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

**Part II of July 14, 2023**

**SUPPLEMENT**

*(Issued on 19.07.2023)*



**CIVIL PROCEDURE CODE (AMENDMENT)**

**A**

**BILL**

**to amend the Civil Procedure Code ( Chapter 101)**

*Ordered to be published by the Minister of Justice, Prison Affairs and*

*Constitutional Reforms*

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*STATEMENT OF LEGAL EFFECT*   
 *Clause 2* : This clause amends section 205 of the Civil Procedure Code (Chapter 101) and the legal effect of this section as amended is to provide for-

|  |  |
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| (*a*)  (*b*) | the issuance of one certified copy of the judgement or final decree of an action to each party free of charge, where the respective parties to such action apply for the same; and  the recongnition of a document issued or transmitted by a court electronically, as signed and sealed documents and the electronic signature of the Registrar, court and other authorized officers. |

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

L.D.–O. 44/2017

AN ACTTOAMENDTHE CIVIL PROCEDURE CODE (CHAPTER 101)

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

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| --- | --- | --- | --- |
| 5 | **1.** This Act may be cited as the Civil Procedure Code | | Short title |
| (Amendment) Act, No. of 2023. | | Amendment of section  205 of  Chapter 101 |
| **2.** The Civil Procedure Code (Chapter 101) is hereby | |
| 10 | amended by the repeal of section 205 thereof and substitution | |
| therefor of the following section:- | |
| “Persons to  be entitled to certified  copies of  judgement,  decree or  proceedings | **205.** (1) The Registrar of the court shall, where the respective parties to an action apply for a certified copy of the judgement or final decree of the action, issue one certified copy of the same to each such party free of charge. |
| in any action | |

(2) Subject to the provisions of subsection

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| 15 | (1), the Registrar of the court shall, upon any person- |

(*a*) making an application accompanied   
by such fee as may be determined   
from time to time by the Secretary to   
the Ministry of the Minister assigned

|  |  |
| --- | --- |
| 20 | the subject of Justice by Notification published in the *Gazette* and |

supplying the necessary stamps,   
furnish to such person copies of the   
judgement, decree or proceedings in

25 an action or any part thereof; or

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| --- | --- | --- | --- | --- | --- | --- |
| 5 | 2 | *Civil Procedure Code (Amendment)* | | | | |
| (*b*) making | | an | application | and |
| producing the necessary stamps, examine and certify to the correctness of any such copies made by such person: | | | | |
| Provided that, a person other than a party to a matrimonial action, an adoption application or a custody application shall not be entitled to obtain certified copies of any proceedings or documents ofsuch action or application, except the judgement, order or decree thereof: | | | | |
| 10 |
| 15 | Provided further that, upon being satisfied as to the requirement of an applicant who is not a party to such matrimonial action, adoption application or custody application, the court may direct the Registrar of such court to issue to such applicant, certified copies of theproceedings or documents of such action or application. | | | | |
| 20 | (3) Notwithstanding anything to the contrary in section 76 of the Evidence Ordinance (Chapter 14) or any other written law, a document issued or transmitted electronically by a court shall be deemed for the purposes of authentication and verification, to have been signed, sealed and dated by court, where such document– | | | | |
| 25 |
| 30 | (*a*) | if originally created in electronic form, contains the electronic signature and electronic seal of the Registrar or such other officer authorized by law to place the signature together with his name and official title, the electronic seal of the court, and the date; or | | | |
| 35 |

|  |  |  |  |  |
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| 5 | *Civil Procedure Code (Amendment)* | | 3 | Sinhala text |
| (*b*) | if originally created in paper form | |
| and converted into an electronic | | |
| copy in portable document format | | |
| (PDF) or by similar file converter | | |
| technology, contains the signature | | |
| and seal of the Registrar or such | | |
| 10 | other officer authorized by law to | | |
| place the signature, together with his | | |
| name and official title, the seal of | | |
| the court, and the date.”. | | |
| **3.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | | |
| to prevail in |
| case of |
| inconsistency |

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| 4 | *Civil Procedure Code (Amendment)* |

Department of Government Printing