

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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LOCAL AUTHORITIES (SPECIAL

PROVISIONS) ACT, No. 30 OF 2007

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[Certified on 08th August, 2007]

Printed on the Order of Government

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Local Authorities (Special Provisions) 1

Act, No. 30 of 2007

[Certified on 08th August, 2007]

L. D.—O. 35/2007

ANACTTOPROVIDEFOR CALLINGOF FRESHNOMINATIONSANDTHE HOLDING

OF ELECTIONS IN RESPECT OF ONE MUNICIPAL COUNCIL AND EIGHT

PRADESHIYA SABHAS IN THE EASTERN PROVINCE WHERE ELECTIONS

TO SUCH COUNCIL AND SABHAS HAVE BEEN POSTPONED DUE TO

UNFORSEEN AND URGENT CIRCUMSTANCES; AND TO PROVIDE FOR

MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS Notices were published under section 26 of the Preamble.

Local Authorities Elections Ordinance, that nominations will

be received in respect of elections to all Municipal Councils,

Urban Councils and Pradeshiya Sabhas in the Eastern

Province:

AND WHEREAS the dates of polls fixed for the holding of

elections for the aforesaid Municipal Council and the eight

Pradeshiya Sabhas, out of the aforesaid local authorities, were

postponed from time to time due to urgent and unforeseen

circumstances by Orders made under subsection (3) of section

38 of the Local Authorities Elections Ordinance:

AND WHEREAS persons who have tendered their

nominations have either died or been displaced or have

changed their party or due to the fact that a considerable

number of persons who have tendered their nominations have

gone abroad or where persons who were below the age of

thirty-five at the time of tendering nominations are now over

the age of thirty-five, it has become necessary to provide for

the calling of fresh nominations in respect of the aforesaid

Municipal Council and Pradeshiya Sabhas:

AND WHEREAS due to the period of time that has elapsed

since the submission of nominations in respect of the

aforesaid Municipal Council and eight Pradeshiya Sabhas, it

has become necessary to provide for the calling of fresh

nominations in respect of such Municipal Council and

Pradeshiya Sabhas and to make provision for the holding of

fresh elections in respect of the aforesaid Council and Sabhas.

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NOW THEREFORE BE it enacted by the Parliament of the

Democratic Socialist Republic of Sri Lanka as follows :—

Short title. 1. This Act may cited as the Local Authorities (Special

Provisions) Act, No. 30 of 2007.

Provisions 2. (1) Nomination papers submitted, under section 28 of

relating to

nominations and the Local Authorites Elections Ordinance (Chapter 262)

deposits in (hereinafter referred to as “the Ordinance”) in respect of

respect of elections to the Municipal Council and the Pradeshiya

elections to

Sabhas specified in Schedules I and II, in response to the

certain Councils

and Sabhas. Notices published under section 26 of the Ordinance are

hereby deemed to be of no force and effect and as if such

nomination papers had never been submitted.

(2) The Notices published under subsection (3) of section

38 of the Ordinance, in respect of elections to the Municipal

Council and the Pradeshiya Sabhas specified in Schedules I

and II, are hereby revoked.

(3) Deposits made under section 29 of the Ordinance in

respect of candidates nominated by an independent group

for election to the Municipal Council or any of the Pradeshiya

Sabhas specified in Schedules I and II, shall notwithstanding

anything to the contrary in section 30 of the Ordinance, be

refunded, on the production by the person who made the

deposit, of the receipt issued to such person under subsection

(3) of section 29 of the Ordinance, together with interest on

such deposit at the rate of twelve per centum, per annum,

from the date of deposit to the date of refund.

Steps to be 3. Steps shall be commenced under the Ordinance for

commenced for the holding of elections to the Municipal Council and the

holding of

elections. Pradeshiya Sabhas specified in Schedules I and II:

Provided that the notice of nomination in terms of the

Ordinance shall be published on such date as the Minister

may determine by Order published in the Gazette, such date

shall however, be a date not later than six months from the

date of the coming into operation of this Act.

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4. (1) Notwithstanding the provisions of any other law, Displaced

any registered elector who reasonably fears that due to persons.

conditions prevailing in the area within which his polling

station is situate, that he is unable to cast his vote freely at

such polling station at an election held to elect members to

the Municipal Council and eight Pradeshiya Sabhas as

specified in Schedules I and II to this Act, may make an

application in such format as specified by the Commissioner

of Elections (hereinafter referred to as the “Commissioner”)

within one week of notice of nominations, requesting that he

may be allowed to cast his vote at another polling station as

may be determined by the Commissioner in his absolute

discretion.

(2) The Commissioner shall within a week of receipt of

an application, inform such elector whether such application

is accepted or rejected. The decision of the Commissioner

shall be final and conclusive.

(3) Upon the Commissioner deciding to accept the

application of a registered elector made in terms of subsection

(1) he shall forthwith inform such elector of the polling station

at which he is eligible to cast his vote.

(4) The Commissioner shall cause to be published a list

of the names of the registered electors whose applications

have been accepted in accordance with the provisions of

subsection (2), by making copies thereof available for

inspection at his office and at the relevant district offices.

(5) Where such vote is cast, such vote shall be counted

along with the votes of the relevant local authority in which

such elector is registered.

5. For the purposes of this Act “Commissioner of Interpretation.

Elections” shall have the same meaning as in the Ordinance.

6. In the event of any inconsistency between the Sinhala Sinhala text to

and Tamil texts of this Act, the Sinhala text shall prevail. prevail in case of

inconsistency.

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SCHEDULE I

Municipal Councils

1. Batticaloa Municipal Council

SCHEDULE II

Pradeshiya Sabhas

1. Eravur Pattu Pradeshiya Sabha

2. Koralai Pattu Pradeshiya Sabha

3. Koralai Pattu North Pradeshiya Sabha

4. Manmunai South and Eruvil Pattu Pradeshiya Sabha

5. Manmunai Pattu Pradeshiya Sabha

6. Manmunai West Pradeshiya Sabha

7. Manmunai South West Pradeshiya Sabha

8. Porathivu Pattu Pradeshiya Sabha

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