

CHAPTER 588

LOCAL AUTHORITIES (STANDARD BY-LAWS)

Act
No. 6 of 1952.

AN ACT TO AUTHORIZE THE FRAMING OF STANDARD BY-LAWS FOR ADOPTION BY LOCAL AUTHORITIES.

[16th January, 1952.]

Short title.

1. This Act may be cited as the Local Authorities (Standard By-laws) Act.

the area within the administrative limits of that authority, and shall for all purposes be deemed to be and have the same effect as by-laws made by that local authority under the appropriate provision of other written law specified in the declaration under the aforesaid subsection (2) or under powers conferred on that authority by any other written law.

Framing, publication, and approval of standard by-laws.

2. (1) It shall be lawful for the Minister to frame draft by-laws with respect to any subject or matter with respect to which a local authority is empowered by any other written law to make by-laws, and to cause such draft by-laws to be published in the Gazette.

(2) Draft by-laws shall, when published in the Gazette under subsection (1), be accompanied by a declaration specifying—

- (a) the class or each class of local authorities authorized to adopt the by-laws in accordance with this Act; and
- (b) the appropriate provision of other written law by which local authorities of each such specified class are empowered to make by-laws containing the provisions comprised in the draft by-laws.

(3) Where draft by-laws framed and published as hereinbefore provided are approved by resolution passed by Parliament, and notice of such approval has been published in the Gazette, the draft by-laws shall be standard by-laws for the purposes of this Act.

(2) Nothing in any other written law requiring the approval, confirmation or ratification by any authority (including Parliament) of by-laws made by a local authority, shall apply or be deemed to apply in relation to standard by-laws adopted under this section.

For the purposes of this subsection, "approval" shall be deemed to include the passing by Parliament of a motion that by-laws be not disallowed.

(3) Where the standard by-laws with respect to any subject or matter come into force in the area within the administrative limits of any local authority, all by-laws with respect to that subject or matter previously made or deemed to have been made by that local authority under the appropriate provision of other written law specified in the declaration under subsection (2) of section (2), and all other by-laws inconsistent with the standard by-laws, shall be deemed to be repealed.

Adoption of standard by-laws by local authority.

3. (1) Any local authority of any class which is authorized in a declaration under subsection (2) of section 2 to adopt any standard by-laws may by resolution adopt such by-laws; and with effect from the date of the publication of such resolution in the Gazette or on such later date as may be specified in the resolution, the standard by-laws so adopted shall come into force in

(4) The power conferred on any local authority by any other written law to make by-laws shall be deemed to include the power to amend, add to or repeal any standard by-laws adopted under this section, so however that no such amendment or addition may contain any

provision which that authority is not otherwise empowered to make under any other written law.

adopts the by-laws framed for the purposes of such amendment, revocation or replacement.

Power of Minister to amend or revoke standard by-laws.

4. (1) The Minister may, from time to time, frame draft by-laws amending, revoking or replacing any standard by-laws, and the provisions of section 2 shall, *mutatis mutandis*, apply to and in relation to any by-law so framed.

5. (1) Nothing in this Act shall be construed to abridge or otherwise affect the power of a local authority to make by-laws under any other written law.

Saving of general powers of local authorities. &c.

(2) Nothing in this Act shall be construed to confer on any standard by-law adopted by any local authority any greater validity than it would have had if it had been duly made by that authority under any other written law.

(2) Any such amendment, revocation or replacement of any standard by-laws which have already been adopted by any local authority shall not in any way affect their continuance in force in the area within the administrative limits of that authority, unless and until that authority by resolution

6. In this Act, " local authority " means any Municipal Council, Urban Council, Town Council, or Village Council,

Meaning of "local authority ".