



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

**PRESCRIPTION (SPECIAL PROVISIONS)
ACT, No. 5 OF 2016**

[Certified on 26th April, 2016]

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Illustration

'A' is a disadvantaged person at the time 'B' commences to possess 'A's land – Prescription will not begin to run against 'A' as long as 'A' continued to be a disadvantaged person.

(2) Notwithstanding anything to the contrary in section 13 of the Prescription Ordinance (Chapter 68), the adverse and undisturbed possession for thirty years of any immovable property including land by any person claiming the same, or by those under whom he claims, shall not be taken as conclusive proof of title in the manner provided for by section 3 of the Prescription Ordinance (Chapter 68), where the person against whom the adverse and undisturbed possession is being claimed was a disadvantaged person.

Avoidance of doubt.

3. For the avoidance of doubt, it is hereby declared that if a disadvantaged person dies, the period during which he was so disadvantaged shall inure to the benefit of his heir or heirs and accordingly such heir or heirs shall be entitled to the benefit granted to a disadvantaged person under section 2 of this Act.

A disadvantaged person to be entitled to benefit from this Act within two years after the date of operation of this Act.

4. A disadvantaged person who was unable to pursue his rights for the recovery of any immovable property including land, shall be entitled to institute an action to avail himself of the benefits conferred by this Act within two years after the coming into operation of this Act.

Provisions of the Act not to apply to State land.

5. The provisions of this Act shall not apply to or in respect of any land which has been granted under the provisions of the Land Development Ordinance (Chapter 464), the Land Grants (Special Provisions) Act, No. 43 of 1979, or the State Lands Ordinance (Chapter 454).

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