

Ministry of Public Administration,  
Provincial Councils & Home Affairs,  
Independence Square,  
Colombo 7.

23<sup>rd</sup> April, 1991.

To: All Secretaries to Ministries, Heads of  
Departments, Chief Secretaries to Provincial  
Councils, Secretaries to Governors, Secretaries to  
Provincial Public Service Commissions and  
Government Agents.

**Public Officers elected to Local Government  
Bodies and Provincial Councils**

Chapter XXXII of the Establishments Code which was amended by the  
Public Administration Circular No. 1/89 dated 05.01.1989 is further amended as  
follows:

02. Delete sub sections 2:3:4 & 3:7 and substitute the following  
therefore:-

“2:3:4 If he is elected as a member of a Local Government  
Body, he will not be required to resign his post in the  
Public Service, but will subject to the exigencies of  
the service, be given leave of absence on full pay to  
attend meetings of the Local Government Body.

If a Public Officer is elected as a member of Provincial  
Council he will be allowed to avail himself of either of the  
following options:

Option 1. He should be released on full time basis,  
enabling him to serve as a member of the Provincial Council  
on no pay leave, so long as he continues as a member of the  
Provincial Council.

Option 2. He should be deemed to have left the Public Service on  
his being selected, subject to the following conditions.

(i) If at the time of his election to the Provincial Council  
his substantive post in the Public Service was a post  
declared to be pensionable under the minutes on pensions then,

(a) he shall be eligible for such awards under the pension  
minutes as might have been made to him if he had retired  
from the Public Service on the abolition of office on the  
date of his election to the council:

- (b) however such retirement benefits shall not be paid to him unless his service to the Provincial Council has been terminated on his ceasing to be a member of the council;
  - (c) in the event of his death while in the service of the Provincial Council the retirement benefits should be paid to his dependents considering he died the previous day of the election to the council.
- (ii) If at the time of his election to the Provincial Council he was a contributor to the Public Service Provident Fund under the Public Service Provident Fund Ordinance, he shall for the purpose of that Ordinance be deemed to have left the service of the Government upon the termination of his contract with the consent of the Government otherwise than by dismissal, and
  - (iii) If before the time of his election to the council, he had entered into a contract with the Government, by which he had agreed to serve the Government for a specified period, any period of service to the council will be regarded as service to the Government for the purpose of discharging any obligation of such a contract.”

“3:7 If an officer who is entitled to exercise political rights is elected a member of a Local Government Body he should be allowed the concession of serving in a station close to the office of the Local Government Body to which he is elected, subject to the exigencies of service and disciplinary requirements. He will not be subject to the normal transfers as long as he continues to be a member of that provincial Councils or Local Government Body.”

03. These provisions are effective from 27.04.1988.

Sgd: R. Abeyratne  
Secretary,  
Ministry of Public Administration,  
Provincial Councils & Home Affairs.