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SOCIALIST REPUBLIC OF
SRI LANKA**

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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-

- (a) 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
- (b) the recognition 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.

Civil Procedure Code (Amendment)

L.D.-O. 44/2017

AN ACT TO AMEND THE 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 (Amendment) Act, No. of 2023. Short title

5 2. The Civil Procedure Code (Chapter 101) is hereby amended by the repeal of section 205 thereof and substitution therefor of the following section:- Amendment of section 205 of Chapter 101

10 “Persons to be entitled to certified copies of judgement, decree or proceedings in any action **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.

15 (2) Subject to the provisions of subsection (1), the Registrar of the court shall, upon any person-

20 (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 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 an action or any part thereof; or

25

5 (b) making an application and
producing the necessary stamps,
examine and certify to the correctness
of any such copies made by such
person:

10 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 of such action or application,
except the judgement, order or decree thereof:

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
the proceedings 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
25 the purposes of authentication and verification,
to have been signed, sealed and dated by court,
where such document—

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
35 of the court, and the date; or

5 (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
other officer authorized by law to
place the signature, together with his
name and official title, the seal of
10 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.

Sinhala text
to prevail in
case of
inconsistency

