CHAPTER 590
LOCAL AUTHORITIES
(IMPOSITION OF CIVIC DISABILITIES) (No. 1)

Preamble.
WHEREAS under section 2 of the
Commissions of Inquiry Act (Chapter 393)
a Commission of Inquiry consisting of
Gardiy Punchihewage Amaraseela Silva,
Esquire, was appointed by the President
by Warrant dated August 19, 1977,
and published in Gazette Extraordinary
No. 278/12 of August 20, 1977, to inquire
into and report upon the matters set out in
the said Warrant arising out of the
administration of the affairs of each
Municipality specified in such Warrant:

AND WHEREAS the said Commission
of Inquiry had in its Reports made certain
findings against certain persons:

AND WHEREAS it has become
necessary in the public interest to impose
civic disabilities on the said persons and to
make other provisions consequent upon the
findings of the said Commission:

BE it therefore enacted by the National
State Assembly of the Republic of Sri
Lanka as follows:—

1. This Law may be cited as the Local
Authorities (Imposition of Civic
Disabilities) (No. 1) Law.

2. (1) Every relevant person shall, for a
period of seven years from the date of
commencement of this Law, be disqualified
from being registered as a voter or from
voting at any election of members of any
local authority or from being nominated as
a candidate at any election of a member or
members of any local authority or from
being elected or from sitting or voting as a
member of any local authority.

3. Every person who is disqualified
under the provisions of section 2(1) shall be
incapable for all time from being appointed
to any judicial office or from being
employed as a state officer or an employee
of the Local Government Service, any local
authority or any scheduled institution or
from being elected or appointed or
nominated as a member of any scheduled
institution or the governing body thereof.

4. Every person against whom any
finding has been made in any of the reports
of the aforesaid Commission of Inquiry and
who at the date of any such report was a
state officer or an employee of the Local
Government Service or of any local
authority and who is dismissed or
discontinued from service after compliance
with such procedure as may be applicable to
the disciplinary control of the category to
which such person belonged, shall become
subject to the same disqualifications as a
5. (1) Where in any report of the said Commission any finding has been made against any person whomsoever that loss has been caused to any local authority by such person, the Auditor-General shall assess the amount of such loss and issue a certificate under his hand certifying the amount of such loss, after having given an opportunity to such person to make representations to him in regard to the assessment of the amount of such loss by the Auditor-General.

(2) The correctness of any statement in any such certificate or the amount of the loss certified therein shall not be called in question in any proceeding in any court for the recovery of such loss, or otherwise, and shall be conclusive of all matters contained therein, and shall be admissible in evidence in the recovery proceedings hereinafter referred to.

(3) A copy of such certificate shall be served on the person named therein, and such person shall pay to the Auditor-General the amount set out in the certificate within a period of thirty days from the date of the posting of such certificate to him.

(4) A copy of such certificate shall be deemed to have been duly served upon it being sent to such person by post in a registered letter addressed to his last known place of residence.

(5) The Auditor-General shall credit all such payments received by him to the respective local authority to which the loss has been found to have been caused in such reports.

(6) Where any person to whom a certificate has been delivered as aforesaid fails to pay the amount due from him as set out in such certificate within the time aforesaid, such amount shall be deemed to be in default and shall be recovered on application made by the Auditor-General or an officer authorized in writing by him in that behalf to the Magistrate's Court having jurisdiction over the place where the person resides or is last known to have resided as though such amount were a fine imposed by such Magistrate on such person, notwithstanding that such amount exceeds the amount of fine which a Magistrate may impose in the exercise of his ordinary jurisdiction.

6. Every person disqualified under this Law who—

(a) applies to be registered as a voter in any electoral list in respect of any local authority;

(b) votes at an election of any member of any local authority;

(c) signifies his consent to be nominated as a candidate at the election of any member of any local authority;

(d) sits and votes as a member of any local authority;

(e) accepts the office or acts in the capacity of a judicial officer, state officer or employee of the Local Government Service, any local authority or any scheduled institution;

(f) consents to be nominated for election, or accepts appointment, or accepts nomination, as a member of any scheduled institution or the governing body thereof,

shall be guilty of an offence, and shall, on conviction before a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment.

7. In this Law, unless the context otherwise requires—

"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 and perform powers and functions corresponding to or similar to the powers and functions exercised and performed by any such Council;
relevant person " means a person who has been found by any report of the Commission of Inquiry referred to in this Law—

(a) to have committed or to have aided or abetted in the commission of any act constituting—

(i) abuse of power,

(ii) corruption,

(iii) irregularities in the making of appointments;

(b) to have contravened, or to have aided or abetted in the contravention of, any provisions of any written law, and means each person specified in the Schedule to this Law;

" scheduled institution " means any such board, institution, corporation or other body as is for the time being specified in the Schedule to the Bribery Act, and any board, institution, corporation or other body which is deemed under the provisions of any enactment to be a scheduled institution within the meaning of the Bribery Act, and includes any organization the capital of which is wholly or partly subscribed by such board, institution, corporation or other body;

" state officer " means a state officer as defined in the Constitution of the Republic of Sri Lanka adopted and enacted on the 22nd day of May, 1972,* and includes a public officer.

[Schedule]

Abdul Hameed Mohamed Fowzie, Ex-Mayor, Colombo Municipal Council.

Felix Reginald Dias Bandaranaike, Ex-Minister of Public Administration, Local Government and Home Affairs.


Nugegodage Don Nicholas Gunasekare, Retired Special Commissioner, Negombo Municipal Council.


Upali Rajapakse, Ex-Mayor, Ratnapura Municipal Council.
