

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

*————————*

**RECIPROCALRECOGNITION, REGISTRATION ANDENFORCEMENT OF FOREIGN JUDGMENTS**

**A**

**BILL**

**to make provision for the Reciprocal Recognition, Registration and Enforcement in Sri Lanka of Judgments of Courts of other countries; and to repeal the Enforcement of Foreign Judgments Ordinance (Chapter 93) and the Reciprocal Enforcement of Judgments Ordinance (Chapter 94); and to provide for matters connected**  **therewith**  **or incidental thereto**

*——————*  
*Presented by the Minister of Justice, Prison Affairs and*   
*Constitutional Reforms on 19th of June, 2024*

(Published in the Gazette on June 07, 2024)

*Ordered by Parliament to be printed*

|  |  |
| --- | --- |
| **[Bill No. 265]** | *————————* |

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

|  |  |  |
| --- | --- | --- |
| 2- | **Price : Rs. 36.00** | **Postage : Rs. 150.00** |
| *This Bill can be downloaded from* www.documents.gov.lk |  |

|  |  |
| --- | --- |
| *ReciprocalRecognition, Registration and* | 1 |

*Enforcement of Foreign Judgments*

L.D.—O. 19/2022

AN ACTTOMAKEPROVISIONFORTHE RECIPROCAL RECOGNITION, REGISTRATIONAND ENFORCEMENTIN SRI LANKAOF JUDGMENTSOF COURTS OFOTHERCOUNTRIES; ANDTOREPEALTHE ENFORCEMENTOF FOREIGN JUDGMENTS ORDINANCE (CHAPTER 93) ANDTHE RECIPROCAL ENFORCEMENTOF JUDGMENTS ORDINANCE (CHAPTER 94); ANDTOPROVIDEFORMATTERSCONNECTEDTHEREWITHOR INCIDENTALTHERETO.

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

|  |  |  |
| --- | --- | --- |
| 5 | **1.** (1) This Act may be cited as the ReciprocalRecognition, | Short title |
| Registration and Enforcement of Foreign Judgments Act, | and date of |
| operation |
| No. of 2024. |

(2) The provisions of this Act, other than the provisions of this section shall come into operation on such date as the Minister may appoint by Order published in the *Gazette* (in this Act referred to as the “appointed date”).

10 (3) The provisions of this section shall come into operation on the date on which the Bill becomes an Act of Parliament.

PART I

APPLICATIONOFTHE ACT

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **2.** (1)Where- | | Application |
| of the Act |
| (*a*) | (i) the Government of Sri Lanka and the |

Government of any foreign country enter   
into any treaty as respects the reciprocal

2 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

recognition, registration and enforcement   
of judgments of the courts of Sri Lanka   
and of such foreign country; or

(ii) any written law in force on the day 5 immediately preceding the appointed date provides for the reciprocalrecognition, registration and enforcement in Sri Lanka of judgments of the courts of a foreign country; and

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | the Minister is satisfied that by extending the |

provisions of this Part of this Act to judgments of the courts of such foreign country a substantial reciprocity of treatment will be assured as respects the recognition, registration and 15 enforcement in such foreign country of judgments of the courts of Sri Lanka,

the Minister may, by Order published in the *Gazette,* declare that the provisions of this Part of this Act shall extend to the judgments of such courts of that foreign country as are 20 specified in such Order.

(2) The Minister may, if he considers it appropriate, seek the views of the Minister assigned the subject of Foreign Affairs and the Attorney-General in making an Order under subsection (1).

25 (3) An Order made under subsection (1) shall-

(*a*) come into operation on the date of publication of   
such Order in the *Gazette* or on such later date as   
may be specified therein; and

*ReciprocalRecognition, Registration and*  3   
 *Enforcement of Foreign Judgments*

(*b*) subject to the provisions of subsection (4), remain in force so long as may be specified in such Order or for such period as the treaty or the written law referred to in paragraph (*a*) of subsection (1) remains 5 in force.

(4)The Minister may, having regard to the provisions of paragraphs (*a*) and (*b*) of subsection (1), by a subsequent Order amend, vary or revoke any Order previously made under that subsection.

10 (5) (*a*) Every Order made by the Minister shall, within three months after its publication in the *Gazette*, be brought before Parliament for approval.

(*b*) Any Order which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but 15 without prejudice to anything duly done thereunder.

(6) A notification of the date on which an Order is deemed to be rescinded shall be published in the *Gazette.*

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | **3.** (1) The provisions of this Act shall apply to a judgment | | Judgments to |
| which this |
| of a court of a foreign country specified in the Order published | |
| Act shall |
| under section 2, only if such judgment is final and conclusive | |
| apply |
| as between the parties to such judgment, and- | |
| (*a*) | any one or more of the following conditions are |

satisfied by the applicant: -

|  |  |  |
| --- | --- | --- |
| 25 | (i) | the judgment-creditor or the judgment-debtor |
| was a resident of the country of the original |

court at the time such judgment-creditor or   
the judgment-debtor, as the case may be,   
became a party to the proceedings in the   
original court;

4 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

(ii) the judgment-debtor, if he is a natural person,   
 had his principal place of business in the   
 country of the original court at the time that   
 judgment-debtor became a party to the

|  |  |  |
| --- | --- | --- |
| 5 | (iii) | proceedings in the original court; |
| the judgment-creditor is the person who has |

obtained the judgment based on his claim or   
claim in reconvention in an action;

|  |  |  |
| --- | --- | --- |
| 10 | (iv) | the judgment-debtor has maintained a |
| branch, agency or other establishment with |

or without separate legal personality in the   
country of the original court at the time such   
judgment-debtor became a party to the   
proceedings in the original court;

|  |  |  |
| --- | --- | --- |
| 15 | (v) | the judgment-debtor has agreed to submit or |

submitted to the jurisdiction of the original   
court;

(vi) the property relating to the judgment, whether movable or immovable is situated in Sri 20 Lanka or in the country of the original court at the time of the proceedings in the original court;

(vii) the applicant has derived any right, interest, benefit, title, status or entitlement under the 25 judgment of the original court, as at the date of the judgment or thereafter; or

(*b*) in the case of a judgment for the dissolution or annulment of a marriage or separation of the parties to a marriage, only if such judgment is obtained in 30 respect of a marriage registered under the Marriage

*ReciprocalRecognition, Registration and*  5   
 *Enforcement of Foreign Judgments*

Registration Ordinance (Chapter 112), whether such   
marriage had been contracted prior to or after the   
appointed date or such judgment had been entered   
prior to or after the appointed date, and –

|  |  |  |
| --- | --- | --- |
| 5 | (i) | either party to the marriage was domiciled in |

such country as at the date of the judgment;

(ii) either party to the marriage was habitually   
 resident in such country for a period not less   
 than one year immediately before the date of

|  |  |  |
| --- | --- | --- |
| 10 | (iii) | the judgment; |
| either party to the marriage was a national of |

such country as at the date of the judgment;   
or

|  |  |  |
| --- | --- | --- |
| 15 | (iv) | both parties have submitted to the jurisdiction |
| of such court. |

(2) The provisions of this Act shall not apply to any tax, charge, fine or other penalty payable under a judgment of a court of a foreign country.

PART II

20 RECOGNITION, REGISTRATIONAND ENFORCEMENTOF FOREIGN JUDGMENTS

|  |  |  |
| --- | --- | --- |
| 25 | **4.** An applicant may make an application in such form | Application |
| and manner accompanied by such information and | for |
| recognition, |
| documents as may be prescribed by rules made under this |
| registration |
| Act, to the registering court for recognition, registration | and |
| enforcement |
| and enforcement of a foreign judgment – |
| of a foreign |

judgment

6 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

(*a*) within ten years from the date of the final judgment   
along with a certificate issued by the relevant   
authority of the original court authenticating such   
judgment; and

|  |  |  |
| --- | --- | --- |
| 5 | (*b*) | by way of summary procedure in accordance with |

the provisions of Chapter XXIV of Part II of the   
Civil Procedure Code:

Provided however, the registering court may entertain an application made after ten years from 10 the date of the final judgment if the applicant proves to the satisfaction of the court that the reasons for such delay are valid:

Provided further, the registering court shall   
not allow the parties to adduce any oral evidence,

15 and shall conclude the proceedings on the petitions, statements of objections, affidavits and any other documents tendered by such parties within a period of six monthsfrom the date of application for the recognition, registration and enforcement of the

|  |  |  |
| --- | --- | --- |
| 20 | foreign judgment. | Registration |
| **5.** (1) Upon receipt of an application for recognition, |
| registration and enforcement of a foreign judgment under | of a foreign |
| judgment |
| section 4, if the registering court is *prima facie* satisfied |

that, as at the date of the application –

|  |  |  |
| --- | --- | --- |
| 25 | (*a*) | such judgment is a judgment to which this Act |

applies;

(*b*) the applicant has derived any right, interest, benefit,   
title, status or entitlement under the judgment given   
by the original court; and

*ReciprocalRecognition, Registration and*  7   
 *Enforcement of Foreign Judgments*

(*c*) the application has been made within the period   
 specified in section 4,

the registering court shall proceed to register such judgment.

(2) Subject to the provisions of this Act, where a judgment 5 is registered in terms of this Act, such registered judgment shall be deemed to have the same force and effect and the same control over the execution of such judgment as if it had been a judgment originally given in the registering court and entered on the date of registration.

10 (3) Where, as at the date of application for recognition and registration of a foreign judgment, a part of the relief awarded by the original court has been satisfied, the registering court may enforce the judgment only in respect of the unsatisfied part of the judgment.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **6.** (1) Where, upon registration of a foreign judgment for | | Recognition |
| 20 | the dissolution or annulment of a marriage or separation of | | of a foreign |
| judgment for |
| the parties to a marriage, under section 5, it appears to the | |
| the |
| registering court that – | | dissolution or |
| annulment of |
| (*a*) | such foreign judgment was given *inter parte*, the | a marriage or |
| separation of |
| registeringcourt shall pronounce a declaration | | the parties to |
| a marriage in |
| recognising such judgment in Sri Lanka; or | |
| Sri Lanka |
| (*b*) | such foreign judgment was obtained *ex parte,* the |

registering court shall issue a notice to the other   
party to the marriage.

|  |  |
| --- | --- |
| 25 | (2) For the purpose of paragraph (*b*) of subsection (1), the provisions of sections 59 to 71 of the Civil Procedure Code |

shall, *mutatis mutandis*, apply in relation to the service of notice.

8 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

(3) Where there is no objection made under section 7 within the period specified in the notice issued under paragraph (*b*) of subsection (1) and upon the court being satisfied of the proper service of notice under paragraph (*b*)

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | of subsection (1), the registering court may pronounce a | | Objections |
| declaration recognisingsuch foreign judgment. | |
| **7.** A respondent to an application for the recognition and | |
| 10 | registration of a foreign judgment for the dissolution or | | against |
| recognition |
| annulment of a marriage or separation of the parties to a | |
| of a foreign |
| marriage, upon receipt of a notice issued under paragraph | | judgment for |
| 15 | (*b*) of subsection (1) of section 6, may appear before the | | the |
| dissolution or |
| registering court and object to such application on the | |
| annulment of |
| ground that- | | a marriage or |
| separation of |
| (*a*) | the applicant has failed to satisfy any of the | the parties to |
| a marriage in |
| requirements set out in section ~~4~~; | | Sri Lanka |
| (*b*) | there is fraud; or |
| (*c*) | there is a misrepresentation of facts relevant to the |

application and the affidavit made under section 4.

|  |  |  |
| --- | --- | --- |
| 20 | **8.** (1) Where the party who made an objection under | Refusal of |
| section 7, fails to satisfy the registeringcourt of the existence | objections |
| and |
| of any ground for the refusal of an application specified in |
| recognition |
| 25 | section 7, the court may reject such objection by an order | and |
| made in that behalf and shall pronounce a declaration | registration |
| of a |
| recognisingsuch foreign judgment for the dissolution or |
| judgment for |
| annulment of a marriage or separation of the parties to a | the |
| marriage in respect of which such application is made. | dissolution or |
| annulment of |

a marriage or

|  |  |  |
| --- | --- | --- |
| 30 | (2) Such declaration shall have the effect of such foreign | separation of |
| the parties to |
| judgment for the dissolution or annulment of a marrage or |
| a marriage |
| separation of the parties to a marrage being recognised as if |
| it had been issued by a competent court of Sri Lanka. |

*ReciprocalRecognition, Registration and*  9   
 *Enforcement of Foreign Judgments*

|  |  |  |
| --- | --- | --- |
| 5 | **9.** The court may grant and apportion costs for any | Court may |
| application made under section ~~4~~, as the court deems fit. | grant costs |
| **10.** Where the registering court pronounces a declaration | Registration |
| in the case of a foreign judgment for the dissolution or | of foreign |
| judgments |
| annulment of a marriage or separation of the parties to a |
| for |
| marriage, recognising such judgment in Sri Lanka, the | dissolution of |
| marriages etc |
| Registrar of the registering court shall send a copy of such |
| with the |
| 10 | declaration certified by such Registrar as true copy, to the |
| Registrar- |
| Registrar-General for the purposes of the Marriage | General |
| Registration Ordinance (Chapter 112). |
| **11.** (1) The registering court shall, at any time after | Setting aside |
| of a |
| registration of a foreignjudgment, upon application in that |
| registered |
| behalf duly made by the judgment debtor or any party whose | judgment |

rights, interests, benefits, title, status or entitlements have 15 been adversely affected, or on its own motion*,* set aside the registration of the judgment, if the registering court is satisfied that –

(*a*) the judgment was registered in contravention of   
 the provisions of subsection (1) of section 5;

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | notice or sufficient notice has not been given to |

the judgment-debtor in accordance with the law of   
the country of the original court to enable him to   
defend the proceedings;

|  |  |  |
| --- | --- | --- |
| 25 | (*c*) | the registered judgment was obtained by fraud; |
| (*d*) | the person by whom the application for recognition, |

registration and enforcement of the judgment was   
made, has not derived any right, interest, benefit,   
title, status or entitlement under the judgment of   
the original court; or

10 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

(*e*) the judgment has been reversed or set aside in   
 appeal by the original court or a higher court of the   
 country of the original court in terms of the law of   
 the country of the original court.

5 (2) Notwithstanding anything to the contrary in any other provisions of this Act, the registering court may, if it considers appropriate, allow the parties to lead evidence in respect of an application to set aside the registration of a judgment under this Act.

10 (3) The provisions of section 389 of the Civil Procedure Code shall, *mutatis mutandis,* apply in respect of an application to set aside the registration of a judgment under this Act.

(4) The setting aside of the registration of a judgment 15 under this section shall not prevent a fresh application for registration of a judgment being filed in compliance with the provisions of this Act.

**12.** (1) No appeal shall lie against any order made by the Appeals registering court under the provisions of this Act in respect   
20 of an application made for the recognition, registration and   
enforcement of a foreign judgment, other than a judgment   
for the dissolution or annulment of a marriage or separation   
of parties to a marriage.

(2) Any party who is dissatisfied with any recognition 25 awarded or any order made by the registering court under the provisions of this Act in respect of an application made for the recognition, registration and enforcement of a foreign judgment for the dissolution or annulment of a marriage or separation of parties to a marriage, may appeal to the relevant

30 High Court established by Article 154P of the Constitution, with leave first had and obtained from the relevant High Court.

*ReciprocalRecognition, Registration and*  11

*Enforcement of Foreign Judgments*

|  |  |  |
| --- | --- | --- |
| 5 | **13.** Where both parties to a foreign judgment for the | Making |
| separate |
| dissolution or annulment of a marriage or separation of the |
| applications |
| parties to a marriage have made separate applications for the |
| in respect of |
| recognition and registration of the same judgment, the |
| recognition |
| registering court shall consolidate both such applications | and |
| registration |
| and make an order in the same proceedings. |
| of a foreign |

judgment for   
the   
dissolution   
of a   
marriage, &c

PART III

GENERAL PROVISIONS

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **14.** From and after the date on which an Order under | | Foreign |
| subsection (1) of section 2 is published in the *Gazette,* any | | judgments |
| which may |
| proceedings for the recognition, registration and | |
| be registered, |
| enforcement of a judgment of a court of such foreign country | |
| not to be |
| shall not be entertained by any court in Sri Lanka, except in | | enforceable |
| 15 |
| accordance with the provisions of this Act. | | otherwise |
| **15.** Notwithstanding anything to the contrary contained | |
| Jurisdiction |
| 20 | in any other written law- | | in respect of |
| applications |
| (*a*) | in the case of an application for the recognition, | for |
| recognition, |
| registration and enforcement of a foreign judgment | | registration |
| to which the provisions of this Act apply, other | | and |
| enforcement |
| than a judgment for the dissolution or annulment | |
| of foreign |
| of a marriage or separation of the parties to a | |
| judgments |

marriage, the District Court of Colombo or any other   
court as may be designated by the Minister by Order   
published in the *Gazette;* and

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | in the case of an application for the recognition |
| and registration of a foreign judgment for the |

dissolution or annulment of a marriage or separation

12 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

of the parties to a marriage to which the provisions   
of this Act apply, the District Court of Colombo or   
the District Court within the local limits of whose   
jurisdiction any party to such judgment resides,

5 shall have the jurisdiction, cognizance of, and full power, in the manner provided for by this Act and the rules made under section 20 to hear and determine such application.

|  |  |  |
| --- | --- | --- |
| 10 | **16.** Service of summons, notices or any other documents | Application |
| relating to recognition, registration and enforcement, as the | of the Civil |
| Procedure |
| case may be, of foreign judgments under this Act shall be |
| Code |
| made in the manner provided for in Chapters VIII and XXII |

of the Civil Procedure Code.

|  |  |  |
| --- | --- | --- |
| 15 | **17.** (1) Where the language of a foreign judgment for the | Language of |
| dissolution or annulment of a marrage or separation of the | the |
| documents |
| parties to a marriage is in a language other than the English |
| produced to |
| language, such judgment shall be accompanied by a | the court |

translation thereof in the English language made and signed by an interpreter of the Supreme Court, the Court of Appeal or the High Court, or by a sworn translator or an interpreter

20 of any District Court, Family Court, Magistrate’s Court or Primary Court, or by a sworn translator.

(2) For the purposes of this section, “sworn translator”means a translator who has taken and subscribed the oath or made and subscribed the affirmation before a District Judge

|  |  |  |
| --- | --- | --- |
| 25 | of a District Court of Sri Lanka. | Making false |
| **18.** Any person who willfully and dishonestly makes any |
| 30 | false statement of facts in an affidavit made under this Act | statement of |
| facts in |
| commits an offence and shall, on conviction by the |
| affidavits |
| Magistrate’s Court,be liable to a fine not less than two |
| hundred thousand rupees or to imprisonment for a period |

not less than one year, or to both such fine and imprisonment.

*ReciprocalRecognition, Registration and*  13

*Enforcement of Foreign Judgments*

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **19.** In any matter or question of procedure not provided | | *Casus* |
| for in this Act, the procedure laid down in the Civil Procedure | | *omissus* |
| Code in respect of a like matter or question shall be followed | |
| by the court if such procedure is not inconsistent with the | |
| provisions of this Act. | |
| **20.** (1) The Minister may, from time to time, make rules | | Rules |
| under this Act, in respect of all matters for which rules are | |
| 10 | authorised or required to be made for the purpose of giving | |
| effect to the provisions of this Act. | |
| (2) In particular and without prejudice to the generality | |
| 15 | of the provisions of subsection (1), rules may be made in | |
| respect of the following matters: - | |
| (*a*) | filing of an application for the recognition, |
| registration and enforcement of a foreignjudgment, | |
| and setting aside of a registered judgment and forms | |
| 20 | to be used for such purposes; | |
| (*b*) | statement of facts that the affidavits made under |
| this Act shall contain; | |
| (*c*) | prescribing the documents that shall accompany |
| an application filed under this Act; | |
| 25 |
| (*d*) | tendering of security when applying for the |
| recognition, registration and enforcement of a | |
| foreignjudgment; | |
| (*e*) | the manner of serving the notice of registration and |
| the content of such notice; | |
| 30 | (*f*) | subject to the time limits expressly provided for in |
| this Act,the time limits for performing any act | |
| required to be performed under this Act; | |
| (*g*) | prescribing the method by which any interest |
| payable under a foreign judgment under the law of | |
| the country of theoriginal court is to be determined; | |
| (*h*) | the matters relating to the award of costs; and |

14 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

(*i*) any other matter which is required to be prescribed   
 under this Act in order to achieve the objectives of   
 this Act.

(3) Every rule made by the Minister under this section 5 shall be published in the *Gazette* and shall come into operation from the date ofsuch publication or on another date as may be specified in such rule.

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **21.** With effect from the appointed date- | | Repeals |
| (*a*) | the Enforcement of Foreign Judgments Ordinance |
| (Chapter 93); and | |
| (*b*) | the Reciprocal Enforcement of Judgments |

Ordinance (Chapter 94),

shall stand repealed.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **22.** Notwithstanding the repeal of the Reciprocal | | Savings and |
| Enforcement of Judgments Ordinance (Chapter 94) (in this | | transitional |
| provisions |
| section referred to as the “repealed Ordinance”)- | |
| (*a*) | every Order made under section 6 of the repealed |

Ordinance and in force on the day immediately preceding the appointed date shall be valid and 20 effectual in respect of the judgments of the courts declared in such Order, until an Order is made under section 2 of this Act extending the provisions of this Act to the judgments of the corresponding courts;

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | all applications filed and proceedings instituted |

under the repealed Ordinance and pending on the   
day immediately preceding the appointed date shall   
be proceeded with and concluded under the   
provisions of the repealed Ordinance; and

*ReciprocalRecognition, Registration and*  15   
 *Enforcement of Foreign Judgments*

(*c*) all judgments, decrees or orders entered into or   
 made under the repealed Ordinance and remaining   
 unsatisfied either wholly or partially on the day   
 immediately preceding the appointed date shall be

5 proceeded with and concluded under the provisions of the repealed Ordinance.

**23.** In this Act, unless the context otherwise requires – Interpretation

“applicant” for the purposes of this Act, includes a judgment creditor or any person who has derived 10 any right, interest, benefit, title, status or entitlement under the judgment of the original court, as at the date of the judgment or thereafter;

“Civil Procedure Code” means the Civil Procedure   
 Code (Chapter 101);

15 “country of the original court” means the country in which the original court is situated;

“dissolution or annulment of a marriage or separation of the parties to a marriage” means any divorce, annulment of a marriage or judicial separation 20 of the parties to a marriage obtained by means of proceedings in a competent court of law of a country specified by the Minister under section 2 of this Act;

“domiciled in a country” means domiciled in terms 25 of the law of that country;

“judgment” means a judgment, decree or order given   
or made by a competent court of a foreign   
country which has been specified by the   
Minister by Order published in the *Gazette* in

16 *ReciprocalRecognition, Registration and*   
 *Enforcement of Foreign Judgments*

terms of section 2 of this Act, but does not   
include a judgment, decree or order given or   
made-

|  |  |  |
| --- | --- | --- |
| 5 | (*a*) | against any Sovereign State; |
| (*b*) | in relation to property settlement |

in any matrimonial matter;

(*c*) in proceedings relating to   
 insolvency;

|  |  |  |
| --- | --- | --- |
| 10 | (*d*) | in proceedings relating to |
| (*e*) | winding-up of companies; |
| in proceedings relating to |

unsoundness of mind;

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 15 | (*f*) | in proceedings relating to | | |
| guardianship, | custody | or |
| maintenance of a minor, or | | |

curatorship of the estate of a   
minor; or

(*g*) in proceedings relating to   
 guardianship and management of

20 the estate of a person of unsound mind;

“judgment-creditor” means the person in whose   
favour the judgment was given and includes   
any person who has derived any right, interest,

25 benefit, title, status or entitlement under the judgment sought to be registered in Sri Lanka;

*ReciprocalRecognition, Registration and*  17   
 *Enforcement of Foreign Judgments*

“judgment-debtor” means the person against whom   
the judgment was given and includes any   
person against whom the judgment is   
enforceable;

5 “Minister” means the Minister assigned the subject of Justice in terms of Article 44 or 45of the Constitution;

“original court” in relation to any judgment, means the court by which the judgment was given or a 10 higher court which has affirmed or entered a judgment in the exercise of appellate jurisdiction;

“prescribed” means prescribed by rules made under   
 this Act; and

|  |  |  |
| --- | --- | --- |
| 15 | “registering court”- | in relation to a judgment other |
| (*a*) |

than a judgment for the   
dissolution or annulment of a   
marriage or separation of the

|  |  |
| --- | --- |
| 20 | parties to a marriage, means the District Court of Colombo or any |

other court as may be specified   
by the Minister by Order   
published in the *Gazette*; and

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | in relation to a judgment for the |

dissolution or annulment of a   
marriage or separation of the   
parties to a marriage, means the   
District Court of Colombo or the

|  |  |
| --- | --- |
| 30 | District Court within the local limits of whose jurisdiction any |

party to such judgment resides.

18 *ReciprocalRecognition, Registration and*

*Enforcement of Foreign Judgments*

|  |  |
| --- | --- |
| **24.** 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 case of |

inconsistency

|  |  |
| --- | --- |
| *ReciprocalRecognition, Registration and* | 19 |

*Enforcement of Foreign Judgments*

DEPARTMENTOFGOVERNMENTPRINTING