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PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

LOCAL AUTHORITIES
(SPECIAL PROVISIONS)
ACT, No. 24 OF 1990

[Certified on 29th June, 1990]

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Local Authorities (Special Provisions)
Act, No. 24 of 1990

[Certified on 29th June, 1990]

L. D.—O. 15/89

AN ACT TO PROVIDE FOR CALLING OF FRESH NOMINATIONS AND THE HOLDING OF ELECTIONS FOR CERTAIN MUNICIPAL COUNCILS, URBAN COUNCILS AND PRADESHIYA SABHAS; WHERE ELECTIONS TO SUCH HAVE BEEN POSTPONED DUE TO REASONS OF PUBLIC ORDER; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Preamble.

WHEREAS notices were published under section 26 of the Local Authorities Elections Ordinance that nominations will be received in respect of elections to all Municipal Councils, Urban Councils and Pradeshiya Sabhas in the Island :

AND WHEREAS no nominations were received in respect of two Municipal Councils, four Urban Councils and thirty six Pradeshiya Sabhas :

AND WHEREAS elections were contested in the case of eight Municipal Councils, thirty Urban Councils and one hundred and fifty-three Pradeshiya Sabhas and the date of poll for election to these Municipal Councils, Urban Councils and Pradeshiya Sabhas was fixed for August 15, 1987, by notices made under section 38 of the Local Authorities Elections Ordinance :

AND WHEREAS the date of poll fixed for elections of the aforesaid eight Municipal Councils, thirty Urban Councils and one hundred and fifty-three Pradeshiya Sabhas was postponed, due to reasons of public order, by regulations made under the Public Security Ordinance :

AND WHEREAS due to the period of time that has elapsed since the submission of nominations in respect of the aforesaid eight Municipal Councils, thirty Urban Councils and one thousand and fifty-three Pradeshiya Sabhas, it has become necessary to make provision calling for fresh nominations in respect of such Municipal Councils, Urban Councils and Pradeshiya Sabhas, and to provide for the holding of fresh elections in respect of the aforesaid eight Municipal Councils, thirty Urban Councils and one hundred and fifty-three Pradeshiya Sabhas and in respect of those Municipal Councils, Urban Councils and Pradeshiya Sabhas (referred to in paragraph 2 of this Preamble) in respect of which no nominations were received :

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Now therefore, be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

Short
title.

1. This Act may be cited as the Local Authorities (Special Provisions) Act, No. 24 of 1990.

Provisions
regarding
nominations
submitted
and
deposits
made in
respect of
certain
Municipal
Councils,
Urban
Councils
and
Pradeshiya
Sabhas.

2. (1) Nomination papers submitted, under section 28 of the Ordinance in respect of elections to the Municipal Councils, Urban Councils and Pradeshiya Sabhas specified in Schedules II, III and IV of the Local Authorities (Special Provisions) Act, No. 38 of 1988, in response to the Notices published under section 26 of the Ordinance are hereby deemed to be of no force and effect, and as if such nomination papers had never been submitted.

(2) The notices published under section 38 of the Ordinance, in respect of elections to the Municipal Councils, Urban Councils and Pradeshiya Sabhas specified in Schedules II, III and IV of the Local Authorities (Special Provisions) Act, No. 38 of 1988, are hereby revoked.

(3) Deposits made under section 29 of the Ordinance in respect of candidates nominated by an independent group for election to any of the Municipal Councils, Urban Councils or Pradeshiya Sabhas specified in Schedules II, III and IV of the Local Authorities (Special Provisions) Act, No. 38 of 1988, shall, notwithstanding anything to the contrary in section 30 of the Ordinance, be refunded to the person by whom the deposit was made, on the production by such person, of the receipt issued to him under subsection (3) of section 30 of the Ordinance, together with interest on such deposit at the rate of twelve *per centum* per annum, from the date of deposit to the date of refund.

Steps
to be
taken for
holding of
elections to
certain
Municipal
Councils,
Urban
Councils,
and
Pradeshiya
Sabhas.

3. Steps shall be commenced—

(a) under the Ordinance, for the holding of elections to the Municipal Councils and the Urban Councils specified in Schedules II and III of the Local Authorities (Special Provisions) Act, No. 38 of 1988, the term of office of whose members is due to expire on January 1, 1991 or on such earlier date as may be appointed under written law,

(b) under the Ordinance, for the holding of elections to the Pradeshiya Sabhas specified in Schedule IV to the Local Authorities (Special Provisions) Act, No. 38 of 1988, the term of office of whose members is due to commence on January 1, 1991 or on such earlier date as may be appointed under written law ;

- (c) under the Local Authorities (Special Provisions) Act, No. 38 of 1988 and the Ordinance, for the holding of elections to the Municipal Councils, Urban Councils and Pradeshiya Sabhas specified in Schedule V to that Act.

4. In sections 2 and 3 of this Act, "Ordinance" means the Local Authorities Elections Ordinance (Chapter 262).

Interpretation.

5. (1) Every election to a Municipal Council, Urban Council or Pradeshiya Sabha held, or declaration made, or act done—

Validation of acts taken under Act No. 20 of 1987.

(a) in pursuance of, or in supposed pursuance of, the Local Authorities Elections Ordinance as amended by the Local Authorities Elections (Amendment) Act, No. 20 of 1987; and

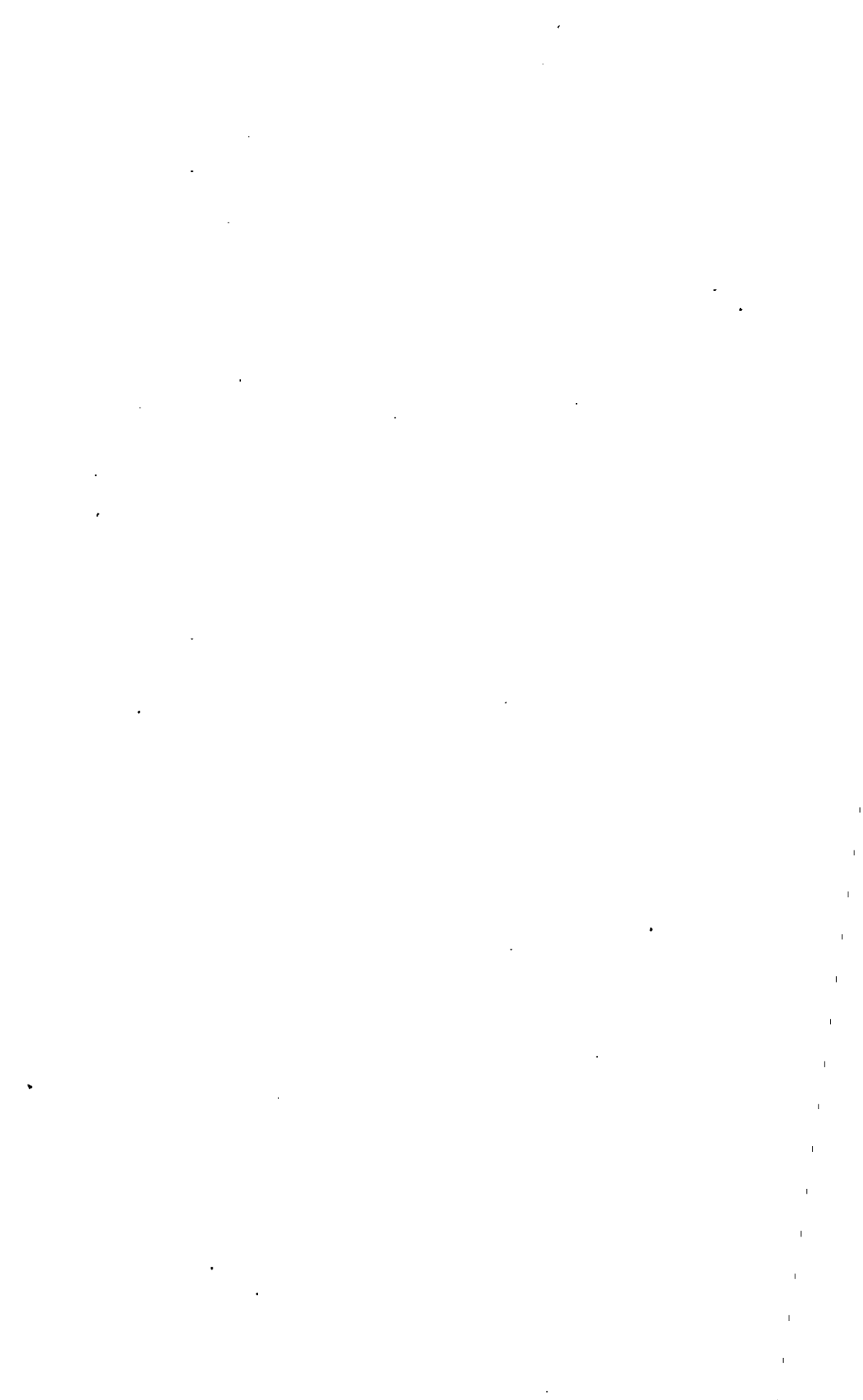
(b) after April 16th 1987 and before the date appointed by the Order made under section 1 of the Local Authorities Elections (Amendment) Act, No. 20 of 1987 (hereinafter referred to as "the relevant period"),

shall be deemed, for all purposes, to have been and to be, valid and effectual, as if the Local Authorities Elections (Amendment) Act, No. 20 of 1987, had been in operation on the date on which such election was held, such declaration was made or such act was done.

(2) No criminal or civil proceedings shall be instituted, or maintained against any public officer for any *bona fide* act done, or omitted to be done by him, during the relevant period, in pursuance, or supposed pursuance, of the provisions of the Local Authorities Elections Ordinance, as amended by the Local Authorities Elections (Amendment) Act, No. 20 of 1987.

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 case of inconsistency.



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