

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

**CIVIL PROCEDURE CODE (AMENDMENT) ACT, No. 17 OF 2022**

**[Certified on 23rd of June, 2022]**

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| *Civil Procedure Code (Amendment)* | 1 |

*Act, No. 17 of 2022*

[Certified on 23rd of June, 2022]

L.D.—O. 58/2021

AN ACTTOAMENDTHE 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. 17 of 2022.

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| **2.** | The following new section is hereby inserted | Insertion of new section 154A into Chapter 101 |
| immediately after section 154 of the Civil Procedure Code (Chapter 101) and shall have effect as section 154A of that | |

Code:–

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| “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–

(*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

(*b*) the court requires such proof:

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Provided that, the provisions   
of this section 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   
on summary procedure under this Code.”.

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| Transitional  Provisions | **3.** | Notwithstanding anything contained in section 2 of |
| this Act, and the provisions of the Evidence Ordinance, in | |

any case or appeal pending on the date of coming into operation of this Act –

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| (*a*) | (i) | if the opposing party does not object or has |

not objected to it being received as evidence   
on the deed or document being tendered in   
evidence; or

(ii) if the opposing party has objected to it being   
 received as evidence on the deed or document   
 being tendered in evidence but not objected   
 at the close of a case when such document is   
 read in evidence,

the court shall admit such deed or document as   
evidence without requiring further proof;

(*b*) if the opposing party objects or has objected to it   
 being received as evidence, the court may decide   
 whether it is necessary or it was necessary as the   
 case may be, to adduce formal proof of the execution   
 or genuineness of any such deed or document   
 considering the merits of the objections taken with   
 regard to the execution or genuineness of such deed   
 or document.

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| **4.** | In the event of any inconsistency between the Sinhala | Sinhala text to  prevail in case  of inconsistency |
| and Tamil texts of this Act, the Sinhala text shall prevail. | |

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