

## Higher Education Act

### 1 The purpose of this Act is to

- a) Make Higher Education available to as wide a section as possible of the Sri Lankan population
- b) Monitor the quality of all Higher Education provided in Sri Lanka in the context of the highest national and international standards, and ensure that it caters to the requirements of national and international employment opportunities
- c) Expand opportunities for, and improvement of the quality of, Higher Education free of charge to students admitted to Higher Educational institutions on the basis of performance in the final school leaving examination through the national school system
- d) Expand opportunities for Higher Education for other students, whilst monitoring standards with regard to quality of education
- e) Ensure that no student is deprived of Higher Education because of financial needs, and develop loan schemes as well as scholarship schemes for ready access to all Higher Education institutions for deserving students
- f) Improve access to degree and diploma level qualifications in all branches of tertiary level learning, including vocational training
- g) Enhance opportunities for part time and life long learning for degree level qualifications, through development of tertiary level learning centres in all Divisions in the country
- h) Encourage research in all Higher Education institutes that will contribute to the sustainable development of the country and promote regional equity

Responsibilities OF THE MINISTER

2.	<p>The Minister shall be responsible for the general direction of higher education and the administration of this Act.</p> <p>The Minister shall establish a consultation process with the Minister / Ministry of Education to promote the general quality of education and training at all levels of the education system.</p> <p>The Minister shall be responsible for the due functioning of the Higher Education Commission to be established under this Act, and shall recommend to the President those who shall be appointed to the positions of Chairman and Vice-Chairmen of the Commission and its other members. The rationale for all such appointments shall be reported by the Minister on the HEC website.</p> <p>The Chairman shall be an experienced academic with at least 5years administrative experience and should have been a Vice Chancellor or Dean of a Faculty.</p>	<p>Responsibility of Minister.</p>
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3	<p>I a The Minister may issue guidance to the Commission and the Authorities under it with regard to their responsibilities. Directions may be issued to the Commission in pursuance of national policy, and for ensuring transparency and accountability. Such directions should be issued in writing and tabled as soon as possible thereafter in Parliament.</p>	<p>Power of the Minister to issue directions to the Commission.</p>
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			b	The Commission shall comply with such directions and the governing authority of every Higher Educational Institution shall afford such facilities, and furnish such information, to the Commission or any member or officer thereof as necessary to enable the Commission to comply with such directions.			
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		II	a	For the purpose of enabling him to discharge effectively his responsibility for university education and the administration of this Act, the Minister may order all or any of the activities, or the administration, of any Higher Educational Institution to be investigated and reported upon by the Commission.			
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			b	The Commission shall comply with such order and the governing authority of any Higher Educational Institution to which that order relates shall afford such facilities and furnish such information to the Commission or any member or officer thereof as may be necessary to enable the Commission to comply with any such order.			
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			C	Upon the receipt of a report by the Commission in compliance with an order made under paragraph (a), the Minister may direct the Commission to take such remedial action as he may consider necessary with reference to any of the activities or the administration of the Higher Educational Institution concerned.			
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III a Where the Minister is satisfied that the situation prevailing in a Higher Educational Institution is likely to endanger national security or is detrimental to national policy, or is likely to dislocate the functioning of such Institution, he may direct the Commission to take all such steps as he may deem necessary to bring such situation under control.

b Where the Minister is satisfied that the work or administration of any Higher Educational Institution has been seriously dislocated and that the Authorities of such Higher Educational Institution have failed to restore normal conditions, the Minister may take all such measures necessary to bring the situation under control and ensure the restoration of normal conditions. Pending the restoration of normal conditions, the Minister may, by Order published in the Gazette, make all such provisions as he may deem necessary in respect of all or any of the following matters relating to such Higher Educational Institution:-

the closure of such Higher Educational Institution;

the appointment of any person by name or by office, to be a competent authority for the purpose of exercising, performing or discharging, in lieu of any officer, Authority or other body of such Higher Educational Institution, any power, duty or function under this Act or any appropriate Instrument, and

any other matter connected with or relating to any of the matters aforesaid.

Any Order made by the Minister under subsection (III) shall come into force on such date as may be specified therein. Any such Order shall, as soon as possible thereafter, be tabled in Parliament and shall, unless earlier rescinded, remain in force for a period not exceeding three months thereafter.

Establishment of HEC	
	4 There shall be established a Higher Education Commission (hereinafter referred to as "the Commission"), which shall be responsible for ensuring that Higher Education is provided in Sri Lanka in accordance with the aims of this Act.
	The powers and duties of the Commission shall be -
I	the planning and co-ordination of university education so as to conform to national policy;
II	the apportionment to Higher Educational Institutions, of the funds voted by Parliament in respect of university education, and the monitoring of expenditure by each such Higher Educational Institution;
III	the maintenance of academic standards in Higher Educational Institutions;
IV	Supervision of the administration of Higher Educational Institutions;
V	Ensuring equity and promoting Social Integration in the admission of students to each Higher Educational Institution; VI The publication of a fortnightly basis of a Gazette, in print and in electronic form, wherein shall be contained all advertisements pertaining to the recruitment of personnel to universities and other Higher Education Institutes governed by the State, and pertaining to the supply of goods and services to such institutions. The appointments made and contracts awarded by such institutions shall also be published in the Gazette. The print version of the Gazette shall be distributed free of charge to all such institutions and to Public Libraries and may be ordered otherwise on payment of a subscription fee. VII Establishing in every District a Centre for Advisory Services for students which shall a inform students of courses at universities b advise students on admissions procedures and provide guidance and assistance with regard to applications c transmit requests to the HEC and to universities and provide answers within one week d liaise with universities to provide presentations on their facilities and courses to students at the District Advisory Services Centre And
	VIII the exercise, performance and discharge of such powers, duties and functions as are conferred, or imposed on, or assigned to, the Commission by or under this Act.

The Commission shall consist of a Chairman, 6 Vice-Chairman and 7 other members, all of whom shall be appointed by the President on the recommendation of the Minister. The other members shall include two members from a panel of names submitted by the Chambers of Commerce, a representative of the Ministry of Public Administration with teaching experience, a nominee of the Ministry of Youth Affairs, and a nominee of the Ministry of Social Services with knowledge of and experience in counselling. A member of the Commission may resign his office by writing under his hand addressed to the Minister, but shall continue in office until such time as his resignation has been accepted.

7 The Vice-Chairmen will chair Authorities in the following areas and shall report to the Commission, provided that all formal communications with the universities and other institutions reporting to the Commission shall be through the Commission

- a) University Regulation, Funding and Monitoring
- b) Admissions
- c) Technical Education
- d) Extra-Mural and Non-Formal Education
- e) Research and Social Impact
- f) Quality Assurance

8 I The Authority on University Regulation, Funding and Monitoring shall

a) monitor the appointment of staff in state funded universities. It will monitor the working of such universities in terms of the aims of this Act, and provide guidelines for the improvement of quality and delivery of academic services.

b) decide on the funds to be provided to each state university following investigation of their financial needs, and monitor allocations within universities to ensure equitable distribution to all entities within the university, while ensuring that University Councils take remedial action as appropriate

- c) monitor the provisions each institution makes with regard to remuneration of academic, non-academic and academic support staff, within the budgets provided to them
- d) monitor productive use of funds allocated for maintenance and repairs and for capital expenditure and ensure that the premises of all institutions are used efficiently

II The Authority shall appoint Standing Committees in different areas of study for the purpose of ensuring that all state universities maintain up to date understanding of the subjects they teach and ensure that students are taught in accordance with the highest national and international standards

III The Authority on Admissions shall be responsible for

- a) deciding on criteria for ensuring equity and promoting social integration in the admission of students
- b) expanding opportunities for students to obtain information about courses at the different universities and in particular ensuring cooperation between each university and the District Centres
- c) approving on the recommendation of the University Council the numbers of students to be admitted to each state university, ensuring that such number shall increase at least in proportion to the increase in numbers sitting the final school leaving examination. The method of selection and the allocation of students to courses of study shall be the responsibility of the universities concerned, subject to the criteria laid down by the Commission
- d) calling for applications from students, within a month of the final release of results. on a system that provides students with the opportunity of indicating options as to both courses of study and universities
- e) deciding on admissions in accordance with national and university guidelines within two months of the call for applications, while taking into account as far as possible the options students indicate with regard to both courses of study and universities.
- f) Supervising subsequent filling of vacancies by the universities themselves in accordance with guidelines prepared by the universities in consultation with the HEC, provided that universities shall ensure maximization of usage of the facilities of the university and filling of all places available in each course of study

IV The Authority on Technical Education shall be responsible with regard to technical education for the functions laid out above as to Regulations, Monitoring, Admissions and Funding. It shall take over the functions of the current Technical and Vocational Education Commission. All Vocational and Technical training institutions shall report to the Higher Education Commission under the supervision of the Technical Education Authority, as universities report to the Higher Education Authority under the supervision of the University Regulation, Funding and Monitoring Authority

11.	The Commission shall have and exercise all or any of the following powers -	
	(i)	to inquire into or investigate, from time to time, the financial needs of each Higher Educational Institution;
	(ii)	to prepare, from time to time, in consultation with the governing authority of each Higher Educational Institution, triennial budgets for its maintenance and development, or for any other general or special purpose;
	(iii)	to make recommendations, from time to time, to the Minister as to the nature and amount of grants, out of public funds, which it is desirable or necessary to make to each Higher Educational Institution;
	(iv)	to determine from time to time -
		the structure and composition of each Higher Educational Institution established or deemed to be established under this Act or any appropriate instrument;
	(v)	to investigate or to cause investigation into grave problems pertaining to the discipline of the students, or to the academic, financial or general administration, of any Higher Educational Institution, and to recommend to the Institution remedial measures required
	(vi)	to do all such other acts or things as may be necessary for effectively exercising any of the powers specified by this act and for the attainment of the objects set out in section 3.
12.	The Commission shall, before the expiry of a period of six months after the closure of each financial year of the Commission, transmit a report giving a full account of its activities during that year to the Minister who shall cause copies thereof to be tabled in Parliament. The Commission shall cause copies of that report to be made available for sale to the public at such price as may be determined by the Commission.	
13.	The Commission may by notice require the governing authority of any Higher Educational Institution to furnish to the Commission within such period as shall be specified in the notice all such returns or information relating to all such matters as may be necessary to enable the Commission to effectively exercise, perform and discharge any of its powers, duties and functions under this Act, and it shall be the duty of that governing authority to comply with the requirements of such notice.	
14.	(1)	The Commission may make Ordinances in respect of all such matters as it may deem necessary to enable it to effectively exercise, perform and discharge its powers, duties and functions under this Act.
	(2)	Without prejudice to the generality of the powers conferred by subsection (1), the Commission may make Ordinances in respect of all or any of the following matters:-

	(a)	all matters to be prescribed by Ordinance, in respect of which Ordinances are authorized or required to be made by the Commission by any other provision of this Act;
	(b)	the establishment and maintenance of standards of instruction in Higher Educational Institutions for the grant of degrees, diplomas, and other academic distinctions;
	(c)	the co-ordination of facilities in and around Higher Educational Institutions;
	(d)	the nature and scope of extension services which may be provided and organized by Higher Educational Institutions;
	(e)	the recognition of foreign degrees and diplomas and other academic distinctions; the assessment of the quality of all qualifications in the field of Higher Education
	(f)	any other matter connected with, or incidental to, any of the matters aforesaid.
(3)		Every Ordinance made by the Commission under this Act shall be published in the Gazette and shall come into operation on the date specified therein.

1	The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as a "University Order")-	
a	( establish a University, which shall be a body corporate with perpetual succession and a common seal, for the purpose of providing, promoting and developing higher education in all such branches of learning as shall be specified in such Order;	
b	( assign a name and style to such University;	
c	( specify the location or site which shall be the seat of such University;	
d	( assign a Faculty or Faculties to such University; and	

	( e )	specify the Departments of Study comprising such Faculty or Faculties.		
		Notwithstanding the provisions of any other Act, no University of Degree Awarding Institute may be established except as specified in this Act		
1 6		The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as an "Open University Order") -		
		establish an Open University, which shall be a body corporate with perpetual succession and a common seal for the purpose of providing higher educational facilities to those who are not students of any of the institutions referred to in section 21,		
		assign a name and style to such Open University; and		
			specify the location or site which shall be the seat of such Open University.	
			The structure, powers, duties and functions of an Open University shall be prescribed by Ordinance.	
1 7		The Commission may, with the concurrence of the Minister and subject to such conditions as may be prescribed by Ordinance, recognize institutions for the purpose of providing courses of study approved for the examinations of a Higher Educational Institution.		
1 8		The Minister may, on the recommendation of the Commission following a report from the Quality Assurance Authority, subject to the provisions of section 21, by an Order (hereinafter referred to as a "Degree Awarding Institute Order") recognize, any Institution as a Degree Awarding Institute for the purpose of developing higher Education in such courses of study in such branches of learning as are specified in such Order and subject to such conditions as may be specified therein.		

1Every University Order or Open University Order, or Degree Awarding Institute Order  
9shall be published in the Gazette. Each such Order shall come into force on the date  
specified therein and shall, as soon as possible thereafter, be tabled in Parliament.

20	(1)	(a)	A University Order, Campus Order, Open University Order, or Institution for Higher Learning Order may be amended, varied or revoked by the Minister on the recommendation of the Commission following a report from the relevant Authority.		
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		(b)	A Degree Awarding Institute Order made under section 18, may be amended, varied or revoked by the Minister on the recommendation of the Commission following a report from the relevant Authority.		
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	(2)	Every Order made under subsection (1) shall be published in the Gazette. Each such Order shall come into force on the date specified therein and shall, as soon as possible thereafter, be tabled in Parliament.		
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## POWERS OF DEGREE AWARDING INSTITUTES

	21	<p>A Degree Awarding Institute recognized by an Order under Section 18 shall have the power</p> <p>(a) to admit students and provide for instruction in such branches of learning as are specified in the Order made under section 18 in respect of such Institute;</p> <p>(b) to hold examinations for the purpose of ascertaining the persons who have acquired proficiency in the courses of study in such branches of learning;</p> <p>(c) to grant and confer, degrees, diplomas, certificates and other academic distinctions on persons</p> <p>who have followed instruction in the courses of study in such branches of learning and passed such examinations;</p> <p>(d) to engage in research and supervision of research and grant and confer degrees on persons who have satisfactorily conducted such research in accordance with standards established by such</p> <p>Institute in accordance with guideline issued by the Quality Assurance Authority</p>			
	22.	<p>The President shall appoint the Chancellor of each University. The Chancellor shall be the Head of the University, hold office for a period of five years reckoned from the date of his nomination, and shall preside at any Convocation of the University.</p>			
	23	<p>The Officers of a University shall be the following:-</p>			
	(i)	<p>the Vice-Chancellor;</p>			
	(ii)	<p>the Deputy Vice-Chancellor;</p>			

	(iii)	the Provost;
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	(iv)	the Dean of each Faculty;
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	(v)	the Registrar;
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	(vi)	the Librarian;
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	(vii)	the Bursar; and
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	(viii )	the holder of any other post declared by Ordinance to be a post, the holder of which is an Officer for the purpose of this section.
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24.	(1)	(a)	<p>The Vice-Chancellor of a University shall, subject to the provisions of paragraph (b), be appointed for a term of four years by the President on the recommendation of the Council. The Council shall make its selection from a panel of five names recommended by the Senate of that University (or if there are fewer than five candidates, all names of applicants). The reasons for shortlisting and for selection shall be made public. No person may serve for more than one term in the post of Vice-Chancellor. The Senate shall advertise any vacancy in the position, which shall be open to applicants from outside the university system too. Previous managerial experience will be a prerequisite for applicants, which in the case of applicants from within the university system would mean at least two years' experience of having served as an officer of a university or a Rector or Head of Department.</p>	
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		(c)	<p>The Vice-Chancellor of a University may be removed from office by the President, on the advice of the Higher Education Commission after consultation with the Council.</p>	
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	(2)	<p>The Vice-Chancellor shall be a full-time officer of the University, and shall be the principal executive officer and principal academic officer thereof. He shall be an ex officio member and Chairman of both the Council and the Senate. The Vice-Chancellor shall be entitled to convene, be present and speak at, any meeting of any other Authority of the University or other body, but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or other body.</p>	
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	(3)	It shall be the duty of the Vice-Chancellor, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Council, to ensure that the provisions of this Act and of any appropriate Instrument are duly observed, and he shall have and may exercise all such powers as he may deem necessary for the purpose.
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	(4)	Subject to the provisions of this Act, it shall be the duty of the Vice-Chancellor to give effect, or to ensure that effect is given, to the decisions of the Council and of the Senate.
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	(5)	The Vice-Chancellor shall be the Accounting Officer of the University.
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	(6)	The Vice-Chancellor shall be responsible -
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	(a)	for the execution of policies and measures approved by the Council in relation to the University and, subject to such policies, the direction, supervision and control of the University, including its administration; and
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			<p>(b) for ensuring the quality of instruction imparted in the university and the systems of examination within the university</p> <p>© for monitoring the welfare of students and ensuring the proper maintenance of the buildings and equipment of the university</p> <p>(d) for the maintenance of discipline within a University, including full implementation of the Prohibition of Ragging Act. In the event of any alleged violation of this Act, the Vice Chancellor shall institute an inquiry by law enforcement authorities.</p>		
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	(7)		The Vice-Chancellor shall, unless he vacates office earlier or is removed from office under subsection (1)(c) of this section, hold office for a term of four years from the date of his appointment, or until he reaches the age of 65.		
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	(8)		If the Vice-Chancellor by reason of leave, illness, absence from Sri Lanka or other cause is temporarily unable to perform the duties of his office, the Deputy Vice-Chancellor, if any, shall perform such duties. If there is no Vice Chancellor or Deputy Vice Chancellor, the Council shall appoint one of the Deans to act as Vice-Chancellor.		
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	(9)		If any vacancy occurs in the office of Vice-Chancellor -		
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		(a)	the Deputy Vice-Chancellor shall perform the duties of the office of Vice-Chancellor		
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	until a permanent appointment is made under the preceding provisions of this section.		
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(10)	A Vice-Chancellor who resigns or is removed from office under subsection (1) or in any other way ceases to hold office as Vice-Chancellor may, if he was a member of the staff of a Higher Educational Institution on the day prior to the date of his appointment as Vice-Chancellor, revert to his substantive post in the staff of such Institution provided he has not completed his sixty-fifth year.		
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25.	<p>The Council of a University shall, following applications called from members of the Senate, appoint a Deputy Vice-Chancellor, who shall be responsible under the direction of the Vice Chancellor for Students Affairs including Welfare and for Academic Development, including Staff Training and Development. The Council shall decide on the process of selection. A Deputy Vice-Chancellor shall hold office for four years and exercise powers and fulfil duties and functions as prescribed by the Council on the recommendation of the Vice Chancellor.</p> <p>26. The Council of a University shall, following applications called from members of the Senate, appoint a Provost who shall be responsible for Research and for External Relations including fund-raising. The Council shall decide on the process of selection. A Provost shall hold office for four years and exercise powers and fulfil duties and functions as prescribed by the Council on the recommendation of the Vice Chancellor.</p>		
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27	(1)	The Registrar of a University shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be decided by the Council. The Vice-Chancellor shall be a member of such Committee, but not its Chairman. The Registrar shall be a full-time officer of that University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.	
	(2)	The Registrar shall be responsible for the custody of the records and the property of the University.	
	(3)	The Registrar shall be the ex officio secretary of the Council and the Senate.	
	(4)	The Registrar shall be the Assistant Accounting Officer of the University.	
	(5)	The Registrar shall, subject to the direction and control of the Vice-Chancellor, be responsible for the general administration of the University and the disciplinary control of its non-academic staff.	

28.	<p>(1) The Bursar of a University shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be decided by the Council. The Vice-Chancellor shall be a member of such Committee, but not its Chairman. The Bursar shall be a full-time officer of that University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.</p>
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	<p>(2) The Bursar shall, subject to the direction and control of the Registrar, be responsible for the administration of the finances of the University, and maintain its accounts in such form and manner as may be prescribed by Rules. He shall have the custody of the funds of the University.</p>
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29.	<p>(1) The Librarian of a University shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be decided by the Council and chaired by the Vice-Chancellor. The Librarian shall be a full-time officer of that University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.</p>
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	<p>(2) The Librarian shall, subject to the direction and control of the Vice-Chancellor, be responsible for the administration of the library or libraries of the University.</p>
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<p>THE AUTHORITIES OF A UNIVERSITY</p>	
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4 3.	The Authorities of a University shall be the following:-				
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	(i)	the Governing Council;			
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	(ii)	the Senate;			
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	(v)	the Faculty Board or Faculty Boards; and			
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	(vi)	such other bodies as may be prescribed by Ordinance to be such Authorities.			
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3 1	(1)	The Governing Council of a University (hereinafter referred to as the 'Council'), shall be the chief authority of the University and shall consist of the following persons:-			
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	(i)	the Vice-Chancellor;			
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	(ii)	Deputy Vice-Chancellor;			
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		(iii)	The Provost;						
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		(iv)	the Deans						
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			of each Faculty;						
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		(vi)	two members elected by the Senate from among its members; and						
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such number of members as is equal to the total number of members under paragraph (i), (ii), (iii), (iv), (v) and (vi) above, increased by one. All such members shall be appointed by the Commission in accordance with the following criteria, and the reasons for each selection shall be made public by the Commission

1. Should possess a Bachelor's degree from a recognized university or recognized professional qualification
2. Should be of high calibre and have rendered distinguished service in educational, professional, commercial, industrial, scientific or administrative spheres for at least 10 years in a senior capacity
3. Should demonstrate interest in higher education and possess a commendable grasp on policies, issues and challenges of the higher education sector

Besides, due attention should be paid to ensure

1. Ethnic and gender representation as appropriate
2. Inclusion of members from administrative, financial / accounting and legal professions as far as possible
3. Public officials serving in the area of the university in positions relevant to the degree programmes of the university
4. No individual engaged in any contractual service with the University may be appointed to the Council. This shall not preclude Members of the Council giving lectures on occasion, but no payments shall be made for such lectures.

The attendance of members and their contribution to the decision making process of the Council and to the institutional development should be assessed on an annual basis through a structured progress report obtained from them.

		(2) The Chairman of the Council shall be the Vice-Chancellor who shall preside at all meetings of the Council. If the Chairman is unable to preside at a meeting, the members shall elect any member present to preside at such meeting.		
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		(3) Subject to the provisions of subsection (4) any appointed or elected member of the Council shall, unless he vacates office earlier, hold office for a term of four years reckoned from the date of his appointment or election, as the case may be. Appointed officers shall be eligible for re-appointment for one more term:		
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		Provided, however, that if any appointed or elected member vacates his office prior to the expiry of his term, his successor shall, unless he vacates his office earlier, hold office for the unexpired portion of the term of office of his predecessor.		
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		(4) Any appointed or elected member of the Council may resign his office by writing under his hand addressed to the Chairman of the Commission or to the Vice-Chancellor of the University, as the case may be.		
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		(5) An appointed member of the Council who, for whatever reason, absents himself from three consecutive meetings of the Council, shall be deemed to have vacated his office as a member of the Council and shall not be eligible for reappointment to that Council. The Commission shall appoint a fit person to fill the resulting vacancy.		
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	(6)	An appointed member of the Council shall not be entitled to any remuneration, but may be paid such allowances as the Council shall prescribe, as shall be the case with Council Members who chair Sub-Committees of the Council.			
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	(7)	The quorum for a meeting of the Council shall be one-third of its total membership.			
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	(8)	The Council shall meet whenever necessary so however that it meets on not less than ten occasions in each year.			
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	<p>(9) The Chairman of the Council shall, whenever he thinks necessary, or within one week upon the receipt by him of a written requisition from not less than one-third the total membership of the Council, convene a Special Meeting of the Council.</p> <p>(10) Each appointed Member of the Council will be expected to undertake specific oversight responsibilities as agreed with the Vice-Chancellor, in relation to particular faculties or activities of the University. The Council shall also appoint Sub-Committees in areas it thinks require such consideration, including the areas of</p> <ul style="list-style-type: none"> <li>a) Student Welfare</li> <li>(b) Extra-Curricular Activities</li> <li>(c) Quality Assurance and Academic Excellence</li> <li>(d) Finance</li> <li>(e) Audit and Management</li> <li>(f) Investment</li> <li>(g) Examinations</li> </ul> <p>Every such Sub-Committee shall include two Deans selected by the Senate. The Student Welfare and Extra-Curricular Committees shall include two students elected by the students, including students distinguished for their participation in Extra-Curricular activities for the latter Committee.</p> <p>Members of the Council who chair such Sub-Committees may be remunerated for their work and travelling at rates fixed by the Council.</p>
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3 2.	<p>(1) Subject to the provisions of this Act, the Council shall exercise the powers and perform and discharge the duties and functions conferred or imposed on, or assigned to, the University.</p>
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		(2) Without prejudice to the generality of the powers conferred upon it by subsection (1), the Council shall exercise, perform and discharge the following powers, duties and functions:-			
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		(i)	to hold, control and administer the property and funds of the University;  To make arrangements for the Annual Convocation of the University, and decide on the award of Honorary degrees, on the recommendations of Senates and Faculty Boards, provided that no such degrees are conferred on those actively engaged in politics		
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		(ii)	to select a coat of arms for the University, and to determine the form, to provide for the custody and to direct the use, of the common seal of the University;		
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		(iii)	to regulate and to determine all matters concerning the University in accordance with the provisions of this Act and of any appropriate Instrument;		
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		(iv)	to administer any funds placed at the disposal of the University for specific purposes and monitor their usage;		
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		(v)	to receive and accept bequests, donations and grants of property to the University;		
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		(vi)	to consider, and if necessary amend, and adopt the annual report and the annual accounts of the University and to submit such report and such accounts to the Commission;					
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		(vii)	to prepare the financial estimates of the University and to submit such estimates to the Commission;					
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		(viii)	to oversee the expenditure of the university and ensure that funds provided by the State are deployed with transparency and economically					
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		(ix)	to make By-laws for any matter in respect of which By-laws are authorized to be made;					
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		(x)	to make such Regulations as are not provided to be made by any other Authority of the University;					
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		(xi)	to provide the buildings, premises, furniture, equipment and other material needed for carrying on the work of the University and ensure their proper maintenance;					
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		(xii)	To ensure that the academic authorities of the university fulfil their responsibilities in a timely fashion and in particular release results of all written examinations, internal and external, within two months of such examinations being held		
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		(xiii)	to determine fees to be paid to examiners who shall be appointed by the Faculties with the approval of the Senate, and to inquire into any complaints with regard to examinations. The Council may work through the institutions of the university, and institute any procedure required to establish the credibility of results, including the return of question papers to students if this is thought appropriate. In the event of any complainant not being satisfied with a finding, the Council shall institute an independent inquiry, with advice from the Higher Education Commission		
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		(xiv)	To decide, subject to ratification by the HEC, on criteria for admission to the university, and to determine the numbers to be admitted to each course of study, subject to admission free of charge of all students admitted in terms of National Policy on the results of the final school leaving examination	k	
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		(xv)	to enter into, carry out or cancel contracts on behalf of the University, and to invest any moneys belonging to the University including any unapplied income, in any security in which, under the provisions of section 20 of the Trusts Ordinance or of any other written law, it is lawful to invest trust moneys; or, with the approval of the Commission, to invest any such moneys in the purchase of immovable property in Sri Lanka or vary such investments, or to place on fixed deposit in any bank approved by the Commission, any portion of such moneys not required for immediate expenditure;		
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		(xvi)	to determine, after consultation with the Senate, the academic dress or insignia, or both, of the Chancellor, the Officers, the graduates and the students of the University;
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		(xvii)	<p>to make appointments to teaching positions and to other positions in accordance with criteria laid down by the Council and ratified by the Commission. The Council may delegate appointments of non—academic staff to the Vice-Chancellor subject to approval by the Council. All appointments made by the Council may be reviewed by the University Services Appeals Board, if appeals are made to the Board in writing, with specification of irregularities. Candidates not called for interview may also appeal in case applicants with lesser qualifications have been summoned.</p> <p>xviii to approve leave according to criteria established by the Council on the recommendation of the relevant Officers and Authorities</p> <p>xix to advise the Commission on</p>
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			the academic and other needs of the university in consultation with the Senate;
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		Xx	To set in place counselling services for the benefit of students, ensure that academic and career guidance services are available, and also psycho-social support as needed, and to monitor the social and psychological wellbeing of students, with close supervision of Hostel Wardens and other academic and non-academic staff with responsibility for the welfare of students
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		(xxi)	<p>to exercise all other powers of the University the exercise of which is not otherwise provided for in this Act or any appropriate Instrument:</p> <p>Provided that no resolution shall be passed by the Council in relation to any academic matter unless the Senate has first been given an opportunity of recording and transmitting to the Council its opinion thereon.</p> <p>In this section, "academic matter" means any matter which is subject to the control and general direction of the Senate.</p>	
			<p>33 The council may, with the concurrence of the Commission, establish institutes or centres of higher learning affiliated to the university for the purpose of providing, promoting and developing higher education in such branches of learning as may be decided upon by the Council provided that the Council shall be responsible for the costs of such institute or centre</p>	

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3 4.	(1)	A University shall have a Senate which shall be the academic authority of the University.		
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		(2) The Senate of the University shall consist of the following persons:-			
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		(a)	the Vice-Chancellor;		
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		(b)	the Deputy Vice-Chancellor		
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		(c)	the Provost		
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		(d)	the Director of each Institute or Centre for Higher Learning, if any, affiliated to the University;		
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		(e)	the Dean of the Faculty of Graduate Studies, if any;		
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		(f)	the Dean of each Faculty;		
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		(g)	the Head of each Department of Study;		
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		(h)	every permanent Professor of the University;		
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		(i)	the Librarian; and			
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		(j)	two teachers, other than those referred to in the preceding paragraphs of this subsection, elected by the permanent teachers of each Faculty, from among their number.			
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	(3)	Each elected member shall hold office for a period of four years reckoned from the date of his election:  Provided, however, where an elected member retires or resigns, or otherwise vacates office by reason of absenting himself from three consecutive meetings of the Senate, another member shall be elected in his place in accordance with the provisions of paragraph (j) of subsection (2), and such other member shall, unless he vacates office earlier, hold office for the unexpired portion of the term of office of his predecessor.				
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	(4)	The quorum for a meeting of the Senate shall be one-fourth of its total membership.				
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	(5)	The Senate shall have control and general direction of instruction, education, research and examinations in the University.				
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		(6)	Subject to the provisions of this Act and without prejudice to the generality of the powers conferred upon it by subsection (5), the Senate shall exercise, perform and discharge the following powers, duties and functions:-				
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		(i)	to approve, after consideration of reports from the Faculty Board or the Faculty Boards concerned, Regulations relating to courses of study and examination;				
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		(ii)	to appoint examiners on the recommendation of the Faculty Board or Faculty Boards concerned				
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		(iii)	to recommend to the Council the institution, abolition or suspension of Professorships, Associate Professorships, Senior Lectureships, Lectureships, and other academic posts in the University;				
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		(iv)	to recommend to the Council after consideration of reports from the Faculty Board or the Faculty Boards concerned -				
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		(a)	schemes for the re-organization of existing Faculties and Departments of Study and the organization of new Faculties and Departments of Study; and				
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			(b)	the assignment of subjects of study to the respective Faculties;			
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		(v)		to decide on the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes and			
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				to award such fellowships, scholarships, exhibitions, bursaries, medals and other prizes			
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		(vii)		to appoint such number of Standing Committees, or ad hoc Committees or Boards of the Senate as it may deem fit, and in particular, but without prejudice to the generality of the preceding provisions of this subsection -			
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			(a)	a Library Committee;			
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			(b)	an Admissions Committee;			
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			(c)	a Research Committee;			
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			(d)	a Curriculum and Evaluation Committee; and
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			(e)	a Probationary Study Leave Committee and to specify their terms of reference; to consider their reports and to either approve such reports, whether with or without modification, or to reject such reports; and
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		(viii)	to recommend to the Council requirements for the admission of students to courses of study.  ix To recommend to the Council in accordance with criteria laid down the numbers to be admitted to each course of study, subject to admission free of charge of all students admitted in terms of National Policy on the results of the final school leaving examination
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3 5	(1)	Each Faculty of a University shall consist of the Departments of Study assigned to that Faculty under the provisions of this Act.
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	(1 A)	Each Faculty of a University shall have a Faculty Board which shall consist of the following persons:-
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		(a)	the Dean of that Faculty;			
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		(b)	all permanent teachers			
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		(c)	All Lecturers (Probationary) provided that such Lecturers shall not have voting rights;			
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		(d)	All members of the permanent staff attached to the Faculty and who are imparting instructions, other than those referred to in paragraphs (b) and (c), provided that such staff shall not have voting rights;			
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		(e)	two students elected by the students of the Faculty from among their number; and			
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		(f)	three persons not being members of the staff of the University elected by the Faculty Board from among persons of eminence in the areas of study relevant to the Faculty.			
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		(2)	A member elected under paragraph (e) of subsection (1) shall hold office as a member for a period of one year, and any other elected member for a period of three years, reckoned from his date of election, and shall be eligible for re-election.			
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		(3)	Subject to the provisions of this Act, a Faculty Board shall exercise, perform and discharge the following powers, duties and functions-
		(i)	to consider and report on any matter referred to it by the Senate;
		(ii)	subject to the control of the Senate, to regulate matters connected with teaching, examinations and research in the Departments of Study in the Faculty;
		(iii)	to present recommendations and reports to the Senate on all matters connected with the courses of study and examinations in the Faculty;
		(iv)	to appoint committees, which may include persons other than members of the Faculty, for the purpose of considering and reporting on any special subject or subjects; and
		(v)	to recommend to the Senate persons suitable for appointment as examiners.

	(4)	(i)	The Dean shall preside at all meetings of the Faculty Board;			
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		(ii)	The members elected under paragraph (e) of subsection (1A) shall be excluded from the proceedings of any meeting of the Faculty Board relating to the election of the Dean under section 49 of this Act, and to examinations and connected matters and any such meeting shall, notwithstanding such exclusion, be deemed to have been duly held.			
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	36	(1)	Any University may with the concurrence of the Commission establish a Faculty of Graduate Studies for the purpose of promoting research and providing courses of study leading to higher degrees, and other academic distinctions in the several branches of learning within such University;			
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		(2)	The Council shall with the concurrence of the Commission determine the structure, powers, duties and functions of the Faculty and the procedure for the appointment or the election of the Dean of such Faculty;			
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	37	(1)	There shall be a Dean of each Faculty who shall be a full-time officer of the University and the academic and administrative Head of that Faculty. The Dean shall be elected by the Faculty Board from among the Heads of the Departments of Study comprising such Faculty, and shall, when so elected, cease to be the Head of the Department of Study concerned.		
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		(2)	The Dean shall, subject to the provisions of any appropriate Instrument, hold office for a period of four years reckoned from the date of his election and shall not be eligible for re-election.		
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		(3)	Where owing to leave of absence, illness or other cause, the Dean of a Faculty is temporarily unable to perform the duties of his office for a period not exceeding three months, the Vice-Chancellor shall appoint another Head of a Department of that Faculty to act in the post of Dean, for such period. Where however a Dean of a Faculty retires or resigns, or is for any other reason unable to perform the duties of his office for a period exceeding three months, the post of Dean of that Faculty shall be deemed to be vacant, and a new Dean shall be elected in accordance with subsection (1).		
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	38.		A University may, from time to time, make recommendations to the Commission as to the establishment of such Faculties and Departments of Study as it may deem necessary for developing its teaching, research and extension programmes.		
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	39.	(1 )	<p>The Head of a Department of Study shall be a Professor or Associate Professor or Senior Lecturer elected by the permanent teachers of that Department. All those nominated for election shall be required to submit a statement of qualifications or aims which shall be scrutinized by the Council before such election, and the Council may rule on whether or not such persons are fit to provide academic leadership to the Department. Anyone whose nomination is rejected may appeal to the Appeals Board of the Commission, which shall hold a hearing in this regard and give its verdict within a week of submission of such appeal.</p> <p>If there is a vacancy, pending election, the Vice-Chancellor may appoint a Professor to act in the post of Head of Department for a period not exceeding one month reckoned from the date of his appointment.</p>	
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		(2 )	<p>The Head of a Department shall, subject to the provisions of any appropriate Instrument, hold office for a period of four years reckoned from the date of his appointment and shall not be eligible for reappointment.</p>	
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		(3 )	<p>Where owing to leave of absence, illness, or other cause, the Head of a Department is temporarily unable to perform the duties of his office for a period not exceeding three months, the Vice-Chancellor shall appoint another Professor, Associate Professor or Senior Lecturer or Lecturer of that Department in the post of Head of Department for such period. Where however a Head of a Department retires or resigns, or is for other reason unable to perform the duties of his office for a period exceeding three months, the post of Head of Department shall be deemed to be vacant, and a new Head of Department shall be appointed in accordance with subsection (1).</p>	
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		40. The constitution, powers, duties and functions and the terms of membership, other than of ex officio membership, of such other bodies as shall be declared by the Commission to be Authorities of a University, shall be prescribed by Ordinance.			
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<b>APPOINTMENTS TO THE STAFF</b>				

41.

(1) Subject to the provisions of subsection (2), every appointment to the staff of a Higher Educational Institution shall be made by the governing authority of such Institution, in accordance with the schemes of recruitment and the procedures for appointment prescribed by Rules.

Provided however, notwithstanding the provisions of section 72, the governing authority of a Higher Educational Institution may, with the approval of the Commission, appoint experienced persons who have already gained distinction in their subjects to the posts of teacher in any such Institution, for such period and on such terms and conditions as may be agreed upon by the governing authority and such teacher.

42.

(1) Every appointment to a post of teacher shall be for a probationary period of three years, with specifications as to the requirements for confirmation. Such requirements shall include academic qualifications as well as assessments of teaching and research capacity, with provision for external assessors. Assessments will also include teacher evaluation inclusive of student input.

The period of probation may be extended by the Council, by one year at a time for upto five years more, if the required academic qualifications have not been obtained, provided that steps have been taken to obtain such qualifications and satisfactory reports have been received from academic supervisors appointed for such purpose.

Provided that a probationary period shall be for one year in the case of those who have been teachers in any other Higher Educational Institution and have required postgraduate qualifications for confirmation, and satisfactory reports as to teaching and research capacity. Satisfactory assessments as to performance within the institution will be a requirement for confirmation.

43.

The holder of a post of teacher, who has been confirmed in his post, shall continue in that post until he has completed his sixty-fifth year or if he completes his sixty-fifth year in the course of an academic year, until the last day of such academic year, and shall thereafter be deemed to have retired from service:

Provided, however, that the holder of any such post may, at any time, be suspended, pending an inquiry by the governing authority of the Higher Educational Institution to which such teacher is attached, for misconduct, inefficiency or dereliction of duty or be dismissed or compulsorily retired, if



## **UNIVERSITY SERVICES APPEALS BOARD**

48. There shall be established a University Services Appeals Board, (hereinafter referred to as the "Appeals Board"), which shall consist of

a Chairman, a Vice-Chairman and another member, all of whom shall be appointed by the Minister. The Minister shall ensure that at least one member of the Board has legal qualifications, and that at least one member of the Board shall have served at Addl Secretary level or above in the Public Service. The Vice-Chairman of the Board, or the other Member, shall chair a mediation procedure prior to the Appeals Board hearing any case, with the support as required of an experienced mediator. Such procedure shall be concluded within one month of the complaint.

49.

(1) Every member of the Appeals Board, including the Chairman, shall, unless he vacates office earlier, hold office for a term of five years reckoned from the date of his appointment, and unless removed from office, be eligible for re-appointment:

Provided, however, that if any member vacates his office prior to the expiry of his term, his successor shall, unless such successor vacates his office earlier, hold office for the unexpired portion of the term of office of his predecessor.

(2) A member of the Appeals Board may resign his office by writing under his hand addressed to the Minister, but shall continue in office until such time as his resignation has been accepted.

(3) If any member of the Appeals Board is, by reason of illness or other infirmity or absence from Sri Lanka or other cause, temporarily unable to perform the duties of his office, the Minister may appoint a fit person to act in the place of such member.

(4) The Chairman and the other members of the Appeals Board, and any provider of mediation assistance, shall be paid such remuneration or allowances as the Minister shall, in consultation with the Minister in charge of the subject of Finance, determine.

50.

(1) The Chairman, and in his absence the Vice-Chairman, of the Appeals Board shall preside at all meetings of such Board.

(2) The quorum for a meeting of the Appeals Board shall be two members.

(3) The procedure for the conduct of business at meetings of the Appeals Board shall be prescribed by Rules made by such Board.

51.(1) The staff of the Appeals Board shall consist of a Secretary and such other officers and employees as such Board may deem necessary for the proper and efficient conduct of its business, all of whom shall be provided by the Commission, from its staff or from the staff of any Higher Educational Institution.

**UNIVERSITIES PROVIDENT FUND**

56.	In this Part of this Act -	
	"age of retirement" in relation to a contributor -	
	(a) who is the holder of a post of teacher in a Higher Educational Institution, means sixty-five years; and	
	(b) who is the holder of any other post in a Higher Educational Institution or a member of the staff of the Commission, means the age of 60	
	"contributor" means any member of the staff of the Commission or of a Higher Educational Institution or of an Institute who is a contributor to the provident fund;	
	"earnings" means earnings as defined in the Employees' Provident Fund Act, No. 15 of 1958;	
	(a) the Commission means the Fund of the Commission established under section 10 of this Act; and	
	(b) a Higher Educational Institution means the University Fund established under section 99 of this Act;	
	"provident fund" means the provident fund established by the Commission under this Part of this Act;	
	"salary" means the emoluments of the substantive post or appointment held by any contributor and includes any such allowances as may by Ordinance be declared to constitute part of his salary; and	
	"teacher" shall be deemed to include Librarian, Deputy Librarian, Senior Assistant Librarian and Assistant Librarian.	
57.	The Commission shall establish a fund which shall be called and known as the Universities Provident Fund.	
58.	Ordinances may be made by the Commission for the regulation, administration and management of the provident fund and for all matters incidental to or connected with such fund, for which no express provision is made in this Act, and such Ordinances shall conform to the requirements of the Employees' Provident Fund Act, No. 15 of 1958.	

59.	(1)	Every member of the staff of the Commission or a Higher Educational Institution, except in such cases as may be prescribed by Ordinance, shall, from the date of his employment on such staff, contribute to the provident fund by means of equal monthly deductions from his salary, an amount equal to ten per centum of his earnings; and the Commission or the Higher Educational Institution shall, in addition, out of its Fund, at the same time contribute to the provident fund in respect of every contributor, a sum equal to fifteen per centum of the earnings of that contributor	
	(2)	The Secretary of the Commission shall open and keep a general account for the provident fund and a separate account in respect of each contributor to that provident fund. All contributions made by a contributor to the provident fund and all contributions made by the Commission or the Higher Educational Institution to the provident fund in respect of that contributor shall be placed to the credit of a separate account of that contributor in the provident fund.	
	(3)	The amount lying to the credit of the account of a contributor shall, subject to the provisions of any Ordinance made in that behalf, accumulate at compound interest at a rate to be fixed by the Minister in consultation with the Minister in charge of the subject of Finance until the day on which that contributor ceases to be in the employment of the Commission or the Higher Educational Institution and the account of that contributor shall be closed on that date.	
60.	(1)	When the account of any contributor is closed as provided in section 92(3), the Secretary of the Commission shall, subject to the provisions of section 94, pay to that contributor the full amount lying to the credit of his account in the provident fund, together with the accumulated interest thereon.	

	(2)	<p>Where a contributor, before he has completed his age of retirement, ceases to be employed by the Commission or a Higher Educational Institution either on account of ill health or incapacity or on account of the abolition of the post in which he is employed, or voluntarily leaves the service of such Commission or Higher Educational Institution, the Secretary of the Commission shall, subject to the provisions of section 94, pay to that contributor the full amount lying to the credit of his account in the provident fund together with the accumulated interest thereon at the date on which he ceased to be so employed, or on the date on which he voluntarily left the service of such Commission or Higher Educational Institution, as the case may be.</p>	
	(2A)	(a) A Contributor may nominate a person (hereinafter in this section referred to as "a nominee") to whom the moneys lying to the credit of the contributor's account in the provident fund shall be paid upon the death of such contributor.	
		(b) A nomination made under paragraph (a) shall have effect notwithstanding anything to the contrary in the last will of the nominator.	
		(c) A nomination made under paragraph (a) shall be deemed to be revoked, by the death of the nominee in the life time of the nominator or by written notice of revocation signed by the nominator in the presence of a witness, who shall attest the signature of the nominator or by any subsequent nomination made by the nominator.	
		(d) No moneys lying to the credit of the account of a contributor in the provident fund shall be paid to any nominee of such contributor, unless the nominee satisfies the Secretary of the Commission as to his identity.	
		(e) The handing over of any moneys lying to the credit of the account of a contributor in the provident fund to the nominee of such contributor upon the death of such contributor, shall be a complete discharge of the obligations of the Commission in respect of such moneys.	

	(3)	Where a contributor, before he has completed his age of retirement, is dismissed or compulsorily retired from the service of the Commission or a Higher Educational Institution, the Secretary of the Commission shall, subject to the provisions of section 94, pay to the contributor the full amount lying to the credit of his account in the provident fund, together with the accumulated interest thereon, up to the date of his dismissal or compulsory retirement, as the case may be.	
	(4)	Where a contributor dies while in the service of the Commission or a Higher Educational Institution, the Secretary of the Commission shall, subject to the provisions of section 94, pay the full amount lying to the credit of his account in the provident fund, together with the accumulated interest thereon, to the nominee or nominees nominated under subsection (2A) or in the absence of a valid nomination, to the person or persons lawfully entitled to such amount.	
61.	Notwithstanding anything in the preceding provisions of this Part and without prejudice to any other right or remedy -		
	(a)	the quantum of any loss or damage sustained by the Commission or a Higher Educational Institution, by reason of the dishonesty or negligence of a contributor at any time during the period of his employment by such Commission or Higher Educational Institution;	
	(b)	payments due on any loan taken by the contributor from the Commission or a Higher Educational Institution or the Government, as the case may be; and	
	(c)	the dues under any bond, agreement or other instrument executed by the contributor under the provisions of which he agrees that such dues shall be a charge on the amount lying to his credit in the provident fund,	
		shall be a first charge upon the amount lying to the credit of the account of that contributor in the provident fund, and such quantum, payments and dues may be deducted at the time when any payment is made in accordance with the provisions of section 93.	
62.	Notwithstanding anything in the preceding provisions of this Part and without prejudice to any other right or remedy, where the full amount lying to the credit of a contributor in the provident fund is not paid to him within a period of three months from the date on which his account was closed, the amount lying to his credit shall accumulate compound interest at such rate as determined for the purpose of section 92(3) up to the last day of the month preceding that in which the full amount lying to the credit of his account is paid:		

	Provided that such interest shall not be paid in cases where the delay in the payment of such amount to such contributor was due to any fault of the contributor.	
63.	Notwithstanding anything in any written law other than this Act, the moneys lying to the credit of a contributor in the provident fund shall not at any time be attached, sequestered or seized in execution of the decree or process of any court.	
64.	The Minister may, in consultation with the Minister in charge of the subject of Finance, establish a pension scheme and a widows' and orphans' pension fund as an alternative, or in addition, to the provident fund established by the Commission under this Part. Ordinances may be made by the Commission for the regulation, administration and management of such pension scheme and such widows' and orphans' pension fund.	
65.	The provisions of the Employees' Trust Fund Act, No. 46 of 1980, shall not apply to the Commission or to any Higher Educational Institution.	

### **FINANCIAL PROVISIONS**

66.	The financial year of a Higher Educational Institution shall be the same as the financial year of the Government.	
67.	( Each Higher Educational Institution shall have a fund to be called the 1 University Fund, into which shall be paid - )	
	(a) fees to be paid to the Higher Educational Institution on the basis of a unit cost per student admitted to that university on the basis of criteria laid down by the Commission with regard to the final school leaving examination. Such unit cost shall be determined in consultation with each university, and may vary from Faculty to Faculty, provided that no university shall be allocated unit costs that vary widely from the unit costs at other universities.	

	<p>(c) moneys provided by Parliament and disbursed by the Commission as grants in aid of Higher Educational Institutions for the purpose of maintenance and for capital expenditure, provided that the Commission shall explain the rationale for the amounts granted to each university and ensure effective spending of such amounts</p> <p>68 Each Higher Educational Institution may also establish a separate Fund known as the endowment fund in which it shall deposit money from endowments and funds derived from sources other than the State, including for fee levying courses. The Council of such Institute shall promulgate guidelines for the use of such Funds, in keeping with the objectives of the Act.</p>	
69	Particulars of each sum of money paid into the University Fund or the Endowment Fund shall within one month of such payment be submitted by the principal executive officer of the Higher Educational Institution concerned to the Commission for its information, and shall be made available on the website of the University and the Commission	
70.	<p>( The Deputy Secretary to the Treasury shall, as soon as may be</p> <p>1 practicable after the commencement of each financial year, pay to a</p> <p>) Higher Educational Institution such sums of money as may be provided by Parliament by way of annual appropriation, supplementary vote or otherwise as a grant or grants in aid of such Higher Educational Institution.</p>	
	<p>( All moneys paid to a Higher Educational Institution under the preceding</p> <p>2 subsection shall be applied or expended by such Higher Educational</p> <p>) Institution for all or any of the purposes authorized by this Act or any appropriate Instrument.</p> <p>100 A (3) All monies in the endowment fund shall be applied or expended by the Higher Educational Institution concerned for the purposes authorized by this act and reports of such expenditure shall be supplied on a monthly basis to the Commission.</p>	
71.	It shall be the duty of the Bursar of a University or Open University or the Treasurer of a University College or Centre for Higher Learning, as the case may be -	
	<p>( to keep the accounts of such University, Open University, University</p> <p>a College or Centre for Higher Learning;</p> <p>)</p>	
	<p>( to receive all moneys paid into the University Fund and to credit such</p> <p>b moneys to the proper accounts or heads of accounts;</p> <p>)</p>	

	( to make all authorized payments, records of which shall be available on the websites of the university and distributed to meetings of the Faculty Boards, the Senate and the Council; and	
	( to prepare for the governing authority such triennial estimates as are required by the Commission, the annual financial appropriations of the ensuing financial year, and any supplementary estimate under section 105:	
	<p>Provided however that income derived from grants made for specific purposes or from endowments for specific objects, shall be separately accounted for in the accounts of the University, Open University, University College or Centre for Higher Learning as the case may be, and that no payment shall be made from such income for the general purposes of such University, Open University, University College or Centre for Higher Learning or for any purposes or objects other than those for which such grants or endowments were respectively made.</p> <p>Provided also that funds derived from other sources shall be expended only as specifically authorized by the Council</p>	
72.	The triennial estimates and the annual appropriations of a University, Open University, University College or Centre for Higher Learning, as the case may be prepared under paragraph (d) of section 101 shall be considered by the governing authority before such date as may be prescribed by Ordinance. Such governing authority may make such alterations in such estimates and appropriations as it thinks fit and shall submit them to the Commission together with the accounts of the University, Open University, University College or Centre for Higher Learning, as the case may be, for the last completed financial year.	
73.	The triennial estimates and annual appropriations of a University, Open University, University College or Centre for Higher Learning, as the case may be, and its annual accounts shall be considered by the Commission, and it shall be lawful for the Commission by resolution, to adopt or amend such estimates and appropriations as it thinks fit.	
74.	The Commission shall return the triennial estimates and annual appropriations of a University, Open University, University College or Centre for Higher Learning, as the case may be, to the governing authority of that University, Open University, University College or Centre for Higher Learning, together with any resolutions passed under the preceding section and that governing authority shall thereupon accept such estimates and appropriations as adopted or amended by the Commission:	

	Provided, however, that subject to the provisions of subsection (2) of section 100, such governing authority may, with the concurrence of the Commission, transfer moneys assigned under one head of expenditure to any other head:	
	Provided further, that every such transfer shall be reported by the principal executive officer of that University, Open University or Centre for Higher Learning, as the case may be, to the Commission as soon as possible thereafter.	
75.	In case of necessity and in order to meet unforeseen expenditure, it shall at any time be lawful for the Bursar of a University or Open University or the Treasurer of a University College or Centre for Higher Learning as the case may be, to prepare supplementary estimates of expenditure and for the governing authority of that University, Open University or Centre for Higher Learning to pass such estimates:	
	Provided, however, that such supplementary estimates shall be forwarded to the Commission to be submitted to the Minister together with the annual appropriations for the ensuing year:	
	Provided further, that such supplementary estimates shall not exceed the grant voted by Parliament for the financial year and no financial liability of a recurrent nature shall be incurred without the prior approval of the Minister, given with the concurrence of the Minister in charge of the subject of Finance.	
76.	( Each Higher Educational Institution shall prepare an annual statement 1 of accounts and statistics relating to its activities in such form and ) manner and containing such particulars as the Commission may specify from time to time.	
	( The books of accounts of a Higher Educational Institution shall be kept 2 in the office of that Institution. )	
77.	( (a) Each Higher Educational Institution shall have the accounts of its 1 Funds audited each year by the Auditor-General and, for the ) purpose of assisting him in the audit of such accounts, the Auditor- General may employ the services of any qualified auditor or auditors who shall act under his direction and control.	
	(b) The accounts of a Higher Educational Institution for each financial year shall, within three months after the closure of that financial year, be submitted by its principal executive officer, to the Auditor- General for audit.	

	<p>( 2  ) The Auditor-General and any person assisting the Auditor-General in the audit of the accounts of a Higher Educational Institution, shall have access to all such books, records, deeds, agreements, vouchers and other documents of that Institution as the Auditor-General may consider necessary for the purpose of the audit and shall be furnished by that Institution and its officers with such information within their knowledge as may be required for such purpose.</p>	
	<p>( 3  ) For the purpose of meeting the expenses incurred by him in auditing the accounts of a Higher Educational Institution, the Auditor-General shall be paid from the University Fund of that Institution, such remuneration as the Minister may determine with the concurrence of the Minister in charge of the subject of finance.</p>	
	<p>( 4 -  ) For the purpose of this section, the expression "qualified auditor" means</p>	
	<p>(a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute, or</p>	
	<p>(b) a firm of Accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute.</p>	
	<p>( 5  ) The provisions of Article 154 of the Constitution shall apply to and in relation to the audit of the accounts of a Higher Educational Institution by the Auditor-General.</p>	
	<p>( 6  ) (a) The Auditor-General shall disallow every item of the accounts which is in his opinion irregular or contrary to law and surcharge the same on the officer, teacher or employee making or authorising the making of such payment, and shall charge against any officer, teacher, or employee any sum which ought to have been, but is not brought into account by such officer, teacher or employee, and the Auditor-General shall in each such case, certify the amount due from such person.</p>	

	(b)	Before certifying any surcharge or disallowance against any officer, teacher or employee of a Higher Educational Institution under paragraph (a), the Auditor-General shall notify such person of such proposed surcharge or disallowance and inform such person of his right to make representations or be heard against such surcharge or disallowance, and fix a time and place for the hearing and inquiry into such representations not less than fourteen days from the date of despatch of such notice and, upon completion of such hearing and inquiry, the Auditor-General shall record the same and make his decision thereon giving the reasons for such decision, and inform such person and the Registrar of that University or Open University or the Secretary of the University College, as the case may be, of the same.	
	(c)	Any person aggrieved by the decision of the Auditor-General may, within fourteen days from the communication to such person of such decision, appeal therefrom to the Commission:  Provided, however, that any person who, upon being informed of the proposed surcharge or disallowance by the Auditor-General, refuses or neglects to attend or take part in any inquiry or hearing before the Auditor-General, as to such surcharge or disallowance under paragraph (b) shall not be entitled to appeal to the Commission under this paragraph.	
	(d)	Upon receipt of any appeal under paragraph (c), the Commission shall consider such appeal and -	
	(i)	if, in the circumstances of the case, it considers it fair and equitable that such surcharge or disallowance should be remitted, make such order; or	
	(ii)	vary or confirm the amount of such surcharge or disallowance; and	
	(iii)	make an order as regards the costs incurred by the Auditor-General in respect of such surcharge or disallowance and inform such person and the Registrar of the University or Open University or the Secretary of the University College, as the case may be, and the Auditor-General, of such decision.	
	(e)	Where a surcharge or disallowance against any person has been certified by the Auditor-General, such certification or such certification varied as regards the amount, by the Commission under sub-paragraph (ii) of paragraph (d) shall be prima facie proof of the matters stated therein.	
	(f)	Where -	

		(i)	an appeal has been confirmed by the Commission under paragraph (d); or		
		(ii)	no right of appeal is available to any person under the proviso to paragraph (c),		
			the principal executive officer or a person authorized by such officer in writing, shall, where no payment or an agreement to pay has been made within three months of such surcharge or three months of the date of communication of the decision of the Commission, institute in a court of competent jurisdiction, against the person against whom such surcharge or disallowance has been certified, an action for the recovery of the amount so certified to be recoverable, together with the costs thereon.		
78.	(	The Auditor-General shall examine the accounts of each Higher Educational Institution and furnish a report -			)
	(a)	stating whether he has or has not obtained all the information and explanations required by him;			
	(b)	stating whether the accounts referred to in the report are properly drawn up so as to exhibit a true and fair view of the financial position of that Higher Educational Institution; and			
	(c)	drawing attention to any item in the accounts which in his opinion may be of interest to Parliament in any examination of the activities and accounts of that Higher Educational Institution.			
	(	The Auditor-General shall transmit his report in respect of a Higher Educational Institution, to that Institution and to the Commission.			)
	(	The report of the Auditor-General referred to in subsection (2) shall be considered by the governing authority of that Higher Educational Institution and after such consideration, that Higher Educational Institution shall, within three months of the transmission of such report to the Higher Educational Institution and to the Commission, inform the Auditor-General of the steps taken or proposed to be taken with regard to the matters pointed out in such report.			)
79.	The accounts of a Higher Educational Institution for each financial year shall, when audited, be published in the Gazette.				

80.	Each Higher Educational Institution shall within two months of the receipt by it of the Auditor-General's report in respect of each year, transmit to the Minister and to the Commission such report with any comments made thereon by its governing authority together with the statement of accounts to which the report relates, and the Minister shall cause copies thereof to be tabled in parliament before the end of the year next succeeding the year to which such accounts and report relate, and the principal executive officer of that Higher Educational Institution shall attend and answer any questions arising therefrom before the Committee on Public Enterprises of Parliament.
81.	The provisions of subsections (3), (4) and (7) of section 13, and the provisions of section 15, of the Finance Act, No. 38 of 1971, shall, mutatis mutandis, apply to, and in relation to, the audit of the accounts of any Higher Educational Institution.

<b>UNIVERSITY STUDENTS UNION AND OTHER ASSOCIATIONS</b>		
82	(1)	Each Higher Educational Institution shall have a University Students Union whose composition, duties and functions shall be as specified in the Schedule to this Act.
	(2)	Each Faculty of a Higher Educational Institution shall have a Faculty Students Union whose composition, duties and functions shall be as specified in the Schedule to this Act.
	(3)	<p>The governing authority of each Higher Educational Institution shall prescribe by by-law, the mode of conducting elections for the election of office-bearers of the unions referred to in subsections (1) and (2) and the duties and functions of such office-bearers.</p> <p>83 Each Higher Educational may also establish Associations for the furtherance of student activities in particular fields, including sports and cultural and social service activities. Associations designed to promote career development, and collaboration with potential employers may also be established.</p>
84	(1)	A Higher Educational Institution may, recognize any union, society or other association of students of that Institution, established for the sole purpose of furthering academic or social or employment objectives, provided that the membership of such union, society or other association consists entirely of students of that Institution; provided that associate membership may be permitted to potential employers, or to established Organizations approved by the Council.

- (2) The governing authority of the Higher Educational Institution concerned may prescribe by By-law, the mode of registration of unions, societies and other associations recognized under subsection (1), their functions, and the duties and functions of the office-bearers.

85.	The governing authority of the Higher Educational Institution concerned may from time to time allocate to the University Students Union and the Faculty Students Union or to any union, society or other association of such Institution recognized under section 115, such sums of money as may be deemed necessary by such governing authority, for their approved activities.
86	If any union or society or other association of a Higher Educational Institution conducts itself in a manner, which, in the opinion of the principal executive officer of that Institution, is detrimental or prejudicial to the good name of that Institution, obstructs the proper administration of that Institution, or acts in contravention of this Act or any appropriate Instrument, such principal executive officer may suspend or dissolve such union, society or other association, as the case may be, subject to appeal to the Commission

**APPLICATION OF THE HOUSING AND TOWN IMPROVEMENT ORDINANCE**

87.	(1)	Notwithstanding anything in the Housing and Town Improvement Ordinance it shall be lawful for the Minister on the recommendation of the Commission and in consultation with the Minister in charge of the subject of Local Government, if he deems it expedient so to do in order to preserve the amenities of the precincts of a Higher Educational Institution, to declare by Notification published in the Gazette, that Chapter I of Part II of that Ordinance shall apply, subject to the modifications specified in subsection (2) of this section, to any area of land within the precincts or in proximity to the precincts of such Higher Educational Institution specified in such Notification, to which the said Ordinance does not otherwise apply, as if such area were an area comprised within the limits of a local authority.
	(2)	Upon the publication of any Notification under subsection (1) of this section, the said Chapter shall apply accordingly, subject to the following modifications -

(i)the words "principal executive officer" shall be substituted for the word "Chairman", wherever the latter word occurs therein;

(ii)the following section shall be substituted for section 7 thereof:-

7.

The principal executive officer of a Higher Educational Institution shall not refuse -

(a)to approve any plan, drawing, or specification of any building; or

(b)to consent to any alteration in any building,

"Circumstances in which approval or consent may be refused.

unless the building or the alteration of the building is of such nature as to be likely, in his opinion, to injure the amenities of the precincts of the Higher Educational Institution or unless the application for such approval or consent fails to comply with any requirement made under section 8.";

(iii)the following paragraph shall be substituted for paragraph (a) of section 8 thereof :-

(a)the submission of plans, drawings, and specifications in such form and containing such particulars as may be prescribed by the principal executive officer;"

(iv)the following paragraph shall be substituted for paragraph (b) of section 8 thereof:-

(b)the amendment of any plan, drawing or specification so submitted so as to bring it into accordance with such form or so as to contain any such particulars;"

(v)in paragraph (c) of section 8 thereof, the words "this Chapter" shall be substituted for the word "Ordinance";



		(i)	
		the words "University quarters" shall be substituted for the words "Government quarters" wherever those words appear in that Act;	
		(ii)	
		in section 9 thereof, for the definition of -	
		(a)	
		"competent authority", there shall be substituted the following definition:-	
		"competent authority" means the Secretary of the Commission, or the Registrar of a University, or the Secretary of a University College, as the case may be, and includes any person acting in such office; and'.	
		(b)	
		"Government quarters" there shall be substituted the following definition:-	
		"Government quarters" means any building, room or other accommodation occupied or used for the purposes of residence which is provided by or on behalf of the Commission or University or University College to any person, and includes any land or premises in which such building or room or accommodation is situated.'.	
89	(1)	The provisions of the State Lands (Recovery of Possession) Act, No. 7 of 1979, shall apply to University lands subject to the modifications set out in subsection (2).	
	(2)	The provisions of the State Lands (Recovery of Possession) Act, in their application to University lands are modified as follows:-	
		(i)	
		the words "University lands" shall be substituted for the words "State lands" wherever those words appear in that Act;	
		(ii)	
		in section 18 thereof, for the definition of -	

	(a) "competent authority", there shall be substituted the following definition:-
	"competent authority" means the Secretary of the Commission, or the Registrar of a University, as the case may be, and includes any person acting in such office;'; and
	(b) "State lands," there shall be substituted the following definition:-
	"University lands" mean land to which the Commission or a Higher Educational Institution is lawfully entitled to or which may be disposed of by the Commission or by a Higher Educational Institution together with any buildings standing thereon and with all rights, interests and privileges attached or appertaining thereto. '.

<b>GENERAL PROVISIONS</b>	
90.	A person shall be disqualified from being appointed to, or from being a member of, the Commission, the Specified Authority, the Appeals Board, or any Authority or other body of a Higher Educational Institution -
	(a) if he is an undischarged bankrupt or insolvent; or
	(b) if he is convicted of any offence involving moral turpitude; or
	(c) if he is, under any law in force, found or declared to be of unsound mind; or
91.	All members and the staff of the Commission, the Appeals Board, and all members of the Staff of a University shall be deemed to be Public Servants within the meaning and for the purposes of the Penal Code. All Chairs and Vice-Chairs of the Commission and the Appeals Board and all officers of a University shall refrain from political activities and canvassing during elections, and shall be subject in this regard to the requirements with regard to senior Public Servants and Secretaries to Ministries.
92.	The Commission, the Appeals Board, and each Higher Educational Institution shall be deemed to be a Scheduled Institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.
93.	There shall be established a Committee of Vice-Chancellors for the purpose of considering all matters of common interest to Universities and for advising the Commission on such matters.
94.	If any question arises as to whether any person has been duly elected, appointed, nominated or co-opted as, or as to whether any person is entitled to be, a member of any Authority or other body of a Higher Educational Institution, the question shall be referred to the Commission whose decision thereon shall be final.

95.	No act, resolution or proceedings of the Commission, the Specified Authority, the Appeals Board or any Authority or other body of a Higher Educational Institution shall be invalidated merely by reason of the existence of a vacancy or of vacancies among its members, or any defect or defects in the appointment of such member or any member or members thereof being disqualified under section 121.	
96.	The Commission, the Specified Authority, the Appeals Board or any Higher Educational Institution shall not grant any bonus or make any gift or division of money, other than a death gratuity, to or between any of its members, except in accordance with this Act or any appropriate Instrument.	

97.	<p>(1) No person, institution, corporation, or professional or other body, other than a University, Open University or Degree Awarding accredited by virtue of this Act or any other Act prior to the enactment of this Act, shall grant or confer on any person or persons any degree or other academic distinction whatsoever:</p>
	<p>Notwithstanding the provisions of any other written law, no accreditation for the grant of degrees shall be permitted except under this act following its promulgation</p> <p>Provided, however, that academic distinctions may be granted by professional bodies or research institutes by arrangement with a University with the concurrence of the Commission.</p> <p>(2) Where there is a contravention of the provisions of subsection (1) by any person, institution, corporation or professional or other body, such person or the governing authority, proprietor, director or other person or persons responsible for the management of such institution, corporation or professional or other body shall be guilty of an offence and shall, on conviction by a magistrate, be liable to a fine of two hundred and fifty rupees.</p> <p>(1) The Minister may in concurrence with the Minister in charge of the subject of Education, by order published in the Gazette, transfer to a Higher Educational Institution, any institution, school or college maintained and managed by the Government, together with any movable property therein, and any immovable property of such institution, school or college may, by a like Order by the Minister in charge of the subject of lands, be vested in such Higher Educational Institution.</p>
98.	<p>(2) Upon the publication of such Order, the movable and the immovable property of such institution, school or college shall vest in the Higher Educational Institution with effect from the date specified in that Order.</p>
	<p>(1) On or after such date as may be appointed for the purposes of this section by the Minister by Order published in the Gazette, no educational institute other than a Higher Educational Institution shall be established or maintained by or under a name which contains the word "University".</p> <p>(2) Where there is a contravention of the provisions of subsection (1) in respect of any educational institute, the governing authority or the proprietor of that institute shall be guilty of an offence and shall on conviction by a Magistrate, be liable to a fine of one hundred rupees for each day after the date appointed under subsection (1) of this section, for which the word "University" was used as its name or part of its name.</p> <p>(3) Subsections (1) and (2) of this section shall not apply to the Buddha SravakaDharmapithaya established under Act No. 16 of 1968.</p>



### **SPECIAL PROVISIONS**

100	<p>(1)Where the presence of any person in the precincts of a Higher Educational Institution is, in the opinion of the governing authority of that Institution, undesirable, the principal executive officer of that Institution, after giving such person an opportunity of being heard, may, with the consent of that governing authority, by writing under his hand served on such person, prohibit such person from entering or remaining within such precincts or within such part thereof as may be specified in such writing. Such prohibition shall be and remain in force until revoked by such principal executive officer with the consent of such governing authority.</p> <p>(2)A certificate under the hand of the principal executive officer of a Higher Educational Institution to the effect that any person named in the certificate has been prohibited, in accordance with the provisions of subsection (1) from entering or remaining within the precincts of a Higher Educational Institution or any specified part thereof, shall be received and accepted by a Court as evidence of the facts stated in such certificate until the contrary is proved.</p> <p>(3)A document purporting to be a certificate issued by the principal executive officer of a Higher Educational Institution and signed by him shall be received in evidence and shall, until the contrary is proved, be deemed to be a certificate issued by such officer under subsection (2).</p>
101.	<p>Any person who is prohibited under the provisions of section 131 from entering or remaining within the precincts of a Higher Educational Institution or part thereof and who, without reasonable cause, enters or remains within such precincts or part thereof in contravention of such prohibition, shall be guilty of an offence, and shall, on conviction by a Magistrate, be liable to a fine of one hundred rupees in respect of each day or part thereof on which he has entered or during which he has remained within such precincts or part thereof.</p>
102.	<p>An offence under section 131 shall be cognizable and bailable within the meaning of the Administration of Justice Law, No. 44 of 1973.</p>

### **STATUTES, BY-LAWS, REGULATIONS AND RULES**

103	(1) Subject to the provisions of this Act, and of the Orders, Ordinances and Statutes made thereunder, By-laws may be made by the governing authority of a Higher Educational Institution in respect of all or any of the following matters:-
	(a) the courses of study prescribed for degrees, diplomas, certificates and other academic distinctions;
	(b) the conditions subject to which students shall be admitted to courses of study and examinations prescribed for degrees, diplomas, certificates and other academic distinctions and shall be eligible for such academic distinctions;
	(c) the fees to be charged for courses of study, examinations, residence and the award of degrees, diplomas, certificates and other academic distinctions;
	(d) the conditions of residence and the discipline of students;
	(3) Every By-law made by the governing authority of a Higher Educational Institution shall conform to the provisions of this Act and shall be specific in its functions and the terms of membership of any Authority, or other body;
104.	Subject to the provisions of this Act and of the Orders, Ordinances, Statutes and By-laws made thereunder, Regulations may be made by the Senate of a Higher Educational Institution in regard to any academic matter and for the amendment, variation or revocation of an existing Regulation.
	(g) the conditions and mode of appointment, duties and emoluments of examiners, and the conduct and maintenance of standards of examinations, control and general direction of such Senate or Academic Syndicate.
105	(1) Subject to the provisions of this Act, and of any appropriate Instrument, and Statutes made thereunder, By-laws are authorized or required to be made: and
	(a) for all matters which, under the provisions of this Act or of the Ordinances and Statutes made thereunder, are to be, or may be, prescribed by or provided for by By-laws.
	(2) No By-law shall be made by the governing authority of a Higher Educational Institution in respect of any matter relating to, or connected with, teaching in, or the examinations of, that Institution, unless a draft of such By-law has been prepared and submitted to the Commission, the Appeals Board, the Senate or the Academic Syndicate, Higher Educational Institution and not instituted or by this Act or any appropriate Instrument.
	(2) Any Rule made by the Commission, by the Appeals Board, or by any Authority or other body of a Higher Educational Institution, may at any time, be amended, added to, varied or rescinded by a like Rule made by such Commission, Appeals Board, Authority or other body.

### INTERPRETATION

106. In this Act, unless the context otherwise requires -

“appropriate Instrument” means any Order, Ordinance, Statute, By-law, Regulation or Rule made in accordance with the provisions of this Act;

“By-law” means a By-law made by the governing authority of a Higher Educational Institution under this Act;

“Degree Awarding Institute” means any institution recognized under the provisions of section 25A;

“governing authority” in relation to -

(i) a University, means the Council of that University;

(ii) an Open University, means the Council of that Open University, and

“Higher Educational Institution” means a University, Campus, Open University, University College, or Centre for Higher Learning established or deemed to be established under this Act;

“old University” means the University of Sri Lanka established under the University of Ceylon Act, No. 1 of 1972;

“Order” means an Order made by the Minister under this Act;

“Ordinance” means an Ordinance made by the Commission or by the Appeals Board under this Act;

“President” means the President of the Democratic Socialist Republic of Sri Lanka;

“principal executive officer” in relation to -

(i) a University means the Vice-Chancellor of that University;

(ii) an Open University, means the Vice-Chancellor of that Open University; and

“recognized institution” means any institution recognized under section 25;

“Regulation” means any Regulation made by the Senate or the Academic Syndicate, as the case may be, of a Higher Educational Institution, under this Act;

“Rule” means any Rule made under this Act by the Commission, the Appeals Board, Specified Authority, or an Authority or other body of a Higher Educational Institution;

“Teacher” means a Senior Professor, Professor, Associate Professor, Senior Lecturer Grade I, Senior Lecturer Grade II, Lecturer and Lecturer (Probationary) and the holder of any post, declared by Ordinance to be a post, the holder of which is a teacher; and

“University” means a University established or deemed to be established under this Act.

<b>UNIVERSITY STUDENTS UNION AND FACULTY STUDENTS UNION</b>		
Schedule		
1	(1)	The University Students Union of each Higher Educational Institution shall be representative of the entire student community of the Institution.
	(2)	The University Students Union of each Higher Educational Institution shall consist of all the members of each Faculty Students Union and such Union shall elect by secret ballot at the beginning of the second semester of each academic year the following office-bearers:
	(a)	President;
	(b)	Vice-president;
	(c)	Secretary;
	(d)	Editor; and
	(e)	Junior Treasurer.(f) and four other members elected by Single Transferable Vote
2.		The duties and functions of the University Students Union shall be -
	(a)	to foster the spirit of corporate life among students of the University;
	(b)	to organize and supervise, in consultation with the governing authority student welfare activity in the University, recreational facilities, spiritual and religious activities, the counselling of students and the supply of meals and refreshment;
	(c)	to afford a recognized means of communication with the authorities of such higher educational institution on matters relating to or connected with living and working conditions of the students;
	(d)	to be represented on any other body which may, in accordance with the rules made by the governing authority for the purpose, be appointed to undertake student welfare activities in the university;
	(e)	to assist the university authorities to maintain discipline;
	(f)	to represent students who are accused in disciplinary inquiries;
	(g)	to foster, cultural, literary and aesthetic awareness and activities among students and to organize and publish magazines and periodicals of the students;
	(h)	to foster an interest and understanding in the arts and life and social well-being of the citizens of the country;

	(i)	to foster activity conducive to the social and moral well-being of the student community and promote activity conducive to healthy social life;	
	(j)	to organize and promote cultural, literary and social interactivity with other universities and like organizations in Sri Lanka and abroad;	
	(k)	to associate in the organization and execution of extension courses and adult education programmes in collaboration with the staff and students;	
	(l)	to safeguard and protect the good name of the Higher Educational Institution;	
	(m)	to debate matters of public interest;	
	(n)	to further national interest and national unity;	
	(o)	to safeguard and protect the property of such Higher Educational Institution;	
	(p)	to take steps to encourage and further the academic interest; and	
	(q)	to undertake any activities that may be determined by the governing authority from time to time.	
3	(a)	There shall be a Senior Treasurer for the University Students Union who shall be a senior teacher nominated by the office-bearers of such Union.	
.	(b)	An office-bearer of the University Students Union may hold office concurrently in a Faculty Students Union.	
	(c)	The office-bearers referred to in this Act shall cease to hold office at the end of an academic year.	
	(d)	Where an office in the University Students Union falls vacant, then such Union shall as soon as possible elect a suitable person to fill that vacancy. The person so elected shall hold office for the unexpired portion of the term of office of his predecessor.	
	(e)	Where an office in a Faculty Students Union falls vacant the students of that Faculty shall as soon as possible elect a suitable person to fill that vacancy. The person so elected shall hold office for the unexpired portion of the term of office of his predecessor.	
4	(1)	A University Students Union may raise funds with the approval of the principal executive officer of the Higher Educational Institution concerned for social, cultural and welfare activities approved by such principal executive officer	
.			

	(2)	The governing authority of a Higher Educational Institution shall make rules relating to the disbursement of funds by the University Students Union or a Faculty Students Union, and the manner of keeping the accounts, of the respective Unions.	
5.		The governing authority of Higher Educational Institution shall make Rules relating to the conduct of meetings and the manner of maintaining records of the proceedings of such meetings of the University	
		Students Union and the Faculty Students Union.	
6	(1)	A Faculty Students Union shall be representative of all students of such Faculty and the office-bearers of such Union shall be elected by the students of such Faculty by secret ballot in the second semester of each academic year	
	(2)	A Faculty Students Union shall consist of -	
	(a)	President;	
	(b)	Vice-President;	
	(c)	Secretary;	
	(d)	Editor;	
	(e)	Junior Treasurer; and	
	(f)	Four other members to be elected by Single Transferable Vote	
	(3)	There shall be a Senior Treasurer for each Faculty Students Union who shall be a senior teacher, nominated by the office-bearers of such Union.	
7.		The duties and functions of a Faculty Students Union shall be -	
	(a)	to promote the corporate life and welfare of the student community of the Faculty;	
	(b)	to take steps to encourage and further the academic interests of its students;	
	(c)	to safeguard and protect the good name of the Faculty and Institution;	
	(d)	to foster cultural and sports activities amongst the students of the Faculty;	
	(e)	to make recommendations to the University Students Union on matters pertaining to the disbursement of the funds and the general welfare of the student community of the Faculty; and	

	(f) to ensure that all decisions of a Faculty Students Union pertaining to the academic and welfare activities of the Faculty are taken by a majority vote of its members in secret ballot.	
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