



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

**SRI LANKA NATIONAL COMMISSION
FOR THE UNESCO ACT, No. 38 OF 2024**

[Certified on 02nd of July, 2024]

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*Sri Lanka National Commission
for the UNESCO Act, No. 38 of 2024*

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L.D.—O. 46/2008

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
COMMISSION FOR THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION (UNESCO); AND FOR MATTERS
CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS Sri Lanka obtained the membership of the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as the “UNESCO”) in 1949, embracing the vision of UNESCO to contribute to the building of a culture of peace, eradication of poverty, sustainable development and inter cultural dialog through education, sciences, culture, communication and information: Preamble

AND WHEREAS Article VII of the Constitution of the UNESCO mandates each member to form a National Commission to function as agencies of liaison between the national government including the relevant public, semi-governmental, private and civil organization and the UNESCO and contribute in the advancement of the objectives of the UNESCO and in the implementation of the programmes in support of the UNESCO priorities:

NOW THEREFORE BE it enacted by the Parliament of Democratic Socialist Republic of Sri Lanka as follows:-

1. This Act may be cited as the Sri Lanka National Commission for the UNESCO Act, No. 38 of 2024. Short title

PART I

ESTABLISHMENT OF THE SRI LANKA NATIONAL COMMISSION
FOR THE UNESCO

Establishment of
the Sri Lanka
National
Commission for
the UNESCO

2. (1) There shall be established a Commission which shall be called the Sri Lanka National Commission for the UNESCO (hereinafter referred to as the “Commission”).

(2) The Commission shall, by the name assigned to it by subsection (1), be a body corporate with perpetual succession and a common seal and may sue and be sued in such name.

Objects of the
Commission

3. The objects of the Commission shall be-

- (a) to assume, alone or in collaboration with other bodies, the responsibility for-
- (i) operation of all the UNESCO funded or related activities in Sri Lanka;
 - (ii) initiation, co-sponsorship and endorsement of all the UNESCO resolutions, guidelines, conventions and other instruments at the UNESCO Executive Board and the UNESCO General Conference;
 - (iii) Sri Lanka’s active participation in the sub-regional, regional and international UNESCO activities, ensuring benefit to people of Sri Lanka without any discrimination;
 - (iv) submitting nominations to the UNESCO registries.

- (b) to link the relevant ministries, government departments, semi government, non-government and private agencies, institutions, organizations and intellectuals and the people of Sri Lanka effectively with the the UNESCO programmes and activities securing the intellectual, scientific, artistic or administrative resources and capacities available in Sri Lanka;
- (c) to develop international cooperation and partnerships for Sri Lanka as envisaged in Article II of the the UNESCO Constitution –
 - (i) in the planning and execution of activities entrusted to the UNESCO which are undertaken with the assistance of organizations of the United Nations family and other international institutions and programmes;
 - (ii) to promote mutually beneficial UNESCO programmes with the UNESCO affiliated bodies and other international organizations by conducting international, regional and sub-regional activities with a view to achieving the objectives of the UNESCO;
- (d) to facilitate the exchange of information in areas related to education, science, culture, communication and information through local, regional and global programmes organized by the UNESCO and acting as a clearing house for information in the related fields and disseminating information to arouse public interest in those areas;
- (e) to introduce the UNESCO conventions and other international instruments to relevant Ministries for ratification and follow up;

- (f) to facilitate technical assistance to and capacity building in Sri Lanka through the the UNESCO system; and
- (g) to contribute to the the UNESCO's vision of maintenance of peace, security and the common welfare of mankind by participating in the activities of the UNESCO through education, science, culture, communication and information which are the main pillars of foundation of the UNESCO.

Powers, duties and functions of the Commission

4. The powers, duties and functions of the Commission shall be to –

- (a) develop and sustain international liaison, coordination, consultations and advocacy with all of the UNESCO system and activities;
- (b) ensure appropriate representations and facilitate informed interventions by Sri Lanka at the the UNESCO General Conference, Executive Board meetings, summits, conferences and intergovernmental meetings;
- (c) inform stakeholders, implement and monitor the UNESCO conventions, resolutions and similar instruments;
- (d) initiate, fund, coordinate and monitor the UNESCO related programmes, Centres, Sites, Cities, Networks, Associations, Clubs, and Chairs in Sri Lanka in collaboration with the Sri Lankan stakeholders and support with technical assistance and capacity building through the UNESCO system;

- (e) appoint National committees, steering committees, working committees, expert committees and consultants in the UNESCO areas of competence with specific terms of reference to support activities of the Commission and decide on appropriate remuneration for the committee members or consultants;
- (f) celebrate the UNESCO declared days, years and decades, as relevant to Sri Lanka with stakeholders;
- (g) disseminate information on and recommend candidates for the UNESCO awards, fellowships, the UNESCO chairs, study grants and other programmes;
- (h) obtain reports, information and data 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, from government and non-governmental institutions in Sri Lanka;
- (i) exercise disciplinary control, including dismissal, over the officers and employees of the Commission;
- (j) erect, rent, equip and maintain such buildings and memorials including offices, libraries, pavilions, meeting halls and conference halls and the UNESCO plaques as are necessary for the discharge of its functions;
- (k) exercise sufficient authority in financial management to enable it to carry out efficiently the functions of the Commission and to increase its participation in the activities of the UNESCO;

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- (l) authorize, certify and permit relevant stakeholders to conduct activities relevant to the UNESCO mandate;
- (m) approve and issue operating manuals, guidelines and regulations to direct and facilitate the operations of the Secretariat;
- (n) disseminate information to the mass and digital media to reach out to the general public, individuals and institutions concerned on any aspect of the UNESCO's objectives, programmes and activities;
- (o) receive and mobilize local (government or private) funds or foreign funds for the implementation of the UNESCO programmes:

Provided that, notwithstanding anything to the contrary in any other provisions of this Act, the Commission shall obtain the prior written approval of the Department of External Resources in respect of all foreign funds;

- (p) pay annual and other membership or subscription fees to the UNESCO and the UNESCO affiliated bodies;
- (q) enter into and perform all such contracts and Memorandum of Understandings (MOUs) as may be necessary for the exercise, performance and discharge of the powers, duties and functions of the Commission and conduct joint or independent studies, researches, deliberations and consultations on matters of interest to the UNESCO;
- (r) outsource money for appropriate payments in compliance with the relevant financial regulations, research, data collating or any other services or activities necessary for the smooth and efficient discharge of the duties and functions of the Commission;

- (s) have the ownership of all research, any material or data collected by any person for the purposes of this Act and be responsible for the protection of such research, material or data;
- (t) administer and coordinate the UNESCO activities and permit the use of the UNESCO approved logo with the UNESCO listed sites and items and activities and charge fees for such services;
- (u) open and maintain, current, savings and deposit or fixed accounts in any bank or banks and invest such funds as are not immediately required for the purposes of the Commission in such securities as it may determine;
- (v) accept gifts, contributions, grants or donations from local or foreign sources, whether in cash or otherwise, for the purpose of discharging the functions of the Commission:

Provided that, notwithstanding anything to the contrary in any other provisions of this Act, the Commission shall obtain prior written approval of the Department of External Resources in respect of all foreign grants, gifts or donations;

- (w) impose a levy on every visitor to the UNESCO heritage sites and biosphere reserves and other the UNESCO sites in Sri Lanka, calculated at such rate as may be prescribed by the Minister in consultation with the Minister in charge of the subject of Finance;
- (x) acquire and hold, take or give on lease, mortgage or hire, pledge or sell or otherwise dispose of, any movable or immovable property, for the purpose of discharging the functions of the Commission; and

- (y) enter into and perform all such contracts as may be necessary for the exercise, performance and discharge of the powers, duties and functions of the Commission.

Constitution of
the Commission

5. The Commission shall consist of -

- (a) the following *ex-officio* members, namely -
 - (i) the Minister or Deputy Minister or State Minister as the case may be, in charge of the subject of Education;
 - (ii) the Secretary to the Ministry of the Minister or an Additional Secretary of such Ministry;
 - (iii) the Secretary to the Treasury or his nominee not below the rank of Deputy Secretary to the Treasury;
 - (iv) the Secretary to the Ministry of the Minister assigned the subject of Foreign Affairs or an Additional Secretary of such Ministry;
 - (v) the Secretary to the Ministry of the Minister assigned the subject of Vocational Training or his nominee not below the rank of an Additional Secretary ;
 - (vi) the Secretary to the Ministry of the Minister assigned the subject of Higher Education or his nominee not below the rank of an Additional Secretary;
 - (vii) the Secretary to the Ministry of the Minister assigned the subject of Science and Technology or his nominee not below the rank of an Additional Secretary;

- (viii) the Secretary to the Ministry of the Minister assigned the subject of Ocean or his nominee not below the rank of an Additional Secretary;
- (ix) the Secretary to the Ministry of the Minister assigned the subject of Environment or his nominee not below the rank of an Additional Secretary;
- (x) the Secretary to the Ministry of the Minister assigned the subject of Culture or his nominee not below the rank of an Additional Secretary;
- (xi) the Secretary to the Ministry of the Minister assigned the subject of documentary heritage or his nominee not below the rank of an Additional Secretary;
- (xii) the Secretary to the Ministry of the Minister assigned the subject of Mass Media or his nominee not below the rank of an Additional Secretary;
- (xiii) the Secretary to the Ministry of the Minister assigned the subject of Social Services or his nominee not below the rank of an Additional Secretary;
- (xiv) the Secretary to the Ministry of the Minister assigned the subject of Forest Conservation or his nominee not below the rank of an Additional Secretary;
- (xv) the Secretary to the Ministry of the Minister assigned the subject of Wildlife Conservation or his nominee not below the rank of an Additional Secretary;

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- (xvi) an officer of the Central Cultural Fund nominated by the Secretary to the Ministry of the Minister assigned the subject of Culture;
 - (xvii) the Conservator-General of Forest appointed under section 58 of the Forest Conservation Ordinance (Chapter 451);
 - (xviii) the Director-General of Wildlife appointed under section 68 of the Fauna and Flora Protection Ordinance (Chapter 469);
 - (xix) the Secretary-General of the Sri Lanka National Commission for the UNESCO; and
 - (xx) the six Chairpersons of the six National Committees established under section 15 of this Act; and
- (b) six members appointed by the Minister from among persons who have distinguished themselves in the fields of education, natural sciences, social and human sciences, culture, and communication and information (hereinafter referred to as the “appointed members”).

Chairperson and
Vice
Chairperson of
the Commission

6. (1) The Minister shall be the Chairperson of the Commission.

(2) The Secretary to the Ministry of the Minister shall be the Vice Chairperson of the Commission.

(3) The Chairperson and the Vice Chairperson shall hold office of the Commission, so long as he holds the office by virtue of which he has been appointed to the Commission.

(4) Where the Chairperson is temporarily unable to exercise, perform and discharge the powers, duties and functions of his office due to ill health, other infirmity, absence from Sri Lanka or any other cause, the Vice Chairperson may act as the Chairperson in addition to his normal duties as the Vice Chairperson.

7. A person shall be disqualified from being appointed or continuing as an appointed member of the Commission, if he -

Disqualifications
for being
appointed or
continuing as a
member of the
Commission

- (a) is or becomes a member, of Parliament, any Provincial Council or any local authority;
- (b) is not, or ceases to be a citizen of Sri Lanka;
- (c) is a person who, having been declared an insolvent or a bankrupt under any law in Sri Lanka or in any other country, is an undischarged insolvent or bankrupt;
- (d) is under any law in force in Sri Lanka or any other country found or declared to be of unsound mind;
- (e) is serving or has served a sentence of imprisonment imposed by a court of Sri Lanka or any other country;
- (f) holds or enjoys any right or benefit under any contract made by, or on behalf of the Commission;
- (g) has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Commission; or
- (h) is absent from three consecutive meetings of the Commission without the permission of the Commission.

Terms of office
of the appointed
members of the
Commission

8. Every appointed member of the Commission shall, unless he vacates office earlier by death, resignation or removal, hold office for a period of three years from the date of his appointment and shall, unless he has been removed from office be eligible for re-appointment for not more than one further term, whether consecutive or otherwise.

Removal,
resignation etc.
of appointed
members

9. (1) Any appointed member of the Commission may at any time, resign his office by letter in that behalf addressed to the Minister, and such resignation shall take effect from the date on which the resignation is accepted in writing by the Minister.

(2) The Minister may, for reasons assigned, remove any appointed member from office. An appointed member who has been removed from office shall not be eligible for re-appointment as a member of the Commission or to serve the Commission in any other capacity.

(3) In the event of the vacation of office by death, resignation or removal of any appointed member, the Minister shall subject to the provisions of section 5(b) appoint another person to fill such vacancy and such person shall hold office for the un-expired period of the term of office of the member whom he succeeds.

(4) Where any appointed member of the Commission is temporarily unable to perform the duties of his office on account of ill health or any other cause or if he is absent from Sri Lanka for a period of not less than three months, the Minister shall subject to the provisions of section 5(b) appoint any other person to act in place of such member during his absence.

(5) Where any appointed member of the Commission fails to attend three consecutive meetings of the Commission without notifying his absence in advance to the Commission, such member shall be deemed to have vacated his office and the Minister shall appoint another person to fill such vacancy subject to the provisions of section 5(b).

10. The Commission shall have the General Conference every year to deliberate and resolve the following matters of the Commission:-

General
Conference of
the Commission

- (a) recommend to the government on the UNESCO related activities including supporting, signing, ratification and adoption of the UNESCO conventions, agreements and major initiatives;
- (b) recommend and approve the strategic plan of the National Commission in line with the UNESCO's major programmes;
- (c) recommend and approve activities and budgets of the Secretariat and approval of annual action plan and the annual budget of the National Commission;
- (d) adoption of annual report and the responses to Auditor General's report;
- (e) monitor and evaluate the performance of the National Commission and recommend and approve incentives for the staff of the Secretariat;
- (f) delegation of powers to the Secretary-General of the National Commission as deemed necessary; and
- (g) make recommendations on study and consultative reports produced by the Secretariat.

11. (1) The *quorum* for any meeting of the Commission shall be not less than one third of its total membership and every meeting of the Commission shall be presided by the Chairperson. In the absence of the Chairperson from any meeting of the Commission, any member elected by the members present shall preside at such meeting of the Commission.

Quorum and the
Meetings of the
Commission

(2) A meeting of the Commission may be held -

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- (a) by the number of members who constitute a *quorum* being assembled at the place, date and time appointed for the meeting; or
- (b) by means of audio - visual communication by which all members participating and constituting a *quorum* can simultaneously see and hear every participating member for the duration of the meeting; or
- (c) by the combination of both (a) and (b).

(3) All questions for decision at any meeting of the Commission shall be decided by the vote of the majority of the members present and voting at such meeting. In the case of an equality of votes, the Chairperson shall, in addition to his vote, have a casting vote.

(4) The Commission shall meet at least once in every year. However, special or extraordinary general meetings may be convened, if and when required by the Chairperson of the Commission.

Acts or proceedings of the Commission deemed not to be invalid by reason of any vacancy

12. The Commission may act, notwithstanding any vacancy among its members, and any act or proceeding of the Commission shall not be, or deemed to be, invalid by reason only of the existence of any vacancy among its members or any defect in the appointment of a member thereof.

Remuneration of members of the Commission

13. The members of the Commission shall be remunerated in such manner and at such rates as may be determined by the Minister with the concurrence of the Minister assigned the subject of finance.

Seal of the Commission

14. (1) The seal of the Commission –

- (a) shall be in the custody of such person as the Commission may decide from time to time;

- (b) may be altered in such manner as may be determined by the Commission; and
- (c) shall not be affixed to any instrument or document except with the sanction of the Commission and in the presence of two members of the Commission who shall sign the instrument or document in token of their presence.

(2) The Commission shall maintain a register of the instruments and documents to which the seal of the Commission has been affixed.

15. (1) The Commission may, on the recommendation of the Secretary-General, the appoint such number of National Committees, experts and consultants as it considers necessary or expedient to assist in the exercise, performance and discharge of the powers, duties and functions conferred on, assigned to or imposed on the Commission by this Act.

Establishment of
the National
Committees

(2) The National Committees appointed under subsection (1) shall be –

- (a) the UNESCO National Committee on Education;
- (b) the UNESCO National Committee on Natural Sciences;
- (c) the UNESCO National Committee on Social and Human Sciences;
- (d) the UNESCO National Committee on Culture;
- (e) the UNESCO National Committee on Communication and Information; and
- (f) the UNESCO intersectoral National Committee (falling within the UNESCO mandate).

(3) There shall be a Chairperson or Co-Chairpersons for each National Committee appointed by the Commission on the recommendation of the Secretary-General of the Commission.

(4) The members of the National Committees appointed under subsection (2), shall possess such qualifications and expertise in a particular field to effectively address the terms of reference of such relevant Committees.

(5) Every member of a National Committee shall, unless he vacates office earlier by death, resignation or removal, hold office for a period of three years from the date of his appointment and shall, unless he has been removed from office, be eligible for re-appointment for not more than one further term, whether consecutive or otherwise.

(6) In the event of the vacation of office by death, resignation or removal of any member, the Commission shall, on the recommendation of the Secretary-General, appoint another person to fill such vacancy and such person shall hold office for the unexpired period of the term of office of the member whom he succeeds.

(7) Where any member of a National Committee is temporarily unable to perform the duties of his office on account of ill health or any other cause or if he is absent from Sri Lanka for a period of not less than three months, the Commission on the recommendation of the Secretary-General shall appoint any other person to act in place of such member during his absence.

(8) Where any member of a National Committee fails to attend three consecutive meetings of a National Committee without notifying his absence in advance to the Commission, such member shall be deemed to have vacated his office and the Commission on the recommendation of the Secretary-General shall appoint another person to fill such vacancy.

(9) The members of every National Committee experts and consultants appointed under subsection (1), shall be paid such allowances and be reimbursed for any expenses incurred in connection with the carrying out of any duties assigned, as the Commission may determine with the concurrence of the Minister assigned the subject of Finance.

16. The duties and functions of the National Committees established under section 15 shall be to –

Duties and functions of the National Committees

- (a) advise and support the Commission to effectively implement the activities of the Commission and address any issue related to the UNESCO's areas of competence;
- (b) study, deliberate, resolve and make recommendations on national policy, position and implementation of international the UNESCO initiatives, conventions, programmes and items presented to the UNESCO General Conference and the Executive Board;
- (c) assist the Secretary-General guided by the UNESCO's strategic areas, programmes and documents to develop, implement and monitor Programmes and projects of the Commission in the relevant areas;
- (d) make recommendations on the annual action plan and budget of each specialised area covered by a National Committee; and
- (e) do any other activity in support of the UNESCO activities as may be decided by the Commission on the recommendation of the Secretary-General.

17. The Commission may, from time to time, appoint *ad hoc* committees for specified purposes consisting of such number of memberships of the Commission or other persons, or both with such powers, duties and functions as may be determined by the Commission.

Appointment of *ad hoc* Committees

PART II

ESTABLISHMENT OF THE SECRETARIAT AND THE APPOINTMENT OF THE
SECRETARY-GENERAL, DEPUTY SECRETARY-GENERAL AND
THE STAFF OF THE COMMISSION

Establishment of
the Secretariat of
the Commission

18. (1) There shall be established a Secretariat (hereinafter referred to as the “Secretariat”) to assume, alone or in collaboration with other bodies, the responsibility to implement all decisions, directives, operations and finances of the Commission and to initiate, support, implement, manage, monitor and evaluate all activities related to this Act.

(2) The Commission may in writing and subject to such conditions as may be specified therein, delegate to the Secretary-General of the Commission appointed under section 19, the powers, duties and functions conferred on the Commission under section 4 and the Secretary-General of the Commission shall exercise, perform and discharge such powers, duties and functions in the name and on behalf of the Commission.

(3) The Commission may, notwithstanding any delegation made under subsection (2), by itself exercise, perform or discharge any power, duty or function so delegated and may at any time revoke any such delegation.

Appointment of
the Secretary-
General of the
Commission

19. (1) The Minister shall appoint a person who shall have not less than twenty years of academic or professional experience in the fields of education, natural sciences, social and human sciences, culture, communication and information or international relations, as the Secretary-General of the Commission (in this Act referred to as the “Secretary-General”).

(2) The Secretary-General shall be the Chief Executive Officer of the Commission and shall be responsible for planning, executing, managing and monitoring all operations and affairs on behalf of the Commission, through the Secretariat including—

- (a) providing a strategic vision and direction for the overall structure and operations of the Secretariat;
- (b) recruitment and management of staff to the cadre positions as approved by the Commission;
- (c) appointing such National Committees, *ad hoc* committees, experts and consultants in the UNESCO areas of competence with specific terms of reference to support activities and assignments of the Secretariat and recommend to the Commission on appropriate remuneration for the committee members, experts and consultants;
- (d) operational, administrative and financial management of the Commission;
- (e) the administration of the UNESCO Scholarship Fund established under the UNESCO Scholarship Fund Act, No. 44 of 1999;
- (f) the submission of the annual action plan and the annual budget prepared in accordance with the annual work programme of the Commission, assigned with the UNESCO's programmes and activities;
- (g) preparing of the manual of procedures and necessary revisions from time to time for the smooth functioning of the Commission and the Secretariat;

- (h) the management of the fund of the Commission;
and
- (i) the administration and management of the property
of the Commission.

(3) The Secretary-General shall be entitled to be present and speak at any meeting of the Commission, or any other Committee established under this Act.

(4) The Secretary-General may –

- (a) delegate any of the functions of the Secretary-General to the Deputy Secretary-General or any other officer of the Secretariat as seem appropriate for the smooth discharge of responsibilities;
- (b) with the approval of the Commission acquire and authorize such rights, privileges, powers, licenses and authorities as may be necessary for the performance and discharge of the duties and functions;
- (c) with the approval of the Commission enter into agreements with institutions whether in Sri Lanka or abroad having objects wholly or partly similar to those of the UNESCO and the Commission for collaborative activities and the exchange of technical personnel;
- (d) with the approval of the Commission and in consultation with the respective committees, nominate, support and fund suitable experts to attend the UNESCO meetings; and
- (e) collect, print and publish reports, periodicals, books and papers on subjects relevant to the UNESCO priorities.

(5) The Secretary-General may be paid such remuneration in such manner and at such rates as may be determined by the Minister with the concurrence of the Minister assigned the subject of finance.

20. (1) The Minister shall appoint a person who shall have not less than fifteen years of academic or professional experience in the fields of education, natural sciences, social and human sciences, culture, communication, administration or finance as the Deputy Secretary-General of the Commission (in this Act referred to as the “Deputy Secretary- General”).

Appointment of the Deputy Secretary-General of the Commission

(2) The Deputy Secretary-General shall assist the Secretary-General to exercise, perform and discharge the powers, duties and functions of the Commission and carry out the duties assigned by the Secretary-General.

(3) The Deputy Secretary-General shall function as the Secretary to the the UNESCO General Conference of the Commission.

(4) The Deputy Secretary-General may be paid such remuneration in such manner and at such rates as may be determined by the Minister with the concurrence of the Minister assigned the subject of finance.

21. (1) The Secretary-General and the Deputy Secretary-General shall hold office for a period of four years and shall be eligible for re-appointment for not more than one further term of office whether consecutive or otherwise.

Term of office of the Secretary-General and the Deputy Secretary-General

(2) The Minister may, for reasons assigned, remove the Secretary-General or the Deputy Secretary-General from office after considering and affording an opportunity to the Secretary-General or the Deputy Secretary-General as the case may be, to respond to any allegations made against them.

(3) The office of the Secretary-General and the Deputy Secretary-General shall become vacant upon the death, removal from office or resignation by letter addressed to the Minister.

(4) If any vacancy occurs in the office of the Secretary-General, the Minister may appoint the Deputy Secretary-General to perform the duties of the Secretary-General, until an appointment is made to such post.

Staff of the
Commission

22. (1) The Secretary-General may, with the concurrence of the Commission, appoint such number of officers and employees as he may consider necessary for the efficient exercise and discharge of its powers and functions, with the prior written approval of the Department of Management Services.

(2) The Commission may, in respect of the officers and employees appointed under subsection (1), exercise disciplinary control over or dismiss such officers and employees and determine the terms and conditions of employment of such officers and employees.

(3) The officers and employees appointed to the Commission shall be remunerated in such manner and at such rates, in consultation with the Minister assigned the subject of finance and shall be subject to such conditions of service as may be determined by the Commission, in accordance with the provisions of this Act and the rules made thereunder.

(4) The Commission may establish and regulate provident fund schemes for the benefit of the officers and employees of the Commission who may be recruited outside of the government service and may make contributions to any such scheme.

(5) Where any person is temporarily appointed to the staff of the Commission under subsection (1) such person shall be subject to the same disciplinary control as any other member of the staff of the Commission.

23. (1) At the request of the Commission and with the concurrence of the Minister, any officer in the public service may, with the consent of that officer and of the Public Service Commission, be temporarily assigned to the staff of the Commission for such period as may be determined by the Commission with like consent, or be permanently appointed to such staff.

Appointment of public officers to the staff of the Commission

(2) Where any officer in the public service is temporarily assigned to the staff of the Commission, the provisions of subsection (2) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall, *mutatis mutandis*, apply to, and in relation to such officer.

(3) Where any officer in the public service is permanently appointed to the staff of the Commission, the provisions of subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall, *mutatis mutandis*, apply, to and in relation to such officer.

24. (1) At the request of the Commission, any officer or other employee of any higher educational institution established under the Universities Act, No. 16 of 1978 may, with the consent of that officer or the employee and the principal executive officer of that higher educational institution, be temporarily appointed to the staff of the Commission. Such appointment shall be for a period as may be determined by the Commission or with like consent be permanently appointed to such staff, on such terms and conditions including those relating to pension or provident fund rights, as may be agreed upon by the Commission and such principal executive officer.

Appointment of officers from higher educational institutions to the Commission

(2) Where any person is temporarily appointed to the staff of the Commission under subsection (1) such person shall be subject to the same disciplinary control as any other member of the staff of the Commission.

PART III

FINANCE

Capital of the
Commission

25. The initial capital of the Commission –

- (a) shall be such sum as may be determined by Parliament by resolution; and
- (b) may be increased by such amounts as may be authorized by an Appropriation Act or by any resolution of Parliament.

The Fund of the
Commission

26. (1) The Commission shall have its own Fund.

(2) The Fund of the Commission shall comprise of -

- (a) all such sums of money as may be voted from time to time by Parliament;
- (b) all such sums of money as may be received by the Commission by way of interest on investments, donations, gifts or grants from any source whatsoever, whether within or outside Sri Lanka:

Provided however, the Commission shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations made and loans, donations, gifts, bequests and grants received from

any source within Sri Lanka shall be credited to the Consolidated fund and shall thereafter, with the approval of the Parliament, be credited to the Fund of the Commission;

- (c) all sums of money received as income from investments made by the Commission; and
- (d) all such money levied as fees and contributions.

(3) There shall be paid out of the Fund of the Commission -

- (a) all such sums of money as are required to defray any expenditure incurred by the Commission in the exercise, performance and discharge of its powers, duties and functions under this Act; and
- (b) all such sums of money as are required to be paid out of the Fund by or under this Act.

27. Any moneys belonging to the Commission may be invested by the Commission in such manner as may be deemed appropriate subject to such directions as may be given by the Minister.

Investment of
the moneys of
the Commission

28. (1) The financial year of the Commission shall be the calendar year.

Financial year
and Audit of
accounts of the
Commission

(2) The Commission shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Commission.

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to, and in relation to the audit of the accounts of the Commission.

PART IV

GENERAL

Directions of the
Minister

29. (1) The Minister may, from time to time, give such general or special directions in writing to the Commission as to the exercise, performance and discharge of the powers, duties and functions of the Commission and it shall be the duty of the Commission to comply with such directions.

(2) The Minister may, from time to time, order all or any of the activities of the Commission or the Secretariate to be investigated and reported upon by such person or persons as he may specify, and upon such order being made, the Commission and the Secretariate shall afford all such facilities and furnish all such information to such person or persons as may be necessary to give effect to such Order.

Commission
report to be
placed before
Parliament

30. The Commission shall, within a period of six months after the closure of each financial year, submit a report giving a full account of its activities during that year to the Minister who shall cause such report to be placed before Parliament, prior to the end of the year next following the year to which such report relates.

All members of
the Commission
etc. deemed to
be public
servants

31. All members of the Commission, officers and employees of the Commission shall be deemed to be public servants within the meaning and for the purpose of the Penal Code (Chapter 19).

Provisions of the
Anti-Corruption
Act, No.9 of
2023 to be
applied

32. The provisions of Chapter I of Part III under the Heading “Offences relating to Bribery or Corruption” of the Anti- Corruption Act, No. 9 of 2023, shall *mutatis mutandis* be deemed to be applicable to or in relation to, the provisions of this Act.

33. (1) Any expense incurred by the Commission in any suit or prosecution brought by or against the Commission before any court shall be paid out of the Fund of the Commission, and any costs paid to, or recovered by, the Commission in any such suit or prosecution shall be credited to the Fund of the Commission.

Protection for
action taken
under this Act or
on the directions
of the
Commission

(2) Any expenses incurred by any person in any suit or prosecution brought against him before any court in respect of any act which is done by him under this Act, or on the direction of the Commission shall, if the court holds that such act was done in good faith, be paid out of the Fund the Commission, unless such expense is recovered by him in such suit or prosecution.

34. (1) The Commission may make rules in respect of – Rules

- (a) the appointment, employment and dismissal of various officers and their powers, duties and functions;
- (b) the procedure to be observed at the summoning and holding of meetings, annual general meeting and extraordinary meetings of the Commission;
- (c) the administration and management of the affairs of the Commission; and
- (d) all matters in respect of which, rules are required or authorized to be made under this Act.

(2) Every rule made under subsection (1) shall be approved by the Minister.

(3) Every rule approved by the Minister shall, within three months from its publication in the *Gazette*, be brought before Parliament for its notice.

Regulations

35. (1) The Minister may make regulations in respect of all matters which are required by this Act to be prescribed or authorized to be made under this Act.

(2) Every regulation made by the Minister shall be published in the *Gazette*, and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Every regulation made by the Minister shall, within three months from its publication in the *Gazette*, be brought before Parliament for approval. Any such regulation, which is not so approved shall be deemed to be rescinded as from the date of disapproval, but without prejudice to anything previously done thereunder.

(4) Notification of the date on which any regulation is deemed to be rescinded under subsection (3), shall be published in the *Gazette*.

Interpretation

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

“expert” means a professional with specialised competence in any one of the areas of the UNESCO programmes;

“Minister” means the Minister assigned the subject of Education under Article 44 or 45 of the Constitution;

“UNESCO” means the United Nations Educational, Scientific and Cultural Organization;

“UNESCO system” means the UNESCO headquarters, regional offices, field offices, National Offices, liaison offices,

Commissions, Networks, Category 01 and Category 02 centers, UNESCO Heritage sites, Biosphere reserves, UNESCO Cities and UNESCO Clubs, Associations and Chairs and any other additions to the system by the UNESCO resolutions;

“UNESCO activities” means programmes, projects and all other activities carried out by the UNESCO system;

“Stakeholders of the Commission” means government institutions, semi-governmental institutions, Non-governmental Institutions, Statutory bodies, Private Institutions, Associations, international organizations, Individuals and Intellectuals engaged in the UNESCO areas of Competencies in Sri Lanka;

“UNESCO areas of competencies” means Educational, Scientific and Cultural, Social and Human Sciences and Communication and Information areas;

“UNESCO Programmes” means the UNESCO areas of competence and includes Education, Natural Sciences, Social and Human Sciences, Culture and Communication and Information.

37. 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

English Acts of the Parliament can be purchased at the "PRAKASHANA PIYASA", DEPARTMENT OF
GOVERNMENT PRINTING, NO. 118, DR. DANISTER DE SILVA MAWATHA, COLOMBO 8.