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**LOCAL**

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[Certified]

L.D.—O. 12/2002.

AN ACT TO  
E

BE it enacted by the  
Republic of Sri Lanka

1. This Act may  
Elections (Amendment)

2. Section 38  
Ordinance as amended  
referred to as the “  
amended in subsection  
for the words “When  
election”, of the w  
consultation with th  
due to any emergency  
for the election”.

3. Sections 79, 80  
hereby repealed.

4. Sections 81 to 84  
hereby repealed.

5. The following  
after section 82 of the

6. The following  
the principal enact  
“Corrupt Practices”.

82B, 82C  
of that

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Treating.

*Local Authorities  
Act,*

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Undue  
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(2) Every  
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- (b) excludes, or threatens to exclude, such member or adherent from such order or organization.

in order to induce or compel such member or adherent to vote or refrain from voting for any recognized political party or independent group at an election under this Ordinance or to support or refrain from supporting any political party or independent group at such election, or on account of such member or adherent having voted or refrained from voting for any recognized political party or independent group at an election, or having supported or refrained from supporting any such recognized political party or independent group at such election, shall be guilty of the offence of undue influence.

(4) Any person who, being the employer of any other person—

- (a) terminates or threatens to terminate such employment ; or
- (b) denies or threatens to deny to such other person any benefit or service which such other person has already enjoyed, or would have enjoyed, in the ordinary course of such employment,

in order to induce or compel such other person to vote or refrain from voting for any recognized political party or independent group at an election under this Ordinance or to support or refrain from supporting any recognized political party or independent group at such election, or on account of such other person having voted or refrained from voting for any recognized political party or independent group at such election, or having supported or refrained from supporting any



*Local Authorities  
Act, 1901*

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***Local Authorities  
Act***

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*Local Authorities  
Act, 1992*

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*Local Authorities  
Act, 1902*

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False reports  
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*Local Authorities  
Act.*

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Special  
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candidate at  
an election.

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**Addition  
penalty for  
certain  
offences.**

*Local Authorities Election  
Act, No.*

from the date of  
elected to, or from  
of, any local authority.

7. The following new Part  
after section 82N of the principal  
effect as Part IV A of that enactment.

En

Avoidance  
by  
conviction  
of candidate.

82o. (1) The  
member of local  
conviction for an

(2) Where a  
member of a local  
shall be disqualified  
local authority.

Avoidance  
of election  
on election  
petition.

82p. (1) The  
electoral area shall  
petition on the fo  
proved to the satisfaction  
namely –

(a) that by reason  
treating of  
misconduct  
whether  
before or  
prevented  
political  
which it p  
affected

(b) non-compliance  
this Ordinance  
appears



*Local Authorities Elections  
Act, No. 1*

- (d) that the candidate  
election a person  
as a member

**High Court  
established  
by Article  
154p to try  
election  
petitions.**

**82q. A High Court  
154p of the Constitution  
jurisdiction to try election  
elections held under  
election petition is  
any electoral area  
jurisdiction (hereinafter  
Court"). The jurisdiction  
of its powers under  
by the Judge of such  
in this Ordinance to  
construed according**

**Who may  
present  
petition.**

**82r. An election  
to the High Court  
following persons,**

- (a) some persons  
a right to be  
election ;  
(b) some persons  
a candidate

**Relief which  
may be  
claimed.**

**82s. All or any  
which the petition  
claimed in an election  
declaration that —**

- (a) the election is  
is void ;  
(b) the return is  
undue ;  
(c) any candidate  
to have been



*Local Authorities  
Act.*

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Special  
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before an  
Election  
Judge.

82v. (1) T  
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**Determ  
of Ele  
Judge.**

**Report  
Judge  
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*Local Authorities E  
Act, No.*

Such  
custody  
Court to  
provided.

Appeal  
against  
determination  
under  
section 82w  
and any  
other  
decision or  
order of  
Election  
Judge.

82y. (1) Any

(a) the deter  
under sec

(b) any other  
Judge,

may appeal to  
leave first had a  
Court.

(2) Until rule  
the Constitution  
applilcation made  
made under that  
for special leave  
shall apply in re  
application made

(3) Every app  
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as practicable,  
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such directions a  
relation to the l  
application.

(4) The Attor  
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for leave to appe  
Part.

Security by  
applicant for  
costs &c. of  
application.

82z. (1) At the time of the filling of the application under section 82y or within three days afterwards, security for the payment of all costs, charges and expenses that may become payable by the applicant shall be given on behalf of the applicant.

(2) The security shall be an amount of not less than ten thousand rupees. The security required by this section shall be given by a deposit of money.

(3) If the security as in this section provided is not given by the applicant, no further proceedings shall be had on such application and the respondent may apply to the Supreme Court for an order directing the rejection of such application and for the payment of the respondent's costs. The costs of hearing and deciding such application shall be paid as ordered by the Supreme Court, and in default of such order shall form part of the general costs of the appeal.

(4) The deposit of money by way of security for the payment of the costs, charges and expenses payable by the applicant shall be made by payment to the Registrar of the Supreme Court which shall be vested in and drawn upon from time to time by the Chief Justice for the purposes for which security is required by this section.

(5) The Registrar of the Supreme Court shall keep a book open to the inspection of all parties concerned in which shall be entered from time to time the amount and the application to which it is applicable.

*Local Authorities & Act No.*

(6) Money so same is no longer payment of the payable by the ap disposed of as ju Chief Justice.

(7) Such or notice of intentic claims have b sufficiently prov require.

(8) Such or the party in deposited or to a same

### Hearing of appeal

82AA. (1) Upon the Registrar of the petition in the matter of the before a bench of Court without concerned in accordance to such Registrar

(2) The Supreme Court may, on an application with reasonable cause shown by a person concerned, accelerate the hearing of any appeal or application upon such terms as the Court may think fit.

(3) When the  
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*Local Authorities  
Act, No.*

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82x.

(2) Where  
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Election Judge  
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82x.

(3) Where  
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Effect of  
Certificate.

82AD. Upon  
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Election Judge  
Court as rec  
determination  
shall take effect

(a) the re  
confirm

Effect  
Report

*Local Authorities  
Act, N*

(2) It shall be the duty of the officer forthwith to publish a notice which is published in accordance with subsection (1), in the register of electors appearing from the date of voting at an election.

**Time for presentation.**

82AF. (1) Every Ordinance shall be presented to the days of the date of the election in the

Provided that the return or the corrupt or illegal payment of money made or done by a member whose agent of the member in pursuance of such corrupt or illegal payment at any time within of such payment.

(2) An election may, for the purpose of the election upon the illegal practice of Election Judge election petition election upon the

**Prohibition of disclosure of vote.**

82AG. No candidate shall, in any proceedings, be required to disclose the party or independent



Votes  
struck  
a scrut

*Local Authorities  
Act, No.*

Procedure  
and practice  
on election  
petitions.

82AJ. The p  
petitions under  
with the rules m  
Article 136 of r

Rejection of  
ballot paper  
by counting  
officer to be  
final.

82AK. On a  
a counting offi  
shall be rejecte  
questioned.

Report  
Exonerating  
candidate in  
certain cases  
of corrupt or  
illegal  
practices.

82AL. When  
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Ordinance, the  
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- (d) that in all other respects the election was free from any corrupt or illegal practice on the part of such candidate and of his agents,

then the election of such candidate shall not, by reason of the offences mentioned in such report, be void, nor shall the candidate be subject to any incapacity under this Ordinance.

Power of  
Court to  
exempt  
innocent act  
from being  
illegal.

82AM. Where, on application made, it is shown to an Election Judge or to the Judges of the Supreme Court, in the case of an appeal, by such evidence as seems to the Election Judge or the Judges of the Supreme Court sufficient—

- (a) that any act or omission of a candidate at an election, or of any of his agents or other person, would, by reason of being a payment, engagement, employment, or contract in contravention of this Ordinance or of otherwise being in contravention of any of the provisions of this Ordinance, be but for this section an illegal practice ; and
- (b) that any such act or omission arose from inadvertence or from accidental miscalculations or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith,

and in the circumstances it seems to the Judge, or the Judges of the Supreme Court as the case may be after giving the candidates, the returning officer, and any elector within the electoral district an opportunity of being heard, to be just that the candidate in question and his agent or other person, or any of them should not be subject to

*Local Authorities  
Act, No. 10 of 1972*

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**8.** Section 83 of the  
repealed.

**9.** In the event of any in  
and Tamil texts of this Act,

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