

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

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

**A**

**BILL**

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

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

(Published in the Gazette on October 28, 2021)

*Ordered by Parliament to be printed*

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**[Bill No. 85]**

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*STATEMENT OF LEGAL EFFECT*

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

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

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

(*b*) “Mahapola Higher Education Scholarship Trust Fund” with the words “Lalith Athulathmudali Mahapola Higher Education Scholarship Trust Fund”.

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

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

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

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| *Mahapola Higher Education Scholarship Trust Fund* | 1 |

*(Amendment)*

L.D.—O 5/2020

AN ACTTO AMENDTHE MAHAPOLA HIGHER EDUCATION SCHOLARSHIP TRUST FUND ACT, NO. 66 OF 1981

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

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| **1.** | This Act may be cited as the Mahapola Higher Education | Short title |

Scholarship Trust Fund (Amendment) Act, No. 2021.

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

EDUCATION SCHOLARSHIP TRUST FUND”.

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **3.** | (1) In the principal enactment and in any other written | General |
| law, there shall be substituted – | | amendment |
| to the |
| (*a*) | for the words “Mahapola Higher Education | principal |
| enactment |
| Scholarship Trust Fund Act”, of the words, “Lalith | |
| and other |
| Athulathmudali Mahapola Higher Education | | written law |

Scholarship Trust Fund Act”; and

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

|  |  |
| --- | --- |
| 20 | Athulathmudali Mahapola Higher Education Scholarship Trust Fund”, |

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

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

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

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| 5 | **4.** | Section 3 of the principal enactment is hereby amended | Amendment |
| as follows:- | | of section 3 |
| of the |
| (1) by the repeal of subsection (2) thereof and the | | principal |
| enactment |
| substitution therefor of the following subsection:- | |

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

(*a*) the founder;

(*b*) a retired Judge of the Supreme Court   
appointed by the President for a period of three

15 years who shall be the Chairman of the Board;

(*c*) the persons for the time being holding office   
 as–

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

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

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

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

*Mahapola Higher Education Scholarship Trust Fund*  3 *(Amendment)*

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| --- | --- | --- | --- | --- |
| 5 | (2) | by the repeal of subsection (3) thereof. | | Amendment |
| **5.** | Section 15 of the principal enactment is hereby | |
| amended by the substitution for the words, “All officers and | | | of section 15 |
| of the |
| servants of the Fund” of the words, “All officers, servants and | | |
| principal |
| Trustees of the Fund”. | | |
| ecnactment |
| 10 | **6.** | The following new section is hereby inserted | | Insertion of |
| immediately after section 15 of the principal enactment and | | | new section |
| 15A in the |
| shall have effect as section 15A of that enactment: - | | |
| principal |
| enactment |
| “Provisions  of Offences  Against  Public  Property Act, | | 15A. All movable and immovable property of the Fund shall be deemed to be public property within the meaning of, and for the purposes of, the Offences Against Public |
| No. 12 of 1982 to | | Property Act, No. 12 of 1982.”. |

apply

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | **7.** | For the avoidance of doubt, it is hereby declared that | Avoidance of |
| the “Lalith Athulathmudali Mahapola Higher Education | | doubt |

Scholarship Trust Fund”, shall, for all purposes be deemed to be the successor to the “Mahapola Higher Education Scholarship Trust Fund”.

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| 20 | **8.** | In the event of any inconsistency between the Sinhala | Sinhala text |
| and Tamil texts of this Act, the Sinhala text shall prevail. | | to prevail in |
| case of an |

inconsistency

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