

PARLIAMENT OF CEYLON

1st Session 1953



Parliamentary Staffs Act, No. 9 of 1953

Date of Assent : March 14, 1953

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L. D.—O. 8/50.

AN ACT TO MAKE PROVISION WITH RESPECT TO THE CADRE, CONDITIONS OF SERVICE AND ADMINISTRATION OF THE STAFFS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

[Date of Assent: March 14, 1953]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Parliamentary Staffs Act, No. 9 of 1953.

Short title.

2. The staff of the Clerk to each Chamber of Parliament, that is to say, to the Senate and the House of Representatives respectively, shall constitute a separate service which shall be subject to the provisions of this Act.

Constitution of separate staffs for each Chamber.

3. There shall be for each Chamber a Staff Advisory Committee which shall—

Staff Advisory Committees.

(a) in the case of the Senate, consist of the President, the Leader of the Senate, and one other Senator nominated by the Minister of Finance; and

(b) in the case of the House of Representatives, consist of the Speaker, the Leader of the House, and the Minister of Finance or, if the Minister of Finance is also the Leader of the House, one other Member of the House nominated by the Prime Minister.

4. The number and designation of the posts in the cadre of the staff of the Clerk of each Chamber and the salary or scales of salaries to be attached to such posts shall be such as may be determined by the Staff Advisory Committee for that Chamber and approved by the Cabinet.

Cadre and salaries of Parliamentary staffs.

5. The Staff Advisory Committee for each Chamber may make financial regulations applicable to the members of the staff of the Clerk to that Chamber containing provision—

Financial Regulations.

(a) for the conditions of service of such members, including conditions as to the payment of salaries, rent allowances and other allowances, the grant of increments and leave, the age of compulsory retirement and pensions; and

- (b) for the payment of salary or other remuneration to those who act or officiate for such members.

Departmental
Regulations.

6. The Clerk to each Chamber, in consultation with the Staff Advisory Committee for that Chamber, may in respect of his staff, make departmental regulations—

- (a) for all matters relating to the discipline of members of the staff and for disciplinary action against such members;
- (b) for the interdiction, punishment and dismissal of such members for contraventions of departmental regulations; and
- (c) generally for the administration of the office and the regulation and control of the work and conduct of such members.

Disciplinary
action.

7. The power to take disciplinary action against any member of the staff of the Clerk to each Chamber, including the interdiction, punishment and dismissal of such member, shall be vested in the Clerk to that Chamber, acting in consultation with the President or the Speaker, as the case may be, and shall be exercised in accordance with departmental regulations made under section 6.

Retirement
of Clerk and
his staff.

8. The Clerk to each Chamber and the members of his staff shall have the option to retire from office upon attaining the age of fifty years or at any time thereafter; and such option shall be exercised by notice which must be delivered to the President or the Speaker, as the case may be, not less than six months before the proposed date of retirement.

Application
to the staff
of the Widows'
and Orphans'
Pension Fund
Ordinance, the
Minutes on
Pensions and
the Public
Service
Provident
Fund Ordinance,
No. 18 of 1942.

9. (1) The President of the Senate or the Speaker of the House of Representatives may, with the concurrence of the Minister of Finance declare any post on the staff of the Clerk to the Senate or the House of Representatives, as the case may be, to be a pensionable post with effect from such date as may be specified in the declaration; the date so specified may be any date prior to the commencement of this Act.

Cap. 296.

(2) The Minutes on Pensions and the Widows' and Orphans' Pension Fund Ordinance shall, subject to any matter provided by or under any of the other provisions of this Act relating to retirement or pensions, apply to and in relation to the holder of any post declared under sub-section (1) to be a pensionable post in like manner as though such holder were a public servant or a public officer, as the case may be.

(3) Where the holder of a post on the staff of the Clerk to each Chamber which is declared under sub-section (1) to be a pensionable post was, prior to his appointment to that post—

- (a) the holder of a post under the Government which was declared under the Minutes on Pensions to be pensionable (notwithstanding that it was so declared after he ceased to hold it); or
- (b) the holder of a post on the staff of the State Council; or
- (c) the holder of a post referred to in paragraph (a) and thereafter of a post referred to in paragraph (b),

and his service in such post or posts and his service on the staff of the Clerk to the Chamber were continuous, then the service of such holder in each such post shall be deemed to be service in a pensionable post for the purposes of the Minutes on Pensions; and those Minutes shall apply accordingly.

(4) Where any post on the staff of the Clerk to each Chamber has been declared under sub-section (1) to be a pensionable post, the provisions of sub-sections (2) and (3) of this section shall apply to and in relation to every person who had held that post notwithstanding that he may have retired therefrom before the commencement of this Act.

(5) The word “ post ” in section 23 of the Public Service Provident Fund Ordinance, No. 18 of 1942, shall be deemed to include any post in the cadre of the staff of the Clerk to each Chamber; and where the Secretary to the Treasury, by Order under that section made with the concurrence of the Clerk to that Chamber, adds any post in the cadre of such staff to the Schedule to that Ordinance, the provisions of that Ordinance shall apply in the case of the holder of the post so added as though he were a non-pensionable employee in the service of the Government.

(6) In this section, references to a post on the staff of the Clerk to each Chamber shall be deemed to include references to the office of Clerk to each Chamber.

10. The estimates of expenditure of each Chamber for each financial year shall be prepared by the Staff Advisory Committee for that Chamber, and shall be sent to the Minister of Finance not later than the

Estimates of
expenditure
of each
Chamber.

fifteenth day of April preceding the commencement of that financial year. Those estimates shall, subject to such alterations as may be made by the Cabinet, be included in the Appropriation Bill for that financial year.

In this section " financial year " means the period of twelve months commencing on the first day of October in any year and ending on the thirtieth day of September in the succeeding year.

Repeal.

11. The State Council (General Staff) Ordinance, No. 23 of 1944, is hereby repealed.