



## The local government system in Sri Lanka



### Key facts

**POPULATION (Census 2001):** 18,797,257  
**AREA:** 65 610 sq km  
**CAPITAL:** Sri Jayawardenapura-Kotte  
**LOCAL GOVERNMENT CONTRIBUTION TO GDP:** -  
**CURRENCY:** Sri Lankan rupee (LKR)  
**HEAD OF STATE AND GOVERNMENT:**  
 President Mahinda Rajapaksa  
**FORM OF GOVERNMENT:** democratic republic  
**PARLIAMENTARY SYSTEM:** unicameral  
**STATE STRUCTURE:** unitary  
**LANGUAGES:** Sinhala and Tamil (official)  
**NATIONAL ELECTIONS: parliamentary last:** 2010;  
**turnout:** - **next:** 2016  
**presidential last:** 2010; **turnout:** - **next:** 2015  
**PROVINCIAL ELECTIONS: last:** 2006 & 2008;  
**turnout:** - **next:** 2011  
**LOCAL ELECTIONS: last:** March 2008; **turnout:** -  
**next:** March 2011

### SUMMARY

Sri Lanka is a unitary democratic republic with three levels of government: central, provincial and local. Local government is enshrined in the 13th amendment to the constitution. The second-tier provincial authorities are governed by the Provincial Councils Act 1987 and the main Acts relating to third-tier local authorities are the Urban Councils Ordinance 1939, the Municipal Councils Ordinance 1947 and the Pradeshiya Sabhas Act (No.15) 1988. The Ministry of Provincial Councils and Local Government is responsible for policy and legislation at the national level, while the provincial ministers of local government are responsible for the implementation at local level. There are nine second-tier provinces and 330 third-tier local authorities: 18 municipal councils, 42 urban councils and 270 rural pradeshiya sabhas. Grants are provided from provinces and from central government and local authorities are responsible

for collection of taxes and user fees as well as property rates, rents and grants. Provincial councils' responsibilities include internal law and order, provincial economic plans, education, housing and agriculture whilst local authorities have responsibility for health, utility services and roads. Pradeshiya sabhas have some additional developmental responsibilities.

#### 1. CENTRAL GOVERNMENT

Sri Lanka is a unitary democratic republic with a unicameral parliament. The head of state and head of government is the president who is directly elected to serve a six-year term. The president must secure over 50% of the vote and may serve a maximum of two six-year terms. Executive power is accorded to the president, who may summon, suspend or end a legislative session and dissolve the parliament. The president appoints the prime minister, the leader of the majority party in the parliament, who acts

as deputy. On the advice of the prime minister the president is responsible for the appointment of the cabinet from the members of the parliament. The parliament has 225 members elected under a modified system of proportional representation to serve a six-year term. Of these 196 are elected from multi-member constituencies, with the remaining 29 seats apportioned on the basis of the national vote and filled by nominees of the political parties or groups. To qualify for a seat a party must secure 5% of the vote.

#### 2. LEGAL BASIS FOR LOCAL GOVERNMENT

##### 2.1 Constitutional provisions:

Local government is enshrined in the 13th amendment of the constitution, which states: 'Local authorities will have the powers vested in them under existing law, the Municipal Councils Ordinance and the Urban Councils Ordinance. Pradeshiya sabhas will have the powers vested in them under existing

law. It will be open to the provincial council to confer additional powers on local authorities but not to take away their powers.'

## 2.2 Main legislative texts:

Under the Provincial Councils Act 1987, introduced with the 13th amendment, local government was devolved to provincial councils. The main Acts relating to local authorities are the Urban Councils Ordinance 1939, the Municipal Councils Ordinance 1947 and the Pradeshiya Sabhas Act No.15 1988.

## 3. STRUCTURE OF LOCAL GOVERNMENT

### 3.1 Local government within the state:

Sri Lanka has three levels of government: central, provincial and local. Devolution of power is made under three lists in the ninth schedule of the constitution. List I identifies the powers of provincial councils, while List II, the reserved list, specifies the powers reserved to central government. List III, the concurrent list, outlines the powers that may be exercised by the centre or the provincial councils following consultation with each other. Third-tier local authorities are vested with the power to create by-laws passed with the approval of the minister and the parliament/provincial councils. This power-sharing initiative was undertaken primarily as an alternative to demands for a separate state by the Tamil political parties and militant separatist groups. It was also seen as a measure to enhance democratic participation by communities and groups in the process of government.

### 3.2 Ministerial oversight:

The Ministry of Provincial Councils and Local Government is responsible for policy and legislation at the national level while the provincial ministers of local government are responsible for the implementation at local level. The national-level minister has power to create, reconstitute or upgrade a local authority based on the recommendations of a committee established for these purposes. Furthermore, under the three principal Acts for local government, the national-level minister may curtail or extend the term of office of the three types of local council by one year. A finance commission at the national level was established, which advises on the administration and allocation of grants to the provincial councils. A high court was also established in each province to enable greater self-governance. The Ministry of Local Government and Provincial Councils is currently implementing the local government reforms recommended by the commission report of 1999. Some of the key areas of focus include: citizen participation, greater responsiveness to the needs

**Table 1.** Distribution of councils and population (Census 2001)

Province	District	Population	Number of local authorities				
			MC	UC	PS	Total	
Western	-	3,919,807	7	14	27	48	
	Colombo	1,699,241	5	5	3	13	
	Gampaha	1,390,862	2	5	12	19	
Central	Kalutara	829,704		4	12	16	
	-	2,009,248	4	6	33	43	
	Kandy	1,048,317	1	4	17	22	
Southern	Matala	357,354	2		11	13	
	Nuwara Eliya	603,577	1	2	5	8	
	-	1,882,651	3	4	42	49	
North Western	Galle	814,521	1	2	17	20	
	Matara	643,786	1	1	15	17	
	Hambantota	424,344	1	1	10	12	
North Central	-	1,704,334	1	3	29	33	
	Kurunegala	1,211,801	1	1	19	21	
	Puttalam	492,533		2	10	12	
Uva	-	6,134,492	1	0	25	26	
	Anuradapura	5,872,929	1		18	19	
	Pollonnaruwa	261,563			7	7	
Sabaragamuwa	-	914,522	2	1	25	28	
	Badulla	640,952	2	1	15	18	
	Moneragala	273,570			10	10	
Eastern <sup>(a)</sup>	-	1,482,031	1	3	25	29	
	Ratnapura	797,087	1	2	14	17	
	Kegalle	684,944		1	11	12	
Northern <sup>(a)</sup>	-	1,460,933	3	5	37	45	
	Ampara	610,719	2	1	15	18	
	Batticaloa <sup>(a)</sup>	515,852	1	2	11	14	
TOTAL	Trincomalee <sup>(a)</sup>	334,362		2	11	13	
	-	893,046	1	5	28	24	
	Jaffna <sup>(a)</sup>	599,619	1	3	13	17	
	Mannar <sup>(a)</sup>	106,235		1	4	5	
	Vavuniya <sup>(a)</sup>	95,428		1	4	5	
	Kilinochchi <sup>(a)</sup>	91,764			3	3	
Mullaitivu <sup>(a)</sup>	n/a			4	4		
<b>TOTAL</b>	<b>9</b>	<b>25</b>	<b>18,797,257</b>	<b>23</b>	<b>41</b>	<b>271</b>	<b>335</b>

(a) = estimates Source: Bureau of Statistics, Sri Lanka<sup>1</sup>

of local constituencies, enhancing efficiency, effectiveness and productivity, and the development of a citizens' charter. The ministry, supported by the Sri Lanka Institute for Local Governance, is carrying out the necessary capacity and skill-building programmes for officials and elected representatives to facilitate the process.

### 3.3 Council types:

In the second tier of government there are nine provinces, which for administrative purposes are divided into 25 districts and 335 divisional secretariats. These secretariats, in most cases, are co-terminous with the 335 third-tier local authorities made up of 23 municipal councils, 41 urban councils and 271 rural pradeshiya sabhas. The decision making system is uniform across the three types of third-tier local council.

**3.3.1 Provincial councils** were established by the 13th amendment to the constitution, which mandated the appointment and powers of the governor and a board of ministers; the membership, tenure and legislative competence of the councils; and alternative arrangements in the event of a failure in the administrative machinery. The provincial minister for local government is vested with oversight responsibility, with authority being delegated to the provincial commissioner of local government. The power to dissolve a council is also exercised at the provincial level and there have been instances where councillors have been suspended due to charges of mismanagement and malpractice.

Each province has a governor appointed by the president for a five-year term, responsible for executing the policies of the provincial council through a board of ministers headed by a chief minister and no more than four other



ministers. In addition each provincial council has a chairman and a vice-chairman elected from among its members by majority vote. The chief secretary, appointed by the president, is the most senior public official.

**3.3.2 The urban authorities** comprise 23 municipal councils covering the cities and larger towns and 41 urban councils covering smaller towns and less urbanised areas.

**3.3.2.1 Municipal councils** are led by a full-time mayor, nominated by the majority party or group, who holds office for four years. There are no executive committees or cabinets. The Municipal Council Ordinance stipulates that standing committees be appointed for finance and policy planning, housing and community development, technical services and environment and amenities. Presentation of matters to the council must be directed through the standing committees. There is discretion to appoint special committees.

**3.3.2.2 Urban councils** are led by a full-time chairperson, nominated by the majority party or group, who holds office for a four-year term. There are no executive committees or cabinets. Urban councils do not have a legal requirement to establish committees; however, councils have full discretion on appointing advisory committees. Citizens and outsiders can be members of such committees.

**3.3.3 Rural authorities:** Pradeshiya sabhas are led by a full-time chairperson, nominated by the majority party or group, who holds office for a term of four years. Pradeshiya sabhas can appoint committees in a similar manner to urban councils. There are no executive committees or cabinets.

## 4. ELECTIONS

### 4.1 Recent local election:

Provincial council elections were held in 2008 and 2009 except for Northern Province. Elections for the 305 local government authorities, will be held in March 2011. Elections for all municipal councils and selected number of urban councils and pradeshiya sabhas are postponed by another one year.

### 4.2 Voting system:

All councils are elected for a four-year term of office on the basis of a list system of proportional representation. Political parties, coalitions or independent groups submit nomination lists of candidates for the number of members specified for the council plus three further names. Voters must vote for the party or group of their choice, and indicate three preferences from the names

**Table 1.1.** Women's representation in local government 2008/2009

	Municipal councils	Urban councils	Pradeshiya sabhas
Councillors	10	9	45
Mayors/chairpersons	7	1	2
<b>TOTAL</b>	<b>17</b>	<b>10</b>	<b>47</b>

on the list. The Commissioner of Elections determines the seats to be allocated to each party or group. Under the provisions of the Local Authorities (Amendment) Act 1990, each voter is able to give all three preference votes to the same candidate. The Act also requires that 40% of candidates on nomination lists must be between the ages of 18 and 35 in order to ensure that youth are formally represented. Both these provisions have been followed in local authority elections since 1997.

### 4.3 Elected representatives:

Mayors, deputy mayors, chairpersons and vice-chairpersons are nominated by the secretary general of the political party with the consent of party political bureau of the parties or groups securing the greatest number of seats in the election. The Commissioner of Elections confirms their appointments.

### 4.4 Women's representation:

Women's representation in local government in 2008/2009 was 1.9%.

## 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

### 5.1 Legal requirement:

The Extraordinary Gazette number 1632/26 issued on the 19 December 2009 declares that every council should promote social inclusivity,

civil society participation and partnerships. (Section 4.5). Each Province needs to adopt the policy and the provincial minister needs to issue a order for the local government to implement this gazette notice.

### 5.2 Implementation:

Community involvement has not been systematically implemented so far in the local government authorities. Nevertheless some councils with the support of external agencies have developed participatory budgets for the councils successfully in the past few years.

### 5.3 E-government:

Ministry of Local Government and Provincial Councils with the support of the Information and Communication Technology Agency (a world bank funded project for e-government) is developing a computerised accounting system for local government authorities in Sri Lanka. This program will help the citizen to access services provided by the local authorities. Some municipal and urban councils and pradeshiya sabhas are using internet and e-mail facilities but not at satisfactory levels due to non-availability of both physical and human resources, and lack of interest of the political leaderships.

**Table 2.** Finance, budgeted revenue and expenditure for 2011/2012 for two urban authorities (a municipal council and an urban council)

	Matara Municipal Council	Bandarawela Urban Council
<b>Budgeted revenue 2011-2012 US\$</b>		
Property rates and assessment taxes	330,984	163,635
Rents	25,460	189,472
Grants from central and provincial government	992,951	232,534
Capital grants	381,904	137,798
Other revenue	814,729	137,798
<b>TOTAL budgeted revenue</b>	<b>2,546,027</b>	<b>861,238</b>
<b>Budgeted expenditure 2011 US\$</b>		
Salaries and allowances	1,476,553	318,957
Capital expenses	280,036	45,565
Transport and services	152,747	6,509
Supply and equipment	127,289	71,603
Other	509,156	208,299
<b>TOTAL budgeted expenditure</b>	<b>2,545,781</b>	<b>650,933</b>

Source: Government of Sri Lanka<sup>a</sup>



## 6. ORGANISED LOCAL GOVERNMENT

### 6.1 National local government association:

There are three associations representing municipalities, urban councils and pradeshiya sabhas: the National Chapter of Mayors, the United Urban Council Association and the Sri Lanka Pradeshiya Sabha Association. These three associations formed the Federation of Sri Lankan Local Authorities in 2007 as an umbrella organisation representing the interests of local government authorities in Sri Lanka. Membership is voluntary and all are funded by member subscriptions and other income-generating activities.

## 7. INTERGOVERNMENTAL RELATIONS

The chief ministers of the provincial councils organise regular conferences in which the national-level Minister for Local Government and Provincial Councils participates as the central government representative. Meetings are also held between representatives of the sector/line ministries, the provincial chief secretaries, and the secretaries of the Provincial Public Service Commission. The national-level Ministry of Local Government also holds monthly coordinating meetings with the provincial commissioners and other organisations working in the local government sector. The Sri Lanka Institute of Local Governance, set up under Act No. 31 of 1999, also has a facilitating role, providing professional support to both provincial councils and local authorities, as well as research support to the national ministry for the formulation of policies on local government.

## 8. MONITORING SYSTEMS

Local authorities are accountable to the Auditor General for funds transferred to them by central government through the provincial councils. This requirement is specified in section 218 of the Municipal Council Ordinance 1947, section 181 of the Urban Council Ordinance 1939, and section 172 of the Pradeshiya Sabhas Act 1987.

## 9. FINANCE, STAFFING AND RESOURCES

### 9.1 Locally raised revenue:

At the third tier, local authorities are responsible for collection of taxes and user fees, while other sources of revenue include property rates and assessments and rents. Locally-raised taxes must be levied within limits prescribed by central government.

### 9.2 Transfers:

Grants are provided from both provincial and central government. Central government provides financial transfers to cover salary bills in whole or

in part. In the pradeshiya sabhas, the whole salary bill is covered, whereas in the smaller urban authorities it is closer to 70%. In Colombo Municipal Council it is about 50%. There is no formal policy of revenue-sharing and grant decisions are made from time to time by the Finance Commission. The Local Loan and Development Fund is a statutory body providing over LKR100m of loans per year to local government below market rates with a focus on infrastructure development.

### 9.3 Local authority staff:

The Provincial Councils Act 1987 established a Provincial Public Service (PPS) into which local government officers were transferred from the national local government service. The governor of each province has powers of appointment, transfer, dismissal and disciplinary control over officers of the PPS. These powers may be delegated to the PPS commission, which may in turn delegate to other senior officials. Central government staff are occasionally deployed to local government, but on a temporary basis. Municipal councils must have a commissioner, the head of paid service, by law. The commissioner is the chief administrative officer, to whom heads of divisions or departments are accountable. The heads of these departments are typically a secretary, an administrative officer, an accountant, an engineer, a chief medical officer and occasionally a veterinary surgeon. In the urban councils and pradeshiya sabhas the head of paid service is the secretary, who acts as the chief administrative officer, supported by an administrative officer, a technical officer, and a public health inspector.

## 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

### 10.1 Provincial level:

Some of the major functions devolved to provincial councils include internal law and order, implementation of provincial economic plans, education, provincial housing, agriculture and agrarian services, rural development, land use and land development, cooperative development, and local government.

### 10.2 Local level:

Municipal councils, urban councils and pradeshiya sabhas are charged with the regulation and control of, and all matters relating to, the public health, public utility services and public thoroughfares, and generally with the protection and promotion of the comfort, convenience and welfare of the people. The pradeshiya sabhas have some additional developmental responsibilities.

## References and useful websites

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16. Constitution of Sri Lanka [www.priu.gov.lk/Cons/1978Constitution/Introduction.htm](http://www.priu.gov.lk/Cons/1978Constitution/Introduction.htm)
17. Provincial councils [www.priu.gov.lk/ProvCouncils/ProvincialCouncils.html](http://www.priu.gov.lk/ProvCouncils/ProvincialCouncils.html)



## Annex A. Summary of service provision in different spheres of government

Service	Delivering authority					Remarks
	Central	Provinces	Municipal	Village & Community Urban	P.sabhas	
<b>GENERAL ADMINISTRATION</b>						
Police	■	■				
Fire protection			■	■	■	
Civil protection	■					
Criminal justice	■					
Civil justice	■					
Civil status register	■	■				
Statistical office	■					
Electoral register	■					
<b>EDUCATION</b>						
Pre-school		■	■	■	■	
Primary	■	■				
Secondary	■	■				
Vocational and technical	■					
Higher education	■					
Adult education	■					
<b>SOCIAL WELFARE</b>						
Kindergarten and nursery		■	■	■	■	
Family welfare services	■	■				
Welfare homes	■	■				
Social security						
<b>PUBLIC HEALTH</b>						
Primary care		■	■	■	■	
Hospitals		■				
Health Protection		■			■	
<b>HOUSING AND TOWN PLANNING</b>						
Housing	■	■	■	■	■	
Town planning	■		■	■	■	
Agriculture Land planning	■	■				
<b>TRANSPORT</b>						
Roads	■	■	■	■	■	
Transport	■					
Urban roads	■	■	■	■	■	
Urban Rail	■					
Ports	■					
Airports	■					
<b>ENVIRONMENT AND PUBLIC SANITATION</b>						
Water and sanitation	■	■	■	■	■	
Refuse collection and disposal			■	■	■	
Cemeteries and crematoria		■	■	■	■	
Slaughterhouses			■	■	■	
Environmental protection	■	■				
Consumer protection	■					
<b>CULTURE, LEISURE AND SPORTS</b>						
Theatre and concerts		■				
Museums and libraries	■	■	■	■	■	
Parks and open spaces			■	■	■	
Sports and leisure	■	■				
Religious facilities	■				■	
<b>UTILITIES</b>						
Gas services						
District heating						
Water supply	■		■	■	■	
Electricity	■					
<b>ECONOMIC</b>						
Agriculture, forests and fisheries	■					
Economic promotion	■					
Trade and industry	■	■				
Tourism	■	■				

■ = Discretionary service by the local authority