

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

**JUDICATURE (AMENDMENT) ACT, No. 4 OF 2022**

**[Certified on 17th of February, 2022]**

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*Judicature (Amendment) Act, No. 4 of 2022*  [Certified on 17th of February, 2022] L. D.–O. 20/2020

1

AN ACTTOAMENDTHE JUDICATURE ACT, NO. 2 OF 1978

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

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| **1.** | This Act may be cited as the Judicature (Amendment) | | | Short title  Replacement of  section 5C of Act, No. 2 of 1978 |
| Act, No. 4 of 2022. | | | |
| **2.** | Section 5C of the Judicature Act, No. 2 of 1978 is | | |
| hereby repealed and the following section is substituted therefor:– | | | |
| “Appointment | | | 5C. (1) The Judicial Service Commission |
| of the  Recorder  Judge | | shall appoint a judicial officer from among the District Judges and Magistrates, to be called the Recorder Judge, to any High Court | |

exercising criminal jurisdiction, where such   
Commission is of the opinion that such   
appointment is required.

(2) The Judge of such High Court (in this   
section referred to as the “Trial Judge”) may   
delegate to the Recorder Judge appointed to   
such High Court, the power to preside over   
pre-trial conferences subject to the provisions   
of the Code of Criminal Procedure Act, No. 15   
of 1979.

(3) The Recorder Judge shall attend to and   
deal with pre-trial conferences delegated to him   
under subsection (2) as specified in section   
195A of the Code of Criminal Procedure Act,   
No. 15 of 1979 and post-trial matters delegated   
to him by the Trial Judge not including   
sentencing of an accused, that may arise in the   
course of a criminal proceeding.

2 *Judicature (Amendment) Act, No. 4 of 2022*

(4) The Trial Judge may refer to the   
Recorder Judge any matter of a procedural   
nature arising in the course of the proceedings   
instituted in that court after the stage referred   
to in subsection (3).

(5) The Recorder Judge may, with the   
concurrence of the Trial Judge, submit for   
determination by the Trial Judge any matter   
which may otherwise have been properly dealt   
with by him.

(6) The Recorder Judge shall–

(*a*) sit separately and exercise all   
 the powers vested in him by   
 subsection (3);

(*b*) have the power to do all such acts   
 connected with or incidental or   
 ancillary to the exercise of the   
 powers referred to in subsection (3)   
 including the maintenance of the   
 Journals of the Court; and

(*c*) exercise the powers in relation to   
 pre-trial conferences as specified in   
 section 195A of the Code of   
 Criminal Procedure Act, No. 15 of   
 1979 only in respect of matters   
 where the High Court exercises   
 criminal jurisdiction in terms of   
 section 9 and shall not exercise the   
 powers in respect of matters where   
 the High Court is called upon to   
 exercise appellate, revisionary or   
 writ jurisdiction.”.

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| Sinhala text to  prevail in case of inconsistency | **3.** | In the event of any inconsistency between the Sinhala |
| and Tamil texts of this Act, the Sinhala text shall prevail. | |

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| *Judicature (Amendment) Act, No. 4 of 2022* | 3 |

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