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

**Part II of June 14, 2019**

**SUPPLEMENT**

(*Issued on 17.06.2019*)



**HIGHER EDUCATION**   
**(QUALITY ASSURANCE AND ACCREDITATION)**

**A**

**BILL**

**to provide for the establishment of a commission known as the Quality Assurance and Accreditation Commission for Higher Education in accordance with the National Policy on Coordination and Determination of Standards in Institutions for Higher Education or Research and Scientific and Technical Institutions; to provide for a legal Framework for Quality Assurance and Accreditation of Higher Educational Institutions and for matters connected therewith or incidental thereto**

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*Higher Education*   
*(Quality Assurance and Accreditation)*

L.D.—O. 29/2011

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AN ACTTOPROVIDEFORTHEESTABLISHMENTOFACOMMISSION KNOWNASTHE QUALITY ASSURANCEAND ACCREDITATION COMMISSIONFOR HIGHER EDUCATIONINACCORDANCEWITH THE NATIONAL POLICYON COORDINATIONAND DETERMINATION OF STANDARDSIN INSTITUTIONSFOR HIGHER EDUCATIONOR RESEARCHAND SCIENTIFICAND TECHNICAL INSTITUTIONS; TO PROVIDEFORALEGAL FRAMEWORKFOR QUALITY ASSURANCE AND ACCREDITATIONOF HIGHER EDUCATIONAL INSTITUTIONS

ANDFORMATTERSCONNECTEDTHEREWITHORINCIDENTAL THERETO.

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

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **1.** | (1) This Act may be cited as the Higher Education | Short title and |
| (Quality Assurance and Accreditation) Act, No. 2019. | | date of |
| operation. |
| (2) This Act 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.*

(3) The provisions of subsection (2), shall come into

|  |  |
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| 10 | operation on the date on which the certificate of the Speaker is endorsed in respect of this Act in terms of Article 79 of |

the Constitution.

PART I

QUALITY ASSURANCEAND ACCREDITATION COMMISSIONFOR HIGHER EDUCATION

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **2.** | (1) Notwithstanding anything contrary to the | Establishment |
| of the Quality |
| provisions contained in any other written law, there shall be | |
| Assurance and |
| established a Commission called the Quality Assurance and | |
| Accreditation |
| Accreditation Commission for Higher Education (hereinafter | | Commission for |
| Higher |
| referred to as the “Commission”) as the National Authority | |
| Education. |

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for Quality Assurance and Accreditation for Higher Education.

(2) The Commission shall, by the name assigned to it by

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| --- | --- | --- | --- | --- |
| 5 | subsection (1),be a body corporate with perpetual succession | | | Objects of the |
| and a common seal and may sue and be sued in such name. | | |
| **3.** | The objects of the Commission shall be – | |
| (*a*) | | to establish a System of Quality Assurance | Commission. |

and Accreditation based on the principles of

|  |  |
| --- | --- |
| 10 | good governance to maintain the high standard of quality of educational |

qualifications in Higher Educational   
Institutions;

(*b*) to act as the apex body for Quality Assurance   
 and Accreditation at National Level; and

|  |  |  |
| --- | --- | --- |
| 15 | (*c*) | to map the different qualifications in |

accordance with the Sri Lanka Qualifications   
Framework (SLQF) to facilitate the cross   
mobility.

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| --- | --- | --- | --- | --- |
| 20 | **4.** | (1) The Commission shall consist of – | | Constitution |
| (*a*) the following *ex-officio* members namely– | | of the |
| Commission. |
| (i) | the Secretary to the Ministry of the |

Minister assigned the subject of Higher   
Education or an Additional Secretary

|  |  |  |
| --- | --- | --- |
| 25 | (ii) | of that Ministry nominated by such |
| Secretary; |
| the Secretary to the Ministry of the |

Minister assigned the subject of Finance   
or an Additional Secretary of that   
Ministry nominated by such Secretary;

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(iii) the Chairman of the University Grants   
 Commission or Vice Chairman of that   
 Commission nominated by such   
 Chairman;

|  |  |  |
| --- | --- | --- |
| 5 | (iv) | the Chairman of the National Education |
| Commission established under the |

National Education Commission Act,   
No. 19 of 1991 or Vice Chairman of

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | that Commission nominated by such |
| Chairman; and |
| nine other members appointed by the |

President from a panel of fifteen persons   
nominated by the Minister.

|  |  |
| --- | --- |
| 15 | (2) The panel of fifteen persons nominated for the purposes of paragraph (*b*) of subsection (1), shall be from |

among persons who have academic qualifications, knowledge, experience and who have shown proven capacity in quality assurance, educational, professional, commercial,

|  |  |
| --- | --- |
| 20 | management, industrial, scientific, legal or administrative field or any other relevant field. |

(3) The Minister shall, prior to nominating a person as a member of the Commission, satisfy himself that such person has no financial or other conflict of interest in the affairs of

|  |  |
| --- | --- |
| 25 | the Commission, as is likely to affect adversely the discharging of his functions as a member of the Commission. |

(4) For the purposes of subsection (2), the Minister shall endeavor to ensure that such nominations reflect the pluralistic character of the Sri Lankan society including gender.

|  |  |
| --- | --- |
| 30 | (5) The President shall appoint a member from among the members referred to in paragraph (*b*) of subsection (1) |

as the Chairman having regard to such member’s experience in dealing with matters relating to quality assurance in Higher Education.

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 *(Quality Assurance and Accreditation)*

(6) At least five members including the Chairman other than the *ex-officio* members shall function as fulltime members.

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **5.** | (1) A person shall be disqualified from being | Disqualifications |
| appointed, nominated or continuing as a member of the | | from being a |
| Commission if– | | member of the |
| Commission. |
| (*a*) | he is or becomes a member of Parliament, a member |

of a Provincial Council or a member of any Local   
Authority;

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | he is or becomes directly or indirectly, by himself |

or by any other person on his behalf, holds or   
enjoy any right or benefit under any contract   
made by or on behalf of the Commission, as the   
case may be;

|  |  |  |
| --- | --- | --- |
| 15 | (*c*) | he has any financial or other conflict of interest in |

the affairs of the Commission;

(*d*) he is engaged–

(i) in any employment or assignment in any   
 Higher Educational Institution; or

|  |  |  |
| --- | --- | --- |
| 20 | (ii) | in any employment in an institution |
| responsible for the maintenance and |

administration of any higher educational   
institution,

|  |  |  |
| --- | --- | --- |
| 25 | (*e*) | during the tenure of the membership of the |
| Commission; |
| he is under any law in force in Sri Lanka or in any |

other country, found or declared to be of unsound   
mind;

|  |  |  |
| --- | --- | --- |
| 30 | (*f*) | he is a person who, having been declared an |
| insolvent or bankrupt under any law in force in |

Sri Lanka or in any other country;

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(*g*) he has been convicted of any criminal offence by   
 any court in Sri Lanka or in any other country;

|  |  |  |
| --- | --- | --- |
| 5 | (*h*) | he is absent from six consecutive committee |
| meetings without obtaining prior permission of the |
| commission: |

provided that, such leave of absence shall not   
exceed a period of three months at any given time;

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | (*i*) | he is more than seventy two years of age. | Removal of |
| **6.** | The President shall in consultation with the Minister |
| remove from office any member appointed under section 4- | | members from |
| office. |
| (*a*) | if he becomes subject to any of the disqualifications |

as set out in section 5; or

|  |  |  |
| --- | --- | --- |
| 15 | (*b*) | if he becomes permanently incapable of performing |
| (*c*) | his duties owing to any physical disability or |
| unsoundness of mind; or |
| if he does any act which is likely to bring the |

Commission into disrepute.

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | **7.** | (1) Every member of the Commission including the | Term of the |
| Chairman shall,unless he vacates office earlier, hold office | | office of the |
| members of the |
| for a term of five years from the date of his appointment | |
| Commission. |
| and shall unless removed from office under section 6, be | |

eligible for reappointment:

Provided however, no member shall be appointed to the Commission for more than two consecutive terms.

25 (2) The Chairman or a member of the Commission may resign his office as a Chairman or a member as the case may be at any time by writing under his hand addressed to the President with notice to the Minister. Such resignation shall take effect upon it being accepted by the President in writing.

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(3) If the Chairman or a member of the Commission appointed under section 4 vacates office by resignation, removal or death, the President shall, subject to the provisions

|  |  |
| --- | --- |
| 5 | of paragraph (*b*) of subsection (1) of section 4 appoint from the remaining members of the panel nominated by the |

Minister another person to fill such vacancy and such person shall hold such office for the unexpired period of the term of office of the Chairman or the member whom he succeeds.

|  |  |
| --- | --- |
| 10 | (4) If the Chairman by reason of illness, infirmity or absence from Sri Lanka or other cause, is temporarily unable |

to perform the duties of his office, the President may appoint a full time member to act as the Chairman.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **8.** | (1) The Commission shall function on full time basis. | Meetings of the |
| Commission. |
| (2) The meetings of the Commission shall be held at least | |
| four times a month. | |

(3) The Chairman shall preside at all meetings of the Commission. In the absence of the Chairman at any meeting, the members present shall elect a member from amongst the members present, to preside at such meeting.

20 (4) The quorum for any meeting of the Commission shall be five members. At least one member shall be a non-full time member.

(5) The Chairman or in his absence the member presiding at any meeting shall have, in addition to his own vote, a 25 casting vote when there is an equality of votes.

(6) The votes of the members shall be recorded in the minutes book of the Commission.

(7) Without prejudice to the provisions of subsection (9) of this section, if less than five members of the Commission 30 are present in Sri Lanka, a member who is not in Sri Lanka

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may participate in a meeting by electronic or any other means of communication with the prior permission of the Commission.

|  |  |
| --- | --- |
| 5 | (8) A member who participates in a meeting under subsection (7), shall be deemed to have been present at the meetings. |

(9) The Commission may regulate the procedure with regard to its meetings and the transaction of business at such meeting.

10 (10) No act, decision or proceedings of the Commission shall be deemed to be invalid by reason only of the existence of any vacancy in the membership of the Commission or any defect in the appointment of any member thereof.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 15 | **9.** | The Commission may– | | Powers and |
| (*a*) | formulate, implement and update Sri Lanka | functions of the |
| Commission. |

Qualification Framework ;

(*b*) establish and maintain liaison and cooperation   
 with any professional or any statutory or any

|  |  |
| --- | --- |
| 20 | regulatory body or Quality Assurance and Accreditation bodies in Higher Education |

within and outside Sri Lanka on matters relating   
to Quality Assurance and Accreditation;

|  |  |  |
| --- | --- | --- |
| 25 | (*c*) | determine policies, standards and criteria and |
| update standards, criteria, procedures and |
| processes as appropriate for Quality Assurance |

and Accreditation of Higher Educational   
Institutions in accordance with the prescribed   
manuals, tools, devices, or relevant   
international standards;

|  |  |  |
| --- | --- | --- |
| 30 | (*d*) | appoint trained and experienced quality |

auditors to conduct institutional and programme   
audits and external quality assurance reviews;

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 *(Quality Assurance and Accreditation)*

(*e*) grant provisional or full accreditation to Higher   
 Educational Institutions and to Programmes   
 and review such accreditation from time to   
 time;

|  |  |  |
| --- | --- | --- |
| 5 | (*f*) | revoke provisional accreditation or full |

accreditation granted to Higher Educational   
Institutions and Programmes conducted thereof   
that are not keeping up with the required quality   
and standards determined by the Commission;

|  |  |  |
| --- | --- | --- |
| 10 | (*g*) | inquire into any complaints relating to |

the noncompliance with accreditation   
requirements, by a Higher Educational   
Institution or a Programme and to take   
appropriate action;

|  |  |  |
| --- | --- | --- |
| 15 | (*h*) | evaluate foreign degrees, diplomas and other |
| academic distinctions for the purpose of |

recognition or accreditation of such degrees,   
diplomas or academic distinctions in

|  |  |
| --- | --- |
| 20 | consultation with the relevant professional or statutory or regulatory body or foreign |

academic institutions where necessary;

(*i*) evaluate from time to time, where necessary in   
 consultation with the relevant professional

|  |  |
| --- | --- |
| 25 | bodies or statutory bodies or regulatory bodies whether the minimum admission criteria for student enrollment into academic programmes |

are in compliance with the Sri Lanka   
Qualifications Framework (SLQF);

|  |  |  |
| --- | --- | --- |
| 30 | (*j*) | assess whether the degrees and qualifications |
| awarded by the Higher Educational Institutions |
| are in compliance with the qualification |

descriptors and learning outcomes as set out in   
the Sri Lanka Qualifications Framework   
(SLQF);

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(*k*) make recommendations on the appropriate   
 level of qualifications according to the   
 Sri Lanka Qualifications Framework (SLQF)

|  |  |
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| 5 | to be adopted for Higher Educational programmes and vocational and technical training programmes offered by Higher |

Educational Institutions;

(*l*) map Higher Educational qualifications against   
 vocational qualifications including Sri Lanka

|  |  |
| --- | --- |
| 10 | Qualification Framework (SLQF) and National Vocational Qualification Framework (NVQF) |

to facilitate cross mobility of students;

|  |  |  |
| --- | --- | --- |
| 15 | (*m*) | recommend to the Higher Educational |
| Institutions to provide opportunities to persons |
| based on their abilities, experiences and |

capacities including any exemptions on age   
limitations, enabling such persons to engage   
in Higher Education;

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 20 | (*n*) | make | recommendations | for | quality |
| improvements in Higher Educational | | | |

Institutions;

(*o*) collect, disseminate information relating to   
 Higher Education and maintain and update a

|  |  |
| --- | --- |
| 25 | register of accredited Higher Educational Institutions and accredited programmes and |

publish the names of such accredited Higher   
Educational Institutions and accredited   
programmes in the print and electronic media;

|  |  |  |
| --- | --- | --- |
| 30 | (*p*) | appoint officers and employees to the staff of |
| the Commission and to appoint experts and |

committees to the Commission;

(*q*) levy, fees or charges for any service rendered   
 by the Commission;

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(*r*) enter into such agreements, contracts as may   
 be necessary or expedient for the performance   
 and discharge of its duties and functions;

|  |  |  |
| --- | --- | --- |
| 5 | (*s*) | issue circulars from time to time to all Higher |
| Educational Institutions and to their |

professional and academic staff, as may   
become necessary in connection with the   
performance and discharge of their duties and   
functions;

|  |  |  |
| --- | --- | --- |
| 10 | (*t*) | design and administer a system prescribed by |

regulations for accreditation of Higher   
Educational Institutions providing higher   
education, and other organizations or bodies

|  |  |
| --- | --- |
| 15 | of persons who either directly or indirectly offer or provide any service relating to or |

connected with providing higher education;

(*u*) develop and publish codes of practice relating   
 to the content, delivery and technical   
 standards for Higher Educational services and

|  |  |  |
| --- | --- | --- |
| 20 | (*v*) | monitor compliance with such codes; |
| recognize a professional or statutory or |

regulatory body local or foreign in the manner   
prescribed by regulations under section 52;

|  |  |  |
| --- | --- | --- |
| 25 | (*w*) | require the relevant professional or statutory |
| or regulatory body to determine the minimum |

standards relating to the grant of accreditation   
of a professional programme or qualifications;

|  |  |  |
| --- | --- | --- |
| 30 | (*x*) | engage in research, development studies and |
| technical cooperation projects relating to or |
| connected with the discharge and |

performance of the functions and duties of   
the Commission;

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(*y*) specify by notification published in the   
 *Gazette* the levels of accreditation or   
 certification and inspection marks, logos

|  |  |
| --- | --- |
| 5 | approved and granted by the Commission, to Higher Educational Institutions and its |

programmes and control the use of such marks   
or logos;

|  |  |  |
| --- | --- | --- |
| 10 | (*z*) | acquire by way of purchase or otherwise, any |
| movable or immovable property and hold, |
| take or give on lease or hire, mortgage, pledge |

and sell or otherwise dispose of in accordance   
with the provisions of this Act, any such   
movable or immovable property of the   
Commission;

|  |  |  |
| --- | --- | --- |
| 15 | (*aa*) | open and maintain bank accounts with any |

bank as determined by the Commission and   
authorize any person to operate such account   
or accounts on behalf of the Commission;

|  |  |  |
| --- | --- | --- |
| 20 | (*ab*) | become a member or an affiliate of any |
| international body, the functions or duties of |

which are similar to the functions of the   
Commission by or under this Act;

|  |  |  |
| --- | --- | --- |
| 25 | (*ac*) | provide within or outside Sri Lanka |
| consultancy services or any technical, |
| managerial or other services in any area |

whether by itself or in association with any   
other authority, in which the Commission   
possess the skill or expertise;

|  |  |  |
| --- | --- | --- |
| 30 | (*ad*) | receive grants or contributions from any |
| sources whatsoever and to raise funds by all |

lawful means and apply such funds in the   
performance and discharge of the duties and   
functions of the Commission;

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(*ae*) provide training in Quality Assurance,   
 Accreditation and Sri Lanka Qualification   
 Framework (SLQF); whether by itself or with

|  |  |
| --- | --- |
| 5 | the co-operation of any other person as the Commission thinks fit, to the officers and |

other employees of the Commission or to any   
persons involved in providing Higher   
Education at any Higher Educational

|  |  |  |
| --- | --- | --- |
| 10 | (*af*) | Institution and to award scholarships for such |
| training; |
| make rules in respect of the matters for which |

rules are required to be made under the Act;   
and

|  |  |  |
| --- | --- | --- |
| 15 | (*ag*) | do all such other acts which are not |
| inconsistent with the provisions of this Act |

as may be expedient for the accomplishment   
of the objects of the Commission.

PART II

ACCREDITATIONOF HIGHER EDUCATIONAL INSTITUTIONS

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | **10.** | (1) The Provisions of this Act, shall be in addition | Provisions of |
| this Act to |
| to, and not in derogation of any other written law relating to | |
| prevail over |
| the accreditation and quality assurance. | |
| other written |

law.

(2) The provisions of this Act, shall have effect

|  |  |
| --- | --- |
| 25 | notwithstanding anything to the contrary in any other written law and accordingly in the event of any inconsistency or |

conflict between the provisions of this Act, and such other written law, the provisions of this Act, shall prevail.

|  |  |  |  |
| --- | --- | --- | --- |
| 30 | **11.** | (1) Notwithstanding anything to the contrary in any | Every Higher |
| Educational |
| other written law, every Higher Educational Institution shall | |
| Institution to |
| apply to the Commission for accreditation in order to | |
| apply for |
| facilitate such Higher Educational Institution to carry out its | |
| accreditation. |

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activities as an accredited Higher Educational Institution in such form and manner accompanied by such fees as may be prescribed by regulations:

Provided however–

|  |  |  |
| --- | --- | --- |
| 5 | (*a*) | all universities established or deemed to have |

been established under the Universities Act,   
No.16 of 1978 and by an Act of Parliament   
existing on the day immediately before the date   
of coming into operation of this Act; and

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | all Higher Educational Institutions which were |
| granted degree awarding status under section 25 |

of the Universities Act, No. 16 of 1978 on the   
day immediately before the date of coming into   
operation of this Act,

15 shall be deemed to have been granted full accreditation under this Act, for a period of five years from the date on which this Act comes into operation.

(2) It shall be the duty of the Chief Executive Officer,

|  |  |
| --- | --- |
| 20 | the Principal Executive Officer or the Principal Administrative Officer as the case may be, of a Higher |

Educational Institution to apply to the Commission for such accreditation.

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | **12.** | (1) A New Higher Educational Institution prior to | Issue of initial |
| its establishment shall apply to the Commission for an initial | | clearance to a |
| new Higher |
| clearance to commence physical infrastructure in such form | |
| Educational |
| and manner together with such documents and fees as may | |
| Institution. |
| be prescribed by regulations before commencing any | |

operation.

|  |  |
| --- | --- |
| 30 | (2) Upon receipt of the application under subsection (1) and upon being satisfied that the Higher Educational Institution has fulfilled the requirements prescribed by |

regulations relating to the grant of a certificate of initial

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clearance, and where the Commission is of the opinion that the establishment of such institution is in the public interest and for the public benefit, the Commission may, within a

|  |  |
| --- | --- |
| 5 | period of six months from the date of such application, grant a certificate of initial clearance for a period of five years |

subject to such terms and conditions:

Provided however, where such institution intends to offer professional programme, the Commission shall, prior to the

|  |  |
| --- | --- |
| 10 | grant of the certificate of initial clearance consult the relevant professional or statutory or regulatory body. |

(3) Where a relevant professional or statutory or regulatory body is consulted by the Commission, notwithstanding the provisions of any other written law, it shall be the duty of

|  |  |
| --- | --- |
| 15 | such body to co-operate in respect of matters relating to the grant of initial clearance. |

(4) The Commission may–

(*a*) refuse to grant the certificate of initial clearance   
 where the Higher Educational Institution fails

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | to fulfill the criteria for the grant of initial |
| clearance prescribed by regulations; |
| revoke the certificate of initial clearance where |

there is no progress in the establishment of the   
Higher Educational Institution within a period   
of five years; and

|  |  |  |
| --- | --- | --- |
| 25 | (*c*) | revoke the certificate of initial clearance where |

the Higher Educational Institution fails to   
commence operations within a period of five   
years.

|  |  |
| --- | --- |
| 30 | (5) The Commission may, in the case of a refusal or revocation of the certificate of initial clearance referred to in subsection (4), require the Higher Educational Institution |

to take such steps to rectify such failure within a period of three years.

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|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **13.** | (1) A new Higher Educational Institution shall apply | Accreditation |
| for accreditation of such institution under section 11 within | | of a new Higher |
| a period of five years from the receipt of the certificate of | | Educational |
| Institution or an |
| initial clearance prior to the enrollment of students. | |
| existing Higher |
| (2) A Higher Educational Institution referred to in the | | Educational |
| Institution. |
| proviso to section 11, shall, after the lapse of a period of five | |

years from the date on which this Act comes into operation, apply for accreditation of such institution under section 11.

|  |  |
| --- | --- |
| 10 | (3) Where a Higher Educational Institutionexisting on the day immediately preceding the date of coming into |

operation of this Act other than the Higher Educational Institutions referred to in the *proviso* to section 11–

|  |  |  |
| --- | --- | --- |
| 15 | (*a*) | if the institution is in existence for more than five |
| (*b*) | years such institution shall apply for accreditation |
| within a period of two years; or |
| if the institution is in existence for less than |
| five years shall apply for accreditation before |

it completes seven years of existence,

under section 11.

20 (4) The Commission may–

(*a*) grant a certificate of provisional accreditation   
 or full accreditation to such institution subject   
 to such conditions determined by the   
 Commission; or

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | require such Higher Educational Institution to |
| take such steps to rectify the problems |

identified in the report of the Panel of Quality   
Auditors referred to in section 31 within such

|  |  |  |
| --- | --- | --- |
| 30 | (*c*) | period, as may be determined by the |
| Commission for the purpose of granting |
| accreditation; or |
| refuse to grant a certificate of provisional or |

full accreditation for reasons assigned.

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(5) The Commission shall, for the purposes of subsection (4) consider–

|  |  |  |
| --- | --- | --- |
| 5 | (*a*) | the report of the Panel of Quality Auditors together |
| with the Higher Educational institution’s |
| compliance with the prescribed Accreditation and |
| Quality Assurance criteria relating to the granting |

of a certificate of provisional or full accreditation   
for the Institutional Audit of such Higher   
Educational Institution;

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | the recommendation of the relevant foreign |
| authority, in the case of any Higher Educational |

Institution established under any written law and

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | affiliated to a foreign Higher Educational Institution | | Accreditation |
| in relation to the institutional Audit of such Higher | |
| Educational Institution. | |
| **14.** | (1) A new Higher Educational Institution shall apply |
| 20 | for accreditation for each of its programmes, under section | | of programmes |
| in a new or an |
| 11 within a period of five years from the receipt of the | |
| existing Higher |
| certificate of initial clearance. | |
| Educational |
| Institution. |
| (2) A Higher Educational Institution referred to in the | |

proviso to section 11, shall, after the lapse of a period of five years from the date on which this Act comes into operation, apply for accreditation of its programmes under section 11.

|  |  |
| --- | --- |
| 25 | (3) Where a Higher Educational Institution existing on the day immediately preceding the date of coming into |

operation of this Act other than the Higher Educational Institutions referred to in the proviso to section 11–

|  |  |  |
| --- | --- | --- |
| 30 | (*a*) | if the institution is in existence for more than five |
| (*b*) | years such institution shall apply for accreditation |
| of its programmes within a period of two years ; or |
| if the institution is in existence for less than five |
| years shall apply for accreditation of its programmes |

before it completes seven years of existence,

under section 11.

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(4) The Commission may, subject to the provisions of subsection (5)–

|  |  |  |
| --- | --- | --- |
| 5 | (*a*) | grant a certificate of provisional or full accreditation |
| (*b*) | to such programme subject to such conditions |
| determined by the Commission; |
| grant a certificate of provisional or full accreditation |

to such programme if the problems identified in the   
report of the Panel of Quality Auditors are rectified

|  |  |  |
| --- | --- | --- |
| 10 | (*c*) | within such period, as may be determined by the |
| Commission; |
| grant a certificate of provisional or full accreditation |

to such professional programmes or qualification   
if the deficiencies indentified in that

|  |  |
| --- | --- |
| 15 | recommendations of the relevant professional or statutory or regulatory body made under section |

15(4) are rectified within such period as may be   
specified in the said recommendations or with any   
extended time period as the case may be;

|  |  |  |
| --- | --- | --- |
| 20 | (*d*) | refuse to grant a certificate of provisional full |
| accreditation for reasons assigned. |

(5) For the purpose of subsection (4), the Commission shall consider–

|  |  |  |
| --- | --- | --- |
| 25 | (*a*) | the report of the Panel of Quality Auditors relating |
| to that programme, and the recommendation of the |
| relevant professional or statutory or regulatory |
| body under section 15 in the case of professional |

programmes; and

|  |  |  |
| --- | --- | --- |
| 30 | (*b*) | recommendations of the relevant foreign Authority |
| in the case of foreign programmes granted by any |
| Higher Educational Institution established under |
| any written law and affiliated to a foreign Higher |

Educational Institutions.

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 *(Quality Assurance and Accreditation)*

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **15.** | (1) Notwithstanding the provisions of any other | Local or |
| Foreign |
| written law, a Higher Educational Institution shall apply to | |
| Professional |
| the Commission under section 14 for the grant of | |
| programmes. |
| accreditation of professional programmes local or foreign | |
| which such Higher Educational Institution intends to offer. | |

(2) Upon the receipt of an application referred to in subsection (1) the Commission shall, within a period of fourteen days from the date of receipt of such application

|  |  |
| --- | --- |
| 10 | from the Higher Educational Institution, make a written request to the relevant professional or statutory or regulatory |

body to make recommendations within such period as may be specified in such request for the purpose of making recommendations.

(3) Where the relevant professional or statutory or

|  |  |
| --- | --- |
| 15 | regulatory body receives a request from the Commission, such professional or statutory or regulatory body shall make |

recommendations to the Commission whether such professional programme is in compliance with the minimum

|  |  |
| --- | --- |
| 20 | standards specified for such professional programme within such period as may be specified by the Commission along |

with certificates if any, issued by such professional or statutory or regulatory body.

(4) Where a relevant professional or statutory or regulatory

|  |  |
| --- | --- |
| 25 | body makes recommendations to refuse the grant of accreditation to a Higher Educational Institution, such |

recommendations shall include any measures to rectify such deficiency within the period specified in such request referred to in subsection (2).

|  |  |
| --- | --- |
| 30 | (5) The Commission shall forward the recommendations received under subsection (4) to the Higher Educational |

Institution referred to in subsection (1) for taking of remedial measures for rectification and report back to the Commission within a period to be specified by the Commission.

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*(Quality Assurance and Accreditation)*

(6) Where the Higher Educational Institution referred to in subsection (5) requires an extension to the period for

|  |  |
| --- | --- |
| 5 | rectification, such request may be made in writing to the Commission and the Commission in consultation with the relevant professional or statutory or regulatory body may |

grant an extension of time in respect of such request.

(7) Where a relevant professional or statutory or regulatory body directly receives a request from a Higher Educational

|  |  |
| --- | --- |
| 10 | Institution, such professional or statutory or regulatory body shall inform the Commission forthwith from the date of |

receipt of such request, for the purposes of this Act.

(8) Notwithstanding the provisions of any other written law, where the Commission requests a relevant professional

|  |  |
| --- | --- |
| 15 | or statutory or regulatory body to make recommendations, it shall be the duty of such body to cooperate with the Commission in respect of matters relating to the grant of |

accreditation.

(9) The Commission shall, for the purpose of granting

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | accreditation to a professional programme under this Act, | | Certificate of |
| take into consideration the recommendations made by the | |
| relevant professional or statutory or regulatory body. | |
| **16.** | (1) The certificate of provisional accreditation of |
| 25 | an Institution or Programme shall be in force for a period of | | provisional |
| accreditation. |
| five years from the date of the issue of such certificate. | |
| (2) The certificate of provisional accreditation shall | |

include such details relating to provisional accreditation granted to such institution or programme as specified by the Commission.

|  |  |  |
| --- | --- | --- |
| 30 | (3) The holder of the certificate of provisional accreditation shall be required to– | |
| (*a*) | submit periodic reports to the Commission of its |

activities from time to time as may be required by   
the Commission for the purpose of determining

|  |  |
| --- | --- |
| 35 | whether full accreditation shall be granted to such Institution or Programme; and |

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 *(Quality Assurance and Accreditation)*

(*b*) display the certificate in a conspicuous place on its   
 premises for public information.

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **17.** | (1) A Higher Educational Institution holding a | Conversion |
| certificate of provisional accreditation shall apply to the | | from |
| Commission for the full accreditation of the institution or of | | provisional |
| accreditation to |
| its programme as the case may be in such form and manner | |
| full |
| and within such period as may be prescribed by regulations. | |
| accreditation. |

(2) The Commission may, upon the report of the Panel of QualityAuditors–

|  |  |  |
| --- | --- | --- |
| 10 | (*a*) | grant full accreditation to such institution or to such |

programme or both upon such conditions as may   
be determined by the Commission; or

|  |  |  |
| --- | --- | --- |
| 15 | (*b*) | may extend the period of provisional accreditation |
| up to a maximum period of ten years to rectify any |
| problems identified in the report of the Panel of |

Quality Auditors; or

|  |  |  |
| --- | --- | --- |
| 20 | (*c*) | refuse the application for reasons assigned. |
| (3) Where such institution intends to offer a professional programme, the Commission shall, make a written request as referred to in section 15 to the relevant professional or statutory or regulatory body to make recommendations for | |

the purpose of subsection (2).

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | (4) Where a Higher Educational Institution or a | | Cancellation of |
| programme is granted full accreditation, such institution or | |
| such programme shall undergo institutional audit and | |
| programme review within every five years. | |
| **18.** | (1) Where a Higher Educational Institution fails to |
| 30 | obtain full accreditation within a period of ten years from | | provisional |
| accreditation. |
| the date of the certificate of provisional accreditation, the | |
| Commission may cancel the certificate of provisional | |

accreditation and direct such institution–

(*a*) in the case of a Higher Education Institution, to   
 cease its activities; or

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*(Quality Assurance and Accreditation)*

(*b*) in the case of a programme either to cease   
 conducting such programme or to cease granting   
 such programme.

|  |  |  |
| --- | --- | --- |
| 5 | (2) The Commission shall, before cancelling a certificate of provisional accreditation – | |
| (*a*) | to inform the Chief Executive Officer, the Principal |

Executive Officer or the Principal Administrative   
Officer as the case may be, of a Higher Educational

|  |  |
| --- | --- |
| 10 | Institution by written communication of its intention to cancel the certificate of provisional accreditation |

specifying the grounds for such cancellation;

(*b*) afford an opportunity to the persons referred to in   
 paragraph (*a*) to make written representations within

|  |  |
| --- | --- |
| 15 | thirty days from the date of such written communication to a committee appointed under |

subsection (3).

(3) The Minister shall appoint a committee comprising such members who are not members of the panel of quality

|  |  |
| --- | --- |
| 20 | auditors to consider the representations made under subsection (2). |

(4) The committee shall, after considering the written representations under subsection (2) make recommendations to the Commission –

|  |  |  |
| --- | --- | --- |
| 25 | (*a*) | to cancel the certificate of provisional accreditation |
| (*b*) | under subsection (1); or |
| to direct such institution or persons to take such |

remedial measures to obtain full accreditation   
within such period as may be specified.

|  |  |
| --- | --- |
| 30 | (5) The Commission shall give effect to the recommendations made by the Committee. |

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 *(Quality Assurance and Accreditation)*

(6) Where a Higher Educational Institution fails to obtain full accreditation within the period specified under paragraph (*b*) of subsection (4), the Commission shall take such steps to cancel the provisional accreditation of such institution.

|  |  |
| --- | --- |
| 5 | (7) Where a Higher Educational Institution ceases its activities under subsection (1), the Commission shall direct |

such institution to take such measures as the Commission may deem necessary to provide adequate opportunities to

|  |  |
| --- | --- |
| 10 | students to ensure the continuity of their studies or to appoint competent authority to safe guard the interests of the students. |

(8) Where a Higher Educational Institution has ceased its activities under subsection (1), the Commission shall publish a notice of such cancellation on its website and at least in

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | one each of Sinhala, Tamil and English daily newspapers | | Recognition of |
| circulating in Sri Lanka. | |
| **19.** | The Commission shall, for the purposes of this Act, |
| relevant |
| in the manner prescribed, recognize a professional or | |
| professional or |
| statutory or regulatory body established for the purpose of | |
| statutory or |
| 20 | regulating a profession or an occupation. | | regulatory |
| body. |
| **20.** | (1) The Commission shall cause to publish the names |
| Effect of the |
| of the institutions in respect of which the certificates of | | Certificate of |
| 25 | provisional or |
| provisional or full accreditation have been granted on its | |
| full |
| website or at least in one each of Sinhala, Tamil and English | |
| accreditation. |
| daily newspapers circulating in Sri Lanka. | |
| (2) The Certificate of accreditation shall be evidence of | |
| the fact that the institution or programme shall be an | |
| institution or a programme provisionally or fully accredited | |

by the Commission.

|  |  |  |  |
| --- | --- | --- | --- |
| 30 | **21.** | (1) The Commission shall cause to establish and | Register of the |
| maintain a register, in such form as may be prescribed for | | Accredited |
| Higher |
| the purpose of entering the details of accredited Higher | |
| Educational |
| Educational Institutions. | |
| Institutions. |

(2) The register referred to in subsection (1), shall be

|  |  |
| --- | --- |
| 30 | available for public inspection at such times upon payment of such fees as may be prescribed. |

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*(Quality Assurance and Accreditation)*

|  |  |  |
| --- | --- | --- |
| **22.** | Where an accredited Higher Educational Institution | Prior  approval for change of |
| intends to– | |

structure of

|  |  |  |
| --- | --- | --- |
| (*a*) | change its institutional structure by amalgamating | an Higher |
| Educational |
| with another institution; or | Institution |

ect.

|  |  |  |
| --- | --- | --- |
| 5 | (*b*) | change its programmes; or |
| (*c*) | effect change in any other area of operation, |

subject to section 15, it shall obtain the written approval of

the Commission prior to such proposed change.

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **23.** | (1) The Commission may, suspend or revoke the | Suspension |
| Certificate of full accreditation where a Higher Educational | | or revocation |
| of the |
| Institution– | | certificate of |
| full |
| (*a*) | being wound up or otherwise dissolved; or | accreditation. |
| (*b*) | violates any term or condition of the certificate of |

full accreditation or any regulation made under this

|  |  |  |
| --- | --- | --- |
| 15 | (*c*) | Act; or |
| upon an order made under section 49 (2); or |
| (*d*) | has provided false information to the Commission |

for the purpose of obtaining accreditation; or

|  |  |  |
| --- | --- | --- |
| 20 | (*e*) | has ceased to exist. |
| (2) | The Commission shall, before such suspension or |

revocation-

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 *(Quality Assurance and Accreditation)*

(*a*) inform the Chief Executive Officer, the Principal   
 Executive Officer or the Principal Administrative   
 Officer as the case may be, of a Higher Educational

|  |  |
| --- | --- |
| 5 | Institution by notice of its intention to suspend or revoke the certificate of full accreditation specifying |

the grounds for such suspension or revocation;

(*b*) afford an opportunity to the persons referred to in   
 paragraph (*a*) to make written representations within   
 thirty days from the date of such written

|  |  |  |
| --- | --- | --- |
| 10 | (3) | communication to the Commission. |
| Where a Higher Educational Institution makes |

representations within the specified period referred to in subsection (2), the Commission may, after considering the

|  |  |  |
| --- | --- | --- |
| 15 | reasons provided and hearing the Higher Educational Institution may either – | |
| (*a*) | withdraw the notice of suspension or revocation of |

the full accreditation; or

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | suspend or revoke the full accreditation. |
| (4) | In the event of suspension or revocation of full |
| accreditation, the Higher Educational Institution concerned shall be notified forthwith of such suspension or such | |

revocation and such suspension or such revocation shall take effect from the date of such notification.

(5) Where a certificate of full accreditation is suspended 25 or revoked, the Commission shall publish a notice of such suspension or revocation on its website or at least in one each of Sinhala, Tamil and English daily newspapers circulating in Sri Lanka.

|  |  |  |
| --- | --- | --- |
| 30 | (6) | Where a certificate of full accreditation is suspended |
| or revoked, the Commission shall require such institution to | |

take such measures to provide adequate opportunities to students to continue their studies or to appoint a competent authority to safeguard the interests of the students.

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*(Quality Assurance and Accreditation)*

|  |  |  |
| --- | --- | --- |
| **24.** | (1) If any Higher Educational Institution without | Pretending to be an  accredited  Higher |
| obtaining accreditation in accordance with the provisions of this Act or any regulation made thereunder - | |

Educational

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | (*a*) | advertises in any manner misleading the general | Institution |
| under the Act |
| (*b*) | public as to the fact that such institution or its | to be an |
| programmes are accredited by the Commission; or | offence. |
| offers or conducts any course of study, programme |

or qualification and admits students to courses of   
study, programmes or qualifications pretending to

|  |  |  |
| --- | --- | --- |
| 10 | (*c*) | be an accredited institution; or |
| confers any degree or award any diploma, certificate |

or other academic distinction; or

(*d*) uses the logo of the Commission in an improper   
 manner,

15 such Higher Educational Institution commits an offence under this Act.

(2) No institution other than a Higher Educational Institution accredited under this Act shall, confer any degree or award any diploma, certificate or other academic 20 distinction to any person.

(3) Where an offence under subsection (1) or (2), is committed by a Higher Educational Institution the Chief Executive Officer, the Principal Executive Officer or the Chief Administrative Officer as the case may be, shall be 25 liable on conviction after trial by a Magistrate to a fine not exceeding one hundred thousand rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

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 *(Quality Assurance and Accreditation)*

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **25.** | (1) The Commission shall appoint such number of | Appointment |
| quality audit panels and standing committees consisting of | | of quality |
| audit panels, |
| persons possessing specialized qualifications including | |
| standing |
| qualifications in quality assurance, for the purpose of | | committees, |
| assisting the Commission in carrying out institutional and | | etc. |
| programme audits and external quality assurance reviews | |

based on the criteria prescribed by regulations.

(2) In every standing committee the Chairman of the Commission shall be a full time member.

|  |  |  |
| --- | --- | --- |
| 10 | (3) | The members of the quality audit panels appointed |
| under subsection (1) may be paid out of the Fund of the | |

Commission and such allowance as the Commission may determine with the concurrence of the Minister to whom the subject of finance is assigned.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **26.** | (1) The Commission may from time to time appoint | Appointment |
| 20 | experts or such number of committees as it considers | | of Experts or |
| Committees |
| appropriate, for any purpose which in the opinion of the | |
| by the |
| Commission, could be more expeditiously carried out or | |
| Commission. |
| managed by means of the appointment of any such expert or | |
| committee. | |
| (2) | The Commission shall define and specify the terms |

of reference of each such person or committee appointed under subsection (1), and where necessary may dismiss any person or dissolve any committee so appointed.

|  |  |  |
| --- | --- | --- |
| 25 | (3) | Subject to the provisions of this Act, each committee |

appointed under subsection (1) of this section may regulate its procedure in regard to its meetings and the transaction of business at such meetings.

|  |  |  |
| --- | --- | --- |
| 30 | (4) | The members of any committee appointed under |
| subsection (1), may be paid out of the Fund of the | |

Commission and such allowance as the Commission may determine with the concurrence of the Minister to whom the subject of Finance is assigned.

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*(Quality Assurance and Accreditation)*

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **27.** | (1) The Commission shall establish such number of | Establishment |
| divisions including two functional divisions namely- | | of divisions |
| of the |
| (*a*) | Sri Lanka Qualifications Framework Division; and | Commission. |
| (*b*) | Sri Lanka Quality Assurance and Accreditation |
| Division. | |
| (2) | Each division shall consist of such number of |

persons appointed by the Commission.

(3) The Commission may from time to time request in writing, the divisions referred to in subsection (1), to give its 10 technical advice on any matter specified in the request within such time as shall be stated therein, and it shall be the duty of such division, to give its advice on such matter within the time specified.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 15 | **28.** | The Functions of the Sri Lanka Qualifications | | Functions of |
| Framework Division shall be to - | | | the Sri Lanka |
| Qualifications |
| (*a*) | | update the Sri Lanka Qualifications Framework and | Framework |
| Division. |

to make necessary recommendations to the   
Commission in regard to its implementation;

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | evaluate and recommend to the Commission, the |
| foreign degrees, diplomas and other academic |

distinctions and the relevant Sri Lanka   
Qualifications Framework (SLQF) levels for   
recognition;

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | (*c*) | recommend to the Commission the formulation of | |
| rules with respect to – | |
| (i) | levels and nomenclature of qualifications |

required and of the awards granted by Higher   
Educational Institutions; and

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(ii) qualification descriptors and level descriptors   
 as per the Sri Lanka Qualifications Framework   
 (SLQF).

|  |  |  |
| --- | --- | --- |
| 5 | (*d*) | make such recommendations to the Commission to |
| facilitate mobility and progression within the |

Higher Educational Sector and Tertiary and   
Vocational Education Sector and recommend career   
pathways;

|  |  |  |
| --- | --- | --- |
| 10 | (*e*) | make recommendations to the Commission based |
| (*f*) | on comparison of qualifications offered by different |
| Higher Educational Institutions; |
| determine in consultation with relevant professional |

or statutory or regulatory body where necessary   
the minimum academic standards to be maintained

|  |  |
| --- | --- |
| 15 | by Higher Educational Institutions, including standards relating to teachers and other academic |

staff members employed by such institutions,   
programmes and courses of study offered,   
examinations, equipment and other facilities to be

|  |  |  |
| --- | --- | --- |
| 20 | (*g*) | made available to students at such institutions; |
| determine the nature of training provided in |

programmes and courses of study conducted by the   
Higher Educational Institutions for the purpose of   
granting degrees, diplomas and other academic

|  |  |  |
| --- | --- | --- |
| 25 | (*h*) | distinctions; |
| determine the format and language of transcripts of |

the awards granted by the Higher Educational   
Institutions; and

|  |  |  |
| --- | --- | --- |
| 30 | (*i*) | share every relevant information with Quality |
| Assurance and Accreditation Division to facilitate |

the function of that division.

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*(Quality Assurance and Accreditation)*

|  |  |  |
| --- | --- | --- |
| **29.** | The functions of the Quality Assurance and | Functions of the Quality  Assurance |
| Accreditation division shall be to - | |

and

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | (*a*) | recommend to the Commission on the formulation | Accreditation |
| division. |
| of rules with respect to the minimum academic |
| standards in consultation with the professional or |

statutory or regulatory body where necessary, to be maintained by Higher Educational Institutions, including standards relating to the programmes and courses of study offered, quality of education 10 provided and examinations conducted by Higher Educational Institutions for the purpose of awarding of degrees, diplomas and other academic distinctions;

|  |  |  |
| --- | --- | --- |
| 15 | (*b*) | assess and recommend to the Commission, criteria |
| and standards relating to the quality of staff, |

equipment, teaching resources and other facilities   
required to be provided by any Higher Educational   
Institution;

|  |  |  |
| --- | --- | --- |
| 20 | (*c*) | evaluate from time to time through an external peer |
| review process the quality and grade of all Higher |

Educational Institutions and report on the same to   
the Commission;

(*d*) make recommendations to the Commission on criteria and standards required to be taken by a 25 Higher Educational Institution that has not reached the required standard for the purpose of accreditation;

(*e*) share every relevant information with the   
 Qualification Framework division.

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 *(Quality Assurance and Accreditation)*

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **30.** | (1) The Head of the Quality Assurance and | Appointment |
| of Panel of |
| Accreditation division shall with the prior approval of the | |
| Quality |
| Commission – | | Auditors. |
| (*a*) | appoint persons possessing prescribed |
| qualifications as Auditors from panel of Quality | |

Auditors for the purpose of carrying out the   
functions of external quality audits including the   
audits of the Sri Lanka Qualifications Framework   
(SLQF), after such training as the Commission may

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | deem appropriate, under this Act; and |
| determine the procedures necessary for the |

functioning of any particular assignment assigned   
to Quality Auditors referred to in paragraph (*a*).

(2) For the purpose of carrying out the function of 15 external quality audits relating to programmes, one third of the Quality Auditors required to carry out such audit shall be nominated by the relevant professional or statutory or regulatory body.

(3) Every person appointed as an auditor shall be issued 20 with a letter of appointment by the Head of the Quality Assurance division.

(4) A person who has been appointed as a Quality Auditor under this section may be paid out of the Fund of the Commission, and such remuneration or allowances in 25 respect of any assignments carried out by him or her, at such rates as may be determined by the Quality Assurance Division with the concurrence of the Commission.

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*(Quality Assurance and Accreditation)*

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| --- | --- | --- | --- |
| 5 | **31.** | (1) A panel of Quality Auditors authorized in | Power of |
| writing by the Commission, after giving not less than two | | Quality |
| Auditors |
| weeks notice in writing, shall enter a Higher Educational | |
| authorized |
| Institution and makes such examination, investigation or | | by the |
| inquiry for the purpose of conducting an audit to ascertain - | | Commission |
| to enter |
| (*a*) | whether the programmes and courses of study | Higher |
| Educational |
| provided by such Higher Educational Institution | | Institutions. |

leading to the grant or conferment of a relevant   
qualification conform to the prescribed minimum

|  |  |  |
| --- | --- | --- |
| 10 | (*b*) | standards; |
| whether the degree of proficiency required at |

examinations held by a Higher Educational   
Institution for the purpose of granting or conferring   
any such qualifications are of the required standard;

|  |  |  |
| --- | --- | --- |
| 15 | (*c*) | whether the institution, staff, equipment, |

infrastructure and other facilities provided by a   
Higher Educational Institution for such programmes   
conform to the prescribed minimum standards; and

|  |  |  |
| --- | --- | --- |
| 20 | (*d*) | whether the governance, management and financial |
| viability of the Higher Educational Institution are |

conducive to operate, such Institution.

(2) Notwithstanding the provisions of subsection (1), a Higher Educational Institution shall provide the relevant panel of quality auditors with a self evaluating report prior 25 to the visit of the panel of quality auditors to such institution.

(3) Where the panel of Quality Auditors authorized by the Commission under subsection (1) makes any such examination, investigation or inquiry for the purpose of conducting an audit under that subsection, the panel shall 30 make a report of its findings and any recommendations if any to the Commission.

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 *(Quality Assurance and Accreditation)*

(4) Every panel of the Quality Auditors authorized by the Commission under subsection (1), shall exercise the powers conferred on such panel of Quality Auditors by that subsection.

|  |  |  |
| --- | --- | --- |
| 5 | (5) | No person shall obstruct or resist any Quality |
| Auditor of the panel in the exercise of any powers conferred | |

on the Quality Auditor under subsections (1) and (2).

PART III

STAFFOFTHE COMMISSION

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **32.** | (1) The Commission shall appoint such officers and | Staff of the |
| employees to the staff of the Commission as it considers | | Commission. |

necessary for the efficient discharge of the functions of the Commission.

|  |  |  |
| --- | --- | --- |
| 15 | (2) | The Commission shall appoint a person who has |
| high level of management and working experience and | |

experience in the field of Quality Assurance and the Sri Lanka Qualification Framework (SLQF) as the Secretary to the Commission.

(3) The Secretary referred to in subsection (2), shall be 20 a full time officer and shall be responsible for the custody of the records and the property of the Commission, and shall also be the Assistant Accounting Officer.

(4) Subject to the provisions of subsection (1), the Commission shall appoint a financial controller who shall 25 be a full time officer.

(5) The financial controller shall, subject to the direction and control of the Secretary, be responsible for the administration of the finance of the Commission, and maintain its accounts in such form and manner as may be 30 prescribed by regulations and shall have the custody of the funds of the Commission.

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|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **33.** | (1) At the request of the Commission any officer in | Appointment |
| of public |
| public service may, with the consent of that officer and the | |
| officers to |
| public service Commission is assigned be temporarily | | the |
| Commission |
| appointed to the staff of the Commission for such period as | |
| may be determined by the Commission or with the like | |

consent be permanently appointed to such staff.

(2) Where any officer in the public service is temporarily appointed to the staff of the Commission, the provisions of subsection (2) of section 14 of the National 10 Transport Commission Act, No. 37 of 1991, shall *mutatis*  *mutandis,* apply to and in relation to him.

(3) Where any officer in the public service is permanently appointed to the staff of the Commission, the provisions of subsection (3) of section 14 of the National 15 Transport Commission Act, No. 37 of 1991, shall *mutatis*  *mutandis,* apply to and in relation to him.

(4) Where the Commission employs a person who has agreed to serve the Commission for a specified period under an agreement, any period of service to the Commission by 20 that person shall be regarded as service to the Government for the purpose of discharging the obligations under such agreement.

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | **34.** | The Chairman and other members of the | Remuneration |
| Commission shall be paid such remuneration and allowances | | of members |
| of the |
| out of the Fund of the Commission at such rates as the | | Commission. |

Minister may determine with the concurrence of the Minister to whom the subject of Finance is assigned.

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 *(Quality Assurance and Accreditation)*

|  |  |  |
| --- | --- | --- |
| **35.** | (1) The seal of the Commission – | Seal of the |
| Commission. |
| (*a*) | shall be in the custody of the Secretary; |
| (*b*) | may be altered in such manner as may be determined |

by the Commission; and

|  |  |  |
| --- | --- | --- |
| 5 | (*c*) | shall not be affixed to any instrument or document |

except in the presence of the Secretary and any   
member of the Commission, both of whom shall   
sign instrument or document in token of their   
presence.

|  |  |  |
| --- | --- | --- |
| 10 | (2) | The Commission shall maintain a register of the |

instruments or documents to which the seal of the Commission is affixed.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **36.** | The provisions of the Establishment Code and any | Disciplinary |
| control of the |
| circulars issued by the Government relating to disciplinary | |
| staff of the |
| matters and regulations made under this Act, shall apply to | |
| Commission. |

and in relation to disciplinary control of the staff of the Commission, to the extent as is necessary.

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | **37.** | (1) The Commission may subject to such conditions | Delegation of |
| as may be specified in writing, delegate to the Chairman or | | Power |
| any member or to any other officer of the Commission any | |

of its powers, functions or duties under this Act, and the Chairman or such other member or the officer shall exercise, perform or discharge such power, function or duty subject to any special or general directions issued by the Commission.

|  |  |  |
| --- | --- | --- |
| 25 | (2) | Notwithstanding any delegation made under |

subsection (1), the Commission may exercise, perform or discharge any such power, function or duty so delegated.

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PART IV

FINANCIAL PROVISION

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 5 | **38.** | (1) The Commission shall have its own Fund. | | Fund of the |
| (2) | There shall be paid into the Fund of the | | Commission. |
| Commission- | | |
| (*a*) | all such sums of money as may be voted from time | |
| to time by Parliament for the use of the Commission; | | |
| 10 |
| (*b*) | all such sums as may be received by the | |
| Commission by way of donations, gifts or grants | | |
| from any source whatsoever; | | |
| 15 | (*c*) | all such sums as may be received by the | |
| Commission as fees charged for: | | |
| (i) | | the Accreditation and Quality Assurance of |
| Higher Educational Institutions; | | |
| (ii) | | the issue and renewal of certificates of |
| accreditation to Higher Educational | | |
| Institutions; and | | |
| (iii) | | any other service rendered by the |
| 20 |
| Commission under this Act; | | |
| (3) | There shall be paid out of the Fund of the | |
| 25 | Commission - | | |
| (*a*) | all sums of money required to defray all 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; | | |

and

(*b*) any other expense which is authorized or required   
 to be paid out of the Fund by or under this part of   
 this Act.

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 *(Quality Assurance and Accreditation)*

|  |  |  |
| --- | --- | --- |
| **39.** | (1) The financial year of the Commission shall be | Financial  year and  Audit of  Accounts. |
| the calendar year. | |
| (2) | The Commission shall cause proper books of |

accounts to be kept of the income and expenditure, assets

5 and liabilities and all other transactions of the Commission and shall be kept at the office of the Commission.

(3) The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to and in relation to the audit of the accounts of 10 the Commission.

(4) The provisions of part II of the Finance Act, No. 38 of 1971, shall *mutatis mutandis*, apply to and in respect of the financial control and accounts of the Commission.

(5) The Commission shall have its accounts audited 15 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.

(6) For the purpose of meeting the expenditure incurred 20 by him in auditing the accounts of the Commission, the Auditor-General shall be paid from the Fund of the Commission such remuneration as the Minister may, with the concurrence of the Minister to whom the subject of Finance is assigned determined. Any remuneration received 25 from the Commission by the Auditor-General shall, after deducting any sums paid by him to any qualified auditor employed by him for the purpose of such audit, be credited to the Consolidated Fund.

(7) For the purpose of this section, the expression 30 “qualified auditor”means –

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|  |  |  |
| --- | --- | --- |
| 5  10  15  20  25  30  35 | (*a*) | an individual who, being a member of the Institute |
| of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Commission of such Institute; or | |
| (*b*) | a firm of Accountants each of the resident partners of which being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Commission of such Institute. |
| (8) The Auditor-General shall examine the accounts of  the Commission 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 that Commission; 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 that Commission. |
| (9) The Auditor-General shall transmit his report to the Commission.  (10) The Auditor-General’s report referred to in subsection (9), shall be considered by the Commission and the Commission shall, within three months of the transmission of such report to the Commission, inform the Auditor-General of the steps taken or proposed to be taken with regard to the matters pointed out in such report.  (11) The statement of accounts to which the report relates, transmit to the Minister who shall cause copies thereof to be tabled in Parliament, before the end of the year next succeeding the year to which such accounts and report relate, and the Chairman of the Commission shall attend and answer any questions arising there from before the Public Accounts  Committee of Parliament. | |

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*(Quality Assurance and Accreditation)*

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | **40.** | The Commission shall cause to prepare a budget in | Annual |
| respect of each financial year which shall be approved by | | budget of the |
| the Commission not later than three months prior to the | | Commission. |
| commencement of the financial year to which the budget | |
| relates. | |
| 10 | **41.** | The Commission may with the consent of the | Power to |
| Minister given in concurrence with the Minister to whom | | borrow. |
| the subject of finance is assigned borrow temporarily by | |
| way of overdraft or otherwise, such sums of money as the | |
| Commission may require for defraying any expenditure | |
| incurred by it in the exercise, performance and discharge of | | Investment |
| its powers, duties and functions under this Act: | |
| 15 | Provided that, the aggregate of the amounts outstanding | |
| in respect of any loans raised by the Commission under this | |
| section, shall not exceed such sum as may be determined by | |
| the Minister in consultation with the Minister to whom the | |
| subject of Finance is assigned. | |
| **42.** | The Commission may invest its money in such |
| 20 | of money of |
| manner as the Commission may determine or use any | |
| the |
| immovable property that is in its possession as collateral for | |
| Commission. |
| 25 | the purpose of satisfying any liabilities incurred by it, in | |
| accordance with such directions that may be issued by the | |
| Minister to whom the subject of Finance is assigned for that | |
| purpose. | |
| PART V | |

GENERAL

|  |  |  |  |
| --- | --- | --- | --- |
| 30 | **43.** | (1) No liability, whether civil or criminal, shall | Protection of |
| attach to any member or officer of the Commission or to any | | members and |
| officer authorized by such member or officer, for anything | | officers of |
| the |
| which in good faith is done in the performance or exercise of | |
| Commission |
| 35 | any function or power imposed or assigned to the | |
| from suit or |
| Commission under this Act. | |
| prosecution. |
| (2) | Any expense incurred by the Commission in any |
| suit or prosecution brought by or against the Commission | |
| before any court shall be paid out of the Fund of the | |
| Commission, and any costs paid to, or recovered by, the | |
| Commission in any such suit or prosecution shall be credited | |
| to that Fund. | |

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(3) Any expense incurred by any such person as is referred to in subsection (2), in any suit or prosecution brought against him before any court in respect of any act which is done or purported to be done by him under this Act or any 5 appropriate instrument, or on the direction of the Commission, shall, if the court holds that the act was done in good faith, be paid out of the fund of the Commission, unless such expense is recovered by him in such suit or prosecution.

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| --- | --- | --- | --- |
| 10 | **44.** | (1) The Commission shall establish an information | Establishment |
| center for the purpose of – | | of an |
| (*a*) | providing information relating to accreditation and | information |
| center. |

quality assurance including the provision of a list   
of recognized or accredited Higher Educational

|  |  |
| --- | --- |
| 15 | Institutions public, private, local and foreign, within and outside Sri Lanka by the Commission, different |

types of qualifications and the requirements for   
gaining access to each type of institution and   
programme;

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | offering advice to students on issues relating to |
| access into higher educational institutions and |

programmes.

(2) The Commission shall ensure the provision of relevant, accurate, and updated information in order to 25 facilitate the recognition of qualifications concerning higher education.

(3) For the purpose of this section the Commission shall make available the register referred to in subsection (2) of section 21 for public information.

|  |  |  |  |
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| 30 | **45.** | (1) The Commission shall have the exclusive right | Symbol, |
| to the use of such symbol, design or representation as the | | design or |
| representation |
| Commission may select or devise and thereafter display or | |
| of the |
| exhibit any symbol, design or representation so selected or | |
| Commission. |
| devised. | |

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(2) Any person who, without prior written approval of the Commission use a symbol, design or representation selected or devised by the Commission under subsection (1) or use any symbol, design or representation which is identical

|  |  |
| --- | --- |
| 5 | with any symbol, design or representation selected or devised by the Commission or which so resembles any such symbol, |

design or representation so as to deceive or cause confusion or which is likely to deceive or to cause confusion, shall be guilty of an offence under this Act and shall be liable on

|  |  |
| --- | --- |
| 10 | conviction after trial by a Magistrate to a fine not exceeding two hundred thousand rupees or to imprisonment for a term |

not exceeding twelve months or to both such fine and imprisonment.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **46.** | All members of the Commission, officers and | All members |
| employees shall be deemed to be public servants within the | | of the |
| Commission |
| meaning and for the purposes of Penal Code (Chapter 19). | |
| deemed to be |
| 20 | **47.** | The Commission shall be deemed to be a scheduled | public |
| servants for |
| the purposes |
| of Penal |
| Code. |
| Commission |
| institution within the meaning of the Bribery Act, | | deemed to be |
| a scheduled |
| (Chapter 26) and the provisions of the Act shall be construed | |
| institution |
| accordingly. | | for purposes |
| of Bribery |

Act .

|  |  |  |
| --- | --- | --- |
| **48.** | The Minister may from time to time, convey | Directions of Cabinet of  Ministers. |
| relevant directions taken by the Cabinet of Ministers in connection with the exercise, performance and discharge of | |

its powers, duties and functions under this Act or under any

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | other written law and it shall be the duty of the Commission | | General |
| to give effect to such directions. | |
| **49.** | (1) Any person who contravenes any provision of |
| this Act or any rule or regulation made thereunder, or any | | Penalty. |

requirement imposed under any provision of this Act or any 30 decision, direction, order or determination of the Commission, shall be guilty of an offence under this Act and shall, except as otherwise expressly provided in this

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Act, be liable, on conviction after summary trial by a Magistrate to a fine not less than two hundred thousand rupees or to imprisonment for a term not less than two years or to both such fine and imprisonment.

|  |  |  |
| --- | --- | --- |
| 5 | (2) | Upon conviction of any person for an offence under |

this Act, a Magistrate may, in addition to or in lieu of imposing any punishment prescribed for the offence, make an Order directing to revoke the status granted under Part II prior to a date specified in the Order.

|  |  |  |
| --- | --- | --- |
| 10 | (3) | Notwithstanding anything contrary to the |

provisions contained in subsection (1), no prosecution for an offence under this Act, shall be instituted except with the written sanction of the Commission.

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| --- | --- | --- | --- |
| 15 | **50.** | Where an offence under this Act or any rule or | Offences |
| regulation made thereunder is committed by a body of | | committed |
| persons, then if that body of persons is:- | | by a body |
| corporate or |
| (*a*) | a body corporate, every director and officer of such | a partnership. |

body corporate including the Chief Executive Officer, the Principal Executive Officer or the Chief 20 Administrative Officer as the case may be of that body corporate; or

(*b*) is a partnership, every partner of such partnership,

shall be guilty of that offence:

Provided that, a director or an officer or Chief Executive 25 Officer, the Principal Executive Officer or the Chief Administrative Officer of a body corporate or a partner of a partnership, as the case may be, shall not be deemed to be guilty of such offence, if he proves to the satisfaction of the court that such offence was committed without his 30   
 knowledge or that he exercised all due diligence as was necessary, to prevent the commission of such offence.

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 *(Quality Assurance and Accreditation)*

|  |  |  |
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| **51.** | The Commission may make rules in respect of– | Rules. |
| (*a*) | the appointment, employment and dismissal of |

various officers to the Quality Audit Panels and   
their powers, functions and conduct and the

|  |  |  |
| --- | --- | --- |
| 5 | (*b*) | payment of remuneration; |
| the procedure to be observed at the summoning |

and holding of meetings, Annual General Meeting   
and extra ordinary meetings of the Commission;

|  |  |  |
| --- | --- | --- |
| 10 | (*c*) | the management of the affairs of the Commission; |
| (*d*) | the use of government logo and symbol of the |
| Commission by an accredited Higher Educational |

Institutions;

(*e*) all matters in respect of which, rules are required or   
 authorized to be made under this Act.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **52.** | (1) The Minister may make regulations with the | Regulations. |

concurrence of the Commission in respect of any matter required by this Act, to be prescribed or in respect of which regulations are authorized by this Act to be made.

(2) In particular and without prejudice to the generality 20 of the powers conferred by subsection (1), the Minister with the concurrence of the Commission may make regulations in respect of all or any of the following matters -

(*a*) determination of the Sri Lanka Qualification   
 Framework (SLQF);

|  |  |  |
| --- | --- | --- |
| 25 | (*b*) | the assessment and evaluation of the quality and |
| standards including minimum standards of |

education issued by a professional or statutory or   
regulatory body, and academic standards of   
education of Higher Educational Institutions or

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programmes for the purpose of granting provisional   
or full accreditation to such institutions or   
programmes;

|  |  |  |
| --- | --- | --- |
| 5 | (*c*) | evaluate foreign degrees, diplomas and other academic |
| (*d*) | distinctions for the purpose of recognition of such |
| degrees,diplomas and other academic distinctions; |
| the form, manner, criteria, time periods and other |

guidelines for the purpose of applying for or   
granting of provisional or full accreditation;

|  |  |  |
| --- | --- | --- |
| 10 | (*e*) | applications for accreditation, certificates and other |
| (*f*) | documents required to be prescribed under this Act; |
| fees and charges levied for any service under this |

Act;

|  |  |  |
| --- | --- | --- |
| 15 | (*g*) | the form, manner and criteria for the grant of initial |
| (*h*) | clearance; and |
| the manner and the mode of recognizing the |

professional, statutory or regulatory body.

(3) Every regulation made under subsection (1), shall be published in the *Gazette* and shall come into operation 20 on the date of such publication or on such later date as may be specified in such regulation.

(4) Every regulation made under subsection (1), shall within three months after its publication in the *Gazette* be brought before Parliament for approval and any regulation 25 which is not so approved shall be deemed to be rescinded with effect from the date of such disapproval, but without prejudice to anything previously done thereunder.

(5) Any regulation made by the Minister with concurrence of the Commission may at any time, be 30 amended, added to, varied or rescinded by a like regulation.

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|  |  |  |
| --- | --- | --- |
| **53.** | Every person appointed under the authority of this | Official  Secrecy. |
| Act shall, before entering upon his duties, sign a declaration | |

pledging himself to observe strict secrecy in respect of any information, which may come to his knowledge in the

|  |  |
| --- | --- |
| 5 | exercise, performance and discharge of his powers, duties and functions under this Act, shall by such declaration |

pledge himself not to disclose any such information, except-

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | (*a*) | when required to do so by a Court of law; or | Removal of |
| (*b*) | in order to comply with any of the provisions of |
| this Act or any other written law. | |
| **54.** | (1) If any difficulty arises in giving effect to the |
| provisions of this Act or the rules, regulations, or Orders | | difficulties. |

made under this Act, the Minister may by Order published in the *Gazette*, make such provision not inconsistent with 15 the provisions of this Act, or any other written law, as appears to the Minister to be necessary or expedient for removing the difficulty for a period of one year from the date of coming into operation of such Order.

(2) Every Order made under this section shall, as soon 20 as practicable after it is made, be laid before Parliament.

PART VI

TRANSITIONAL PROVISIONS

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | **55.** | (1) Notwithstanding anything to the contrary to | Special |
| any other provision of this Act - | | provisions |
| pending the |
| (*a*) | the rules made under section 137 of the Universities | establishment |
| of a |
| Act, No. 16 of 1978 published in the *Gazette* | |
| Qualifications |
| 30 | Extraordinary No.1824/21 dated August 22, 2013 | | Framework |
| shall continue to be in operation for a period of six | | Division and |
| Quality |
| months from the date of commencement of this Act; | |
| Assurance |
| and |
| (*b*) | the Sri Lanka Qualifications Framework (SLQF) | Accreditation |
| published by the Ministry of the Minister assigned | | Commission. |

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the subject of Higher Education on the day   
immediately before the date of coming into   
operation of this Act, so far as it is not inconsistent   
with this Act, shall continue to be in force unless it

|  |  |  |
| --- | --- | --- |
| 5 | (*c*) | is amended under this Act; |
| (i) The University Grants Commission established |

under the Universities Act, No. 16 of 1978 shall be responsible for the Quality Assurance and Accreditation of the Higher Educational 10 Institutions established or deemed to be established under the Universities Act, No. 16 of 1978 and Institutions recognized under section 25 of the Universities Act, No. 16 of 1978 for a period of six months from the date 15 of establishment of the Commission under section 2 of this Act; and

(ii) After the lapse of the period referred to in paragraph (*c*) (i), notwithstanding the provisions in the Universities Act, No. 16 of 20 1978 relating to Quality Assurance and Accreditation functions the Commission shall discharge the functions in relation to Quality Assurance and Accreditation pertaining to Higher Educational Institutions established or

|  |  |
| --- | --- |
| 25 | deemed to be established under the Universities Act, No. 16 of 1978 and Institutions recognized |

under section 25 of the Universities Act, No. 16   
of 1978;

|  |  |  |
| --- | --- | --- |
| 30 | (*d*) | (i) The Minister in terms of the provisions of |
| section 25A read with section 70C (1) and (2) |

of the Universities Act, No. 16 of 1978 may   
recognize any Institution as a Degree Awarding   
Institution for a period of six months from the   
date of establishment of the Commission under

35 section 2 of this Act; and

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(ii) After the lapse of the period referred to in   
paragraph (*d*) (i) notwithstanding the   
provisions in section 25A read with section   
70C (1) and (2) of the Universities Act, No. 16

|  |  |
| --- | --- |
| 5 | of 1978 the Commission shall discharge the functions in relation to Quality Assurance and |

Accreditation pertaining to such Degree   
Awarding Institutions.

|  |  |  |
| --- | --- | --- |
| 10 | (*e*) | (i) The Specified Authority appointed under |
| section 70B read with section 70D of the |
| Universities Act, No. 16 of 1978 shall be |

responsible for the Quality Assurance and   
Accreditation of the Degree Awarding   
Institutions for a period of six months from the

|  |  |
| --- | --- |
| 15 | date of establishment of the Commission under section 2 of this Act; and |

(ii) After the lapse of the of the period referred to in paragraph (*e*) (i), notwithstanding the provisions under section 70B read with section 20 70D of the Universities Act, No. 16 of 1978, the Commission shall discharge the functions in relation to Quality Assurance and Accreditation pertaining to such Degree Awarding Institutions.

|  |  |  |
| --- | --- | --- |
| 25 | (*f*) | any activity carried out by the specified Authority |

other than the activities carried out under paragraph (*c*)(i) and which was not completed on the day immediately before the date of coming into operation of this Act, shall be completed by the 30 Commission unless it is not inconsistent with the provisions of this Act;

(*g*) all liabilities of the specified Authority existing on the day immediately before the date of coming into operation of this Act, shall be deemed to be the 35 liabilities of the Commission.

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(2) For the purposes of paragraphs (*c*)(i) , (*d*)(i) and (*e*)(i) of subsection (1), the Minister may by order published in the *Gazette* extend the period of six months to a further period as may be specified in that order in connection with 5 the preliminary or infrastructure arrangements for the functioning of the Commission:

Provided however, such extension shall not exceed more than one year.

|  |  |  |  |
| --- | --- | --- | --- |
| 10 | **56.** | In this Act – | Interpretation. |
| “Minister” means the Minister to whom the |
| subject of Higher Education is assigned. |

“Accreditation” means the granting of official   
recognition to a Higher Educational   
Institution or for a specific academic

|  |  |
| --- | --- |
| 15 | programme conducted by such Institution, leading to the award of certificate, diploma, |

degree or any other qualification, certifying   
that institution or programme meet required   
expected standard and quality;

20 “Higher Education” means any academic study course or other studies beyond the upper- secondary level provided in conventional, open and distance learning modes or blended modes of learning, leading to the

|  |  |
| --- | --- |
| 25 | award of any certificate, diploma, degree, any other higher qualification or an |

equivalent thereof;

“Higher Educational Institution” means an entity   
defined under the definition of expression

|  |  |
| --- | --- |
| 30 | “Higher Educational Institution” in section 147 of the Universities Act, No. 16 of 1978, |

or Higher Educational Institutes, Centre for   
Higher Learning established under section   
24A of the Universities Act, No. 16 of 1978,

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|  |  |
| --- | --- |
| 5  10  15 | Institute or College recognized as an Institute or Centre for Higher Learning under section 24B of the Universities Act No. 16 of 1978, Institutes recognized under section 25 of the Universities Act, No. 16 of 1978, Institute recognized as Degree Awarding Institutes under section 25A providing Higher Education, Institutions providing Higher Education established under any Act of Parliament, any other local or foreign Institution providing Higher Education under any written law whether affiliated with a foreign University or Foreign Higher Educational Institutions leading to the award of certificate, diploma, degree or any other qualification; |

“President” means the President of the Democratic

Socialist Republic of Sri Lanka;

|  |  |
| --- | --- |
| 20  25  30  35 | “certificate of initial clearance” means the certificate issued by the Commission to a Higher Educational Institution prior to establishment of physical infrastructure to commence its operations;  “prescribed” means prescribed by regulations made under this Act;  “professional or statutory or regulatory body”means a body of expert practitioners established under any written law for the purpose of determining standards relating to quality assurance and accreditation in any such profession;  “Programme” means a stand alone approved local or foreign curriculum which leads to the award of qualifications in Sri Lanka Qualifications Framework level 3 and above including professional programme and |

course of study;

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“professional programme” includes an   
educational programme designed to prepare   
the student for a specific profession or   
professional qualification;

|  |  |
| --- | --- |
| 5 | “relevant professional or statutory or regulatory body” means the professional or statutory |

or regulatory body local or foreign   
recognized by the Commission under   
section 19 of this Act;

10 “Sri Lanka Qualifications Framework” means the National Framework as provided by this Act or any regulation made under this Act;

“Specified authority” means any authority appointed under section 70B of the 15 Universities Act, No. 16 of 1978;

“University Grants Commission” means the   
University Grants Commission established   
under the Universities Act, No. 16 of 1978.

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| 20 | **57.** | In the event of any inconsistency between the | Sinhala text |
| Sinhala and Tamil texts of this Act, the Sinhala text shall | | to prevail in |
| case of |
| prevail. | |
| inconsistency |

|  |  |
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| 50 | *Higher Education* |

*(Quality Assurance and Accreditation)*

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