



**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*

(Published in the Gazette on November 15, 2023)

Ordered by Parliament to be printed

[Bill No.218]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 9.00

Postage : Rs. 50.00

This Bill can be downloaded from www.documents.gov.lk



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

2 *Powers of Attorney (Amendment)*

5 or a person who is authorized to attest a power of attorney according to the law of that country, declaring his intention of revoking or cancelling the power of attorney or expressing his intention not to act under that power of attorney, as the case may be; and”;

5. The Schedule II of the principal enactment is hereby repealed and following Schedule is substituted therefor:-

Replacement of the Schedule II of the principal enactment

10 (sections 3(3) and 5)

SCHEDULE II

1.	Serial No.	
2.	Date of Registration	
3.	Description of the power of attorney	
15 4.	Name and address of the grantor	
5.	Name and address of the attorney	
6.	Date of power of attorney	
7.	By whom the power of attorney is produced for the registration	
20 8.	Volume and Folio where the true copy of the power of attorney is filed	
9.	Date and number of the document of revocation or cancellation	
25 10.	By whom the document of revocation or cancellation given	
11.	Date of registration of the document of revocation or cancellation	
30 12.	Volume and Folio where the document of revocation or cancellation is registered	

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 Sinhala text
and Tamil texts of this Act, the Sinhala text shall prevail. to prevail in
the case of
inconsistency

