



PARLIAMENT OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA

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LOCAL AUTHORITIES  
(SPECIAL PROVISIONS) ACT,  
No. 3 OF 1979

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[Certified on 9th January, 1979]

*Printed on the Orders of Government*

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Local Authorities (Special Provisions)  
Act, No. 3 of 1979

[Certified on 9th January, 1979]

L.D.—O. 82/78.

AN ACT TO PROVIDE FOR THE DISCIPLINARY CONTROL AND  
DISMISSAL OF OFFICERS AND SERVANTS OF LOCAL AUTHORITIES  
WHO ARE NOT MEMBERS OF THE LOCAL GOVERNMENT SERVICE.

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

1. This Act may be cited as the Local Authorities  
(Special Provisions) Act, No. 3 of 1979.

Short title.

2. This Act shall apply to every officer or servant of any  
local authority, other than a member of the Local Govern-  
ment Service constituted under the Local Government Ser-  
vice Law, No. 16 of 1974, hereinafter referred to as an  
“employee to whom this Act applies”.

Applica-  
tion of  
this Act.

3. (1) Where an employee to whom this Act applies is  
dealt with disciplinarily, or his services are terminated, by  
the local authority in question, he may, if he is aggrieved  
by any such disciplinary order or order of termination of  
service, make a single appeal to the Minister against such  
order.

Procedure  
regarding  
discipli-  
nary  
action  
and termi-  
nation of  
service of  
employees  
to whom  
this Act  
applies.

(2) Where the Minister receives an appeal under sub-  
section (1) he shall, after receiving the recommendations of  
the Local Government Service Disciplinary Board esta-  
blished under the Local Government Service Law, No. 16  
of 1974, confirm, vary or set aside the order made by the  
local authority.

(3) A confirmation, variation or the setting aside of an  
order of a local authority made by the Minister under sub-  
section (2) shall be binding on the local authority and the  
employee in question, and shall be final and conclusive and  
not called in question in any court of law or tribunal.

4. (1) Where an employee to whom this Act applies  
retires from the service of any local authority and he is  
aggrieved by the non-payment of any pension, gratuity or  
retiring allowance due to him or by the inadequacy of any  
such pension, gratuity or retiring allowance, he may make  
a single appeal to the Minister against such non-payment  
or such inadequate payment, as the case may be.

Procedure  
regarding  
non-pay-  
ment or  
inadequate  
payment  
of pension,  
gratuity  
and  
retiring  
allowances.

(2) Where the Minister receives an appeal under subsection (1), he shall give directions to the local authority in question with regard to such non-payment or inadequate payment.

(3) Every direction given by the Minister under subsection (2) shall be binding on the local authority and the employee in question, and shall be final and conclusive and not called in question in any court of law or tribunal.

Power of  
Minister  
to delegate  
power to a  
public  
officer.

5. (1) The Minister may delegate to any public officer his power to hear an appeal—

(a) made under section 3 (1), other than an appeal on an order of termination of service ;

(b) made under section 4 (1),

and the person so delegated shall in respect of an appeal under section 3 (1) exercise such power after receiving the recommendations of the Local Government Service Disciplinary Board :

Provided, however, that notwithstanding such delegation of authority to a public officer, the Minister may in any case exercise the power of hearing an appeal against an order of any local authority and the public officer to whom such power was delegated, shall not exercise such power in such case.

(2) A confirmation, variation or setting aside of an order of a local authority made or a direction given by a public officer under subsection (1) shall be binding on the local authority and the employee in question, and shall be final and conclusive and not called in question in any court of law or tribunal.

Industrial  
Disputes  
Act not  
to apply  
to employ-  
ees  
to whom  
this Act  
applies.

6. (1) Notwithstanding anything in the Industrial Disputes Act, that Act shall not apply to or in relation to any employee to whom this Act applies.

(2) Every application made under the Industrial Disputes Act to a labour tribunal, to which an employee to whom this Act applies is a party, and which is pending on the date of commencement of this Act, shall stand dismissed.

(3) Where an application stands dismissed under subsection (2) any employee to whom this Act applies who was a party to such application, may appeal to the Minister under section 3 or 4 of this Act, as may be appropriate.

7. The provisions of this Act shall have effect notwithstanding anything to the contrary in the Municipal Councils Ordinance, the Urban Councils Ordinance, the Town Councils Ordinance and the Village Councils Ordinance.

This Act to prevail over laws relating to local authorities.

8. (1) The Minister may make rules in respect of all or any of the following matters :—

Rules.

(a) the time limit within which and the manner in which appeals have to be made ; and

(b) the time limit within which the Local Government Service Disciplinary Board shall submit its recommendations.

(2) Every rule made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified therein.

9. In this Act unless the context otherwise requires—

Interpretation.

“ local authority ” means any Municipal Council, Urban Council, Town Council or Village Council and includes any Authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council ;

“ public officer ” shall have the same meaning as in the Constitution of the Democratic Socialist Republic of Sri Lanka.