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**PART I : SECTION (I) — GENERAL**

**Government Notifications**

**GUIDELINES RELATING TO THE APPOINTMENT OF PRESIDENT'S COUNSEL**

PS No: PS/CSA/00/2/48

THE following guidelines approved by HIS EXCELLENCY THE PRESIDENT in relation to the appointment of President's Counsel in the exercise of the powers vested in him under article 33(e) of the Constitution of Democratic Socialist Republic of Sri Lanka are hereby published.

By order of His Excellency,

**P.B. JAYASUNDERA,**  
Secretary to the President.

The Presidential Secretariat,  
Colombo 01,  
November 22, 2021.



### **Guidelines on the appointment of President's Counsel**

01. These Guidelines shall be called the Guidelines on the appointment of President's Counsel.
02. No person shall be appointed as a President's Counsel, unless he /she:
  - I. Is an Attorney-at-Law of the Supreme Court of Sri Lanka;
  - II. Has reached eminence in the legal profession and maintained high standard of conduct and professional rectitude;
  - III. Has :-
    - a) actively contributed by advocacy in any Courts of Sri Lanka; or
    - b) made an active contribution by way of advocacy to the development of the law; or
    - c) made a significant and an outstanding contribution as a subject specialist in law at senior level, either in the public sector or in an internationally recognized institution either in Sri Lanka or abroad and brought repute or honour to Sri Lanka.
  - IV. Has at all times been of good character and repute.
  - V. Has not acted in violation of the Constitution of the Democratic Socialist Republic of Sri Lanka;
  - VI. Has not been engaged in any act or deed that has undermined or compromised the Rule of Law or the Independence of the Judiciary;
  - VII. Has not at any time been subject to any disciplinary order made against him/her by the Supreme Court or the Bar Association of Sri Lanka and/or has not been found to be liable for professional misconduct or misdeed by a Court of competent jurisdiction, is not bankrupt, has not been convicted of the offence of Contempt of Court or has not been found guilty by a competent Court either in or outside Sri Lanka, save and except any minor offence such as an offence under the Motor Traffic Act;
  - VIII. Has been registered with the Department of Inland Revenue as a tax payer for a minimum period of five years, prior to the submission by him/her of the application seeking appointment as a President's Counsel.
03. Have authored books or publications on law and/or the legal system, having presented papers at international or national legal forums, having done further studies in law in national or international institutions of repute, having achieved academic qualifications, having lectured on law in recognized higher education institutions of repute, having up-to-date legal knowledge on new areas of law, and /or having trained several juniors who are contributing to the profession in a meaningful manner, will be considered as added merits in the process of consideration to be appointed as President's Counsel, while continuous engagement as a Notary Public shall be considered a disqualification.
04. No Attorney-at-Law shall be appointed as a President's Counsel, unless he/she counts a minimum period of twenty (20) years since being enrolled as an Attorney-at-Law of the Supreme Court of Sri Lanka. However, in exceptional circumstances, any person who has completed fifteen (15) years since enrolling as an Attorney-at-Law of the Supreme Court of Sri Lanka, may also be considered eligible to apply for the appointment as a President's Counsel, provided all other requirements set out herein, are duly satisfied.
05. The Appointment of President's Counsel shall be limited to a maximum of one batch per year.
06. The number of President's Counsel appointed per year shall not exceed ten (10).
07. No Attorney-at-Law has a right to be appointed as a President's Counsel.

08. These Guidelines shall not be applicable when appointing State Law Officers as President's Counsel, in an ex-officio capacity.
09. The President may after a verification process, seek views of the Honourable Chief Justice and the Honourable Attorney-General, with regard to those who are proposed to be appointed as President's Counsel.
10. Canvassing by an applicant, either directly or indirectly, in person or through a third party, will be considered a disqualification.
11. If any applicant by his application has furnished false information or submitted forged documents or suppressed information, the said application will *if so facto* be rejected.
12. The names of all President's Counsel appointed by the President, will be published in the *Government Gazette* and will also be posted on the website of the Presidential Secretariat.
13. Applications for the appointment of President's Counsel, is invited by Notification published in the *Government Gazette*, while giving a deadline before which such applications shall be submitted. Late applications shall not be entertained.
14. The "Guidelines on the appointment of President's Counsel", as set out in *Gazette* No. 2147/37 dated 29<sup>th</sup> October 2019, are hereby rescinded.