New Universities Act
(Draft for observations)

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NEW UNIVERSITIES ACT (DRAFT)

AN ACT TO ESTABLISH A UNIVERSITY GRANTS COMMISSION, ACCREDITATION AND QUALITY ASSURANCE COUNCIL, UNIVERSITY SERVICES APPEALS BOARD: TO PROVIDE FOR THE ESTABLISHMENT AND REGULATION OF HIGHER EDUCATIONAL INSTITUTIONS.

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

1. This Act may be cited as Universities Act No. ........................................... of ......................................................... 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.

PART I
UNIVERSITY GRANTS COMMISSION

2. There shall be established a University Grants Commission (hereinafter referred to as "the Commission"), which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in such name.

3. The objects of the Commission shall be:

   (i) The planning, co-ordination and monitoring of Higher Education in keeping with National Policy;

   (ii) The apportionment to Higher Educational Institutions, of the funds voted by Parliament in respect of higher education based on a formula and the monitoring of expenditure by each such Higher Educational Institution;

   (iii) The regulation of academic standards in Higher Educational Institutions, admission of students to each Higher Educational Institution, finance and administration of Higher Educational Institutions; and

   (iv) Proposing to the Government from time to time policies, development plans and standards in higher education in the context of National and International advances in the fields of Higher Education.

4. (1) The Commission shall consist of a Chairman, Vice Chairman and five other members including in its representation not more than two persons outside the employment of the Commission or Higher Educational Institutions, all of whom shall be appointed by the President for a term of five years from among persons who have rendered distinguished service in educational, professional, commercial, industrial, scientific or administrative spheres.

   Provided, further, that the Chairman and Vice-Chairman shall be full time officers of the Commission.
(2) No person shall be appointed as the Chairman, Vice-Chairman or member of the Commission for more than two consecutive terms.

(3) A person appointed under Subsection (1) above, may resign his office by letter addressed to the President.

(4) A person appointed under Subsection (1) above, may be removed from office by the President with cause assigned.

(5) If a person appointed under Subsection (1) above is temporarily unable to perform his duties of his office on account of ill health, absence from Sri Lanka or any other cause, the President may appoint a suitable person to act in his place.

(6) A person appointed under Subsection (1) above may be paid such remuneration or allowance, as the Minister shall determine.

5. (1) The Chairman of the Commission shall preside at all meetings of the Commission. In the absence of the Chairman, the Vice Chairman shall preside at such meetings.

(2) The quorum for a meeting shall be four members.

(3) Subject to the other provisions of the Act the Commission may regulate its procedures in regard to the meetings of the Commission and the transaction of business at such meetings.

6. (1) The Chairman shall be the Chief Executive Officer and Accounting Officer of the Commission.

(2) The Commission may delegate to the Chairman any of its powers or duties other than powers and duties under Section 9(xvi):

Provided, however, the Chairman shall exercise or perform the powers or duties delegated to him subject to the general or special directions of the Commission.

7. (1) The Common seal of the Commission shall be in the custody of the Secretary of the Commission.

(2) The Common seal of the Commission may be altered in such manner as may be determined by the Commission.

(3) The seal of the Commission shall not be affixed to any instrument or document except in the presence of the Secretary and a member of the Commission both of whom shall sign the instrument or document in token of their presence.

8. (1) The Commission shall subject to the provision of Section 45 appoint a Secretary who shall be responsible for the custody of the records, and the property of the Commission, and also be the Assistant Accounting Officer of the Commission.

(2) The Secretary shall be the ex-officio Secretary to the Commission.
(3) The Secretary shall subject to the direction and control of the Chairman, be responsible for the general administration of the Commission and the disciplinary control of its staff.

(4) The Commission shall subject to the provision of Section 45 of the Act appoint the Chief Financial Controller of the Commission, who shall, subject to the direction of the Secretary, be responsible for the administration of the finance of the Commission, maintain its accounts in such form and manner as may be prescribed by Rules and assist the Commission in existing its powers under Sections 3(2) & 9(i) & (ii) of this Act.

9. The Commission shall have the following powers:

(i) to inquire into the financial needs of each Higher Educational Institution and make recommendations from time to time based on formulas determined by the Commission and the Minister as to the nature and amounts of grants, out of public funds which are required to be made to each Higher Educational Institution;

(ii) to monitor the financial management and internal auditing of Higher Educational Institutions and take remedial measures to maintain proper financial management and auditing systems;

(iii) to appoint such Standing Committees and ad-hoc Committees as necessary and determine the composition, powers and duties thereof;

(iv) to determine the regulations for admission of students based on the national policy on the advice of an Admission Agency whose composition, powers, functions and duties are prescribed by an Ordinance;

(v) to determine, from time to time, in consultation with the governing authority of each Higher Educational Institution, the total number of students who shall be admitted annually to each Higher Educational Institution and the apportionment of that number to the different courses of study therein;

(vi) to select students for admission to the first year of the undergraduate degree programmes of each Higher Educational Institution on the advice of the Admission Agency:

Provided however that selection of students to the Higher Educational Institutions other than to the first year of undergraduate degree courses shall be made by the governing authority of each Higher Educational Institution in accordance with the regulations of Admission determined by the Commission under paragraph (iv) above;

(vii) to determine from time to time on the recommendation of the governing authority of each Higher Educational Institution:

(a) the structure and composition of each Higher Educational Institution established or deemed to be established under the Act; and
(b) the Faculty or Faculties to be assigned to such Higher Educational Institution;
(viii) to transfer or re-allocate the holder of any post, students, equipments and other facilities of any Higher Educational Institution as may be necessary in consequence of any determination made under above Subsection (vii);

(ix) to grant permission on the recommendation of the Accreditation and Quality Assurance Council to any organization, institution or person for conducting courses leading to a degree;

(x) to recognize foreign degrees, diplomas and other academic distinctions on the recommendation of the Accreditation and Quality assurance Council;

(xi) to formulate schemes of recruitment and procedures for appointment of the staff of the Commission and Higher Educational Institutions;

(xii) to determine within the overall wages and salary policies of the Government the quantum of remuneration and other benefits that should be paid to the staff of the Commission and Higher Educational Institutions;

(xiii) to appoint, dismiss and exercise disciplinary control over the staff of the Commission;

(xiv) to establish and regulate welfare schemes for the benefit of the staff of the Commission;

(xv) to investigate financial and general administration and any other matter which in the opinion of the Commission could lead to a disruption of the smooth functioning of the Higher Educational Institutions concerned;

(xvi) to make Ordinances that are authorized to be made under this Act, and for any other matter the Commission may deem necessary to enable it effectively to exercise, perform and discharge its powers, duties and functions under this Act. Every Ordinance made by the Commission shall be published in the Gazette and shall come into operation on the date specified therein; and

(xvii) to do all such other matters or things as may be necessary for effectively exercising any of the powers specified by this Act and for the attainment of the objects set out in Section 3.
PART II
POWERS OF THE MINISTER

10. The Minister shall be responsible for the general direction of university education and the administration of this Act.

11.(1)(a) The Minister may from time to time issue to the Commission such general written directions as he may deem necessary in pursuance of national policy in matters such as finance, university places, medium of instruction and other matters of national importance relating to higher education, to enable him to discharge effectively his responsibility for university education and the administration of this Act. Every such direction shall as soon as possible be tabled in Parliament.

(b) The Commission shall comply with such directions and the governing authority of every Higher Educational Institution shall afford such facilities, and furnish such information, to the Commission or any member or officer thereof or any person appointed by the Commission as may be necessary to enable the Commission to comply with such directions.

(2)(a) For the purpose of enabling him to discharge effectively his responsibility for University education and the administration of this Act, the Minister may from time to time, order all or any of the activities, or the administration, of any Higher Educational Institution to be investigated and reported upon by the Commission.

(b) The Commission shall comply with such order and the governing authority of any Higher Educational Institution to which that order relates shall afford such facilities and furnish such information as may be necessary, to the Commission or any member or officer thereof, or to any person appointed by the Commission to enable the Commission to comply with any such order.

(c) Upon the receipt of a report by the Commission in compliance with an order made under paragraph(a), the Minister may direct the Commission to take such remedial action as he may consider necessary with reference to any of the activities or the administration of the Higher Educational Institution concerned.

(3) Where the Minister is satisfied that the situation prevailing in a Higher Educational Institution is likely to endanger national security or is detrimental or prejudicial to national policy, or is likely to dislocate the functioning of such Institution, he may direct the Commission to take all such steps as he may deem necessary to bring such situation under control.

(4) Where the Minister is satisfied that, due to any strike or lockout or any other cause, the work or administration of any Higher Educational Institution has been seriously dislocated and that the Authorities of such Higher Educational Institution have failed to restore normal conditions, the Minister may take all such measures as may be necessary to ensure the restoration of normal conditions in such Higher Educational Institution. Pending the restoration of normal conditions, the Minister may, by Order published in the gazette, make all such provisions as he may deem necessary in respect of all or any of the following matters relating to such Higher Educational Institution:

(a) the closure of such Higher Educational Institution;
(b) the appointment of any person by name or office with the concurrence of the Commission, to be a competent authority for the purpose of exercising, performing or discharging, in lieu of any officer, Authority or other body of such Higher Educational Institution, any power, duty or function under this Act or any appropriate instrument; and

(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 six months thereafter.
PART III
ACCREDITATION AND QUALITY ASSURANCE COUNCIL

2.(1) There shall be established an independent Accreditation and Quality Assurance Council herebyafter referred to as the "Accreditation Council"), which shall consist of a Chairman appointed by the Minister in Charge of the Subject of Higher Education on the Recommendation of the Commission and four other members, each nominated by

i. The Commission;
ii. The Council of Vice Chancellors and Directors;
iii. The President of a professional body designated by the Minister in Charge of the Subject of Higher Education; and
iv. The Executive Head of a private, degree-level Higher Educational Institution designated by the Minister in Charge of the Subject of Higher Education,

and appointed by the Minister in Charge of the Subject of Higher Education:

Provided, however, that the Chairman of the Commission shall be an ex-officio member of the Accreditation Council.

(2) A member of the Accreditation Council may resign his office by a letter addressed to the appropriate nominating authority.

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

(4) The members of the Accreditation Council shall be paid such remuneration as decided by the Minister.

3. (1) The Chairman of the Accreditation Council shall preside at all meeting of such Council. In the absence of the Chairman, a member elected by the members present from among themselves shall preside at such meeting.

(2) The quorum for a meeting of the Accreditation Council shall be three members.

(3) The procedure for the conduct of business at meetings of the Accreditation Council shall be prescribed by Rules by such Council.

4.(1) The staff of the Accreditation Council shall consist of such number of employees and facilities as the Council may deem necessary for the proper conduct of its business, all of whom and which shall be provided by the Commission.

(2) The staff of the Accreditation Council shall be subject to the disciplinary control of that Council.

(3) The remuneration to the members, salaries and wages of staff and any other expenses of the accreditation Council shall be made out of the Fund of the Commission. Any cost recovered or received by the Accreditation Council from any source shall be credited to the said Fund.
15.(1) The Accreditation Council shall have and may exercise the following powers, duties and functions.

(i) to determine the minimum standards of Higher Education including standards relating to courses of study, examinations, equipment and other facilities and nature of training in Higher Educational Institutions, which conduct courses of study for the purpose of granting degrees, diplomas and other academic distinctions;

(ii) to prescribe by Rules the minimum standards of courses of study and degree programmes;

(iii) to assess and monitor the educational quality and standard of all the Higher Educational Institutions;

(iv) to evaluate the quality and or grade of all Higher Educational Institutions from time to time;

(v) to recommend to the Commission the Institutions which have reached the required standards for accreditation;

(vi) to make such recommendations on Institutions reaching the required standard available to all relevant authorities and the public;

(vii) to evaluate foreign degrees, diplomas and other academic distinctions for the purpose of recognition by the Commission; and

(viii) to exercise all such other powers and perform all such other duties and functions as the Commission may prescribe by Rules from time to time.

(2) The Accreditation Council may make Rules in respect of all such matters as it may deem necessary to enable it effectively to exercise perform and discharge its powers, duties and functions.

The Accreditation Council may make Ordinance in respect of all such matters as it may deem necessary to enable it to effectively exercise perform and discharge its powers, duties and functions. Every such Ordinance shall be published in the Gazette.

For the purpose of this part "Higher Educational Institution" means any Higher Educational Institution established or deemed to be established under this Act or any other Act of Parliament in Sri Lanka, including institutions affiliated to foreign universities or Degree Awarding Institutes, which conduct courses of study for the purpose of Degrees, Diplomas and Other Academic Distinctions at the level of undergraduate and postgraduate.
PART IV
ESTABLISHMENT OF HIGHER EDUCATIONAL INSTITUTIONS

16.(1) The Minister may, on the recommendation of the Commission by an Order (hereinafter referred to as a "University Order")

(a) establish a University, which shall be a body corporate with perpetual succession and a common seal, for the purpose of providing, promoting and developing higher education in all such branches of learning as shall be specified in such Order;
(b) assign a name and style to such University;
(c) specify the location or site which shall be the seat of such University;
(d) assign a Faculty or Faculties to such University.

17.(1) The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as a "Campus Order")

(a) establish a Campus of a University;
(b) assign a name and style to such Campus;
(c) specify the location or site of such Campus, being a location or site which shall not be the seat of the University to which the Campus will be attached;
(d) assign a Faculty or Faculties to such campus.

(2) The structure, powers, duties and functions of a Campus shall be prescribed by an Ordinance.

18.(1) The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as an "Non Conventional University")

(a) establish a University for offering open, distance, flexible, virtual learning, which shall be a body corporate with perpetual succession and a common seal for the purpose of providing higher educational facilities;
(b) assign a name and style to such a University; and
(c) specify the location or site which shall be the seat of such a University.

(2) The structure, powers, duties and functions of an such a University shall be prescribed by Ordinance.

19.(1) The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as a "University College Order")

(a) establish or recognize a University College, which shall be a body corporate with perpetual succession and a common seal for the purpose of providing promoting and developing higher education in all such branches of learning as shall be specified in such Order;
(b) assign a name and style to such College where appropriate;
(c) specify the location or site which shall be the seat of such College where appropriate;
(d) assign a Faculty or Faculties to such College; and
(e) specify the University or Universities to which such College shall be affiliated and or the examinations for which University or Universities for which academic programmes are offered.

(2) The structure, powers, duties and functions of a University College shall be prescribed by an Ordinance.

20.(1) The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as an "Institution for Higher Learning Order")

(a) establish or recognize an Institution as a body corporate with perpetual succession and a common seal, for the purpose of providing, promoting and developing higher education in such branches of learning or for the purpose of training of the staff of the Higher Educational Institutions as may be specified in such order; and

(b) assign a name and style to such Institute where appropriate.

(2) The structure, powers, duties and functions of an Institute shall be prescribed by Ordinance.

21.(1) Notwithstanding anything to the contrary in any other provision of this Act, the Minister may, on the recommendation of the Commission, by an Order (hereinafter referred to as a "Degree Awarding Institute Order") recognize, any Institution as a Degree Awarding Institute for the purpose of developing higher Education in such courses of study in such branches of learning as are specified in such Order and subject to such conditions as may be specified therein.

(2) Powers of the Institute and any other matters relating to the Institute may be prescribed by an Ordinance by the Commission.

22. The Minister may in consultation with the Commission and on the recommendation of a University make an Order to establish a Consultancy Service Centre of a University which shall be a body corporate with perpetual succession and a common seal for the purpose of providing consultancy services including research and training for public and private institutions. The structure, powers, duties and function of such Centre shall be prescribed by Ordinance.

23.(1) Any Order, made under this part of the Act may be amended, revised or revoked by the Minister, on the recommendation of the Commission.

(2) Any Order including amended, revised or revoked Order and any Ordinance made under this part of the Act shall be published in the Gazette and shall come into force on the date specified therein. Every such order as soon as possible thereafter be tabled in Parliament.
PART V
POWERS, DUTIES AND FUNCTIONS OF A UNIVERSITY

24. Subject to the powers, duties and functions of the Commission, a University shall have the following powers, duties and functions which shall be exercised by the Council:

(a) to sue and to be sued in all courts;

(b) to select the court of arm and common seal and alter it at its pleasure;

(c) to acquire any property by way of purchase or otherwise or to sell, mortgage, lease, exchange or otherwise dispose of any such property, subject to any restriction condition or prohibition imposed by law or by any appropriate instrument by which any such property was vested in or acquired by the University;

(d) to hold, control and administer property and funds of the University;

(e) to provide courses of study including by formal as well as informal, open and flexible methods and postgraduate courses in any branch of learning and subject to Section 9 (v), (vi), (vii) of the Act select and admit students to the said courses:

Provided, however, that selection of students to the University other than to the first year of the undergraduate courses shall be made by the Council on the recommendation of the Senate;

(f) to conduct examinations for internal and external students;

(g) to grant degrees, diplomas and other academic distinctions to persons who have passed the examinations of the University prescribed by By-law;

(h) to determine from time to time, the various grades of staff and the numbers of comprising each of such grades;

(i) to recommend to the Commission the institution, abolition or suspension of any post and Scheme of Recruitment required for such posts;

(j) to recognize the examinations passed or period of learning pursued by persons seeking admissions as are equal to the examinations or period of learning or part thereof in the University and admit any such persons to the University on such conditions as may be prescribed by By-law:

Provided, however, that any such recognition shall be withdrawn at any time;

(k) to confer honorary degrees or other academic distinctions recommended by the Senate to establish Department, Centre, Division, Unit under the Faculty or University as the case may be;
(l) to determine the subjects or discipline of study to be provided or taught in the University. Each Faculty of University may consist of Department, Centre, Division, Unit assign to that Faculty:

Provided that in some institutes, schools, centres, divisions or units come directly under the Vice-Chancellor as determined by the Council;

(m) to recommend to the Commission the institution, abolition or suspension of any post and qualification of such posts as may be required for the University;

(n) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other prizes;

(o) to construct, equip and maintain any building required for instructional or residential purposes;

(p) to rent or lease lodging houses providing residential facilities and to provide other such services and facilities to students of the University;

(q) to regulate and provide for the residence, discipline and well being of students and employees of the University;

(r) to assist students to obtain loans from banks and other agencies in accordance with By-laws providing for the same;

(s) to provide extension courses to the general public including employees and school-leavers in trades and industry and in accordance with any By-law providing for the same;

(t) to make arrangements for conducting courses or parts of courses in educational institutions outside the University, in accordance with any By-law providing for the same;

(u) to demand and receive fees in accordance with any regulations providing for the same;

(v) to accept with the concurrence of the Commission bequests, donations and grants of property to the University;

(w) to prepare the annual report and the annual accounts of the University and submit them to the Commission;

(x) to prepare financial estimates of the University and submit them to the Commission;

(y) to make By-laws and regulations for any matter which are authorized to be made;

(z) to appoint, suspend, dismiss or otherwise punish persons in the employment, provided that, except in the case of officers and teachers, these powers may be delegated to the vice-Chancellor;

(aa) to appoint examiners from the staff or elsewhere on the recommendation of the Senate and determine their fees;
(bb) to appoint a Board of welfare including representatives of students, the composition, powers, duties and functions of which shall be prescribed by Ordinance;

(cc) to conduct training and orientation programmes for academic, administrative and other employees of the University;

(dd) to enter into contract on behalf of the University

(i) to invest any money including unapplied income or any portion thereof which is not required for immediate expenditure:

(a) in any security which is lawful to invest under Section 20 of the Trust Ordinance or any other written law.

(b) in any fixed deposit in any bank approved by the Commission;

(ii) to purchase immovable property.

(ee) to determine in consultation with the Senate the academic dress or insignia, or both of the Chancellor, the officers, the graduates and the students;

(ff) to take remedial measures to close the University subject to the covering approval of the Minister within 7 days where the Council is satisfied that the situation prevailing in the Higher Educational Institution is likely to endanger national security, life/property or is detrimental or prejudicial to national policy, or is likely to dislocate the functioning of such Institution;

(gg) to comply with any inquiry or request made by the Commission and with any measures or regulations formulated by the Commission under Section 9;

(hh) to comply with the decisions of the University Services Appeals Board; and

(ii) to do all such other acts or things, whether incidental to the powers aforesaid or not, as may be requisite in order to further to the objects of the University:

Provided that no resolutions shall be passed by the Council in 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.

25. The academic year of a University shall commence in the month of October each calendar year, unless otherwise specified by the Commission.

26.(1) A University shall hold once every year on such date or dates as may be approved by the Chancellor on the recommendation of the Senate, a Convocation for the purpose of conferring degrees:
Provided that, a University may hold a Special Convocation at such other time as the Chancellor may determine on the recommendation of the Senate.

(2) The Procedure of Convocation shall be prescribed by By-law.

(3) The President shall, when present, preside at a Convocation. In his absence, the Chancellor shall preside at such Convocation, and in the absence of both the President and the Chancellor, the Vice-Chancellor shall so preside.

27. Subject to the provisions of Section 28, a University shall be open to all persons of either sex and whatever race, creed or class, who are citizens of Sri Lanka, and other persons who are lawfully in Sri Lanka, and no test of religious belief or profession shall be adopted or imposed in order to entitle any such person to be admitted as a teacher or student of the University, or to hold any appointment therein or to graduate thereat or to hold, enjoy or exercise any advantage or privilege thereof.

28. Nothing in the provisions of Section 27 shall be deemed or construed to prevent religious instruction being given in a University in any manner which may be prescribed by By-law, to those willing to receive it, by any person or persons approved for that purpose by its Council.
PART VI
THE CHANCELLOR AND THE OFFICERS OF A UNIVERSITY

29. The President shall nominate the Chancellor of each University. The Chancellor shall be the Head of the University, hold office for a period of five years reckoned from the date of his nomination, and shall, in the absence of the President, preside at any Convocation of the University.

30. The Officers of a University shall be the following:

(i) the Vice-Chancellor;
(ii) the Deputy Vice-Chancellor if any;
(iii) the Rector of each campus if any;
(iv) the Dean of each Faculty (including the Campus Faculties);
(v) the Registrar;
(vi) the Librarian;
(vii) the Financial Controller, and
(viii) the holder of any other post declared by Ordinance to be a post, the holder of which is an Officer for the purpose of this Section.

31.(1)(a) The Vice-Chancellor of a University shall, subject to the provisions of paragraph (b), be appointed for a term of three years by the President, upon the recommendation of the Commission, from a panel of three names recommended by the Council of that University.

Provided however that the Council shall make such recommendations on the nominations submitted by a Search Committee, which shall also call for applications by open advertisement. The Search Committee shall submit to the Council its own recommendations as well as all applications received in response to this advertisement. The Search Committee shall consist of two members from the Senate, two members from the Council and two eminent persons outside the University System appointed by the Council.

Here, “persons outside the University System” means those not employed in permanent capacity by any Higher Educational Institution, established or deemed to have been established under this Act, whether at present or in the past.

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

(c) The Vice-Chancellor of a University may be removed from office by the President, upon the recommendation of the Commission.

(2) The Vice-Chancellor shall be a full-time officer of the University, and shall be the Principal Executive Officer and the Principal Academic Officer thereof.

(3) The Vice-Chancellor shall be the Accounting Officer of the University.
(4) Subject to the provisions of this Act, it shall be the duty of the Vice-Chancellor to give effect, or to ensure that effect is given, to the decisions of the Council and the Senate.

(5) The Vice-Chancellor shall be responsible for the maintenance of discipline within the University.

(6) The Vice-Chancellor shall, unless he vacates office earlier or is removed from office under Subsection (1)(c) of this Section, hold office for a term of three years or until he has completed his sixty fifth year whichever event occurs earlier.

(7) If the Vice-Chancellor by reason of leave, illness, absence from Sri Lanka or other cause is temporarily unable to perform the duties of his office, the Commission shall, within seven days of the occurrence of such inability, make such arrangements as it may think fit for carrying on the duties of the office.

32. (1) The Council of a University may, at its discretion and on the recommendation of the Vice-Chancellor create the post of Deputy Vice-Chancellor.

(2) The Deputy Vice-Chancellor shall be appointed by the Council on the recommendation of the Vice-Chancellor and shall cease to hold office when the Vice-Chancellor during whose term of office he was appointed ceases to hold the office of Vice-Chancellor.

(3) The Deputy Vice-Chancellor may be removed from office for good cause on the recommendation of the Vice-Chancellor by the Council.

(4) The powers, duties and functions of the Deputy Vice-Chancellor shall be prescribed from time to time by the Council on the recommendation of the Vice-Chancellor.

33. (1) The Registrar of a University shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be prescribed by Rules. He shall be a full-time officer of that University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.

(2) The Registrar shall be responsible for the custody of the records and the property of the University.

(3) The Registrar shall be the ex officio Secretary of the Council and the Senate.

(4) The Registrar shall be the Assistant Accounting Officer of the University.

(5) The Registrar shall, subject to the direction and control of the Vice-Chancellor, be responsible for the general administration of the University and the disciplinary control of its non-academic staff.

34. (1) The Financial Controller of a University shall be appointed by the Council upon the recommendation of a Selection Committee, the composition of which shall be prescribed by Rules. He shall be a full-time officer of that University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.
(2) The Financial Controller shall, subject to the direction and control of the Registrar, be responsible for the administration of the finances of the University, and maintain its accounts in such form and manner as may be prescribed by Rules. He shall have the custody of the funds of the University.

5. The Librarian of a University shall be appointed by the Council upon the recommendation of a election Committee, the composition of which shall be prescribed by Rules. He shall be a full-time officer of that University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act or by any appropriate Instrument.
PART VII

THE AUTHORITIES OF A UNIVERSITY

36. The Authorities of a University shall be the following:

(i) the Council;
(ii) the Senate;
(iii) the Faculty Board or Faculty Boards;
(iv) such other bodies as may be prescribed by Ordinance to be such Authorities.

37. (1) The Council of a University (hereinafter referred to as "the Council"), shall be the executive body and governing authority of the University, which shall exercise, perform and discharge the powers, duties and functions of the University.

(2) The Council shall consist of:

(i) The Vice-Chancellor;
(ii) Deputy Vice-Chancellor, if any;
(iii) The Registrar;
(iv) Rector or Rectors, if any;
(v) The Dean of each Faculty including the faculties of the Campuses;
(vi) Two members elected by the Senate from among its members; and
(vii) Such number of members as is equal to the total numbers under paragraphs (i), (ii), (iii), (iv), (v) and (vi) above, increased by one. All such members shall be University graduates or members of any Professional bodies, appointed by the Commission from among persons who have rendered distinguished service in educational, professional, commercial, industrial, scientific or administrative spheres, and with a view to giving external oversight to the University.

(3) The Chairman of the Council shall be elected by the Council from the members of the Council for a period of three years and shall preside at all meetings of the Council. If the Chairman is unable to preside at a meeting the members shall elect any external member present to preside at such meeting.

(4) Subject to the provisions of Subsection (5) any appointed 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 Senate representative vacates his office prior to the expiry of his term, his successor shall, unless he vacates his office earlier, hold office for the un-expired portion of the term of office of his predecessor.

Provided further that a Dean may be appointed or reappointed to the Council subject to Section.

(5) Any appointed or elected member of the Council may resign his office by a letter addressed to the Chairman of the Commission or to the Vice-Chancellor of the University, as appropriate.
(6) An appointed member of the Council who, for whatever reason, absents himself from three consecutive meetings of the Council, shall be deemed to have vacated his office as a member of the Council and the Commission shall appoint another suitable person to fill the resulting vacancy.

(7) A member of the Council shall be entitled to any remuneration or allowance as the Minister shall determine.

(8) The quorum for a meeting of the Council shall be one-third of its total membership.

(9) The Council shall meet whenever necessary provided that it meets on not fewer than ten occasions in each year.

(10) The Chairman of the Council shall, whenever he thinks it necessary or within one week upon the receipt by him of a written request from not less than one-third the total membership of the Council, convene a Special Meeting of the Council.

38.(1) A 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 Vice- Chancellor;
(b) the Deputy Vice- Chancellor, if any;
(c) the Rector of each Campus, if any;
(d) the Dean of each Faculty including the Deans of Campus Faculties, Directors of other Institutes;
(e) the Director of each Postgraduate Institute affiliated to the University;
(f) the Head of each School or Department of Study including the Campus Departments;
(g) the Heads of Career Guidance Centre and Staff Development Centre;
(h) all permanent Senior Professors and Professors of the University;
(i) the Librarian; and
(j) two teachers, other than those referred to in the preceding paragraphs of this subsection elected by the permanent teachers of each Faculty Board from among their number.

For purposes of this subsection, under permanent academic staff, those on probationary appointments but not yet confirmed are included.

(3) Each elected member under Subsection 38(2)(j) shall hold office for a period of three years reckoned from the date of his election:

Provided, however, where an elected member retires or resigns, or otherwise vacates office by reason of absenting himself from three consecutive meetings of the Senate, ceases to hold office as such member of the Senate, and another member shall be elected in his place in accordance with the provisions of paragraph (j) of Subsection (2), and such other member shall, unless he vacates office earlier, hold office for the un-expired portion of the term of office of his predecessor.

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

(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:

(i) to draft, after consideration of reports from the Faculty Board or Faculty Boards concerned, Regulations relating to courses of study and examinations, and to submit such drafts to the Council for approval;

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

(iii) to recommend to the Council the institution, abolition or suspension of the posts of teacher and other academic posts.

(iv) to recommend to the Council after consideration of reports from the Faculty Board or Faculty Boards concerned

(a) schemes for the re-organization of existing Faculties, Schools, Departments of Study, Divisions, Units and Centres and the organization of new Faculties, Schools, Departments of Study, Divisions, Units and Centres;

(b) the assignment of subjects of study to the respective Faculties;

(c) Schemes for commencing multidisciplinary degree programmes and research programmes through inter-Faculty/inter-School/inter-Department collaboration.

(v) to recommend to the Council the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes;

(vi) to award fellowships, scholarships, exhibitions, bursaries, medals and other prizes on such conditions as may be approved by the Council;

(vii) to appoint such Standing Committees, ad-hoc Committees or Boards of the Senate as it may deem fit on subjects within its purview, specifying their terms of reference and in particular:

(a) A Library Committee;
(b) An Admission Committee;
(c) A Research Committee;
(d) A Curriculum Development and Quality Assurance Committee;
(e) A Staff Development Committee; and
(f) A Committee on Inter-Faculty Degree Programmes.

(viii) to recommend to the Council the acceptance after due consideration of credit earned from other Institutions outside the University Faculty as appropriate in lieu of internal credits.
(ix) to recommend to the Council requirements for the admission of students to courses of study.

(x) to promote development of links with other Universities, International Organizations and the Private Sector.

39.(1) Each Faculty of a University may consist of Schools, Departments of Study, Divisions, Centres and Units provided that there may be Schools, Centres, Divisions or Units under the Vice-Chancellor.

(2) Each Faculty of a University shall have a Faculty Board which shall consist of the following persons:

(a) the Dean of that Faculty;

(b) all permanent Senior Professors, Professors, Associate Professors, Senior Lecturers and confirmed Lecturers of the School or Department of Study or Divisions or Units or Centers of the Faculty;

(c) two members elected by the permanent Lecturers (Probationary) of the Faculty from among their number by themselves;

(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 by themselves;

(e) Senior Assistant Librarian or Assistant Librarian in charge of the Faculty Library, if any;

(f) two students elected by the students of the Faculty from among their number; and

(g) a full time Postgraduate student if any elected from among the Postgraduate students in the Faculty.

(h) 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:

Provided, however, that the Faculty Board of the Faculty of Graduate Studies shall have its structure and composition prescribed by Ordinance.

(3) A member elected under paragraph (f) of Subsection (2) shall hold office as a member for a period of one year, and any other elected member for a period of three years, reckoned from his date of election, and shall be eligible for re-election.

(4) A Faculty Board shall exercise, perform and discharge the following powers, duties and functions

(i) to consider and report on any matter referred to it by the Senate;
(ii) subject to the control of the Senate, to regulate matters connected with teaching, examination and research in the Schools, Departments of Study, Divisions, Units and Centres in the Faculty;

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

(iv) to appoint committees, which may include persons other than members of the Faculty, for the purpose of considering and reporting on any special subject or subjects; and

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

(5) The Dean shall preside at all meetings of the Faculty Board.

(6) The members elected under paragraph (f) of Subsection (2) shall be excluded from the proceedings of any meeting of the Faculty Board relating to the election of the Dean under Section 42(1) of this Act, and to examinations and connected matters and any such meeting shall, notwithstanding such exclusion, be deemed to have been duly held.

(7) The quorum for a meeting of a Faculty Board shall be one-third of its total membership.

40.(1) Any University may with the concurrence of the Commission establish a Faculty of Graduate Studies for the purpose of promoting, research and providing courses of study leading to higher degrees, and other academic distinctions in all branches of learning within such University.

(2) The Commission shall determine by an Ordinance the structure, powers, duties and functions of such Faculty, including its Faculty Board.

(3) The Dean of the Faculty of Graduate Studies shall be a full time officer of the University and the academic and administrative head of such Faculty.

41.(1) There shall be a Dean of each Faculty who shall be a full time officer of a University and the academic and administrative head of that Faculty. The Dean shall be elected by the Faculty Board from among the Senior Professors, Professors, Associate Professors and the Heads of the Schools or Departments of Study comprising such Faculty. If the Head of a School or a Department of Study is so elected as a Dean, he shall cease to be the head of the School or Department of Study concerned:

Provided, however, that in the absence of a Senior Professor, Professor, Associate Professor, any Senior Lecturer or confirmed Lecturer can be elected as a Dean by the Faculty Board;

Provided, further, that no person shall be elected as Dean of the same Faculty for more than two consecutive terms.

(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. (except for a third consecutive term)
(3) The Dean of a Faculty may be removed by the Vice-Chancellor on a vote of censure with a majority by the Faculty Board.

(4) Where owing to leave or absence, illness or other cause, the Dean of a Faculty is temporarily unable to perform the duties of his office for a period not exceeding three months, the Vice-Chancellor shall appoint another Senior Professor or Professor or Associate Professor or a Head of a School of that Faculty to act in the post of Dean, for such period. Where however a Dean of Faculty retires or resigns or is for any other reason unable to perform the duties of his office for a period exceeding three months the post of Dean of that Faculty shall be deemed to be vacant, and a new Dean shall be elected in accordance with Subsection (1).

42.(1) The Head of a Department of Study shall be a Senior Professor, Professor, Associate Professor or in the absence of a person of professorial rank, a Senior Lecturer appointed by the Council on the recommendation of a Selection Committee after calling for applications internally. The composition of the Selection Committee shall be determined by the Council.

Provided that, where the Post of Head of a Department of Study is vacant, the Vice-Chancellor may appoint a Senior Professor, Professor, Associate Professor or in the absence of a person of such professorial rank, a Senior 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 holding office for a period of three years reckoned from the date of his appointment and shall, unless removed from office, be eligible for reappointment.

Provided, however, that no person shall be appointed as a Head of the same Department for more than two consecutive terms.

(3) Where owing to leave or absence, illness or other cause, the Head of a Department is temporarily unable to perform duties of his office for a period not exceeding three months, the Vice-Chancellor shall appoint another Senior Professor, Professor, Associate Professor or in the absence of a person of such professorial rank, a Senior Lecturer of that Department for such period to act in the post of Head of a Department. Where however a Head of a Department retires or resigns, or is for some other reason unable to perform the duties of his office for a period exceeding three months the post of Head of Department shall be deemed to be vacant, and a new Head of Department shall be appointed in accordance with Subsection (1).

43.(1) The Council of a University on the recommendations of the Vice-Chancellor shall appoint the Head of a School, Centre or Inter-Faculty Centre.

(2) The Vice-Chancellor on the recommendation of the Dean shall appoint a teacher as the Head of a Division or Unit of a Faculty.

44. The constitution, powers, duties and functions and the terms of membership of a School, Division, Unit, Centre and Inter-Faculty Centre may be prescribed by By-law.
PART VIII
APPOINTMENTS TO THE STAFF

5. The Commission shall in accordance with the Schemes of Recruitment and the Procedure for appointment prescribed by Rules, make the appointments to the staff of the Commission.

6.(1) Every appointment to the staff of a Higher Educational Institutions and the Commission shall be made by the Governing Authority of each Higher Educational Institution in accordance with the schemes of Recruitment and the Procedure for appointment prescribed by Rules by the Commission:

Provided that those who have served as Lecturers, Senior Lecturers, Associate Professors, Professors or Senior Professors in full-time temporary capacity for a period of three or more years shall be appointed to the permanent cadre when a vacancy arises and they meet the prescribed qualifications.

(2) If the Commission is satisfied that any appointment to the staff of a Higher Educational institution is in contravention of the schemes of recruitment and procedures for appointments, the Commission may direct the Higher Educational Institution taken to take steps to rectify the irregularity. The Higher Educational Institution shall comply with such direction:

Provided that where the Higher Educational Institution does not comply with the direction given by the Commission, the Commission may refer such appointment or promotion to the University Services Appeals Board for investigation.

17.(1) 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 Governing Authority of the Higher Educational institution to which such teacher is attached, by one year at a time for a further period not exceeding three years:

Provided that where the appointment is to a post of a teacher and the appointee has been previously confirmed in a post of teacher in any Higher Educational Institution, such appointment shall, in the first instance be for a probationary period of one year,

(2) Every appointment on probation shall be subject to such requirements or conditions as to confirmation as may be provided in the appropriate scheme of recruitment prescribed by Rules.

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

Provided, however, that the holder of any such post may, at any time, be suspended, pending an enquiry by the governing authority of the Higher Educational Institution to which such teacher is attached, for misconduct or dereliction of duty, or be dismissed or compulsorily retired, if found guilty after such enquiry, on a resolution adopted by such governing authority.

19. 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 Commission or by the Governing Authority of the Higher Educational Institution to which such appointment relates,
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 the appointment is to a post other than by way of promotion in the Commission or in a Higher Educational Institution and the appointee has been previously confirmed, such appointment shall, in the first instance, be for a probationary period of one year, and shall thereafter be subject to confirmation by the Commission or the Governing Authority of such Higher Educational Institution, as the case may be.

50. The holder of any post, other than that of teacher, shall continue in office until he completes his sixtieth year of age, and shall thereafter be deemed to have retired from service:

Provided however, that the holder of such post may after informing the Commission or the governing authority of the Higher Educational Institution to which he is attached, choose to retire at or after he completes his fifty-fifth year of age.

Provided, further, that the holder of any such post may, at any time, be suspended, pending an enquiry by the Commission or by the governing authority of the Higher Educational Institution to which he is attached, for misconduct, inefficiency, or dereliction of duty, or be dismissed or compulsorily retired, if found guilty after such enquiry, on a resolution adopted by such Commission or governing authority.

51. At the request of the Commission or a Higher Educational Institution any officer in the public service may with the consent of that officer, the Secretary to the Ministry by or under which that officer is employed, and the Secretary to the Ministry of the Minister in charge of Public Administration be temporarily or permanently appointed to the staff of the Commission or the Higher Educational Institution as the case may be for such period as may be determined by such Institution.

In part viii "teacher" shall be deemed to include Librarian, Deputy Librarian, Senior Assistant Librarian and Assistant Librarian.
PART IX
UNIVERSITY SERVICES APPEALS BOARD

2. (1) There shall be established a University Services Appeals Board (hereinafter referred to as the Appeals Board”) which shall consist of a Chairman, a Vice-Chairman and another member appointed by the Minister for a term of five years.

(2) A member of the Appeals Board may resign his office by a letter addressed to the Minister.

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

(4) The members of the Appeals Board shall be paid such remuneration as decided by the Minister.

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

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

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

4. (1) The staff of the Appeals Board shall consist of a Secretary and such other employees and facilities as the Board may deem necessary, all of whom shall be provided by the Commission.

(2) The staff of the Appeals Board shall be subject to the disciplinary control of that Board.

(3) The remuneration to the members, salaries and wages of the staff and any other expenses of the Appeals Board shall be made out of the fund of the Commission. Any cost recovered or received by the Appeals Board from any source shall be credited to that fund.

5. The Appeals Board shall have and may exercise the following powers, duties and functions:

   a) to conduct investigations into appointments and promotions alleged to have been made to the staff of the Commission and to Higher Educational Institutions in contravention of the schemes of recruitment and the procedures for appointment in force at the time such appointments or promotions were made or alleged to have been made and into allegations that appointments or promotions have not been made to posts when vacancies have arisen in such posts;

   b) to consider appeals from employees of the Commission or any Higher Educational Institution, who have been dismissed, compulsorily retired, constructively terminated or otherwise punished for misconduct, inefficiency or dereliction of duty, against such dismissal, compulsory retirement or other punishment;

   c) to convey to the Chairman of the Commission or the principal executive officer of the Higher Educational Institution concerned, as the case may be, the decisions arrived at after considering such appeals or conducting such investigations.
(d) to conduct investigations into the appeals referred by the Commission under Section 46(2) of the Act and into all such matters as in the opinion of the Appeals Board further the cause of just employment for employees of the Commission and Higher Educational Institutions; and
(e) to award reasonable compensation in lieu of any other remedy in appropriate cases.

56. The Appeals Board shall, further to any dispute or question or other matter including imminent infringement of rights referred to it, or application made relating thereto, make all such inquiries and hear such evidence as it may consider necessary and make a decision including an Order to stay relevant Proceedings which decision shall be final, and where remedial action has to be taken in consequence of such a decision, the Commission or the governing authority of the Higher Educational Institution concerned, as the case may be, shall implement such decision.

Failure to carry out such decisions, shall be dealt with by the Appeals Board in terms of Article 105 of the Constitution of the Socialist Republic of Sri Lanka.

57. (1) Appeals made to the Appeals Board within six months on matters under Sections 55 and 56, shall be heard by the Appeals Board.

(2) The Appeals Board may make By-laws in respect of all such matters as it may deem necessary to enable it to exercise, its powers, and duties under this Act.
PART X
FINANCIAL PROVISIONS

8. The Financial year of the Commission and a Higher Educational Institution shall be the calendar year.

9. (1) The Commission shall have its own fund and there shall be paid into such fund:

(a) all such sums of money as may be provided by Parliament for the use of the Commission.

(b) all such sums of money received by way of donations, gifts or grants and fees for the services rendered by the Commission.

(2) There shall be paid out of such fund:

(a) all sums of money required to defray any expenditure incurred by the Commission in the exercise, performance and discharge of its powers, duties and functions under this Act, or any other written law.

(b) all such sums of money as are required to be paid out of such fund by or under this Act.

10. The Commission shall apportion among the Higher Educational Institutions in an appropriate manner the total grants made available by the Government to meet the expenditure of the Higher Educational Institutions.

11. (1) Each Higher Educational Institution shall have its own fund into which shall be paid:

(a) money provided by Parliament and disbursed by the Commission as grants in aid of Higher Educational Institutions;

(b) apart from Self Financing Programmes fees to be paid to the Higher Educational Institution in accordance with the provisions of any appropriate instrument; and

(c) all other money belonging to the Higher Educational Institution from whatsoever source derived.

Provided, however, that income earned by a Higher Educational Institution from Self-financing Programmes, consultancy, research and training provided to public and private Institutions and income earned from endowments, donations and gifts may be credited to a separate fund.

2. Each Higher Educational Institution shall have a separate fund or funds to which any contribution may be made by individual, a group of individuals or any Institution and fees charged for consultancy services, research and training. The investment and disbursement out of the fund or funds shall be made in accordance with the directions given by the governing authority of the Higher Educational institution concerned and with the concurrence of the UGC.

3. All moneys paid to a Higher Educational Institution under the Section 61 shall be applied or expended by such Higher Educational Institutions for all or any of the purposes authorized by this Act or any appropriate instrument.
64. Each Higher Educational Institution shall prepare estimates of income and expenditure and annual appropriation that may be required for a three year period within the framework of its Corporate Plan and submit to the Commission after obtaining the approval of the governing authority of the Higher Educational Institution concerned.

65. Each Higher Educational Institution shall submit to the Commission reports on income and expenditure as determined by the Commission. The Commission may re-allocate the funds allocated to Higher Educational Institutions on the basis of a review of the progress made by the Higher Educational Institutions.

66. The Commission and each Higher Educational Institution shall prepare an annual statement of accounts and an annual report relating to their activities in such form and manner containing such particulars as specified by Rules.

67.(1) The Commission and each Higher Educational Institution shall have its accounts audited each year by the Auditor General. For the purpose of assisting him in the audit of such accounts the Auditor General may employ the services of any qualified auditor or auditors who shall act under his direction and control.

(2) The Auditor-General shall examine the accounts of the Commission and the Higher Educational Institution and furnish a report:

(a) stating whether he has or has not obtained all the information and explanations required by him;

(b) stating whether the accounts referred to in the report are properly drawn up so as to exhibit a true and fair view of the financial position of the Commission or the Higher Educational Institution; and

(c) drawing attention to any item in the accounts which in his opinion may be of interest to Parliament in any examination of the activities and accounts of the Commission or the Higher Educational Institution.

(3) The provisions of article 154 of the constitution shall apply to and in relation to the audit of the accounts of the Commission and Higher Educational Institutions by the Auditor General.

68.(1) The Auditor-General shall transmit his report in respect of the Commission to the Commission and in respect of a Higher Educational Institution, to that Institution and to the Commission.

(2) The report of the Auditor-General referred to in Subsection (1) of Section 68 shall be considered by the Commission or the governing authority of that Higher Educational Institution and after such consideration the Commission or the Higher Educational Institution shall, within three months of the transmission of such report to that Institution, inform the Auditor-General of the steps taken or proposed to be taken with regard to matters pointed out in such report.
69. (1) Each Higher Educational Institution shall within three months of the receipt by it of the Auditor-General's report in respect of each year, transmit to the Minister and to the Commission such report with any comments made thereon by its governing authority together with the statement of accounts to which the report relates, and the Commission shall similarly transmit to the Minister such Auditor General's report on its own accounts within three months of receipt with its comments on such report together with the statement of accounts relating to the report.

(2) The Minister shall cause copies of such reports and comments received under Subsection 1 to be tabled in Parliament before the end of the year next succeeding the year to which such accounts and reports relate, and the principal executive officer of that Higher Educational Institution or Chairman of the Commission shall attend and answer any questions arising from reports relating to that Higher Educational Institution or the Commission as the case may be, before the Public Accounts Committee of Parliament.

70. The Commission and each Higher Educational Institution shall establish an Internal Audit Unit which shall directly report to the principal executive officer of the Commission or the Higher Educational Institution as the case may be. Internal Audit Unit of the Commission shall supervise and assist the Internal Audit of the Higher Educational Institutions.

71. The provisions of Subsections (3), (4) and (7) of Section 13, and the provisions of Section 15, of the Finance Act, No. 38 of 1971, shall, mutatis mutandis, apply to, and in relation to, the audit of the accounts of the Commission or any Higher Educational Institution.
PART XI
UNIVERSITIES PROVIDENT FUND AND
UNIVERSITIES PENSION FUND

72. In this Part of this Act:

"earnings" means earnings as defined in the Employees’ Provident Fund Act, No. 15 of 1958;

"Provident Fund" means the Provident Fund established by the Commission under the Universities Act No. 16 of 1978 which shall continue to be in existence under this Part of this Act.

"Pension Fund" means the Pension Fund established under the Universities Act No. 16 of 1978 which shall continue to be in existence under this Part of this Act.

"salary" means the emoluments of the substantive post or appointment held by any contributor and includes any such allowances as may be declared by Ordinance to constitute part of his salary; and

73. The Commission shall establish a Provident Fund which shall be called as the Universities Provident Fund (hereinafter referred to as the " Provident Fund").

74. Rules may be made by the Commission for the regulation, administration and management of the provident fund and for all matters incidental to or connected with such fund, for which no express provision is made in this Act, and such Rules shall conform to the requirements of the Employees’ Provident Fund Act, No. 15 of 1958.

75.(1) Every member of the staff of the Commission or a Higher Educational Institution, except in such cases as may be prescribed by Rules, shall, from the date of his employment on such staff, contribute to the provident fund by means of equal monthly deductions from his salary, an amount equal to ten per centum of his earnings; and the Commission or the Higher Educational Institution shall, in addition, out of its Fund, at the same time contribute to the provident fund in respect of every contributor, a sum equal to fifteen per centum of the earnings of that contributor, or such other sum as the Minister may, in consultation with the Minister in charge of the subject of Finance, determine.

(2) The Secretary of the Commission shall open and keep a general account for the provident fund and separate account in respect of each contributor to that provident fund. All contributions made by a contributor to the provident fund and all contributions made by the Commission or the Higher Educational Institution to the provident fund in respect of that contributor shall be placed to the credit of a separate account of that contributor in the provident fund.

(3) The amount lying to the credit of the account of a contributor shall, subject to the provisions of any Rules made in that behalf, accumulate at compound interest at a rate to be fixed by the Minister in consultation with the Minister in charge of the subject of Finance until the day on which that contributor ceases to be in the employment of the Commission or the Higher Educational Institution and the account of that contributor shall be closed on that date.
76.(1) When the account of any contributor is closed as provided in Section 76(3), the Secretary of the Commission shall, subject to the provisions of Section 78, pay to that contributor the full amount lying to the credit of his account in the provident fund, together with the accumulated interest thereon.

(2) Where a contributor, before he has completed his age of retirement, ceases to be employed by the Commission or a Higher Educational Institution either on account of ill health or incapacity or on account of the abolition of the post in which he is employed, or voluntarily leaves the service of such Commission or Higher Educational Institution, the Secretary of the Commission shall, subject to the provisions of Section 78, pay to that contributor the full amount lying to the credit of his account in the provident fund together with the accumulated interest thereon at the date on which he ceased to be so employed, or on the date on which he voluntarily left the service of such Commission or Higher Educational Institution, as the case may be.

(3)(a) A contributor may nominate a person or persons (hereinafter in this Section referred to as "a nominee") to whom the moneys lying to the credit of the contributor's account in the provident fund shall be paid upon the death of such contributor:

Provided, however, that the nomination shall be made in accordance with the procedure set out by the Commission from time to time.

(b) A nomination made under paragraph (a) shall have effect notwithstanding anything to the contrary in the last will of the nominator.

(c) A nomination made under paragraph (a) shall be deemed to be revoked, by the death of the nominee in the life time of the nominator or by written notice of revocation signed by the nominator in the presence of a witness, who shall attest the signature of the nominator or by any subsequent nomination made by the nominator.

(d) No moneys lying to the credit of the account of a contributor in the provident fund shall be paid to any nominee of such contributor, unless the nominee satisfies the Secretary of the Commission as to his identity.

(e) The handing over of any moneys lying to the credit of the account of a contributor in the provident fund to the nominee of such contributor upon the death of such contributor, shall be a complete discharge of the obligations of the Commission in respect of such moneys.

(4) Where a contributor, before he has completed his age of retirement, is dismissed or compulsorily retired from the service of the Commission or a Higher Educational Institution, the Secretary of the Commission shall, subject to the provisions of Section 78, pay to the contributor the full amount lying to the credit of his account in the provident fund, together with the accumulated interest thereon, up to the date of his dismissal or compulsory retirement, as the case may be.

(5) Where a contributor dies while in the service of the Commission or a Higher Educational Institution, the Secretary of the Commission shall, subject to the provisions of Section 78, 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 3(a) or in the absence of a valid nomination, to the person or persons lawfully entitled to such amount.
77. Notwithstanding anything in the preceding provisions of this Part and without prejudice to any other right or remedy:

(a) the quantum of any loss or damage sustained by the Commission or a Higher Educational Institution, by reason of the dishonesty or negligence of a contributor at any time during the period of his employment by such Commission or Higher Educational Institution;

(b) payments due on any loan taken by the contributor from the Commission or a Higher Educational Institution or the Government, as the case may be; and

(c) the dues under any bond, agreement or other instrument executed by the contributor under the provisions of which he agrees that such dues shall be a charge on the amount lying to his credit in the provident fund,

shall be a first charge upon the amount lying to the credit of 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 76.

8. Notwithstanding anything in the preceding provisions of this Part and without prejudice to any other right or remedy, where the full amount lying to the credit of a contributor in the provident fund is not paid to him within a period of three months from the date on which his account was closed, the amount lying to his credit shall accumulate compound interest at such rate as determined for the purpose of Section 76(3) up to the last day of the month preceding that in which the full amount lying to the credit of his account is paid:

Provided that such interest shall not be paid in cases where the delay in the payment of such amount to such contributor was due to any fault of the contributor.

9. (1) The Commission may establish a Universities Pension Fund for permanent employees in the service of the Commission and Higher Educational Institutions (hereinafter referred to as the Pension Fund).

(2) Rules may be made by the Commission for the regulation, administration and management of the Pension Fund.

0. Any moneys lying to the credit of the Provident Fund and Pension Fund may be invested in bank deposits, bills, bonds, securities, debentures and other instruments as may be decided by the Commission from time to time.
PART XII
STUDENTS' UNIONS AND OTHER ASSOCIATIONS

1. (1) Each Higher Educational Institution shall have student unions whose, composition, duties and functions shall be prescribed by Ordinance.

(2) Each Faculty of a Higher Educational Institution shall have an Undergraduate Students’ Union and may have a Postgraduate Students’ Union whose compositions, duties and functions shall be prescribed by the Ordinance made under the above Subsection (1).

(3) The Governing Authority of each Higher Educational Institution shall prescribe by By-law, the mode of conducting elections for the election office-bearers of the Unions referred to in Subsections (1) and (2) and the duties and functions of such office-bearers.

2. (1) A Higher Educational Institution may recognize any union, society or other association of students of that Institution, established for the sole purpose of furthering academic or social objectives, provided that the membership of such union, society or other association consists entirely of students of that Institution.

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

3. The governing authority of the Higher Educational Institutions concerned may from time to time direct to the students unions or any union, society or other association of such Higher Educational Institutions recognized under Section 83(1), such sums of their money as may be deemed necessary by such governing authority, for their approved activities.

4. If any union or society or other association of a Higher Educational Institution conducts itself in a manner, which in the opinion of the principal executive officer of that Institution, is detrimental or prejudicial to the good name of that Institution, or acts in contravention of this Act or any appropriate instrument, such principal executive officer may suspend or dissolve such union, society or other association, as the case may be.
PART XIII
GENERAL PROVISIONS

85. Notwithstanding anything in any other provision of this Act, the following provisions shall apply during the transitional period pending the establishment of a University under this Act for the purpose of all such arrangements and measures to be made and taken as are necessary to enable such university to commence functioning as such, and to carry out its objects, as early as possible after the date of its establishment:

(a) The first Vice-Chancellor of the University shall be appointed by the President, and when so appointed:

(i) he shall exercise, perform and discharge all such powers, duties and functions as are conferred or imposed on or assigned to him under this Act or any appropriate Instrument;

(ii) he may exercise, perform and discharge the powers, duties and functions of any or all the Authorities of the University, until such time as such Authorities are duly constituted under the Act; and

(iii) he shall, unless he vacates office earlier, and subject to the provisions of Section 31(1)(c), hold office for a term of three years reckoned from the date of his appointment, and shall be eligible for re-appointment under Section 32(1)(b) for a further period of three years immediately succeeding the aforesaid period.

(b) The first Dean of a Faculty or Faculties of the University shall be appointed by the Vice-Chancellor for a period up to three years, and shall when so appointed, exercise, perform and discharge all such powers, duties and functions as are conferred or imposed on or assigned to him under this Act or any appropriate instrument. Any subsequent election of the first Dean as Dean under Section 41(1) shall be deemed his 1st term.

(c) The first Registrar and the first Bursar of the University shall be appointed by the Commission and shall, when so appointed, exercise, perform and discharge all such powers, duties and functions as are conferred or imposed on or assigned to them under this Act or any appropriate Instrument:

Provided, however, that on the date of expiration of the transitional period the officers appointed under above (c) shall be deemed to be officers appointed by the University to which such appointments are made.

For the purpose of this Section, "transitional period" means the period of six months commencing on the date on which a University Order is published under this Act.

86. A person shall be disqualified from being appointed to, or from being a member of, the Commission, the Appeals Board, the Accreditation Council or any Authority or other body of a Higher Educational Institution on the following grounds:
(a) If he is an un-discharged bankrupt or insolvent; or

(b) If he is convicted of any offence involving moral turpitude; or

(c) If he is, under any law in force, found or declared to be of unsound mind; or

(d) If he, directly or indirectly, by himself or by any person on his behalf or for his use or benefit, holds or enjoys any right or benefit under any contract, other than his contract of his employment, made by or on behalf of any Higher Educational Institution.

87. All members and the staff of the Commission, the Accreditation Council, the Appeals Board and all members of the staff of each Higher Educational Institution shall be deemed to be Public Servants within the meaning and for the purposes of the Penal Code.

88. The Commission, the Accreditation Council and the Appeals Board and each Higher Educational Institution shall be deemed to be a Scheduled Institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

89. There shall be established a Committee of Vice-Chancellors for the purpose of advising the Commission on all matters of common interest to Higher Educational Institutions, the powers, duties and functions of which may be prescribed by Ordinance.

90. If any question arises as to whether any person has been duly elected, appointed, nominated or co-opted as, or as to whether any person is entitled to be, a member of any Authority or other body of a Higher Educational Institutions, the question shall be referred to the Commission whose decision thereon shall be final.

91. No act, resolution or proceedings of the Commission, the Accreditation Council, the Appeals Board or any Authority or other body of a Higher Educational Institutions shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members, or any defect or defects in the appointment of such member or any member or members thereof being disqualified under Section 87.

92. Notwithstanding the provisions of any other written law, no person, institution, corporation or professional or other body, other than the following, shall grant or confer on any person or persons any degree or other academic distinction whatsoever.

(a) Higher Educational Institutions established or deemed to be established under the Act;

(b) Buddha Shravaka Dharmapeetaya Bhikku University, Buddhist & Pali University of Sri Lanka, and Sir John Kotalawala Defence Academy;

(c) Degree awarding Institutions recognized under Section 21 of the Act; and

(d) Any other Higher Educational Institutions approved by the UGC under Section 9(ix):
Provided, however, that academic distinctions may be granted by professional bodies or research Institutes by arrangements with such University and the concurrence at the Commission.

93.(1) The Minister may in concurrence with the Minister in charge of the subject of Education, by order published in the Gazette, transfer to a Higher Educational Institution, any Institution, school or college maintained and managed by the Government, together with any movable property therein, and any immovable property of such institution, school or college may, by a like Order by the Minister in charge of the subject of lands, be vested in such Higher Educational Institution.

(2) Upon the publication of such Order, the movable and the immovable property of such Institution, School or College shall vest in the Higher Educational Institution with effect from the date specified in that Order.

94.(1) On or after such date as may be appointed for the purposes of this Section by the Minister by Order published in the Gazette, no educational institute other than a Higher Educational Institution shall be established or maintained by or under a name which contains the word "University".

(2) No person shall use the title of "Professor " unless he has been duly appointed to a such post by the Higher Educational Institution established or deemed to be established under this Act or by any other Higher Educational Institution approved by the Commission under Section 9(ix) of this Act.

95. Where there is a contravention of the provisions of Section 94 of the Act, by any person, institution, corporation, professional or other body, such person or the governing authority, proprietor, director or other person or persons responsible for the management of such institution, corporation, professional or other body shall on conviction by court of law be liable to a fine of Rupees two hundred thousand.
PART XIV
BY-LAWS, REGULATIONS AND RULES

96.(1) Subject to the provisions of this Act, and of any appropriate Instrument, the Commission may make Rules for all matters which, under the provisions of this Act or of any appropriate Instrument, required or authorized to be made.

(2) Any Rule made by the Commission may at any time, be amended, added to, varied or rescinded.

97.(1) Subject to the provisions of this Act, and of the Orders, Ordinances and Rules made thereunder, the Accreditation Council, the Appeals Board and the governing authority of a Higher Educational Institution may make By-laws in respect of all matters, which under this provisions of this Act or of any appropriate instrument required or authorized to be made.

(2) No By-law shall be made by the governing authority of a Higher Educational Institution in respect of any matter relating to, or connected with, teaching in, or the examinations of, that Institution, unless a draft of such By-law has been prepared and submitted to such governing authority by the Senate or the Academic Authority of a Higher Educational Institution concerned.

(3) Every By-law made by the Accreditation Council, the Appeals Board and the governing authority of a Higher Educational Institution shall come into force on such date as shall be specified therein.

98. Subject to the provisions of this Act and of the Orders, Ordinances, Rules and By-laws made thereunder, Regulations may be made by the Senate or the academic authority of a Higher Educational Institution, as the case may be in regard to any academic matter and for the amendment, variation or revocation of an existing Regulation.

In this Section “academic matter” means any matter which is subject to the control and general direction of such Senate or Academic Authority.
PART XV

APPLICATION OF GOVERNMENT QUARTERS
(RECOVERY OF POSSESSION) ACT,
THE STATE LANDS (RECOVERY OF POSSESSION) ACT AND
HOUSING AND TOWN IMPROVEMENT ORDINANCE

99. The provisions of the Government Quarters (Recovery of Possession) Act, No. 7 of 1969 shall apply to University quarters subject to the following modifications:

(i) the words “University quarters” shall be substituted for the words “Government quarters”; and

(ii) the definition of “competent authority”, shall be interpreted as a person who is the custodian of the property of the Commission or Higher Educational Institution, as the case may be, and includes any person acting in such office.

100. The provisions of the State Lands (Recovery of Possession) Act, No. 7 of 1979, shall apply to University lands subject to the following modifications;

(i) the words “University lands” shall be substituted for the words “State lands”;

(ii) the definition of “competent authority”, shall be interpreted as a person who is the custodian of the property of the Commission or Higher Educational Institution, as the case may be, and includes any person acting in such office.

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

(2) Upon the publication of any Notification under Subsection (1) of this Section, the said Chapter shall apply accordingly, subject to the following modifications -

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

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

“7. The principal executive officer of a Higher Educational Institution shall not refuse -
(a) to approve any plan, drawing, or specification of any building; or

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

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

(iii) the following paragraphs shall be substituted for paragraphs (a) & (b) of Section 8 thereof:

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

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

(iv) in paragraph (e) of Section 8 thereof, the words “this Chapter” shall be substituted for the word “Ordinance”;

(v) the following paragraph shall be substituted for paragraph (c) of Subsection (1) of Section 13 thereof:

“(c) execute any building operation in contravention of any of the provisions of this Chapter;”;

(vi) the following subsection shall be substituted for Subsection (2) of Section 13 thereof:

“(2) In any case in which any person is convicted under this Section, the Magistrate may, on the application of the principal executive officer, make a mandatory order requiring such person or the owner of the building, or both, within a time limited in the order, to demolish the building in question or to alter it so as not to injure the amenities of the precincts of the Higher Educational Institution, and in the event of such mandatory order not being complied with, may authorize the principal executive officer to demolish, alter or otherwise deal with the building in such a manner as to secure compliance with the order and any expenses thereby incurred shall be recovered upon an order made by the Magistrate in the same manner as a fine imposed by him and upon recovery shall be paid to the principal executive officer of the Higher Educational Institution.”;

(vii) the following subsection shall be substituted for Subsection (1) of Section 15 thereof:

“(1) No building constructed after the commencement of this Ordinance shall be occupied, except by a caretaker, until the principal executive officer has given a certificate that such building as regards construction, drainage and in all other respects, does not injure the amenities of the precincts of a Higher Educational Institution.; and"
(viii) the reference to the tribunal of appeal in Section 16 thereof shall be deemed to be a reference to the District Court having jurisdiction in the district in which the said area is situated.

(3) The exercise of any of the powers conferred on the principal executive officer of a Higher Educational Institution under the provisions of this Section shall be subject to the consent of its governing authority, and if such principal executive officer refuses to approve any plan, drawing or specification of any building or to consent to any alteration in any building within the said area on the ground that it will injure the amenities of the precincts of the Higher Educational Institution, the Higher Educational Institution shall make compensation to any person for any loss or damage he may sustain in consequence of such refusal; and any person aggrieved by the failure of the Higher Educational Institution to make such compensation or to make adequate compensation, may appeal to the District Court having jurisdiction in the district in which such area is situated, and the decision of the District Court on any such appeal shall be final and conclusive.
PART XVI
REPEAL AND TRANSITORY PROVISIONS

102. The Universities Act No. 16 of 1978 is hereby repealed with effect from the date of coming into operation of this part of this Act.

03. Upon the repeal of the Universities Act No. 16 of 1978 the University Grants Commission, University Services Appeals Board, Higher Educational Institutions and Institutes established or deemed to have been established under that Act, and in existence on the date immediately prior to the date of such repeal, shall be deemed for all purposes to be established under this Act, and shall continue to be in function.

04. The orders, ordinances and any other appropriate instrument made under the aforesaid Act shall be deemed to be orders, ordinances and any other appropriate instruments made under this Act.

05. Subject to the provisions of the Act, and of any appropriate instrument the following provisions of the Act shall apply as from the date of coming into operation of this Act:

(i) Notwithstanding any thing in this Act any person appointed or elected as Chancellor, Chairman, Vice-Chairman, Vice-Chancellor, member or whatsoever designated as a member to any post or authority, holding office at the time of coming into operation of this Act, shall continue to hold office for the un-expired portion of the term of office to which such person is appointed or elected;

(ii) All officers, teachers and other employees in the service of the University Grants Commission, Higher Educational Institutions and Institutes under that Act, who have not reached their respective ages of retirement shall be deemed to be officers, teachers and other employees in the service of the University Grants Commission and Higher Educational Institutions deemed to have been established under this Act, to which such officers, teachers and other employees have been appointed, transferred or attached on the same status:

Provided, however, that the terms and conditions they have enjoyed immediately preceding the date of coming into operation of this Act, may be reviewed by the Commission within a period of six months from the date of coming into operation of this Act;

(iii) All debts, obligations and liabilities incurred and all contracts, deeds, bound, agreements and other instruments executed or entered into and all matters and things engaged to be done by, with, or for, the University Grants Commission and Higher Educational Institutions and Institutes under that Act prior to the date of coming into operation of this part of this Act shall be deemed to have been incurred, executed, entered into or engaged to be done by, with or for, the University Grants Commission or a Higher Educational Institution to which such debt, obligation, liability, contract, deed, bond, agreement or other instrument relates;
(iv) All suits, prosecutions and legal proceedings civil and criminal which have been instituted in any court or tribunal by or against the University Grants Commission, Higher Educational Institutions and Institutes established under that Act prior to the date of coming into operation of this part of this Act shall be deemed to have been instituted by or against the University Grants Commission or Higher Educational Institution to which such matter relates;

(v) The Universities Provident Fund or the Universities Pension Fund established under that Act with the interest thereon as at the date of coming into operation of this part of this Act shall be deemed to be established under this Act and every contribution to the Universities Provident Fund or Universities Pension Fund immediately preceding the date of coming into operation of the Act shall be deemed to be a contributor to these funds under this Act; and

(vi) All property, movable and immovable, which has been vested in, or legally purchased or acquired by, or leased to, or placed at the disposal of, or in any other manner transferred to the University Grants Commission, Higher Educational Institutions or Institutes under that Act or which is held in trust for the University Grants Commission, Higher Educational Institutions or Institutes under that Act, or is in their possession or control at the date of coming into operation of this Part of this Act, shall be held by or in trust for the University Grants Commission or such Higher Educational Institutions, subject to the trusts, charges, liabilities, reservations, servitudes or other encumbrances and on the terms and conditions appertaining, attaching or applicable thereto at that date.

106. Notwithstanding, anything in any other provision of this Act the Commission shall have, during the period of two years commencing on the date of coming into operation of this part of this Act, the power to transfer or re-allocate the staff, students, equipment, lands, buildings and other facilities of the University Grants Commission or Higher Educational Institutions among the University Grants Commission and Higher Educational Institutions.
PART XVII
INTERPRETATION

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

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

"Degree Awarding Institute" means any institution recognized under the provisions of Section 21;

"Governing Authority" in relation to:

(i) a University means Council of that University
(ii) an Open University means Council of that Open University
(iii) any other Higher Educational Institution means the Board of Management of that Higher Educational Institution.

"Higher Educational Institution" means a University, Campus, Open University, University College or Institute established or deemed to be established under this Act;

"President" means the President of the Democratic Socialist Republic of Sri Lanka;

"Principal Executive Officer" in relation to:

(i) the Commission means the Chairman of that Commission;
(ii) a University means the Vice-Chancellor of that University;
(iii) a Non-conventional University means the Vice-Chancellor of that Non-conventional University;
(iv) any other Higher Educational Institution means the Director of that Higher Educational Institution.

"teacher" means a Senior Professor, Professor, Associate Professor, Senior Lecturer, Lecturer, and others defined as teacher in PART VIII of the Act.

"Election" means a poll conducted by secret ballot.