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EXTRAORDINARY

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PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

NORTH WESTERN PROVINCE PROVINCIAL COUNCIL

The Code of Regulations on Co-operative Elections (Amendment) formulated on procedures in electing Committee Members of Regions at Multipurpose Co-operative Societies in North-Western Province and matters connected or consequential thereto where authority has been vested in the Commissioner of Co-operative Development and the Registrar of Co-operative Societies to formulate regulations for the purpose of electing Regional Committees in terms of Registered By-laws.

BY virtue of powers vested in me through the by-law 23 of the registered by-laws of the Multipurpose Co-operative Societies in North-Western Province or any other specific by-law or/and the by-law No. 24 of the by-law of the Udubaddawa Multipurpose Co-operative Society Ltd and by section 50.2 of the Code of Regulations for electing Committee Members of Regions at Multipurpose Co-operative Societies in North-Western Province enacted by the *Extraordinary Gazette Notification* No.1981/2 and dated 2016.08.22 of the Democratic Socialist Republic of Sri Lanka I, Dissanayake Mudiyanseelage Kulamina Chandana Dissanayake, the Commissioner of Co-operative Development and Registrar of North-Western Province, do hereby amend and stipulate the following regulations of the Code of Regulations enacted by me under mentioned for the purpose of electing Regional Committee Members of the Multipurpose Co-operative Societies in North-Western Province.

D.M.K.C. DISSANAYAKE,
Commissioner of Co-operative Development &
Registrar Co-operative Societies (North-Western)

Kurunegala,
On 11th July, 2019.



Short title and effective date of regulations	1	These regulations may be cited as the Code of Co-operative Electoral (Amendment) Regulations for electing Regional Committee Members of Multipurpose Co-operative Societies in North-Western Province and shall come into force for North-Western Province from the date of its publication in the <i>Gazette</i> .
Amendment of sections 5.1 (c) and 5.2(c) of the Code of Regulations	2.1	section 5.1 (c) of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph. (c) Provision of Electoral Registers to the Commissioner of Co-operative Development and Registrar of Co-operative Societies, North-Western Province by a Compact Disc (CD) or a Digital Video Disk (DVD) or a Flash (Pen) Drive or E-mail with a hard copy of the same in the instance where the Society does not have its own web site or any other web site belonging to the Society for the purpose of uploading to the website of the Department of Co-operative Development, North-Western, subject to the Electoral Regulation 55.4.
	2.2	section 5.2 (c) of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph. (c) Publishing advertisement in a Sinhala National Daily Newspaper and a Tamil National Daily Newspaper in Sinhala and Tamil medium respectively.
Amendment of section 14.2 of the Code of Regulations	3.1	section 14.2 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph. It is the persons who are specified as unable to be elected to a Regional Committee of a Co-operative Society registered in the Code of Co-operative Regulations currently in force, subject to Co-operative laws currently in force and those not satisfied the qualifications specified by a specific by law of by law registered in the Co-operative Society who should be included as persons having no right to submit nominations in the notice appearing in election regulation 11.1.
Amendment of sections 15.1, 15.2 and 15.4 of the Code of Regulations	4.1	section 15.1 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph. The name of a candidate to be elected for a Regional Committee should have been proposed by a member of the Society of the respective Region and seconded by another member of the same Region and the nomination paper should be submitted in a form which conforms in every respect to the form appearing in the electoral regulation 15.4.
	4.2	section 15.2 of the Code of Electoral Regulations is hereby amended as follows. The Candidate, Proposer as well as the Secunder should be persons whose names appear in the electoral register of the relevant Region referred to at the electoral regulation 8.2

- 4.3 section 15.4 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

The nomination paper should be prepared in 02 copies. Such nomination paper should conform to the form “a” of the Schedule four of this Code of Electoral Regulations and should have been duly completed and placed signature.

- 5.1 section 16.1 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

Amendment of sections 16.1 and 16.2 of the Code of Regulations

Accepting nominations for a Region should be commenced at 9.00 a.m. and concluded at 10.00 a.m. on the due Polling Center on the date specified for accepting nominations and the nomination paper prepared in conformity with electoral regulations 15.1, 15.2, 15.3 and 15.4 should be submitted to the Polling Officer in charge of the Center / Assistant Polling Officer by one of the three persons viz candidate or proposer or seconder referred to at that nomination paper only during the period specified above and the identity of those handing over the nomination should be confirmed by producing one of the following valid identity cards. Nevertheless, a person who is producing an identity card in such an unclear condition that its photograph cannot be identified and/or the contents printed thereon are illegible has no right to handover the nomination paper.

- (a) National Identity Card
- (b) Valid Driving License
- (c) Valid Passport
- (d) Pensioners' Identity Card issued by the Director of Pensions
- (e) Elders' Identity Card issued by the Divisional Secretary
- (f) A valid Identity Card issued to the monks / priests by Ministry of Religious Affairs or a State Department in charge of Religious Affairs.

- 5.2 section 16.2 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

After examining a nomination paper handed over, it should be rejected only during the period from 10.00 a.m. to 10.15 a.m. only at the occasions under mentioned.

- 5.3 By the addition of the following new section as 16.2 (III) after 16.2 (II).

Addition of sub section 16.2 (iii) of the Code of Regulations

- (III) At an instance where one of three persons of candidate or proposer or seconder has not handed over the nomination paper.

Amendment of
sections 16.3,
16.4 and 16.5
of the Code of
Regulations

- 5.4 section 16.3 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

The Polling Officer in charge of the Center / Assistant Polling Officer should make arrangement to stick and publicly exhibit a copy (01) of a nomination paper not rejected by the Polling Officer in charge of the Center / Assistant Polling Officer, at a suitable location of the Polling Center as per the electoral regulation 16.2 and the remaining copy of the nomination paper should be kept securely in his custody. Work on such sticking of copies of unrejected nomination paper at a suitable place in the Polling Center for exhibition should be completed between 10.15 a.m. to 10.30 a.m.

- 5.5 section 16.4 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

The nomination papers to be exhibited as per electoral regulations 16.3 should be exhibited during the period from 10.30 a.m. to 11.30 a.m. The Polling Officer in charge of the Center / Assistant Polling Officer should take action to remove the nomination papers so displayed after 11.30 a.m.

- 5.6 section 16.5 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

Nevertheless, no candidate reserves the right to submit another nomination paper when his nomination paper has been accepted by the Polling Officer in charge of the Center / Assistant Polling Officer. At such circumstance, the Polling Officer in charge of the Center / Assistant Polling Officer should take action to reject all other nomination papers submitted by such candidate except his first nomination paper already accepted.

Amendment of
section 17.1 of
the Code of
Regulations

- 6.1 section 17.1 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

Any member whose name appears in the electoral register of the Region specified in the electoral regulation 8.2 may submit, in writing, his objection on any nomination not rejected by the Polling Officer in charge of the Center / Assistant Polling Officer as per electoral regulation 16.2, at the due Polling Center only from 10.30 a.m. to 11.30 a.m. on the date allocated for undertaking nominations for that Region.

Amendment of
section 18.1 (a) of
the Code of
Regulations

- 7.1 section 18.1 (a) of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.

- (a) Even though objections had been received under electoral regulation 17.2 (a) against any nomination paper, if 05 to 09 nomination papers not rejected by him remain by 11.30 a.m. on the day of receipt of such objections, disregarding such objections, the Polling Officer in charge of the Center / Assistant Polling Officer should declare by an announcement that the electors relevant to such nominations were elected uncontested.

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| 8.1 | <p>sections 19.1 (a) and 19.1 (b) of the Code of Electoral Regulations are hereby amended by the addition therefor of the following paragraph.</p> <p>(a) (I) when no any nomination paper has been submitted</p> <p style="padding-left: 40px;">(II) when the number of nomination papers submitted amounts to a number equal to or less than 04</p> <p>by 10.00a.m on the day of entertaining nominations</p> <p>(b) (I) when the number of valid nomination papers falls below 05 due to rejection of nomination papers by the Polling Officer in charge of the Center / Assistant Polling Officer as per electoral regulations 17.2 (b), 17.2 (c) or 17.2 (d).</p> <p>by 11.30 a.m. on the day of accepting nominations</p> | <p>Amendment of sections 19.1(a) and 19.1(b) of the Code of Regulations</p> |
| 9.1 | <p>section 21.1 of the Code of Electoral Regulations is hereby amended by the addition therefor of the following paragraph.</p> <p>Although objections had been received for nomination papers under the electoral regulation 17.2 (a) by 11.30 a.m. on the day of accepting nominations, disregarding such objections, a vote should be held for election of Regional Committee Members for such a Polling Center when there are more than 09 un rejected nomination papers inclusive of the said nomination papers and the Polling Officer in charge of the Center / Assistant Polling Officer should take the following action to that effect.</p> <p>(a) A preferential number should be allocated by the Polling Officer in charge of the Center / Assistant Polling Officer for candidates pertaining to unrejected nomination papers as per electoral regulation 21.1.</p> <p>(b) Preferential numbers pertaining to each candidate should be allocated by drawing lots and the Polling Officer in charge of the Center / Assistant Polling Officer should make arrangements to allocate such preferential numbers by using an amount of numbers equal to the number of electoral candidates for drawing lots.</p> | <p>Amendment of section 21.1 of the Code of Regulations</p> |
| 10.1 | <p>The voter may cast his vote by making a cross mark (eg:-X) or making acceptable mark except those that his identity can be verified on the box opposite the preference number of candidates appearing on the ballot paper issued to him.</p> | <p>Amendment of section 31.3 of the Code of Regulations</p> |
| 11.1 | <p>The Specimen of a Nomination Sheet – Form ‘A’, the Schedule 4 of this Code of Electoral Regulations, should be amended to read as indicated in Annexure - 01 to this document.</p> | <p>Amendment of Schedule 4 of the Code of Regulations</p> |
| 12.1 | <p>The Checklist for Electoral works to be performed by members, the Schedule 08 (b) of this Code of Electoral Regulations, should be amended to read as indicated in Annexure - 02 to this document.</p> | <p>Amendment of Schedule 8 (b) of the Code of Regulations</p> |
| 13.1 | <p>If any inconsistency between Sinhala, Tamil and English text of this Code of Electoral Regulations, In such instance, Sinhala text should prevail.</p> | <p>Sinhala text to prevail in case of inconsistency</p> |

Schedule 4 – (IV – 15.4)
SPECIMEN OF A NOMINATION SHEET – FORM ‘A’

NOMINATION SHEET			
1. Name of the Society :..... Multipurpose Co-operative Society Ltd 2. Address of the Society:..... 3. Name of the Region :..... 4. Name of the Polling Center :..... 5. Particulars of Candidate, Proposer and seconder:.....			
Particulars	Candidate	Proposer	Seconder
Name mentioned in the Electoral Register			
NIC No.			
Age (years)			
Address			
Membership No.			
Serial No. in the Electoral Register			
Declaration	I do hereby give my consent to appear as a candidate of the Election to be held for the purpose of electing Committee Members to the Committee inRegion. Further, I do hereby certify that my name appears in the electoral register of this Region prepared as stated at the Regulation 8.2 of the Co-operative Code of Regulations for election of Regional Committee Members of the Multipurpose Co-operative societies in North Western Province as published in the <i>Gazette Extraordinary</i> (Provincial Councils) No. 1981/2 of 22.08.2016 of the Democratic Socialist Republic of Sri Lanka which is read together with amended Electoral Regulations and I have no disqualifications blocking my appointment as a Committee Member as stated at Election Regulation 14.1 and that all particulars I have mentioned in this nomination sheet are accurate.	I do certify that the particulars mentioned above are accurate. Further, I, being a member whose name appears in the electoral register prepared as stated at the Regulation 8.2 of the Co-operative Code of Regulation for election of Regional Committee Members of the Multipurpose Co-operative Societies in North Western Province as published in the <i>Gazette Extraordinary</i> (Provincial Councils) No. 1981/2 of 22.08.2016 of the Democratic Socialist Republic of Sri Lanka which is read together with amended Electoral Regulations, do propose that Mr./Mrs./Miss. of membership No. should be appointed as a member in Committee of this Region.	I do certify that the particulars mentioned above are accurate. Further, I, being a member whose name appears in the electoral register prepared as stated at the Regulation 8.2 of the Co-operative Code of Regulation for election of Regional Committee Members of the Multipurpose Co-operative Societies in North Western Province as published in the <i>Gazette Extraordinary</i> (Provincial Councils) No 1981/2 of 22.08.2016 of the Democratic Socialist Republic of Sri Lanka which is read together with amended Electoral Regulations, do second the proposal made to the effect that Mr./Mrs./Miss. of membership No. should be appointed as a member in Committee of this Region.
Signature			
The date on which the nomination was signed	20	20	20
Name of the person handing over the nomination paper			Signature:
To be filled by the Polling Officer in charge of the Center		Time of submission of the nomination sheet:.....a.m	

Annexure 02

Schedule No. 08 – (ix – 54.1)
(b). Checklist for Electoral works to be performed by members

Serial No.	Electoral work	Duration/ Date		Electoral Regulation No.	Responsibility	Supervision
01	Submission of appeals to insert a name into the electoral register	From 11 th January to 25 th January	From 11 th July to 25 th July	6.1	To the relevant Member	-
02	Submission of objections on a name inserted into the electoral register	From 11 th January to 25 th January	From 11 th July to 25 th July	7.1	To the relevant Member	-
03	submission of counter- objections	From 13 th January to 19 th February	From 13 th July to 19 th August	7.2 (a)	To the relevant Member	-
04	Submission of a second appeal to the C.Co.D./R., North-Western when it has been notified that the Board of Directors has rejected the member's appeal or when no reply has been sent by the Board of Directors to the member	From 16 th February to 25 th February	From 16 th August to 25 th August	6.3 (b)	To the relevant Member	-
05	Submission of an objection to the C.Co.D./R., North-Western when it has been notified that the Board of Directors has rejected the objection submitted or when no reply has been sent by the Board of Directors on the objection submitted to the member.	From 01 st March to 10 th March	From 01 st September to 10 th September	7.4, 7.6	To the relevant Member	-
06	Submission of an objection to the C.Co.D./R., North-Western when the Board of Directors has notified to the Member of removal of his name due to acceptance of objections submitted or when the Board of Directors has not replied the counter- objections	From 01 st March to 10 th March	From 01 st September to 10 th September	7.5, 7.6	To the relevant Member	-

C.Co./D./R. – North Western - Commissioner of Co-operative Development and Register of Co-operative Societies, North-Western

Schedule No. 08 – (ix – 54.1)
(b). Checklist for Electoral works to be performed by members

Serial No.	Electoral Work	Duration/ Date		Electoral Regulation No.	Responsibility	Supervision
07	Making appeals and submission of objections on Electoral Register prepared as per the Electoral Regulation 8.3	During the period stipulated by the news papers by the Commissioner of co-operative Development and Registrar of Co-operative Societies, North Western	During the period stipulated by the news papers by the Commissioner of co-operative Development and Registrar of Co-operative Societies, North Western	8.3(d)	Members	-
08	Preparation of nomination papers	-	-	From 15.1 to 15.4	Members	-
09	Submission of nomination papers	From 9.00 a.m. to 10.00 a.m. on the date specified for entertaining nominations	From 9.00 a.m. to 10.00 a.m. on the date specified for entertaining nominations	16.1	Members	
10	Obtaining voter numbers	After 11.30 a.m. on the date specified for entertaining nominations	After 11.30 a.m. on the date specified for entertaining nominations	21.1	Candidates and members who have proposed and seconded their names.	
11	obtaining ballot papers and the way of casting votes	From 9.00 a.m. to 4.00 p.m. on the date specified for casting votes	From 9.00 a.m. to 4.00 p.m. on the date specified for casting votes	All electoral regulations from 30.1 to 34.2	Candidates and members who have proposed and seconded their names and all other members.	
• C.Co/D/R. – North Western - Commissioner of Co-operative Development and Register of Co-operative Societies, North-Western						