



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

LOCAL AUTHORITIES
(SPECIAL PROVISIONS) ACT,
No. 3 OF 1979

[Certified on 9th January, 1979]

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*Local Authorities (Special Provisions)
Act, No. 3 of 1979*

[Certified on 9th January, 1979]

L.D.—O. 82/78.

AN ACT TO PROVIDE FOR THE DISCIPLINARY CONTROL AND
DISMISSAL OF OFFICERS AND SERVANTS OF LOCAL AUTHORITIES
WHO ARE NOT MEMBERS OF THE LOCAL GOVERNMENT SERVICE.

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

1. This Act may be cited as the Local Authorities
(Special Provisions) Act, No. 3 of 1979. Short title.

2. This Act shall apply to every officer or servant of any
local authority, other than a member of the Local Govern-
ment Service constituted under the Local Government Ser-
vice Law, No. 16 of 1974, hereinafter referred to as an
“employee to whom this Act applies”. Applica-
tion of
this Act.

3. (1) Where an employee to whom this Act applies is
dealt with disciplinarily, or his services are terminated, by
the local authority in question, he may, if he is aggrieved
by any such disciplinary order or order of termination of
service, make a single appeal to the Minister against such
order. Procedure
regarding
discipli-
nary
action
and termi-
nation of
service of
employees
to whom
this Act
applies.

(2) Where the Minister receives an appeal under sub-
section (1) he shall, after receiving the recommendations of
the Local Government Service Disciplinary Board esta-
blished under the Local Government Service Law, No. 16
of 1974, confirm, vary or set aside the order made by the
local authority.

(3) A confirmation, variation or the setting aside of an
order of a local authority made by the Minister under sub-
section (2) shall be binding on the local authority and the
employee in question, and shall be final and conclusive and
not called in question in any court of law or tribunal.

4. (1) Where an employee to whom this Act applies
retires from the service of any local authority and he is
aggrieved by the non-payment of any pension, gratuity or
retiring allowance due to him or by the inadequacy of any
such pension, gratuity or retiring allowance, he may make
a single appeal to the Minister against such non-payment
or such inadequate payment, as the case may be. Procedure
regarding
non-pay-
ment or
inadequate
payment
of pension,
gratuity
and
retiring
allowances.

(2) Where the Minister receives an appeal under subsection (1), he shall give directions to the local authority in question with regard to such non-payment or inadequate payment.

(3) Every direction given by the Minister under subsection (2) shall be binding on the local authority and the employee in question, and shall be final and conclusive and not called in question in any court of law or tribunal.

Power of
Minister
to delegate
power to a
public
officer.

5. (1) The Minister may delegate to any public officer his power to hear an appeal—

(a) made under section 3 (1), other than an appeal on an order of termination of service ;

(b) made under section 4 (1),

and the person so delegated shall in respect of an appeal under section 3 (1) exercise such power after receiving the recommendations of the Local Government Service Disciplinary Board :

Provided, however, that notwithstanding such delegation of authority to a public officer, the Minister may in any case exercise the power of hearing an appeal against an order of any local authority and the public officer to whom such power was delegated, shall not exercise such power in such case.

(2) A confirmation, variation or setting aside of an order of a local authority made or a direction given by a public officer under subsection (1) shall be binding on the local authority and the employee in question, and shall be final and conclusive and not called in question in any court of law or tribunal.

Industrial
Disputes
Act not
to apply
to employ-
ees
to whom
this Act
applies.

6. (1) Notwithstanding anything in the Industrial Disputes Act, that Act shall not apply to or in relation to any employee to whom this Act applies.

(2) Every application made under the Industrial Disputes Act to a labour tribunal, to which an employee to whom this Act applies is a party, and which is pending on the date of commencement of this Act, shall stand dismissed.

(3) Where an application stands dismissed under subsection (2) any employee to whom this Act applies who was a party to such application, may appeal to the Minister under section 3 or 4 of this Act, as may be appropriate.

7. The provisions of this Act shall have effect notwithstanding anything to the contrary in the Municipal Councils Ordinance, the Urban Councils Ordinance, the Town Councils Ordinance and the Village Councils Ordinance.

This Act
to prevail
over laws
relating
to local
authori-
ties.

8. (1) The Minister may make rules in respect of all or any of the following matters :—

Rules.

(a) the time limit within which and the manner in which appeals have to be made ; and

(b) the time limit within which the Local Government Service Disciplinary Board shall submit its recommendations.

(2) Every rule made by the Minister shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified therein.

9. In this Act unless the context otherwise requires—

Interpre-
tation.

“local authority” means any Municipal Council, Urban Council, Town Council or Village Council and includes any Authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council ;

“public officer” shall have the same meaning as in the Constitution of the Democratic Socialist Republic of Sri Lanka.