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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2144/53 – 2019 ඔක්තෝබර් මස 10 වැනි බ්‍රහස්පතින්දා – 2019.10.10

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(Published by Authority)

PART IV (A) – PROVINCIAL COUNCILS

Provincial Councils Notifications

UVA PROVINCE PROVINCIAL COUNCIL

Notification

I, Don Arthur Chamara Sampath Dassanayake, the Chief Minister of the Uva Province and the Minister in charge of the subject of Local Government, in accordance with the powers vested in me under the Section 223 of the Pradeshiya Sabha Act No. 15 of 1987 to be read with the Section 2 of the Provincial Council (Consequential Provisions) Act No. 12 of 1989, do hereby enact the following directions.

DON ARTHUR CHAMARA SAMPATH DASSANAYAKE,
Chief Minister of the Uva Province and the
Minister of Finance and Planning, Law and Order,
Education, Local Government, Land,
Power and Energy, Construction and
Rural Infrastructure.
Uva Province.

In the office of the Chief Minister of the Uva Province,
On the 04th of September, 2019.



DIRECTIONS

01. In any case where a new Pradeshiya Sabha is constituted under the Pradeshiya Sabha Act, No. 15 of 1987 from any part of an administrative area under the control of any local authority established under the same Act, the said new Pradeshiya Sabha shall be the successor of such local authority for all purposes relating to such administrative area from the date of the constitution of such new Pradeshiya Sabha.
02. For any Pradeshiya Sabha referred to in Section I, with effect from the date on which such Pradeshiya Sabha is constituted, there shall be deemed to be transferred to that Pradeshiya Sabha,
 - (a) all such property, other than the funds, of the local authority referred to in the Section I, as may be situated within such area ;
 - (b) all the rights, powers, duties, debts, liabilities and obligations of that local authority, in so far as they relate to such area within the relevant area.
03. Except in so far as provision is otherwise made by the Pradeshiya Sabha Act, all references in any enactment, or in any order, rule, regulation, or by-law made thereunder, or in any document or instrument executed or issued in pursuance thereof, to any class of local authorities, or to any particular local authority, shall be construed as though they were references to the Pradeshiya Sabhas constituted under this Pradeshiya Sabha Act, or in the case of a reference to any particular local authority, to the Pradeshiya Sabha which is the successor to such local authority.
04. All such proclamations, orders, notifications, rules, regulations, and by-laws of or affecting any local authority whose powers and duties are transferred under the Pradeshiya Sabha Act itself to a new Pradeshiya Sabha, as are in force at the time of the transfer, shall continue in force, so far as they relate to or are in pursuance of the powers and duties transferred, or so far as they relate to any matter or thing within the area for which the Pradeshiya Sabha is constituted.
05. Any action or proceeding, or any cause of action or proceeding existing at the date of the constitution of any Pradeshiya Sabha in the interest of or against any local authority in relation to any powers, duties, liabilities, or property by the Pradeshiya Sabha Act, No. 15 of 1987 transferred to any Pradeshiya Sabha, shall not be in any wise prejudicially affected by reason of the constitution of new Pradeshiya Sabha, but may be continued, prosecuted and enforced by or against such Pradeshiya Sabha as successor of the local authority in like manner as it would have been continued, prosecuted and enforced by the local authority as if such Pradeshiya Sabha had not been constituted.
06. All contract, deeds, bonds, agreements, notices, or other instruments entered into, issued, or made by any local authority and subsisting at the time of the constitution of a new Pradeshiya Sabha for the administrative area of such local authority, and affecting any such powers, duties, liabilities, obligations, or property as are by the Pradeshiya Sabha Act transferred, shall be of as full force and effect against or in favour of the Pradeshiya Sabha, and may be enforced or acted upon as fully and effectually as if the said Pradeshiya Sabha had been a party to or had made or issued such contracts, deeds, bonds, agreements, notices or others instruments.

07. All such rates and taxes imposed by any local authority to which any Pradeshiya Sabha is the successor as may be due at the date of the constitution of the Pradeshiya Sabha, may be enforced and recovered in the same manner as the rates and taxes imposed by the Pradeshiya Sabha.
08. All assessments made or adopted by the local authority for the purpose of any rate referred to in Section 7 shall continue in force until revised by the new Pradeshiya Sabha in the manner provided by this Pradeshiya Sabha Act.
09. In the event of any inconsistency between the Sinhala, Tamil and English texts of these Directions, the Sinhala text shall prevail.

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