



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

**DEVELOPMENT COUNCILS (REPEAL)
ACT, No. 14 OF 1989**

[Certified on 3rd November, 1989]

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Development Councils (Repeal)
Act, No. 14 of 1989

[Certified on 3rd November, 1989]

L.D.O.—69/88.

AN ACT TO REPEAL THE DEVELOPMENT COUNCILS ACT, No. 35
OF 1980 ; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH
OF INCIDENTAL THERETO

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

1. This Act may be cited as the Development Councils Short title.
(Repeal) Act, No. 14 of 1989.

2. (1) The Development Councils Act, No. 35 of 1980, is Repeal of
hereby repealed. Act No. 35
of 1980.

(2) Notwithstanding the preceding provisions of this
section—

(a) section 17A of the Development Councils Act, No. 35
of 1980 (in this section referred to as “the repealed
Act”) shall continue in force, and accordingly,
every Gramodaya Mandalaya, established under
that section shall continue to exercise and dis-
charge the powers and functions conferred on, and
assigned to, such Mandalayas by that section or
by other written law (other than such of those
powers and functions as relate to Development
Councils) ;

(b) all regulations made under section 71 of the repealed
Act, and in force on the day preceding the date
of commencement of this Act, relating to the con-
duct of business, and the procedure for the dis-
charge of functions, by a Gramodaya Mandalaya
shall continue in force so far as their continuance
is necessary for the proper functioning of Gramo-
daya Mandalayas ;

(c) every District Secretary appointed under the
repealed Act and holding office on the day pre-
ceding the date of commencement of this Act shall
continue to hold such office for a period of six
months or such longer period as may be determi-
ned by the Minister, to assist the Commissioner in
the performance of his functions under this Act
and the transfer of the rights and obligations of
Development Councils to local authorities.

Transitional
provisions.

3. (1) (a) Every officer or servant of a Development Council constituted under the repealed Act holding office on the day preceding the date of commencement of this Act, who is a member of the Local Government Service established by the Local Government Service Law, No. 16 of 1974, shall if he consents to continuing to be a member of such service, continue to be a member of such service.

(b) Every officer or servant of a Development Council constituted under the repealed Act, not being an officer or servant referred to in paragraph (a), notwithstanding anything in the Local Government Service Law, No. 16 of 1974, shall, if he consents in writing to becoming a member of the Local Government Service, be deemed, with effect from the date of such consent, to be a member of such service.

(c) An officer or servant of a Development Council constituted under the repealed Act and referred to in paragraph (b) who does not consent to becoming a member of the Local Government Service shall be entitled to the payment of such compensation and gratuity as may be determined by the Minister in consultation with the Minister in charge of the subject of Finance.

(2) All moneys lying, on the date of commencement of this Act, to the credit of a Development Fund established by a Development Council under section 19 of the repealed Act shall stand transferred, with effect from that date, to the fund of such local authority as the Commissioner may appoint by Notice published in the Gazette.

(3) Subject to the provisions of section 16 of the Pradeshiya Sabhas Act, No. 15 of 1987, all—

(a) property, movable and immovable (other than the property referred to in subsection (2)) ; and

(b) assets and liabilities,
of a Development Council constituted under the repealed Act shall stand transferred, with effect from the date of commencement of this Act, to such local authority as the Commissioner may appoint by Notice published in the Gazette.

(4) Subject to the provisions of section 16 of the Pradeshiya Sabhas Act, No. 15 of 1987, all debts owing, on the day preceding the date of commencement of this Act, to a Development Council constituted under the repealed Act, shall be deemed, with effect from the date of commencement of this Act, to be debts owing to such local authority as the Commissioner may appoint by Notice published in the *Gazette* and may be recovered by such local authority accordingly.

(5) Subject to the provisions of section 16 of the Pradeshiya Sabhas Act, No. 15 of 1987, all contracts entered into by a Development Council constituted under the repealed Act and subsisting on the day preceding the date of commencement of this Act, shall be deemed, with effect from the date of commencement of this Act, to be contracts entered into by such local authority as the Commissioner may appoint by Notice published in the *Gazette*, and may be enforced accordingly.

(6) (a) All proceedings instituted in any court or tribunal by or against a Development Council constituted under the repealed Act and pending on the day preceding the date of commencement of this Act, shall be deemed, with effect from the date of commencement of this Act, to be proceedings instituted by or against such local authority as the Commissioner may appoint by Notice published in the *Gazette*, and may be continued accordingly.

(b) All decrees or orders entered by any court or tribunal, in favour of, or against, a Development Council constituted under the repealed Act shall be deemed, with effect from the date of commencement of this Act, to be decrees or orders entered in favour of, or against, such local authority as the Commissioner may appoint by Notice published in the *Gazette*, and may be enforced accordingly.

(7) In exercising his powers under this section the Commissioner shall act in accordance with such general or special directions as may be issued by the Minister in consultation with the local authorities concerned and having regard to the promotion of Local Government services.

(8) In this section—

“Commissioner” means the Commissioner of Local Government; and

“local authority” means a Municipal Council, an Urban Council or a Pradeshiya Sabha.