



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**THE BUDDHIST AND PALI UNIVERSITY OF
SRI LANKA (AMENDMENT)**

ACT, No. 37 OF 1995

[Certified on 20th December, 1995]

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*The Buddhist and Pali University of Sri Lanka
(Amendment) Act, No. 37 of 1995*

[Certified on 29th December, 1995]

L.D.—O. 51/95

**AN ACT TO AMEND THE BUDDHIST AND PALI UNIVERSITY
OF SRI LANKA ACT, NO. 74 OF 1981.**

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Buddhist and Pali University of Sri Lanka (Amendment) Act, No. 37 1995 and shall come into operation, in respect of all or any of its provisions, on such date or dates as the Minister may appoint by Order published in the Gazette.

**Short
title and
date of
operation**

2. Section 3 of the Buddhist and Pali University of Sri Lanka Act, No. 74 of 1981 (hereinafter referred to as "the principal enactment") is hereby repealed and the following section substituted therefor:—

**Replacement
of section
3 of Act
No. 74 of
1981.**

* Objects of
the
University.

3. The objects of the University shall be—

- (i) the training of scholars in Buddhist Doctrine and Discipline for the dissemination of Buddhism, and the fostering of Dhammadutha activities, in Sri Lanka and abroad;
- (ii) the promotion of the study of Pali, Buddhist Culture and Buddhist Philosophy in Sri Lanka and abroad, and the development of these studies to suit the conditions in the modern world;
- (iii) (a) the training of Bhikkhu students and lay students of the male sex in teaching Buddhism and Pali in privenas, schools and similar institutions;
- (b) facilitating the maintenance and improvement of ethical conduct and mental discipline of Bhikkhu students and all lay students of the male sex; and
- (c) any other matter connected with, or incidental to, any of the matters aforesaid."

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Replacement
of section
4 of the
principal
enactment.

3. Section 4 of the principal enactment is hereby repealed and the following sections substituted therefor:—

“Powers of
the
University.

4. The University shall, subject to the provisions of this Act, have the following powers:—

(i) to determine the courses which shall be provided therein and the degrees, diplomas and other academic distinctions which shall be awarded;

(ii) to determine from time to time the total number of Bhikkhu students and the lay students of the male sex who shall be admitted annually to the University and the apportionment of that number to the different courses of study therein;

(iii) to select and admit Bhikkhu students and lay students of the male sex as internal students of the University in consultation with an Admission Committee whose composition, powers, duties and functions shall be prescribed by by-laws;

Provided that, two thirds of the total number of students who are admitted annually shall be Bhikkhu students;

(iv) to provide for instruction in any approved branch of learning subject to the provisions of section 7;

(v) to hold examinations for the purpose of ascertaining the persons who have acquired proficiency in different branches of learning;

(vi) to grant and confer degrees, diplomas and other academic distinctions to and on persons who have pursued approved courses of study in the University and who have passed the examinations of the University prescribed by regulation;

(vii) to conduct external examinations for the grant of degrees, diplomas and other academic distinctions to students of Sri Lanka and to students of institutions outside Sri Lanka recognized by the University ;

(viii) to grant and confer degrees, diplomas and other academic distinctions to and on persons who have passed the external examinations of the University ;

(ix) to confer honorary degrees or other academic distinctions on persons who are recommended by the Senate of the University and approved by the Council of the University ;

(x) to institute and award research scholarships and make grants to deserving postgraduate research students for the furtherance of Buddhist and Pali education ;

(xi) to institute Professorships, Associate Professorships, Senior Lectureships or Lectureships and such other posts as may be required for the purpose of the University ;

(xii) to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and subject to such conditions, restrictions and prohibitions as may be imposed by regulations of the University, to sell, assign, exchange or otherwise dispose of the same ;

- (xiii) to co-operate, by way of exchange of teachers, students and scholars or otherwise, with other universities or institutions in Sri Lanka or abroad having objects similar, or substantially similar to those of the University ;
- (xiv) to erect, equip and maintain for the purpose of the University, libraries and other buildings ;
- (xv) to establish and manage halls of residence, to license lodging houses providing residential facilities and to provide such other services and facilities as may be necessary for the residence of all Bhikkhu students and lay students of the male sex of the University ;
- (xvi) to regulate and provide for the residence, discipline and well-being of teachers, officers and other employees of the University ;
- (xvii) to assist all Bhikkhu students and lay students of the male sex to obtain loans from Banks and other agencies in accordance with Regulations providing for the same ;
- (xviii) to demand and receive such fees as may from time to time, be prescribed by regulations ; and
- (xix) to do all such other acts or things as may be necessary for effectively exercising any of the powers specified in this Act and for the attainment of the objects set out in section 3. "

**Amendment
of section
5 of the
principal
enactment.**

4. Section 5 of the principal enactment is hereby amended by the substitution, for the words and figures "Subject to the provisions of section 4 (e) the University shall be open to all persons of either sex", of the words and figures "Subject to the provisions of paragraphs (vii) and (viii) of section 4, the University shall be open to all persons of the male sex".

5. The following new section is hereby inserted immediately after section 5 of the principal enactment and shall have effect as section 5A of the principal enactment:—

Insertion
of new
section
in the
principal
enactment

“Rights of
female
students.

5A. Persons of the female sex shall, subject to such regulations as may be made in that behalf, be entitled to graduate and receive any degrees, diplomas or other academic distinctions of the University as external students of the University.”

6. Section 6 of the principal enactment is hereby repealed.

Repeal
of section
6 of the
principal
enactment

7. Section 8 of the principal enactment is hereby amended in subsection (1) by the repeal of paragraph (c) of that subsection and the substitution of the following paragraph therefor:—

Amendment
of section
8 of the
principal
enactment

“ (c) The Mahanayake Thera for the time being holding office as the President or the Utharithara Mahanayake Thera of the Sri Lanka Amarapura Maha Sangha Sabha; and ”.

8. Section 9 of the principal enactment is hereby amended as follows:—

Amendment
of section
9 of the
principal
enactment

(1) by the substitution for paragraph (i) of that section, of the following paragraph:—

“ (i) the Venerable Vice-Chancellor; ”;

(2) by the insertion, immediately after paragraph (1) of that section of the following new paragraph which shall have effect as paragraph (ii) of that section:—

“ (ii) the Dean of each Faculty; ”; and

(3) by the re-numbering of paragraphs (ii), (iii), (iv) and (v) of that section as paragraphs (iii), (iv), (v) and (vi) of that section respectively.

9. Section 10 of the principal enactment is hereby amended as follows:—

Amendment
of section
10 of the
principal
enactment

(1) by the repeal of subsection (1) of that section and the substitution therefor, of the following subsection:—

“ (1) (a) The first Venerable Vice-Chancellor of the University shall be a Bhikkhu appointed by

the President. Every subsequent Venerable Vice-Chancellor shall, subject to the provisions of paragraphs (b) and (c), be appointed by the President upon the recommendation of the Minister, from a panel of three Bhikkhus nominated by the Council of the University.

(b) No person shall be appointed as Venerable Vice-Chancellor of the University for more than two consecutive terms.

(c) The Venerable Vice-Chancellor of the University may be removed by the President after consultation with the Minister

(d) Any Venerable Vice-Chancellor who vacates office by reason of the expiration of his term of office or by resignation shall have the right to revert to the substantive post held by him before he was appointed to the post of Venerable Vice-Chancellor.”;

(2) by the substitution for the expression “Vice-Chancellor” wherever it appears in subsections (2), (3), (4), (5), (6), (7) and (8) of that section, of the expression “Venerable Vice-Chancellor”;

and

(3) by the insertion immediately after subsection (8) of that section, of the following new subsections:—

“(9) If any vacancy occurs in the office of the Venerable Vice-Chancellor, the Secretary shall make such arrangement as he may think fit for the performance of the duties of that office until a permanent appointment is made under subsection (1) (a).

(10) Notwithstanding anything in this Act the Venerable Vice-Chancellor holding office on the day preceding the date of coming into operation of this section, shall cease to hold office on such date:

Provided, however, that the Venerable Vice-Chancellor who so ceases to hold office, shall be eligible for re-appointment.”

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10. Section 11 of the principal enactment is hereby amended in subsection (1) of that section by the substitution, for the words "Every subsequent Registrar shall be appointed by the Council.", of the words "Every subsequent Registrar shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be prescribed by rules."

Amendment of section 11 of the principal enactment.

11. Section 12 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the words "Every subsequent Librarian shall be appointed by the Council.", of the words "Every subsequent Librarian shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be prescribed by rules."

Amendment of section 12 of the principal enactment.

12. Section 13 of the principal enactment is hereby amended in subsection (1) of that section by the substitution, for the words "Every subsequent Bursar shall be appointed by the Council.", of the words "Every subsequent Bursar shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be prescribed by rules."

Amendment of section 13 of the principal enactment.

13. Section 14 of the principal enactment is hereby repealed.

Repeal of section 14 of the principal enactment.

14. Section 15 of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of section 15 of the principal enactment.

"The Authorities of the University.

15. The Authorities of the University shall be the following:—
(i) the Council;
(ii) the Senate;
(iii) the Faculty Board or Faculty Boards."

15. Section 16 of the principal enactment is hereby amended as follows:—

Amendment of section 16 of the principal enactment.

(1) by the repeal of subsection (1) of that section and the substitution therefor, of the following subsection:—

"(1) The Council of the University (hereinafter referred to as "the Council") shall be the executive body and the governing body of the University and shall, subject to the provisions of paragraph (vii), consist of the following persons:—

(i) the Venerable Vice-Chancellor;

- (ii) the Dean of each Faculty ;
- (iii) two members elected by the Senate from among its members ;
- (iv) the Secretary of the Ministry of the Minister incharge of the subject of Buddha Sasana or nominee of such Secretary ;
- (v) the Secretary of the Ministry of the Minister incharge of the subject of Higher Education or the nominee of such Secretary ; and
- (vi) such number of members as is equal to the total number of members appointed under paragraphs (i), (ii), (iii), (iv) and (v) increased by one. All such members (hereinafter referred to as "appointed members") shall be appointed by the Minister from among persons who have rendered distinguished service in educational, financial, legal and administrative spheres.

Not less than fifty per centum of the total number of members of the Council shall be Bhikkhus." ;

(2) by the substitution for the expression "Vive-Chancellor" in subsection (2) of that section, of the expression "Venerable Vice-Chancellor".

(3) by the repeal of subsections (3) and (4) of that section and the substitution therefor, of the following subsections :—

" (3) Subject to the provisions of subsection (4), any appointed member or elected member of the Council shall, unless he vacates office earlier, hold office for a term of three years reckoned from the date of his appointment or election, as the case may be, and shall, unless removed from office, be eligible for re-appointment or re-election :

Provided, however, that if any appointed member or elected member vacates office prior to the expiry of his term of office, 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) (a) Any appointed member or elected member of the Council may resign his office by writing under his hand addressed to the Minister or to the Venerable Vice-Chancellor of the University, as the case may be.

(b) Notwithstanding anything in this Act the appointed members of the Council holding office on the day preceding the date of coming into operation of this section shall, upon the date of coming into operation of this section, cease to hold office as such members:

Provided, however, that any appointed member who so ceases to hold office, shall be eligible for re-appointment." ; and

(5) by the substitution for the expression "President" in subsections (5) and (6) of that section of the expression "Minister".

16. Section 17 of the principal enactment is hereby amended in subsection (2) thereof as follows:—

Amendment
of section 17
of the
principal
enactment.

(1) by the repeal of paragraphs (vi) and (vii) of that subsection and the substitution of the following paragraphs therefor:—

" (vi) to consider, and if necessary amend, and adopt the annual report and the annual accounts of the University and to submit such reports and such accounts to the Minister ;

(vii) to recognize and register institutions outside Sri Lanka, subject to such conditions as may be prescribed by by-laws, for the purpose of providing courses of study approved for the external examinations of the University ;" ;

(2) by the repeal of paragraphs (ix) and (x) of that subsection, and the substitution of the following paragraphs therefor:—

" (ix) (a) to formulate schemes of recruitment and procedures for appointment of the staff of the University in conformity with the schemes of recruitment and procedures for

appointment of the other national Universities, and to determine from time to time, the various grades of staff and the number comprising each of such grades; and

(b) to determine from time to time within the overall wage and salary policies of the other national Universities, the remuneration that should be paid to different grades of staff of the University and the nature and extent of the other benefits that the staff should receive;

(z) to make by-laws, rules and regulations on matters in respect of which by-law, rules and regulations are authorized to be made.”;

(3) by the substitution, for paragraphs (xi) and (xiii) of that subsection, of the following paragraphs:—

“(xi) to appoint examiners whether from the staff of the University or otherwise, after consideration of the recommendation of the Senate, and to determine any fees which may be paid to such examiners;

(xiii) to appoint persons to, and to suspend, dismiss or otherwise punish persons in the employment of the University:

Provided that, except in the case of officers and teachers, these powers may be delegated to the Venerable Vice-Chancellor;”;

(4) by the repeal of paragraphs (xv) and (xvi) of that subsection and the substitution therefor, of the following new paragraphs:—

“(xv) to appoint a Board of Welfare, which shall include representatives of the students, for the promotion of the general well-being of the students of the University. The composition, powers, duties and functions of such Board shall be prescribed by by-laws; and

(xvi) to exercise all other powers of the University for the exercise of which no other provision is made in this Act:

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.

In this section “academic matter” means any matter which is subject to the Control and general direction of the Senate.’

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17. The following new sections are hereby inserted immediately after section 18, of the principal enactment and shall have effect as section 18A, 18B, 18C, 18D and 18E of the principal enactment:—

Insertion
of new
sections
18A, 18B, 18C,
18D and 18E.

The Senate. 18A. (1) The University shall have a Senate which shall be the academic authority of the University.

(2) The Senate of the University shall consist of the following persons:—

- (a) the Venerable Vice-Chancellor;
- (b) the Dean of each Faculty;
- (c) the Head of each Department of study;
- (d) the Librarian;
- (e) every permanent Professor of the University;
- (f) two teachers, other than those referred to in the preceding paragraphs, elected by the permanent teachers of each Faculty from among their number; and
- (g) five teachers appointed by the Council from among Professors, Associate Professors and Senior Lecturers of the Departments of Buddhist studies and Cultural studies of other Universities of Sri Lanka.

(3) Each elected or appointed member shall hold office for a period of three years reckoned from the date of his election or appointment as the case may be:

Provided, however, that where an elected or appointed 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 or appointed in his place in accordance with the provisions of paragraphs (f) and (g) of subsection (2) and such other member shall, unless he vacates office earlier, hold office for the unexpired period of the term of office of his predecessor.

(4) The quorum for a meeting of the Senate shall be one fourth of its membership.

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(5) The Senate shall have control and general direction of instruction, education, research and examinations in the University.

(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:—

(a) to draft, after consideration of reports from the Faculty or the Faculties concerned, regulations relating to courses of study and examinations, with the concurrence of the Council;

(b) to recommend to the Council, after consideration of reports from the Faculty or the Faculties concerned, the names of persons suitable for appointment as examiners;

(c) to recommend to the Council, the institution, abolition or suspension of Professorships, Associate Professorships, Senior Lectureships, Lectureships, and other academic posts in the University;

(d) to recommend to the Council, after consideration of reports from the Faculty or the Faculties concerned—

(i) Schemes for the re-organization of existing Faculties and Departments of study and the organization of new Faculties and Departments of study; and

(ii) the assignment of subjects of study to the respective Faculties; and

(e) 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 to appoint:—

- (i) a Library Committee;
- (ii) a Research Committee;
- (iii) a Curriculum and Evaluation Committee; and
- (iv) 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.

The Faculty Board.

18B. (1) Each Faculty of the University shall have a Faculty Board which shall consist of the following persons:—

- (a) the Dean of that Faculty;
- (b) all permanent Professors, Associate Professors, Senior Lecturers and Lecturers of the Departments of Study comprising the Faculty;
- (c) two members elected by the permanent Assistant Lecturers of the Faculty from among their number;
- (d) two members of the permanent staff imparting instruction in the Faculty excluding those referred to in paragraphs (b) and (c), elected from among their number;
- (e) two students elected by the students of the Faculty from among their number; and
- (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.

(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, all such members being eligible for re-election.

(3) Subject to the provisions of this Act, a Faculty Board shall exercise, perform and discharge the following powers, duties and functions :—

(a) to consider and report on any matter referred to it by the Senate ;

(b) subject to the control of the Senate, to regulate matters connected with teaching, examinations and research in the Departments of study in the Faculty ;

(c) 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 ;

(d) to present recommendations and reports to the Senate on all matters connected with the courses of study and examinations in the Faculty ; and

(e) to recommend to the Senate, persons suitable for appointment as examiners.

(4) (a) The Dean shall preside at all meetings of the Faculty Board ; and

(b) The members elected under paragraph (e) of subsection (1) shall be excluded from the proceedings of any meeting of the Faculty Board relating to the election of the Dean under section 18c of this Act, and to examinations and connected matters, and any such meeting shall, notwithstanding such exclusion, be deemed to have been duly held.

The
Deans
of the
Faculties.

18c. (1) There shall be a Dean of each Faculty who shall be a full time officer of 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.

(2) The Dean shall, subject to the provisions of any appropriate Instrument, hold office for a period of three years reckoned from the date of his election and shall, unless removed from office, be eligible for re-election.

(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 Venerable Vice-Chancellor shall appoint another Head of 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 the provisions of subsection (1).

Heads of
Depart-
ment.

18a. (1) The Head of a Department of Study shall be a Professor, Associate Professor, Senior Lecturer or Lecturer appointed by the Council upon the recommendation of the Venerable Vice-Chancellor:

Provided that, where the Head of a Department of Study has not been appointed by the Council, the Venerable Vice-Chancellor may appoint a Professor, Associate Professor, Senior Lecturer or Lecturer to act in the post of Head of Department for a period not exceeding one month reckoned from the date of his appointment.

(2) The Head of a Department shall, subject to the provisions of any appropriate Instrument, hold office for a period of three years reckoned from the date of his appointment and shall, unless removed from office, be eligible for reappointment.

(3) Where owing to leave of absence illness, or any 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 Venerable Vice-Chancellor shall appoint another Professor, Associate Professor, Senior Lecturer or Lecturer of that Department to act 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 the provisions of subsection (1).

Establishment of Faculties and Departments.

18E. The Council may, from time to time, with the approval of the Minister establish any Faculty or Department of study as it may deem necessary for developing its teaching, research and extension programmes for the attainment of the objects of the University.'

Amendment of section 20 of the principal enactment.

18. Section 20 of the principal enactment is hereby amended as follows:—

(1) by the substitution for the word "regulation" wherever that word appears in that section, of the word "rule"; and

(2) by the repeal of paragraph (ii) of subsection (2) of that section and the substitution therefor, of the following paragraph:—

"(ii) appointment to posts of teacher or any other posts as may be prescribed by rules; and".

19. Sections 21, 22 and 23 of the principal enactment are hereby repealed and the following new sections substituted therefor:—

“Probationary
period of
teachers.

21. Every appointment to a post of teacher shall, in the first instance, be for a probationary period of three years, which period may be extended by the Council of the University by one year at a time for a further period not exceeding five years.

Age of
retirement
of teachers.

22. A 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 any such teacher may, at any time, be suspended, by the Venerable Vice-Chancellor pending an inquiry by the Council of the University, for misconduct, inefficiency or dereliction of duty or be dismissed or compulsorily retired, if found guilty after such inquiry, on a resolution adopted by the Council.

Confirmation
after period
of probation.

23. Every appointment to a post, other than that of teacher, shall in the first instance be for a probationary period of three years, and shall thereafter be subject to confirmation by the Council, except where such appointment is by reason of a promotion from a post other than that of teacher to another post other than that of teacher :

Provided, that where a person whose appointment to a post other than that of teacher in the University has been confirmed is subsequently appointed otherwise than by way of promotion to another post other than that of teacher in the University, his subsequent appointment shall, in the first instance, be for a probationary period of one year, and shall thereafter be subject to confirmation by the Council.”.

Insertion of
new section
23A in the
principal
enactment.

20. The following new section is hereby inserted immediately after section 23, of the principal enactment and shall have effect as section 23A of the principal enactment;

Age of
retire-
ment &c.

23A. The holder of any post, other than that of teacher, may continue in office until he completes his fifty-fifth year and shall thereafter be deemed to have voluntarily retired from service:

Provided, however, that the holder of any such post may upon written request made by him, be given by the Council of the University, extension of service for a period of one year at a time until he completes his sixtieth year, and shall thereafter be deemed to have retired:

Provided further that the holder of any such post may, at any time, be suspended, by the Venerable Vice-Chancellor pending an inquiry by the Council of the University for misconduct, inefficiency or dereliction of duty or be dismissed or compulsorily retired, if found guilty after such inquiry, on a resolution adopted by the Council.

Amendment
of section
29 of the
principal
enactment.

21. Section 29 of the principal enactment is hereby amended as follows:—

(1) by the insertion, immediately after subsection (2) of that section, of the following subsection:—

(2A) (a) A contributor may nominate a person (hereinafter in this section referred to as "a nominee") to whom the monies 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 contributor.

(c) A nomination made under paragraph (a) shall be deemed to be revoked, by the death of the nominee in the lifetime of the contributor or by written notice of revocation

signed by the contributor in the presence of a witness, who shall attest the signature of the contributor or by any subsequent nomination made by the contributor.

(d) No monies 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 Bursar of the University as to his identity.

(e) The handing over of any monies 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 University in respect of such monies; and

(2) by the repeal of subsection (4) of that section and the substitution of the following subsection therefor:—

“(4) Where a contributor dies while in the service of the University the Bursar of the University shall, subject to the provisions of section 30, 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.”

22. Section 30 of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement
of section
30 of the
principal
enactment.

“Deduction
from provi-
dent fund
payment.

30. 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 University by reason of the dishonesty or negligence of a contributor at any time during the period of his employment by the University;

(b) payments due on any loan taken by the contributor from the University 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 29."

Insertion
of new
Part VIIA
and Part
VII2 in the
principal
enactment.

23. The following new Parts are hereby inserted immediately after Part VII of the principal enactment and shall have effect as Part VIIA and Part VII2 of the principal enactment :—

"PART VIIA

UNIVERSITY STUDENT UNION AND OTHER
ASSOCIATIONS

Students
Unions &c.

39A. (1) (i) The University shall have a University Students Union.

(ii) Each Faculty of the University shall have a Faculty Students Union.

(iii) The mode of conducting elections of the office bearers of the Unions referred to in the preceding paragraphs and the duties and functions of such office-bearers shall be prescribed by regulations.

(2) (i) The Council may recognize any union, society or other association of students of the University established for the sole purpose of futhering academic or

social objectives, provided that the membership of such union, society or other association is limited to students of the University ;

(ii) The Council may prescribe by regulations, the mode of regulation of unions, societies and other associations recognized under paragraph (i), their functions, the mode of conducting elections for the appointment of their office-bearers and the duties and functions of such office-bearers.

(3) The Council may, from time to time, allocate to the University Students Union, the Faculty Students Unions, any union, society or other association of the University referred to in subsections (1) and (2) such sums of money as may be deemed necessary by the Council for their approved activities.

(4) If any union or society or other association of the University conducts itself in a manner, which, in the opinion of the Venerable Vice-Chancellor of the University is detrimental or prejudicial to the good name of the University, obstructs the proper administration of the University or acts in contravention of this Act or any appropriate instrument, the Venerable Vice-Chancellor may suspend or dissolve such union, society or other association as the case may be.

PART VIIb

POWERS OF THE MINISTER

39B. (1) The Minister may, from time issue to the Council such general written directions as he may deem necessary in

Powers of
the Minister
&c.

pursuance of national policy in matters such as finance, university places and medium of instruction, to enable him to discharge effectively his responsibilities. Every such direction shall as soon as possible be tabled in Parliament.

(2) (a) The Minister may by Order published in the Gazette appoint any person by name or office to be a Specified Authority for the purposes of this Part of this Act.

(b) The Specified Authority may with the approval of the Minister delegate any of his powers to such standing committees or adhoc committees consisting of such number of members as may be determined by the Specified Authority or any officer or servant appointed by such Authority.

(c) For the purpose of enabling him to discharge effectively his responsibilities, the Minister may order all or any of the activities or the administration of the University, to be investigated and reported upon by the Specified Authority.

(3) Where the Minister is satisfied that the situation prevailing in the University is likely to endanger national security or is detrimental or prejudicial to national policy, he may direct the Council to take all such steps as he may deem necessary to bring such situation under control.

(4) Where the Minister is satisfied that, due to any strike or lockout or any other cause, the work or administration of the University has been seriously dislocated and that the authorities of the University have failed to restore normal conditions, the Minister may take all such measures as may be necessary to ensure the restoration of normal conditions in the University. 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 the University:—

- (a) the closure of the University;
- (b) 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 the University, any power, duty or function conferred or imposed on, or assigned to, such other authority or body under this Act or any appropriate instrument; and
- (c) any other matter connected with or relating to any of the matters aforesaid.

(5) Any Order made by the Minister under subsection (4) 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.”

24. Section 46 of the principal enactment is hereby repealed and the following section substituted therefor:—

and Rules.
Regulations
“By-laws,

46. (1) (a) By-laws may be made by the Council for matters in respect of which By-laws are authorised to be made.

(b) No by-law shall be made by the Council in respect of any matter relating to or connected with the teaching in, or the examinations of, the University, unless a draft of such by-law has been prepared and submitted to the Council by the Senate.

(c) Every by-law made by the Council shall be published in the Gazette and shall come into force on such date as may be specified therein.

Replacement
of section
46 of the
principal
enactment.

(2) Regulations may be made by the Council or Senate of the University, as the case may be, in regard to any matter in respect of which regulations are authorised to be made

(3) Any authority or other body of the University may make rules—

(a) for all matters which, under the provisions of this Act, or of any appropriate Instrument, are to be or may be prescribed by rules;

(b) for all matters in respect of which, under the provisions of this Act, or of any appropriate Instrument rules are required or authorised to be made;

(c) for all other matters solely concerning any authority or other body of the University and not provided for by this Act or any appropriate Instrument; and

(d) any rule made by any authority or other body of the University may at any time, be amended, added to, varied or rescinded by a like rule made by such authority or other body.”

Alteration of
reference to
Chancellor.

25. The expression “Venerable Chancellor” shall be substituted for the expression “Chancellor” wherever such expression occurs in the principal enactment.

Replacement
of section
48 of
the principal
enactment.

26. Section 48 of the principal enactment is hereby repealed and the following section substituted therefor:—

‘Interpreta-
tion.

48. In this Act, unless the context otherwise requires—

“Teacher” means Professor, Associate Professor, Senior Lecturer, Lecturer, Assistant Lecturer, Librarian, Deputy Librarian, Senior Assistant Librarian and Assistant Librarian;

“Appropriate Instrument” means any order, by-law, regulation or rule made in accordance with the provisions of this Act; and

“Secretary” means the Secretary to the Ministry of the Minister in charge of the subject of Higher Education.’

27. The Schedule to the principal enactment is hereby repealed.

Repeal of schedule to the principal enactment.

28. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

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