

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

**PREVENTION OF FRAUDS (AMENDMENT)**  **ACT, No. 30 OF 2022**

**[Certified on 25th of October, 2022]**

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| *Prevention of Frauds (Amendment)* | 1 |

*Act, No. 30 of 2022*

[Certified on 25th of October, 2022]

L.D.—O. 71/2021

AN ACTTOAMENDTHE PREVENTIONOF FRAUDS ORDINANCE   
(CHAPTER 70)

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

**1.** This Act may be cited as the Prevention of Frauds Short title (Amendment) Act, No. 30 of 2022.

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| **2.** Section 2 of the Prevention of Frauds Ordinance (Chapter 70) (hereinafter referred to as the “principal enactment”) is hereby amended by the repeal of all the words | Amendment of section 2 of  Chapter 70 |

from “shall be of force” to the end of that section and the substitution therefore of the following:-

“shall be in force or avail in law unless –

(*a*) the relevant deed or instrument shall be in   
writing, signed by every executant and   
attested by a notary public before two   
witnesses present at the same time; and

(*b*) the left or right thumb impression of every   
such executant or where both thumbs of   
such executant are missing, the impression   
of any other finger or the toe impression as   
the case may be, is affixed above or besides   
the signature to the original, duplicate and   
the protocol of the relevant deed or   
instrument:

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Provided however, in the event the   
signature or the thumb impression of any   
such executant cannot be obtained due to   
any reason, the notary public shall state   
such reason in the attestation, and such   
executant shall affix any other finger   
impression or toe impression, as the case   
may be.”;

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| Amendment of section 4 of the principal | **3.** | Section 4 of the principal enactment is hereby |
| amended as follows:- | |

enactment

(1) by the renumbering of that section as subsection (1);

(2) by the repeal of all the words from “in the manner hereinafter mentioned;” to the end of renumbered subsection (1) of that section and the substitution therefor of the words “subject to the provisions specified in subsection (2);

(3) by the addition immediately after subsection (1) of that section, the following new subsection: -

“(2) The testator shall –

(*a*) sign; and

(*b*) affix his left or right thumb impression,

at the foot or end of the will, testament or codicil   
referred to in subsection (1), before a notary public   
and two witnesses who shall be present at the same   
time:

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Provided however, in the event the thumb   
impression of the testator cannot be obtained due   
to any reason, he shall affix any other finger   
impression or the toe impression, as the case may   
be.

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| **4.** | Section 7 of the principal enactment is hereby | Amendment to section 7 of the principal  enactment |
| amended as follows: –  (1) by the substitution for the words “signature of the | |

testator or testatrix”, of the words “signature and the   
left or right thumb impression or any other finger   
impression or the toe impression as the case may be,   
of the testator ”;

(2) by the insertion immediately after that section of the following proviso:-

“Provided however that, in the event the signature   
or left or right thumb impression or any other finger   
impression as the case may be, of the testator cannot   
be obtained due to any reason, the testator shall affix   
his toe impression and the notary public shall state   
such reason in his attestation.”.

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| **5.** | Section 16 of the principal enactment is hereby | Amendment to section 16 of  the principal  enactment |
| amended as follows:-  (1) by the substitution for the word “duplicate.” of the | |

word “triplicate.”; and

(2) by the repeal of the marginal note thereof and the substitution therefore of the following: -

“Deeds to be executed in Triplicate”

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| **6.** | In the event of any inconsistency between the Sinhala | Sinhala text to prevail in the case of |
| and Tamil texts of this Act, the Sinhala text shall prevail. | |

inconsistency

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