

PARLIAMENT OF CEYLON

2nd Session 1953



Local Authorities (Term of Office) Act, No. 38 of 1953

Date of Assent : October 7, 1953

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AN ACT TO AMEND THE LAW RELATING TO LOCAL AUTHORITIES FOR THE PURPOSE OF ENABLING THE EXTENSION OF THEIR TERM OF OFFICE FROM TIME TO TIME.

[Date of Assent: October 7, 1953]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Local Authorities (Term of Office) Act, No. 38 of 1953. Short title.

2. The Municipal Councils Ordinance, No. 29 of 1947, the Urban Councils Ordinance, No. 61 of 1939, the Town Councils Ordinance, No. 3 of 1946, and the Local Authorities Elections Ordinance, No. 53 of 1946, are hereby amended in the manner specified in the Schedule to this Act. Amendment of Ordinances relating to local authorities.

SCHEDULE

<i>I</i> <i>Ordinance.</i>	<i>II</i> <i>Section or</i> <i>Schedule.</i>	<i>III</i> <i>Amendments.</i>
Municipal Councils Ordinance, No. 29 of 1947	10 ..	<p>(1) Section 10 is hereby renumbered as sub-section (1) of section 10.</p> <p>(2) In sub-section (1), for all the words from "third year thereafter" to the end of that sub-section, the following words are hereby substituted:— "third year thereafter or on such other date as may be appointed by the Minister under sub-section (2)."</p> <p>(3) The following new sub-section is hereby added immediately after sub-section (1):— "(2) The Minister may by Order published in the <i>Gazette</i>— (a) curtail the term of office referred to in sub-section (1) by appointing, in substitution for the thirty-first day of December of the year specified in that sub-section, the last day of any month in that year or in the year immediately preceding that year; and</p>

I

Ordinance.

II

Section or
Schedule.

III

Amendments.

- (b) extend such term by appointing, in substitution for the thirty-first day of December of the year specified in sub-section (1) or the day appointed under paragraph (a) of this sub-section, the last day of any month in any year subsequent to the year so specified or appointed, and thereafter from time to time extend such term by appointing in substitution for the date of expiry of such term specified in the last Order, the last day of any month in any year subsequent to the year specified in that Order :

Provided, however, that the period by which such term is extended or the aggregate of the periods by which such term is from time to time extended shall not exceed twenty-four months. "

Urban Councils Ordinance, No. 61 of 1939, (as amended by the Local Authorities Elections Ordinance, No. 53 of 1946).

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- (1) Section 16 is hereby re-numbered as sub-section (1) of section 16.
- (2) In sub-section (1), for all the words from "third year thereafter" to the end of that sub-section, the following words are hereby substituted :—
- "third year thereafter or on such other date as may be appointed by the Minister under sub-section (2). "
- (3) The following new sub-section is hereby added immediately after sub-section (1) :—

"(2) The Minister may by Order published in the *Gazette*—

- (a) curtail the term of office referred to in sub-section (1) by appointing, in substitution for the thirty-first day of December of the year specified in that sub-section, the last day of any month in that year or in the year immediately preceding that year ; and

I Ordinance.	II Section or Schedule.	III Amendments.
		(b) extend such term by appointing, in substitution for the thirty-first day of December of the year specified in sub-section (1) or the day appointed under paragraph (a) of this sub-section, the last day of any month in any year subsequent to the year so specified or appointed, and thereafter from time to time extend such term by appointing, in substitution for the date of expiry of such term specified in the last Order, the last day of any month in any year subsequent to the year specified in that Order :
		Provided, however, that the period by which such term is extended or the aggregate of the periods by which such term is from time to time extended shall not exceed twenty-four months."
Town Councils Ordinance, No. 3 of 1946, (as amended by the Local Authorities Elections Ordinance, No. 53 of 1946).	16 ..	<p>(1) Section 16 is hereby re-numbered as sub-section (1) of section 16.</p> <p>(2) In sub-section (1), for all the words from "third year thereafter" to the end of that sub-section, the following words are hereby substituted :—</p> <p>"third year thereafter or on such other date as may be appointed by the Minister under sub-section (2)."</p> <p>(3) The following new sub-section is hereby added immediately after sub-section (1) :—</p> <p>"(2) The Minister may by Order published in the <i>Gazette</i>—</p> <p>(a) curtail the term of office referred to in sub-section (1) by appointing, in substitution for the thirty-first day of December of the year specified in that sub-section, the last day of any month in that year or in the year immediately preceding that year ; and</p>

I Ordinance.	II Section or Schedule.	III Amendments.
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- (b) extend such term by appointing in substitution for the thirty-first day of December of the year specified in sub-section (1) or the day appointed under paragraph (a) of this sub-section, the last day of any month in any year subsequent to the year so specified or appointed, and thereafter from time to time extend such term by appointing, in substitution for the date of expiry of such term specified in the last Order, the last day of any month in any year subsequent to the year specified in that Order :

Provided, however, that the period by which such term is extended or the aggregate of the periods by which such term is from time to time extended shall not exceed twenty-four months."

Local Authorities Elections Ordinance, No. 53 of 1946, (as amended by Act No. 5 of 1949).	<i>Seventh Schedule</i>	In section 17 set out in column III of the SEVENTH SCHEDULE and relating to the term of office of members of Village Committees—
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(a) sub-section (2) of that section is hereby repealed and the following sub-section substituted therefor :—

" (2) The term of office of each member of a Village Committee elected at the first or any subsequent general election shall expire on the last day of June of the third year after such election or on such other date as may be appointed by the Minister under sub-section (3). " ; and

(b) the following sub-section is hereby added immediately after sub-section (2) :—

" (3) The Minister may by Order published in the *Gazette*—

(a) curtail the term of office referred to in sub-section (2) by appointing, in substitution for the last day of June of the

<i>I</i> <i>Ordinance.</i>	<i>II</i> <i>Section or</i> <i>Schedule.</i>	<i>III</i> <i>Amendments.</i>
		<p>year specified in that sub-section, the last day of any month in that year or in the year immediately preceding that year ; and</p> <p>(b) extend such term by appointing, in substitution for the last day of June of the year specified in sub-section (2) or the day appointed under paragraph (a) of this sub-section, the last day of any month in any year subsequent to the year so specified or appointed, and thereafter from time to time extend such term by appointing, in substitution for the date of expiry of such term specified in the last Order, the last day of any month in any year subsequent to the year specified in that Order :</p> <p>Provided, however, that the period by which such term is extended or the aggregate of the periods by which such term is from time to time extended shall not exceed twenty-four months."</p>