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

**Part II of November 10, 2023**

**SUPPLEMENT**

*(Issued on 15.11.2023)*



**POWERS OF ATTORNEY(AMENDMENT)**

**A**

**BILL**

**to amend the Powers of Attorney Ordinance (Chapter 122)**

*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 2 of the Powers of Attorney Ordinance ( Chapter 122)

(hereinafter referred to as the “ principal enactment”) and the legal effect of the section is to introduce

a new procedure for signing of a foreign power of attorney.

Clause 3: This clause provide for correction of the Sinhala version of that section 3D of the

principal enactment.

Clause 4: This clause expands the scope of section 4 of the principal enactment.

Clause 5: This clause replaces the Schedule II to the principal enactment and the legal effect

of the amendment is to expand the scope of the Schedule II.

Clause 6: This clause extend the period of registration of power of attorney which had not

been earlier registered.

Powers of Attorney (Amendment)

L.D.-O. 26/2023

An act to amend the powers of attorney   
Ordinance (chapter 122)

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

**1**. This Act may be cited as the Powers of Attorney Short title (Amendment) Act, No….. of 2023.

|  |  |  |
| --- | --- | --- |
| 5 | **2.** Section 2 of the Powers of Attorney Ordinance | Amendment |
| of section 2 of |
| (Chapter 122) (hereinafter referred to as the “principal |
| Chapter 122 |
| enactment”) is hereby amended in paragraph (b) of the |

definition of the expression “power of attorney” thereof, by the substitution for the words “executed before two witnesses

|  |  |  |
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| 10 | and an Ambassador” of the words “executed before an | Amendment of |
| Ambassador”. |
| **3**. Section 3D of the principal enactment is hereby |
| 15 | amended by the substitution for the words “shall not execute” | section 3D of |
| the principal |
| of the words “shall not execute”. |
| enactment |
| **4**. Section 4 of the principal enactment is hereby | Amendment |
| amended by the repeal of paragraph (b) of subsection | of section 4 of |
| the principal |
| (1) thereof, and the substitution therefor of the following |
| enactment |
| paragraph:- |

“(b) execute a document –

20 (i) if it is executed in Sri Lanka before two witnesses and attested by a notary public; or

(ii) if it is executed outside Sri Lanka before an Ambassador, or a High Commissioner, 25 or a Diplomatic Officer or a Consular Officer within the meaning of the Consular Functions Act, No.4 of 1981

PL 014172 - 475 (2023/11)

2 Powers of Attorney (Amendment)

or a person who is authorized to attest a   
power of attorney according to the law   
of that country,declaring his intention   
of revoking or cancelling the power of

|  |  |
| --- | --- |
| 5 | attorney or expressing his intention not to act under that power of attorney, as the |

case may be; and”;

|  |  |  |
| --- | --- | --- |
| 10 | **5**. The Schedule II of the principal enactment is hereby | Replacement |
| repealed and following Schedule is substituted therefor:- | of the |
| Schedule II of |
| (sections 3(3) and 5) | the principal |
| enactment |

SCHEDULE II

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| 15  20  25  30 | |  |  |  | | --- | --- | --- | | 1. | Serial No. |  | | 2. | Date of Registration |  | | 3. | Description of the power of attorney |  | | 4. | Name and address of the grantor |  | | 5. | Name and address of the attorney |  | | 6. | Date of power of attorney |  | | 7. | By whom the power of attorney is produced for the registration |  | | 8. | Volume and Folio where the true copy of the power of attorney is filed |  | | 9. | Date and number of the document of revocation or cancellation |  | | 10. | By whom the document of revocation or cancellation given |  | | 11. | Date of registration of the document of revocation or cancellation |  | | 12. | Volume and Folio where the document of revocation or cancellation is registered |  | |

Powers of Attorney (Amendment) 3

**6.** (1) Notwithstanding the provisions of paragraph (a) Validation of subsection (1), and subsection (2) of section 8 of the Powers   
of Attorney (Amendment) Act, No. 28 of 2022, every power   
of attorney executed prior to October 25, 2022 and which has

|  |  |
| --- | --- |
| 5 | not been registered on or prior to the date of commencement of this Act shall be deemed to be valid for a period of two years |

from October 25, 2022, and be submitted for registration to the Registrar General within such period of two years.

(2) Every power of attorney referred to in subsection

|  |  |
| --- | --- |
| 10 | (1) which is not submitted for registration within the period specified in that subsection, shall be deemed to be null and |

void, with effect from the date of expiration of that period.

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| **7**. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | Sinhala text to prevail in the case of |

inconsistency

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