



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

**MUTUAL ASSISTANCE IN CIVIL AND  
COMMERCIAL MATTERS  
ACT, No. 39 OF 2000**

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**[Certified on 3rd August, 2000]**

*Printed on the Order of Government*

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L.D.—O. 21/99.

AN ACT TO PROVIDE  
IN CIVIL AND COMM  
OTHER COUNTRIES, AND  
ON THE SERVICE AND  
DOCUMENTS IN CIVIL  
CONVENTION ON THE  
COMMERCIAL MATTER

BE it enacted by the  
Republic of Sri Lanka

1. This Act may be  
Civil and Commercial

2. The object of this  
of, and the obtaining  
commercial matters

(a) the service

(b) the examination  
evidence

(c) the provisions

3. The Secretary  
of the subject of Ju  
purposes of this Act  
Authority").

**Countries to  
which this Part of  
this Act applies.**

**4.  
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**Requests for  
service of process.**

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*Mutual Assistance  
Matter*

6. (1) Where the appropriate authority assistance in the service of any person residing in the subject to section 13, the District Court within which he is residing.

(2) Where the appropriate authority, of the District Court to which the document has been sent under subsection (1) or document to be served on the person with the mode specified in the document is inconsistent with the mode of service specified in the document, the Judge shall direct that the document be served in accordance with the mode specified in the document.

(3) Where such summons is served on a person to whom the request for assistance to the Central Authority is made, the date of service and the mode of service of the document was served on the person, and an acknowledgement of service of the document served.

(4) If such summons is served on the person to whom the request for assistance to the District Court to which the document has been sent under subsection (1) is made, such summons or document shall be accompanied by a statement giving such information as to the whereabouts of the person to the whereabouts of the person to whom the request for assistance to the Central Authority is satisfied, the Judge shall direct that the document be served under subsection (1). Where the Judge is satisfied that such person is not

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**Request by the  
Central Authority  
for service of  
summons in a  
specified country.**

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## *Mutual Assistance Matters*

(2) Where the appro-  
to whom a request has be  
the Central Authority th  
which the request relates  
in such specified countr  
report of such service, th  
report to be sent to the co  
notice or order and such r  
in the proceeding to v  
statements made therein  
the contrary is proved.

In this subsection, “  
relation to a report trans  
of a specified country me  
by such appropriate auth

8. Where the Cent  
section 7, a summons is  
commercial matter to the  
country for service on  
country, and the court o  
entered judgment agai  
appearance, such court o  
by such person, not later  
judgment, entertain an a  
satisfied that such perso

(a) had no know  
time to defend  
sufficient time

(b) has a *prima*  
merits,

notwithstanding the fact  
against such judgment h

In this section, “judg  
relating to the status or o

**Countries to which this Part of this Act applies.**

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**Request by a specified country for evidence to be taken in Sri Lanka.**

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*Mutual Assistance  
Matters*

(2) Every request for information shall be referred to the appropriate authority or authorities, and the response shall be given in the circumstances permit, so that the request is dealt with as quickly as possible.

- (a) the appropriate
- (b) the names and  
proceeding a
- (c) the nature of  
is required,  
regard theret
- (d) the evidence  
performed:

and where appropriate,

- (i) the names and addresses of the persons to be examined;
- (ii) the questions to be asked of the persons to be examined or the documents to be examined or the documents to which they are to be referred;
- (iii) the documents to be inspected;
- (iv) any requirements as to the taking of an oath or affirmation;
- (v) any special provisions which may be necessary unless such provisions are made by or under the law of Sri Lanka, or by reason of the emergency powers of Sri Lanka.

(3) Where the Cent  
evidence or the perform  
District Judge, the Dist  
perform such judicial  
Sri Lanka :



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***Mutual Assistance  
Matters***

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(7) The provisions of  
the compelling of attenda  
of documents by witness  
Court which is authori  
evidence or perform any

(8) A District Judge a  
take any evidence or to p  
take such evidence in v  
evidence was taken, or t  
by such District Judge, a  
and such certificate to be

(9) The Central Auth  
certificate of the District  
(8) to be transmitted to  
specified country making

**11. (1)** The Cent  
appropriate authority of a

(a) evidence to be

(b) any other jud  
specified coun

for the purposes of a p  
commercial matter arising

**Language of request.**

**Refusal of requests.**

*Mutual Assistance  
Matters*

(3) Where the Cent  
request made to him und  
the appropriate authority  
request, the reasons for

14. The provisions  
and not in derogation o  
enabling the service in S  
document issued by a co  
civil or commercial matt  
in Sri Lanka or the perfe  
Sri Lanka, for the purpo  
civil or commercial matt

15. In the event of an  
and Tamil texts of this A

16. In this Act, unle

“Country” shall be d  
Administrative re  
China;

“Judicial act” does not  
process for the en  
or judgment or an  
measures.



***Mutual Assistance  
Matter***

**Mutual Assistance in Civil and Commercial Matters**

The undersigned authority has received a request for assistance under article 6(3) of the above mentioned Act

the (date).....

at (place, street, number) .....

in one of the following modes

- (a) in accordance with .....
- (b) in accordance with .....
- (c) by delivery to the addressee .....

The summons/document referred to is

(identity and description of .....

relationship to the addressee .....

The summons/document has been served on the addressee. The facts\* :-

The applicant is requested to provide the necessary information in the attached statement\*

**Annexes**

Summons/documents returned .....

In appropriate cases, documents establishing the service.....

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**\*Delete if inapplicable**

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