

## PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

**CIVIL PROCEDURE CODE (AMENDMENT)** 

A

**BILL** 

to amend the Civil Procedure Code (Chapter 101)

Presented by the Minister of Justice on 25th of March, 2022

(Published in the Gazette on March 11, 2022)

Ordered by Parliament to be printed

[Bill No. 112]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5  $\,$ 

Price: Rs. 12.00 Postage: Rs. 15.00

This Bill can be downloaded from www.documents.gov.lk

## STATEMENT OF LEGAL EFFECT

Clause 2: This clause inserts new section 154A in the Civil Procedure Code (Chapter 101) and the legal effect of the section is to exempt certain documents from formal proof at any proceedings under this Code.

## Civil Procedure Code (Amendment)

## L.D.—O. 58/2021

An Act to amend the Civil Procedure Code (Chapter 101)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

- **1.** This Act may be cited as the Civil Procedure Code Short title (Amendment) Act, No. of 2022.
- 5 2. The following new section is hereby inserted Insertion of immediately after section 154 of the Civil Procedure Code (Chapter 101) and shall have effect as section 154A of that Chapter 101 Code:-

10 "Proof of deed or document unnecessary in certain events

154A. (1) Notwithstanding the provisions of the Evidence Ordinance (Chapter 14), in any proceedings under this Code, it shall not be necessary to adduce formal proof of the execution or genuineness of any deed, or document which is required by law to be attested, other than a will executed under the Wills Ordinance (Chapter 60), and on the face of it purports to have been duly executed, unless—

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(a) in the pleadings or further pleadings in an action filed under regular procedure in terms of this Code, the execution or genuineness of such deed or document is impeached and raised as an issue; or

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(b) the court requires such proof:

Provided that, the provisions of this secion shall not be applicable in an event, a party to an action seeks to produce any deed or document not included in the pleadings of that party at any proceedings under this Code.

(2) The provisions of subsection (1), shall mutatis mutandis apply in the actions 10 on summary procedure under this Code.".

3. In the event of any inconsistency between the Sinhala Sinhala text and Tamil texts of this Act, the Sinhala text shall prevail.

to prevail in case of inconsistency

