



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

**PREVENTION OF FRAUDS (AMENDMENT)
ACT, No. 30 OF 2022**

[Certified on 25th of October, 2022]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of October 28, 2022

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

Price : Rs. 15.00

Postage : Rs. 15.00

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*Prevention of Frauds (Amendment)
Act, No. 30 of 2022*

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L.D.—O. 71/2021

AN ACT TO AMEND THE PREVENTION OF FRAUDS ORDINANCE
(CHAPTER 70)

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows:-

1. This Act may be cited as the Prevention of Frauds (Amendment) Act, No. 30 of 2022. Short title

2. Section 2 of the Prevention of Frauds Ordinance (Chapter 70) (hereinafter referred to as the “principal enactment”) is hereby amended by the repeal of all the words from “shall be of force” to the end of that section and the substitution therefore of the following:- Amendment of
section 2 of
Chapter 70

“shall be in force or avail in law unless –

- (a) the relevant deed or instrument shall be in writing, signed by every executant and attested by a notary public before two witnesses present at the same time; and
- (b) the left or right thumb impression of every such executant or where both thumbs of such executant are missing, the impression of any other finger or the toe impression as the case may be, is affixed above or besides the signature to the original, duplicate and the protocol of the relevant deed or instrument:

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Provided however, in the event the signature or the thumb impression of any such executant cannot be obtained due to any reason, the notary public shall state such reason in the attestation, and such executant shall affix any other finger impression or toe impression, as the case may be.”;

Amendment of
section 4 of the
principal
enactment

3. Section 4 of the principal enactment is hereby amended as follows:-

- (1) by the renumbering of that section as subsection (1);
- (2) by the repeal of all the words from “in the manner hereinafter mentioned;” to the end of renumbered subsection (1) of that section and the substitution therefor of the words “subject to the provisions specified in subsection (2);
- (3) by the addition immediately after subsection (1) of that section, the following new subsection: -

“(2) The testator shall –

(a) sign; and

(b) affix his left or right thumb impression,

at the foot or end of the will, testament or codicil referred to in subsection (1), before a notary public and two witnesses who shall be present at the same time:

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Provided however, in the event the thumb impression of the testator cannot be obtained due to any reason, he shall affix any other finger impression or the toe impression, as the case may be.

4. Section 7 of the principal enactment is hereby amended as follows: –

Amendment to section 7 of the principal enactment

- (1) by the substitution for the words “signature of the testator or testatrix”, of the words “signature and the left or right thumb impression or any other finger impression or the toe impression as the case may be, of the testator ”;
- (2) by the insertion immediately after that section of the following proviso:-

“Provided however that, in the event the signature or left or right thumb impression or any other finger impression as the case may be, of the testator cannot be obtained due to any reason, the testator shall affix his toe impression and the notary public shall state such reason in his attestation.”.

5. Section 16 of the principal enactment is hereby amended as follows:-

Amendment to section 16 of the principal enactment

- (1) by the substitution for the word “duplicate.” of the word “triplicate.”; and
- (2) by the repeal of the marginal note thereof and the substitution therefore of the following: -

“Deeds to be executed in Triplicate”

6. 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

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