement.

International  
Treaties and  
Agreements.

**228.** (1) Where any person is empowered under the provisions of the Constitution to delegate any power, duty or function to any other person, such person delegating such power, duty or function may, notwithstanding such delegation, exercise, perform or discharge such power, duty or function and may at any time revoke such delegation.

Delegation.

(2) In paragraph (1) of this Article, “person” includes any body of persons or any authority.

**229.** (1) Unless Parliament otherwise provides, all laws, written and unwritten, in force at the commencement of the Constitution, shall, *mutatis mutandis*, and except as otherwise expressly provided in the Constitution, continue in force and laws so continuing in force are referred to in the Constitution as “existing law”.

Existing law.

(2) All written laws including Statutes of Provincial Councils and subordinate legislation continuing in force as provided in paragraph (1) of this Article are referred to in the Constitution as “existing written law”.

(3) Save as otherwise provided in the Constitution, existing laws are not, and shall not in any manner be deemed to be, provisions of the Constitution.

(4) Wherever the Constitution provides that any provision of any existing written law or of the Constitution shall continue in force until or unless Parliament otherwise provides, any law of Parliament so providing may be passed by a majority of the members present and voting.

(5) Whenever the Constitution provides that any provision of any existing written law shall continue in force until or unless Parliament

otherwise provides and the existing written law referred to consists of subordinate legislation, the provisions of such existing written law shall continue in force, until or unless the Parliament otherwise provides and shall not in any manner be deemed to derogate from the power of the person or body on whom the power to make and, when made, to amend, vary, rescind or revoke such subordinate legislation is conferred, to exercise the power so conferred until or unless the Parliament otherwise provides.

Powers, privileges, immunities, and rights of the Republic.

**230.** Unless Parliament otherwise provides, the Republic shall continue to possess and exercise all powers, privileges, immunities and rights whatsoever possessed, exercised or exercisable immediately prior to the commencement of the Constitution.

Rights, duties and obligations of the Republic.

**231.** All rights and all duties or obligations, however arising, of the Government of the Democratic Socialist Republic of Sri Lanka and subsisting immediately prior to the commencement of the Constitution shall be rights, duties and obligations of the Government of the Republic of Sri Lanka as represented by the Central Government, under the Constitution.

Past operation of laws, previous acts, offences, and pending actions, &c.

**232.** (1) Unless the Constitution otherwise provides, the past operation of any written law in force prior to the commencement of the Constitution or anything duly done or suffered or any offence committed or any right, liberty, obligation or penalty acquired or incurred under any written law in force prior to the commencement of the Constitution shall not in any manner be affected or be deemed to be affected by the Constitution coming into force.

(2) All actions, prosecutions, proceedings, matters or things, including proceedings of Commissions appointed or established by or under any existing written law, pending or uncompleted immediately before the commencement of the Constitution shall, subject to the provisions of the Constitution and *mutatis mutandis*, be deemed to continue and may be carried on and completed after the commencement of the Constitution.