



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

POWERS OF ATTORNEY (AMENDMENT)

A

BILL

to amend the Powers of Attorney Ordinance (Chapter 122)

*Presented by the Minister of Justice, Prison Affairs and
Constitutional Reforms on 29th of November, 2023*

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Ordered by Parliament to be printed

[Bill No.218]

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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 (Amendment) Act, No. of 2023. Short title

5 2. Section 2 of the Powers of Attorney Ordinance (Chapter 122) (hereinafter referred to as the “principal 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
10 and an Ambassador” of the words “executed before an Ambassador”.

Amendment
of section 2 of
Chapter 122

3. Section 3D of the principal enactment is hereby amended by the substitution for the words “shall not execute” of the words “shall not execute”.

Amendment of
section 3D of
the principal
enactment

15 4. Section 4 of the principal enactment is hereby amended by the repeal of paragraph (b) of subsection (1) thereof, and the substitution therefor of the following paragraph:-

Amendment
of section 4 of
the principal
enactment

“(b) execute a document –

- 20 (i) if it is executed in Sri Lanka before two witnesses and attested by a notary public;
or
- 25 (ii) if it is executed outside Sri Lanka before an Ambassador, or a High Commissioner, or a Diplomatic Officer or a Consular Officer within the meaning of the Consular Functions Act, No.4 of 1981

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Replacement
of the
Schedule II of
the principal
enactment

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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.

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

