



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

PROVINCIAL COUNCILS PENSIONS
ACT, No. 17 OF 1993

[Certified on 31st March, 1993]

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Provincial Councils Pensions

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L. D.—O. 58/91

AN ACT TO MAKE PROVISION FOR THE PAYMENT OF PENSIONS TO THE OFFICERS OF PROVINCIAL PUBLIC SERVICES AND TO SECRETARIAL STAFF OF PROVINCIAL COUNCILS; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR 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 Provincial Councils Pensions Act, No. 17 of 1993, and shall come into operation on such date (hereinafter referred to as the "appointed date") as the Minister may appoint by Order published in the *Gazette*.

Short title
and date of
operation.

2. (1) The Minister, may, with the concurrence of the Minister-in-charge of the subject of Provincial Councils, declare any post in the Provincial Public Service of a Province or in the Secretarial Staff of a Provincial Council, as the case may be, to be a pensionable post with effect from such date as may be specified in the declaration. (The date so specified may be a date prior to the appointed date) and accordingly, service in any such post, whether such service was before or after the appointed date, shall be deemed, for the purposes of the Minutes on Pensions, to be service in a pensionable post.

Application
to the
officers
of the
Provincial
Public
Services
and to
Secretarial
staff
of
Provincial
Councils,
of the
Widows' and
Orphans'
Pensions
Ordinance,
the
Widowers'
and
Orphans'
Pensions
Fund, Act,
No. 24
of 1933
and the
Minutes on
Pensions.

(2) The Minutes on Pensions, the Widows' and Orphans' Pensions Fund Ordinance and the Widowers' and Orphans' Pensions Fund Act, No. 24 of 1933, shall subject to the Provisions of this Act, apply to, and in relation to, the holder of any post declared under subsection (1) to be a pensionable post, as if the holder of such post were a public servant or a public officer, within the meaning of such Minutes or Ordinance or Act, as the case may be.

(3) Where the holder of the post in the Provincial Public Service of a Province or in the Secretarial Staff of a Provincial Council, which is declared under subsection (1) to be pensionable post was prior to his appointment to that post—

(a) the holder of a post under the Government which was declared under the Minutes on Pensions to be pensionable ; or

(b) the holder of a post in the Local Government Service which was declared to be pensionable under the Local Government Pension Fund Regulations made under the Local Government Service Act, No. 16 of 1974,

and his service in such post or posts and his service in the Provincial Public Service of a province or in the Secretarial Staff of a Provincial Council are continuous, then the service of such holder in each such post shall subject to the provisions of subsection (4), be deemed to be service in a pensionable post for the purposes of the Minutes on Pensions, and those Minutes shall apply accordingly.

(4) Where any person is entitled to a pension under this Act by virtue of his or his spouse or parent, having held a post in the Local Government Service and in the Provincial Public Service of a province or the Secretarial Staff of a Provincial Council, he shall not be paid any pension from the Local Government Service Pension Fund or the Local Government Service Widows' and Orphans' Pension Fund or the Local Government Service Widowers' and Orphans' Pensions Fund, in respect of his, or his spouses, or parents, service in Local Government Service.

(5) Where any post in the Provincial Public Service of a province or in the Secretarial Staff of a Provincial Council has been declared under subsection (1) to be a pensionable post, the provisions of subsections (2), (3) and (4) of this section shall apply to every person who held that post notwithstanding the fact that he is retired from that post before the appointed date.

**Inter-
pretation.**

3. In this Act, unless the context otherwise requires—

“Local Government Service Pension Fund” means the Local Government Service Pension Fund established by section 16 of the Local Government Service Law, No. 16 of 1974;

“Local Government Service Widows' and Orphans' Pension Fund” means the Local Government Service Widows' and Orphans' Pension fund established by section 16 of the Local Government Service Law, No. 16 of 1974;

“Local Government Service Widowers’ and Orphans’ pension Fund ” means the Local Government Service Widowers’ and Orphans’ Pension Fund established by section 16A of the Local Government Service Law, No. 16 of 1974 ;

“Province” means a province set out in the Eighth Schedule to the Constitution ;

“Provincial Council” means a Provincial Council established under Chapter XVIIA of the Constitution.

4. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala
text to
prevail in
case of
inconsistency.