THE GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Part II of July 16, 2021

SUPPLEMENT

(Issued on 20.07.2021)



UNIVERSITIES (AMENDMENT)

A

BILL

to amend the Universities Act, No. 16 of 1978

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STATEMENT OF LEGAL EFFECT

- Clause 2: This clause inserts new section 23A to the Universities Act, No. 16 of 1978 (hereinafter referred to as the "principal enactment") and the legal effect of the section is to provide for the establishment of Universities for specific purposes.
- Clause 3: This clause amends section 26 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 4: This clause amends section 27 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 5: This clause amends section 101 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 6: This clause amends section 102 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 7: This clause amends section 103 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 8: This clause amends section 104 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 9: This clause amends section 105 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 10: This clause amends section 107 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 11: This clause amends section 124 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 12: This clause amends section 128 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 13: This clause amends section 145 of the principal enactment and is consequential to the amendment made by clause 2.
- Clause 14: This clause amends section 147 of the principal enactment and the legal effect of the section as amended is to replace the definitions of the expressions "governing authority", "Higher Educational Institution" and "principal executive officer".

Universities (Amendment)

L.D.—O. 8/2021

An Act to amend the Universities Act, No. 16 of 1978

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

- 1. This Act may be cited as the Universities Short title (Amendment) Act, No. of 2021.
- 2. The Universities Act, No.16 of 1978 (hereinafter Insertion of referred to as the "principal enactment") is hereby amended new section by the insertion immediately after section 23, of the Act, No.16 following new section which shall have effect as section of 1978 23A, of that enactment: -

- 10 "Establishment Universities for specific purposes
- 23A. (1) The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as a "University for a specific purpose Order")-
 - (a) establish a University for a specific purpose, 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 to those who are not students of any of the institutions referred to in sections 21, 22, 23, 24, 24A and 25;
- (b) assign a name and style to such University; and
 - (c) specify the location or site which shall be the seat of such University.

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- (2) The structure, powers, duties and functions of such University shall be prescribed by Ordinance.".
- 3. Section 26 of the principal enactment is hereby Amendment of section 26 amended as follows: -

Amendment of section 26 of the principal

- (1) by the substitution for the words "Open University enactment Order, University College Order, Institution for Higher Learning Order", of the words "Open University Order, University for a specific purpose Order, University College Order, Institution for Higher Learning Order"; and
 - (2) by the substitution in the marginal note to that section for the figures "23, 24,", of the figures "23, 23A, 24".
- 15 **4.** Section 27 of the principal enactment is hereby Amendment amended as follows: -

Amendment of section 27 of the principal

- (1) in paragraph (a) of subsection (1) of that section by enactment the substitution for the words "Open University Order, University College Order, or Institution for Higher Learning Order", of the words "Open University Order, University for a specific purpose Order, University College Order or Institution for Higher Learning Order"; and
- (2) by the substitution in the marginal note to that section for the figures "23, 24", of the figures "23, 23A, 24".
 - **5.** Section 101 of the principal enactment is hereby Amendment amended as follows:-

Amendment of section 101 of the principal enactment

(1) by the substitution for the words "University or enactment Open University or the Treasurer of a University

College", of the words "University, Open University or University for a specific purpose, or the Treasurer of a University College";

(2) by the substitution in paragraph (a) of that section for the words "University, Open University, University College", of the words "University, Open University, University for a specific purpose, University College"; and

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- (3) by the substitution in the proviso to paragraph (d) 10 of that section for the words "University, Open University, University College", wherever such words appear in that proviso of the words "University, Open University, University for a specific purpose, University College".
- 15 6. Section 102 of the principal enactment is hereby Amendment amended by the substitution for the words "University, Open of section University, University College", wherever such words appear 102 of the in that section, of the words "University, Open University, enactment University for a specific purpose, University College".

20 7. Section 103 of the principal enactment is hereby Amendment amended by the substitution for the words "University, Open of section University, University College", of the words "University, 103 of the Open University, University for a specific purpose, enactment University College".

8. Section 104 of the principal enactment is hereby Amendment 25 amended by the substitution for the words "University, Open of section University, University College", wherever such words appear 104 of the in that section, of the words "University, Open University, enactment University for a specific purpose, University College".

9. Section 105 of the principal enactment is hereby Amendment 30 amended by the substitution for the words "University or of section Open University or the Treasurer of a University College" 105 of the and "University, Open University, University College", of enactment

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the words "University, Open University or University for a specific purpose, or the Treasurer of a University College" and "University, Open University, University for a specific purpose, University College" respectively.

10. Section 107 of the principal enactment is hereby Amendment 5 amended in subsection (6) as follows: -

of section 107 of the principal

- (1) in paragraph (b) of that subsection by the enactment substitution, for the words "University or Open University or the Secretary of the University 10 College", of the words "University, Open University or University for a specific purpose, or the Secretary of the University College"; and
 - (2) in sub paragraph (iii) of paragraph (d) of that subsection, by the substitution for the words "University or Open University or the Secretary of the University College", of the words "University, Open University or University for a specific purpose, or the Secretary of the University College".
- 11. Section 124 of the principal enactment is hereby Amendment 20 amended by the substitution for the words "Universities, the of section Open University or University Colleges", of the words
 "Universities the Open University Living and Dept. Universities the Open University Colleges", of the words "Universities, the Open University, Universities for a specific enactment purpose or University Colleges".

12. Section 128 of the principal enactment is hereby Amendment 25 amended in subsection (1) by the substitution for the words of section "University, Open University, Centre for Higher Learning", principal of the words "University, Open University, University for a enactment specific purpose, Centre for Higher Learning".

13. Section 145 of the principal enactment is hereby Amendment 30 amended by the substitution for the words and figures of section "sections 21, 22, 23, and 24,", of the words and figures principal "sections 21, 22, 23, 23A, and 24,".

145 of the enactment 5

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of section

147 of the principal

14. Section 147 of the principal enactment is hereby Amendment amended as follows: -(1) by the repeal of the definition of the expression enactment "governing authority" and the substitution therefor of the following definition: -""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; (iii) a University for a specific purpose, means the Council of that University for a specific purpose; and (iv) a University College, means the Board of Management of that University College;"; (2) by the repeal of the definition of the expression "Higher Educational Institution" and the substitution therefor of the following definition: -""Higher Educational Institution" means a University, Campus, Open University, University for a specific purpose, University College, or Centre for Higher Learning established or deemed to be established under this Act;"; and

(3) by the repeal of the definition of the expression "principal executive officer" and the substitution

therefor of the following definition: -

""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;
- (iii) a University for a specific purpose, means the Vice-Chancellor of that University for a specific purpose; and
- (iv) a University College, means the Director of that University College;".
- 15. In the event of any inconsistency between the Sinhala text Sinhala and Tamil texts of this Act, the Sinhala text shall to prevail in case of inconsistency

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