



PARLIAMENT OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA

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CIVIL PROCEDURE CODE  
(AMENDMENT)  
ACT, No. 79 OF 1988 (AMENDMENT)  
ACT, No. 9 OF 1991

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[Certified on 8th March, 1991]

*Printed on the Orders of Government*

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Civil Procedure Code (Amendment) Act, No. 79 of 1988  
(Amendment) Act, No. 9 of 1991

[Certified on 8th March, 1991]

L. D.—O 61/89

AN ACT TO AMEND THE CIVIL PROCEDURE CODE (AMENDMENT)  
ACT, NO. 79 OF 1988

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. 79 of 1988 (Amendment) Act,  
No. 9 of 1991.

Short title.

2. Section 1 of the Civil Procedure Code (Amendment)  
Act, No. 79 of 1988 (hereinafter referred to as the  
“principal enactment”), is hereby amended by the  
substitution for the words ‘(hereinafter referred to as the  
“appointed date”)’, of the following words:—

Amendment  
of section 1  
of Act No.  
79 of 1988.

‘(hereinafter referred to as the “appointed date”).  
Different dates may be appointed in respect of  
different provisions of this Act.’

3. Section 9 of the principal enactment is hereby  
repealed and the following section substituted therefor:—

Replacement  
of section  
9 of the  
principal  
enactment.

‘9. Section 93 of the principal enactment is hereby  
repealed and the following section substituted  
therefor:—

“Amendment  
of  
pleadings.

93. (1) Upon application made to it  
before the day first fixed for trial of the  
action, in the presence of, or after reasona-  
ble notice to all the parties to the action,  
the Court shall have full power of amend-  
ing in its discretion, all pleadings in the  
action, by way of addition, or alteration, or  
of omission.

(2) On or after the day first fixed for the  
trial of the action and before final judge-  
ment, no application for the amendment  
of any pleadings shall be allowed unless  
the Court is satisfied, for reasons to be  
recorded by the Court, that grave and  
irremediable injustice will be caused if  
such amendment is not permitted, and on no  
other ground, and that the party so apply-  
ing has not been guilty of laches.

2 Civil Procedure Code (Amendment) Act, No. 79 of 1988  
(Amendment) Act, No. 9 of 1991

(3) Any application for amendment of pleadings which may be allowed by the Court under subsection (1) or (2) shall be upon such terms as to costs and postponement or otherwise as the Court may think fit.

(4) The additions or alterations or omissions shall be clearly made on the face of the pleading affected by the Order; or if this cannot conveniently be done, a fair copy of the pleading as altered shall be appended in the record of the action to the pleading amended. Every such addition or alteration or omission shall be signed by the Judge.”.

Sinhala  
text to  
prevail  
in case of  
inconsis-  
tency.

4. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.