



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

**MAHAPOLA HIGHER EDUCATION SCHOLARSHIP
TRUST FUND (AMENDMENT)**

A

BILL

**to amend the Mahapola Higher Education Scholarship Trust Fund
Act, No. 66 of 1981**

Presented by the Minister of Trade on 08th of November, 2021

(Published in the Gazette on October 28, 2021)

Ordered by Parliament to be printed

[Bill No. 85]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 12.00

Postage : Rs. 15. 00

This Bill can be downloaded from www.documents.gov.lk



STATEMENT OF LEGAL EFFECT

Clauses 2 : This clause amends the long title of the Mahapola Higher Education Scholarship Trust Fund Act, No. 66 of 1981 (hereinafter referred to as the “principal enactment” and the legal effect of the amendment is to replace the words “MAHAPOLA HIGHER EDUCATION SCHOLARSHIP TRUST FUND ACT” with the words “LALITH ATHULATHMUDALI MAHAPOLA HIGHER EDUCATION SCHOLARSHIP TRUST FUND ACT”.

Clauses 3 : This clause amends principal enactment and other written laws and the legal effect of the amendment is to replace the words –

- (a) “Mahapola Higher Education Scholarship Trust Fund Act” with the words “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund Act”;
- (b) “Mahapola Higher Education Scholarship Trust Fund” with the words “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund”.

Clause 4 : This clause amends section 3 of the principal enactment and the legal effect of the section as amended is to change the composition of the Board of Trustees of the Fund and make provision to appoint a retired judge of the Supreme Court as the Chairman of the Board.

Clause 5 : This clause amends section 15 of the principal enactment and the legal effect of the section as amended is to extend the application of that section to the Trustees of the Fund.

Clause 6 : This clause inserts a new section 15A in the principal enactment and the legal effect of the section as amended is to make the provisions of the Offences Against Public Property Act, No. 12 of 1982 applicable to the properties of the Fund.

*Mahapola Higher Education Scholarship Trust Fund
(Amendment)*

L.D.—O 5/2020

AN ACT TO AMEND THE MAHAPOLA HIGHER EDUCATION SCHOLARSHIP
TRUST FUND ACT, NO. 66 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 Mahapola Higher Education Scholarship Trust Fund (Amendment) Act, No. 2021. Short title

5 2. The long title of the Mahapola Higher Education Scholarship Trust Fund Act, No. 66 of 1981 (hereinafter referred to as the “principal enactment”) is hereby amended by the substitution for the words “MAHAPOLA HIGHER EDUCATION SCHOLARSHIP TRUST FUND”, of the words,
10 “LALITH ATHULATHMUDALI MAHAPOLA HIGHER EDUCATION SCHOLARSHIP TRUST FUND”. Amendment
of the long
title to Act,
No.66 of
1981

3. (1) In the principal enactment and in any other written law, there shall be substituted – General
amendment
to the
principal
enactment
and other
written law

15 (a) for the words “Mahapola Higher Education Scholarship Trust Fund Act”, of the words, “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund Act”; and

20 (b) for the words “Mahapola Higher Education Scholarship Trust Fund”, of the words, “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund”,

wherever such words appear in the principal enactment and other written law.

25 (2) Every reference to the “Mahapola Higher Education Scholarship Trust Fund Act” and “Mahapola Higher Education Scholarship Trust Fund” in any notice, notification, contract, communication, agreement, form or

2 *Mahapola Higher Education Scholarship Trust Fund
(Amendment)*

other document shall be read and construed as a reference to the “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund Act” and “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund”.

5 **4.** Section 3 of the principal enactment is hereby amended as follows:- Amendment
of section 3
of the
principal
enactment

(1) by the repeal of subsection (2) thereof and the substitution therefor of the following subsection:-

10 “(2) The Board of Trustees of the Fund (hereinafter referred to as the “Board”) shall consist of the following members:-

(a) the founder;

15 (b) a retired Judge of the Supreme Court appointed by the President for a period of three years who shall be the Chairman of the Board;

(c) the persons for the time being holding office as—

20 (i) the Secretary to the Ministry of the Minister to whom the subject of Higher Education is assigned;

(ii) the Secretary to the Ministry of the Minister to whom the subject of Education is assigned;

25 (iii) the Secretary to the Ministry of the Minister to whom the subject of Trade is assigned; and

(d) two persons appointed by the founder (hereinafter referred to as the “appointed members”) for a period of five years.”; and

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(Amendment)

(2) by the repeal of subsection (3) thereof.

5 **5.** Section 15 of the principal enactment is hereby amended by the substitution for the words, “All officers and servants of the Fund” of the words, “All officers, servants and Trustees of the Fund”.

Amendment of section 15 of the principal enactment

6. The following new section is hereby inserted immediately after section 15 of the principal enactment and shall have effect as section 15A of that enactment: -

Insertion of new section 15A in the principal enactment

10 “Provisions of Offences Against Public Property Act, No. 12 of 1982 to apply **15A.** All movable and immovable property of the Fund shall be deemed to be public property within the meaning of, and for the purposes of, the Offences Against Public Property Act, No. 12 of 1982.”.

15 **7.** For the avoidance of doubt, it is hereby declared that the “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund”, shall, for all purposes be deemed to be the successor to the “Mahapola Higher Education Scholarship Trust Fund”.

Avoidance of doubt

20 **8.** 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 an inconsistency

