

**PENAL CODE (AMENDMENT) BILL, 2025**

*(Bill No. 28 of 2025)*

**EXPLANATORY STATEMENT ON THE OBJECTS AND REASONS  
FOR THE BILL**

1. The Penal Code (Cap.158) was amended in year 2024, *inter alia*, providing for amendments to section 5, insertion of new Chapter VIA (section 38) and insertion of new section 89B in the Penal Code relating to elements of hate to be considered as an aggravating factor; and the offence for hate speech respectively.
2. Section 5 of the Penal Code was amended by inserting a new definition “protected characteristics”. Paragraph (g) of the said definition provides that the “political affiliation” is one of the characteristic under the said definition.
3. The Bill seeks to amend section 5 of the Penal Code to remove the characteristic of “political affiliation” from the definition of “protected characteristics”, so that “political affiliation” do not constitute an element for an offence under sections 38 and 89B of the Penal Code.
4. The Bill seeks to achieve the above objective.

**Dated this 11<sup>th</sup> day of December, 2025.**

**VINSENT S. PERERA  
ATTORNEY-GENERAL**

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**ARRANGEMENT OF SECTIONS**

**SECTIONS**

1. Short title
2. Amendment of section 5

**PENAL CODE (AMENDMENT) BILL, 2025**

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**A BILL**

**FOR**

**AN ACT TO AMEND THE PENAL CODE (CAP. 158).**

**ENACTED BY THE PRESIDENT AND THE NATIONAL ASSEMBLY**

**Short title**

1. This Act may be cited as the Penal Code (Amendment) Act, 2025.

**Amendment of section 5**

2. Section 5 of the Penal Code (Cap. 158), is amended in the definition of “protected characteristics” —

- (a) by repealing paragraph (g); and
- (b) by renumbering paragraph (h) as paragraph (g).