

PARLIAMENT OF CEYLON

2nd Session 1971-72



University of Ceylon Act, No. 1 of 1972

Date of Assent : January 21, 1972

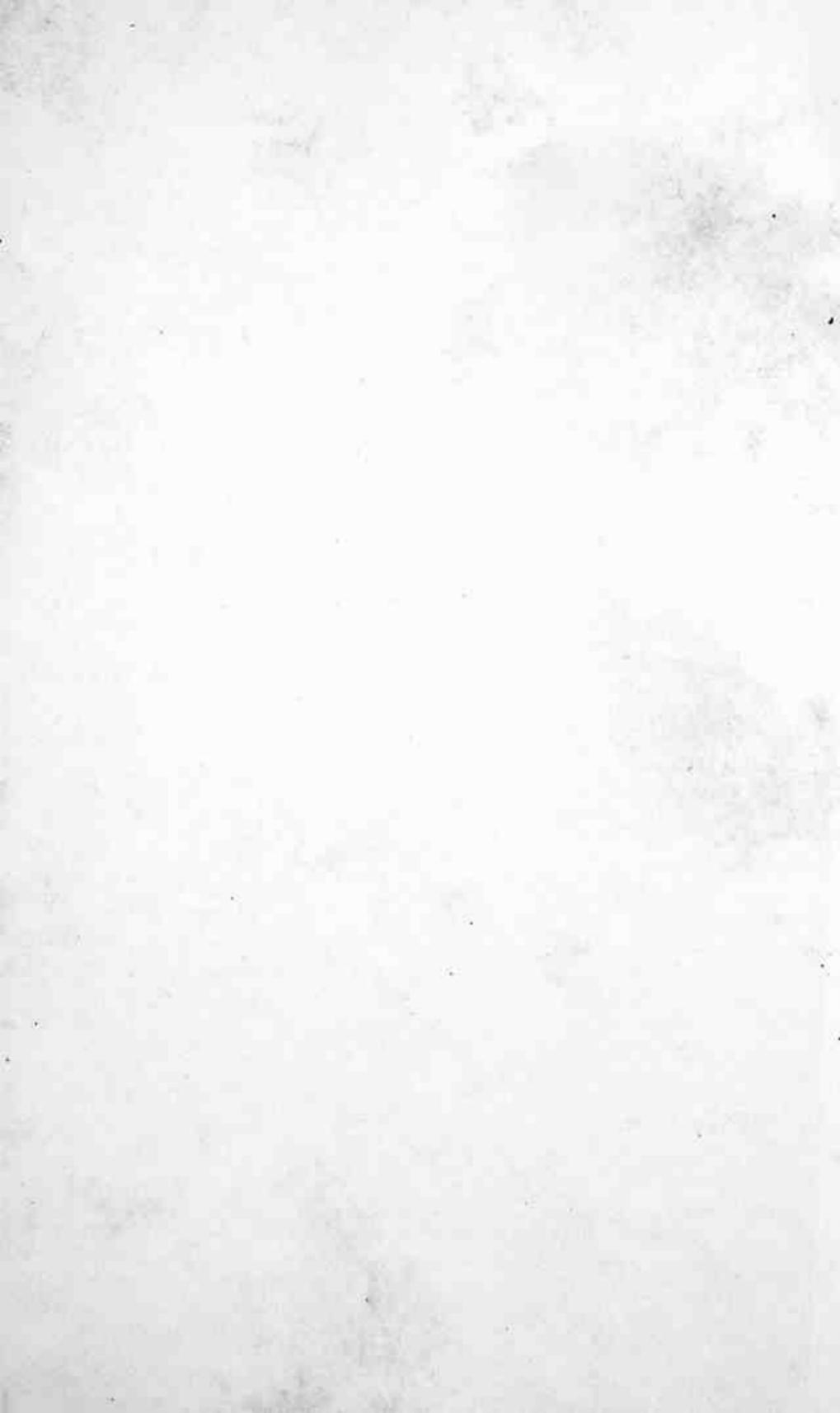
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L. D.—O. 41/70.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A UNIVERSITY OF CEYLON, FOR THE ESTABLISHMENT, MAINTENANCE AND ADMINISTRATION OF THAT UNIVERSITY, ITS CAMPUSES, FACULTIES AND INSTITUTES AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[Date of Assent: January 21, 1972]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the University of Ceylon Act, No. 1 of 1972, and shall come into operation on such date as the Minister may appoint by Order published in the *Gazette* (in this Act referred to as the "appointed date").

Short title and
date of
operation.

PART I

THE UNIVERSITY OF CEYLON

2. (1) There shall be established in accordance with the provisions of this Act, a University (in this Act referred to as "the University") with the name and style of the University of Ceylon by which name, the Chancellor, the Pro-Chancellor, the Vice-Chancellor and members for the time being of the Board of Governors and the Senate duly nominated, appointed or elected by or in accordance with the provisions of this Act, shall be deemed to have been constituted a body corporate with perpetual succession and with full power and authority by and in such name—

Incorporation
and general
powers of the
University of
Ceylon.

- (a) to sue and be sued in all courts;
- (b) to have and use a common seal and to alter the same at its pleasure;
- (c) to purchase or acquire any property movable or immovable and to take, accept and hold any such property which may become vested

in it by virtue of any such purchase, or by any grant, or donation, lease, testamentary disposition or otherwise;

- (d) to sell, hypothecate, lease, exchange, or otherwise dispose of any such property:

Provided, however, that any sale, hypothecation, lease, exchange or other disposition of any such property shall be void if the same is made in contravention of any restriction, condition or prohibition imposed by law or by the Instrument or Order by which any such property was vested in the University; and

- (e) to exercise, discharge and perform all such powers, duties and functions as may be conferred or imposed on the University by this Act or any appropriate Instrument.

(2) The powers conferred on the University by the preceding provisions of this section shall, unless otherwise expressly provided by this Act or any appropriate Instrument, be exercised by the Board of Governors.

(3) The University may acquire immovable property for the purposes of the University without indicating the specific purpose for which the immovable property is to be applied.

(4) (a) Any immovable property required for the purposes of the University shall be deemed to be required for a public purpose and may accordingly be acquired under the Land Acquisition Act and be transferred to the University.

(b) Any sum payable for the acquisition of any immovable property under the Land Acquisition Act for the University shall be paid by the University.

3. The seal of the University shall be in the custody of the Registrar of the University and shall not be affixed to any instrument or document except in the presence of the Registrar or any other officer whom the Vice-Chancellor may designate, and the Registrar or other officer, as the case may be, shall sign such instrument or document in token of his presence.

4. Subject to the provisions of this Act, the University shall have power—

Powers of the
University.

- (a) to admit students and to provide for instruction in such branches of study as the University may determine and also make provision for research and for the advancement and dissemination of knowledge;
- (b) to hold examinations for the purpose of ascertaining the persons who have acquired proficiency in different branches of study;
- (c) to co-operate, by way of exchange of teachers, students and scholars or otherwise, with other institutions in Ceylon and other Universities or institutions abroad having objects or interests similar or substantially similar to the University;
- (d) to provide post-graduate courses and for this purpose to co-operate with other Universities or authorities abroad in such manner and for such purposes as the University may determine;
- (e) to grant and confer degrees, diplomas and other academic distinctions to and on persons who have pursued approved courses of study and have passed the prescribed examinations, or reached the prescribed attainments, of the University;
- (f) to admit graduates or students of other Universities to equal or similar degrees or courses in the University on such conditions as may be prescribed by statute and to register them as graduates or students of the University;
- (g) to make arrangements for the conduct of external examinations for enabling those not instructed at the University itself to obtain degrees, diplomas and certificates of the University and to determine the courses of instruction for such examinations;

- (h) to confer degrees of the University on any persons who are employed by the University as Professors, Associate Professors, Lecturers or otherwise, or who have carried on independent research therein, and to provide facilities for higher studies to persons employed therein;
- (i) to confer honorary degrees or other distinctions on persons approved by the Senate;
- (j) to recognize the examinations passed and periods of learning or study pursued at other Universities or places of study having University status as equivalent to such examinations and periods of study or part thereof in the University, in respect of students of the University or persons seeking admission thereto as may be prescribed by statute and to withdraw such recognition at any time;
- (k) to erect, equip and maintain for the purposes of the University, libraries, laboratories and other buildings whether for instructional or residential purposes;
- (l) to institute Professorships, Associate Professorships, Lecturerships and such other posts and offices as may be required for the purposes of the University;
- (m) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (n) to manage Halls of Residence, and to license lodging-houses, for the residence of students of the University and to provide such other services and facilities as may be necessary;
- (o) to regulate and provide for the residence, discipline, moral, mental and physical well-being of students and conditions of service of teachers, officers and employees of the University;
- (p) to assist students of the University to obtain loans from banks and other agencies and to frame appropriate statutes for the purpose;

- (q) to provide for extension services to the general public including employees in trades and industry and school leavers as prescribed by statute;
- (r) to provide facilities for the formation of platoons of the National Cadet Corps for the students of the University;
- (s) to make arrangements for conduct of courses or parts of courses in educational institutions outside the University and to make statutes therefor;
- (t) to charge such fees for such purposes as may be prescribed by ordinance;
- (u) to establish Campuses, Faculties, Schools and Institutes of the University and make necessary arrangements therefor; and
- (v) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

5. (1) Any person who is not a citizen of Ceylon and is lawfully in Ceylon under the authority of a passport or *visa* granted or issued under the Immigrants and Emigrants Act may be employed on the staff of the University or admitted as a student of the University, only, if—

Employment
and
admission of
non-citizens.

- (a) he is so lawfully in Ceylon for the purpose of such employment or of following a course of study as such student; and
- (b) he has obtained the prior approval of the Board of Governors for the purpose.

(2) The Board of Governors may admit as students of the University persons who are not citizens of Ceylon, but who are otherwise lawfully resident in Ceylon and belonging to such category or class as may be determined by the Board in consultation with the Minister.

PART II

THE CHANCELLOR AND OFFICERS OF THE UNIVERSITY

6. The officers of the University shall be the following:—

- (a) the Chancellor,
- (b) the Pro-Chancellor,

The officers
of the
University.

- (c) the Vice-Chancellor,
- (d) the Presidents of the Campuses,
- (e) the Deans of the Faculties,
- (f) the Registrar,
- (g) the Treasurer,
- (h) the Librarians of the Campuses, and
- (i) any person holding a post declared by statute to be that of an officer.

**Chancellor,
Pro-Chancellor
and
Vice-Chancellor.**

7. (1) The Governor-General shall be *ex officio* Chancellor of the University. He shall be the head of the University, and shall, when present, preside at any Convocation of the University.

(2) The Minister shall be *ex officio* Pro-Chancellor of the University. He shall, when present, and in the absence of the Chancellor, preside at any Convocation of the University.

(3) The Vice-Chancellor of the University shall be appointed by the Minister, on being duly elected by the Board of Governors from among the Presidents of the Campuses, on the basis of the single transferable vote, and such person shall relinquish the post of President held by him upon such appointment:

Provided, however, that any Vice-Chancellor during the transitional period shall be appointed by the Minister.

(4) The Vice-Chancellor shall be a whole-time officer of the University, and shall be the principal executive and academic officer thereof. He shall be an *ex officio* member and Chairman of the Board of Governors and of the Senate. He shall convene all meetings of such Board and Senate, and shall, in the absence of the Chancellor and the Pro-Chancellor, preside at any Convocation of the University. He shall be entitled to convene, be present at, and speak at any meeting of any other Authority or body of the University, but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or body.

(5) It shall be the duty of the Vice-Chancellor, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board, to ensure that the provisions of this Act

and any appropriate Instrument, are duly observed, and he shall have and may exercise all such powers as he may deem necessary for the purpose.

(6) Subject to the provisions of this Act, it shall be the duty of the Vice-Chancellor to give effect, or to ensure that effect is given, to the decisions of the Board of Governors and the Senate; he shall be the chief accounting officer of the University and shall cause the accounts to be maintained in such form and manner as may be prescribed.

(7) The Vice-Chancellor may, with the approval of the Board, and subject to such terms and conditions as the Board may determine, delegate any of his powers, functions and duties under this Act by writing under his hand to any other officer of the University.

(8) The Vice-Chancellor shall, unless he earlier vacates office, hold office for a term of three years, or until he has completed his sixty-fifth year, whichever event occurs earlier.

(9) The Vice-Chancellor shall not be eligible for reappointment for a consecutive term, and shall be entitled to an allowance during his period of office as Vice-Chancellor.

(10) It shall be the duty of the Vice-Chancellor to see that the provisions of this Act and any appropriate Instrument are duly observed, and to give effect to all the recommendations of the Board of Governors duly made, to see that all information required by the Minister is duly furnished, to see that all facilities are provided for any inquiry relating to any Campus, Faculty, Institute or Department of the University by any person or persons nominated for the purpose by the Board of Governors as the Board of Governors may from time to time require.

(11) The Vice-Chancellor shall give effect to all the decisions of the Board regarding the teachers and officers of the University, and shall exercise general supervision over the educational and administrative arrangements of the University. He shall be responsible for the presentation to the Board of the annual accounts of the University and of all financial estimates, annual or supplementary.

(12) If any vacancy occurs in the office of Vice-Chancellor or, if the Vice-Chancellor, by reason of leave, illness, or other cause, is unable temporarily to perform the duties of his office, the Board of Governors shall, as soon as possible, subject to the approval of the Chancellor, make such arrangements as it may think fit for carrying on the office; and until such arrangements are made, the Registrar shall carry on the routine duties of that office.

(13) The Vice-Chancellor shall, on relinquishing his duties as Vice-Chancellor or on removal from office under sub-sections (15) or (16), revert to the substantive post held by him in the University as teacher prior to the assumption of duties as Vice-Chancellor.

(14) It shall be the duty of the Vice-Chancellor to—

(a) consult the Minister when he apprehends that a situation might develop which could endanger the smooth working of the University or a Campus, and

(b) have regular consultation with the Minister relating to the affairs of the University including any Authority or body of the University in areas where academic freedom is not involved.

(15) A Vice-Chancellor may be removed from office on a vote of no confidence passed on him by a two-thirds majority of the membership of the Board.

(16) The Minister may, in the public interest, remove a Vice-Chancellor from office and any Vice-Chancellor so removed shall be deemed to have vacated such post from the date of such removal. Such removal shall forthwith be reported to the House of Representatives.

8. (1) (a) The President shall be the Chairman of the Campus Board and shall be the administrative head of the Campus and shall function under the general direction of the Vice-Chancellor, and carry out any duties that may be assigned by statute or otherwise delegated to him by the Vice-Chancellor or any Authority of the University. He shall have the right to attend any Faculty Council meetings, any inter-Faculty committees and shall assist the Board of Governors in the preparation of the annual budget,

the financial estimates and accounts, but shall not have the right to vote at any such meeting unless he is a member of any such Authority or body.

(b) It shall be the duty of the President of the Campus, in any area where academic freedom is not involved, to consult the Minister through the Vice-Chancellor or otherwise, when he apprehends that a situation might develop that would endanger the smooth working of the Campus and take any action he may consider suitable for the protection of the persons and property of the Campus in the event of any unforeseen emergency situation that may arise.

(c) The President shall, unless he vacates office earlier, hold office for a period of three years or until he reaches the age of sixty-five years, whichever event occurs earlier. A person who has held office as President for a term shall not be eligible for appointment as President for a consecutive term.

(d) The President shall be entitled to an allowance during his period of office as President and he shall revert to his substantive post as teacher at the termination of such period.

(e) Where the President is unable, during any period of time, to perform his duties by reason of leave, illness or other infirmity or absence from Ceylon, the Vice-Chancellor shall appoint a fit person to act in his place for such period of time.

(2) (a) The Dean of a Faculty shall be elected from among the Heads of Departments of the Faculty and shall be appointed by the Vice-Chancellor on being elected as provided for in paragraph (f) of this sub-section.

(b) The Dean shall be a whole-time officer of the University and shall be the principal academic and executive officer of the Faculty. He shall be *ex officio* Chairman of the Faculty Council and a member of the Senate. He shall be entitled to convene, be present at and speak at all meetings of the Faculty Council or other body of the Faculty, but shall not be entitled to vote at any such meeting unless he is a member of such body.

(c) Subject to the provisions of this Act and any appropriate Instrument, it shall be the duty of the Dean to give effect or to ensure that effect is given to the decisions of the Board of Governors, the Senate, the Campus Board and the Faculty Council.

(d) The Dean shall exercise any powers delegated to him as directed by the Vice-Chancellor and shall comply with the lawful directions of any other Authority of the University.

(e) The Dean shall, unless he vacates office earlier, hold office for a period of three years or until he reaches the age of sixty-five years, whichever event occurs earlier.

(f) The Dean shall be elected at a meeting of the Faculty Council at which not less than two-thirds of the membership of the Faculty Council is present, and he shall be entitled to an allowance during the period of office as Dean and shall relinquish his post as Head of Department on being so elected.

(g) Where the Dean is temporarily unable to perform his duties by reason of leave, illness or other infirmity or absence from Ceylon or any other cause, the President shall in consultation with the Vice-Chancellor appoint a fit person to act in his place.

(h) The Dean shall, unless he retires earlier, revert to his substantive post as teacher on relinquishing his duties as Dean.

(3) (a) The Registrar shall be appointed by the Board, upon the recommendation of a selection committee the composition of which shall be prescribed by statute, and shall be a whole-time officer of the University who shall exercise and perform such powers and duties as may be conferred on him by this Act, or any appropriate Instrument.

(b) The Registrar shall be responsible for the custody of the records and property of the University, and shall be the *ex officio* Secretary of the Board of Governors and of the Senate.

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

(4) (a) The Treasurer shall be appointed by the Board, upon the recommendation of a selection committee the composition of which shall be prescribed by statute, and shall be a whole-time officer of the University who shall exercise and perform such powers and duties as may be conferred on him by this Act or any appropriate Instrument.

(b) The Treasurer shall, subject to the direction and control of the Vice-Chancellor, be responsible for the administration of the finances of the University and maintain the accounts in such form and manner as may be prescribed.

(c) The Treasurer shall be responsible for and have the custody of the funds of the University.

PART III

THE AUTHORITIES OF THE UNIVERSITY

9. (1) The Authorities of the University shall be the following:—

The Authorities
of the
University.

- (a) the Board of Governors;
- (b) the Senate;
- (c) the Campus Boards;
- (d) the Faculty Councils;
- (e) the Departments;
- (f) the Academic Committees; and
- (g) any other bodies as may be prescribed by statute to be such Authorities.

(2) The administration of the University and of the Authorities and other bodies of the University shall be in accordance with the official language policy of the Government.

(3) All University Authorities shall meet in their respective offices except under very exceptional circumstances.

10. The Board of Governors shall be the executive body of the University and is in this Act referred to as "the Board".

The Board of
Governors.

11. (1) The Board of Governors shall consist of the following persons—

The constitution
of the Board
of Governors.

- (a) the following *ex officio* members, namely—

- (i) the Vice-Chancellor;
- (ii) the Permanent Secretary to the Ministry of Education or his representative;
- (iii) the Permanent Secretary to the Ministry of Planning or his representative;

- (iv) the Permanent Secretary to the Ministry of Finance or his representative;
- (v) the Presidents of the Campuses; and

(b) the following other members, namely—

- (i) three persons having a special knowledge or practical experience in respect of Education, Industry, Agriculture, Science or Technology or representing the professions, appointed by the Chancellor;
- (ii) three members of the House of Representatives nominated by the Minister;
- (iii) one student representative elected by the Chairmen of the Students' Councils of the Campuses from among their number;
- (iv) one person from among the permanent academic staff, other than the President, elected by each Campus Board from Campuses where there are three or more than three Faculties or Institutes or Faculties and Institutes in combination;
- (v) one person from among the representatives of the non-academic staff in the Campus Boards of the University, elected by such representatives.

(2) The student representative elected under paragraph (b) (iii) of sub-section (1) and each of the persons elected under paragraph (b) (iv) of sub-section (1) by the Campus Boards shall hold office for one academic year, and the other members, with the exception of *ex officio* members, shall hold office for three years.

(3) The quorum for a meeting of the Board shall be seven.

(4) All members shall be entitled to vote.

(5) A person shall be disqualified for being appointed a member of the Board of Governors, or for continuing in office as an appointed member of that Board—

- (a) if he is an undischarged bankrupt or insolvent; or
- (b) if he is convicted of any crime or offence involving moral turpitude; or

- (c) if he is under any law in force in the Island, found or declared to be of unsound mind ; or
- (d) if he, directly or indirectly, by himself or by any person on his behalf or for his use or benefit, holds or enjoys any right or benefit under any contract, other than his contract of employment, made by or on behalf of the University.

(6) If any member of the Board vacates his office prior to the expiration of his term of office, his successor, either by appointment or by election, as the case may be, shall hold office for the unexpired portion of such term of office.

(7) Any member of the Board of Governors may resign his office by writing under his hand addressed to the Vice-Chancellor.

(8) If any appointed member of the Board of Governors is, by reason of illness or other infirmity or absence from Ceylon or any other cause, temporarily unable to perform the duties of his office, the Chancellor may appoint a fit person to act in his place.

(9) If the student representative absents himself from three consecutive meetings of the Board without leave, he shall be deemed to have vacated his membership and another person shall be elected to fill his place:

Provided that any student representative suspended for disciplinary reasons shall have his membership suspended during the period of such suspension.

(10) The members of the Board of Governors shall not be entitled to any remuneration as members but may be paid such allowances as the Minister shall, in consultation with the Minister of Finance, approve.

(11) The Vice-Chancellor shall preside at all meetings of the Board, and in the absence of the Vice-Chancellor from any meeting of the Board, the members thereof shall elect one of their number who is the President of a Campus to preside at such meeting.

(12) Subject to the provisions of this Act, the procedure for the transaction of business by the Board shall be determined in accordance with rules made by the Board under this Act.

(13) The Board shall meet whenever necessary, so however that they meet not less than once in each month, and any member, other than an *ex officio* member, who fails to attend three consecutive meetings without leave shall cease to be a member.

(14) Five members of the Board may, by requisition under their hand, for reasons stated therein, direct the Chairman to summon a special meeting of the Board and in such case the Chairman shall summon such meeting.

(15) The Vice-Chancellor may, whenever he thinks fit, convene a special meeting of the Board.

**Powers and
duties of the
Board of
Governors.**

12. (1) The Board of Governors shall, subject to the provisions of this Act and of any appropriate Instrument, exercise, discharge and perform the following powers, functions and duties—

- (a) to inquire into the financial needs of the University, its Campuses and Faculties, and to make recommendations from time to time to the Minister as to the nature and amount of grants out of public funds which it is desirable or necessary to make;
- (b) to prepare, from time to time, in consultation with the Campus Boards, triennial budgets for the maintenance and development of the University, its Campuses and Faculties, or for any other general or special purpose;
- (c) to allocate and disburse out of the funds of the University grants to Campuses and Faculties, for their maintenance and development or for any other general or specified purpose, so, however, that in making any grant to a Faculty, the Board shall give due consideration to the development of the Faculty concerned, its financial needs, the standards attained by such Faculty and the national purposes which it may serve;
- (d) to establish an agency called the Central Agency for Admissions which shall regulate and co-ordinate admissions to any Faculty established under this Act;
- (e) to establish an examinations agency for the conduct of external examinations;

- (f) to initiate and promote, in consultation with each of the Campuses, Faculties and other bodies, plans for such balanced University development, including specialization in certain curricular areas, as may be required to make the University fully adequate to national needs;
- (g) to recommend to any Campus or Faculty the measures considered necessary for its improvement and advise upon action to be taken for the purpose of implementing such recommendations;
- (h) to advise the Minister, or any Campus or Faculty on any matter which may be referred to the Board by the Minister or by any Campus or Faculty, as the case may be, or even in the absence of such a reference;
- (i) to collect information on all such matters relating to University education in Ceylon and other countries as the Board thinks fit and make the same available to the Faculties and others interested;
- (j) to require a Campus or a Faculty to furnish the Board with such information as the Board may consider necessary;
- (k) to perform such other functions as may be prescribed by regulation or as may be deemed necessary by the Board for the advancement or the cause of University education and research in Ceylon or as may be incidental or conducive to the discharge of such functions;
- (l) to make provision for enabling Campuses or Faculties to conduct courses or parts of courses in educational institutions outside the Campus premises and to make rules therefor;
- (m) to grant degrees, diplomas and certificates to persons approved by the Senate;
- (n) to determine the grant of leave to any member of the staff;
- (o) to determine the organization of Campuses, Faculties, Institutes, Schools and Departments of Study;

- (p) to determine the abolition, modification or revision of the organization of existing Campuses, Faculties, Institutes, Schools and Departments;
- (q) to determine rules and conditions for the award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes, and to make such awards on the recommendation of the Senate;
- (r) to provide for the establishment of a Central Internal Auditing System for the University;
- (s) to hold, control and administer the property and funds of the University;
- (t) to select a coat of arms for the University and to determine the form, provide for the custody, and direct the use of the common seal of the University;
- (u) to regulate and determine all matters concerning the University in accordance with the provisions of this Act and of any appropriate Instrument;
- (v) to furnish all information required by the Minister, and to provide facilities for inspection by any person or persons appointed by the Board for the purpose, of any Faculty, School, Institute or Department;
- (w) to make recommendations to the Minister regarding the courses and curricula of approved institutions;
- (x) to make rules for the conduct of elections for the selection of members to the various Authorities or bodies where no provision is otherwise made by this Act;
- (y) to administer any funds placed at the disposal of the University for specific purposes;
- (z) to receive and accept, and to report to the Minister, bequests, donations and grants of property to the University;
- (aa) to consider the annual report, annual accounts and financial estimates of the University and to submit such report, accounts and estimates to the Minister;

- (ab) to make statutes or ordinances for any matter required by this Act to be prescribed by any such statute or ordinance or in respect of which any such statute or ordinance is required or authorized to be made;
- (ac) to make such rules as are not authorized to be made by any other Authority;
- (ad) to provide the buildings, premises, furniture and apparatus, and other material necessary for carrying on the functions of the University;
- (ae) to establish a Planning and Research Unit for the purpose of study and advising the Board of Governors on all aspects of Higher Education and its development;
- (af) to advise the Campuses, Faculties, Institutes, Schools and Departments on matters relating to the discipline of students of the University, and the promotion of their general health and welfare;
- (ag) to determine, by ordinance or otherwise, the rules of financial, administrative and disciplinary procedures, and to take steps to publish a "University Gazette" at regular intervals during the academic year;
- (ah) to approve of any proposal by the Vice-Chancellor to enter into, carry out or cancel contracts on behalf of the University;
- (ai) to invest any moneys belonging to the University, including any unapplied income, in any security in which, under the provisions of section 20 of the Trusts Ordinance or of any other written law, it is lawful to invest trust moneys, or with the approval of the Minister to invest any such moneys in the purchase of immovable property in Ceylon or vary such investments, or to place on fixed deposit in any bank approved by the Minister, any portion of such moneys not required for immediate expenditure;
- (aj) to determine by ordinance, after consultation with the Senate, the dates for the commencement and the termination of the academic year;

- (ak) to take such steps as may be necessary for the conduct of examinations for degrees, diplomas and certificates;
- (al) to determine, after consultation with the Senate, the academic dress or insignia or both of the Chancellor, Pro-Chancellor, officers, graduates, diploma holders and students of the University;
- (am) after consideration of the recommendations of the relevant Campuses or Faculties, to determine—
 - (i) the institution, abolition or suspension of Professorships, Associate Professorships, Lecturerships, and other teaching posts, and
 - (ii) the qualifications and emoluments of teachers, officers and other employees;
- (an) to appoint teachers and officers whose appointment is not otherwise provided for, and, subject to an appeal to the Planning and Grants Committee, to dismiss a teacher or officer on the ground of incapacity or conduct which, in the opinion of not less than two-thirds of the members of the Board, renders him unfit to be a teacher or officer of the University;
- (ao) to appoint and, subject to an appeal therefrom to the Planning and Grants Committee, to suspend or otherwise punish persons in the employ of the University including teachers and officers or to dismiss persons in the employ of the University, other than teachers and officers;
- (ap) to take necessary steps to enforce the language policy of the Government in both academic and administrative spheres;
- (aq) to assist in the execution of schemes for the grant of loans to students and to frame appropriate rules for the purpose;
- (ar) to provide for persons of academic or administrative ability in the public service or quasi-Government institutions, the facility to serve in the University for specified periods of time, and to make available to the public

service or quasi-Government institutions the services of persons of academic and administrative ability in the University for specified periods of time;

- (as) to obtain the advice of persons whose advice may be sought in carrying out the provisions of this Act;
- (at) to exercise all other powers of the University, the exercise of which is not otherwise provided for by this Act or by appropriate Instrument:

Provided that no resolution shall be passed by the Board in relation to any academic matter unless the Senate has first been given the opportunity of recording and transmitting to the Board its opinion thereon.

In this sub-section "academic matter" includes any matter which is subject to the control and general direction of the Senate under section 16.

(2) The Board of Governors may request any Professor, Associate Professor or other teacher, or any officer or employee of the University to furnish the Board with such information as it may require in regard to his official duties and functions; and it shall be the duty of such Professor, Associate Professor or other teacher or officer or employee so requested, to comply with such request, and to furnish such information.

(3) The Board of Governors may, without prejudice to its powers of revocation, delegate to a Campus Board, Faculty Council, President of a Campus or Dean of a Faculty any of its powers, functions and duties under sub-section (1) where it is considered expedient to do so.

13. (1) For the purpose of ascertaining the financial needs of a Campus and its Faculties, its standards of teaching, examination and research or any other matter relating to the working of the Faculty, the Board of Governors may, after consultation with the Campus Board, at the request of any University body or otherwise cause an inquiry into any Department or Departments thereof to be made by a committee of persons appointed for the purpose on a resolution by the Board, by order under the hand of the Vice-Chancellor with a direction to report by

a specified date on such cause or matter in respect of the Department or Departments of the Campus or Faculty as may be specified therein.

(2) Such committee shall have the power to examine any documents, records, equipment, buildings or witnesses as it may deem necessary for the purposes of the inquiry and the officers, teachers, employees or other persons shall attend and give evidence and furnish any records or information as such committee may deem necessary for the purposes of the inquiry.

(3) The Board of Governors shall communicate to the Campus Board concerned its view pertaining to the results of any such inquiry and may, after ascertaining the views of the Campus Board in respect of the same, determine what action is considered appropriate.

14. All orders and decisions of the Board of Governors shall be authenticated by the signature of the Vice-Chancellor or any other officer authorized by the Board of Governors in that behalf, and all other instruments issued by the University shall be authenticated by the signature of the Registrar or any other officer of the University authorized by the Vice-Chancellor in that behalf.

The Senate. 15. (1) The Senate shall consist of the following persons:—

(a) the following *ex officio* members, namely—

- (i) the Vice-Chancellor;
- (ii) the Presidents of the Campuses;
- (iii) the Deans of the Faculties; and

(b) the following other members, namely—

- (i) one person from each Faculty other than those referred to in sub-paragraph (iii) of paragraph (a) to be elected by the permanent Professors, Associate Professors, Lecturers and Assistant Lecturers of each Academic Committee of a Faculty or Institute from among their number;

- (ii) one person from each Campus to be elected by the academic staff exclusive of the permanent Professors, Associate Professors, Lecturers and Assistant Lecturers, from among their number;

Orders and decisions to be authenticated by Vice-Chancellor, Registrar or authorized officer.

- (iii) one person from each Campus, other than the person in the Board of Governors, to be elected by the Students' Council of each Campus from among their number;
- (iv) one person to be elected by the Librarians and Assistant Librarians of each Campus from among their number.

" Academic staff " in this sub-section includes demonstrators, tutors and instructors.

(2) The mode of election of a member of the Senate under paragraph (b) of sub-section (1) and his term of office shall be as determined by statute.

(3) The quorum for a meeting of the Senate shall be twelve.

(4) In the absence of the Vice-Chancellor from any meeting of the Senate, the members thereof shall elect a person from among the Presidents present to preside in his place.

(5) Subject to the provisions of this Act and of any appropriate Instrument, the procedure for the transaction of business by the Senate shall be determined in accordance with rules made by the Senate under this Act.

16. (1) The Senate shall be the chief academic Authority of the University, and shall have control and general direction of the standards of education, assessment and research within the University, subject to the provisions of this Act and of any appropriate Instrument.

(2) Subject to the provisions of this Act and of any appropriate Instrument, the Senate shall have, and may exercise and perform, the following powers and duties:—

- (a) to approve, after consideration of drafts from the Faculties, Institutes, Schools or Departments of Study, ordinances relating to courses of study, and to submit such drafts to the Board of Governors for implementation;
- (b) to approve the names of persons suitable for appointment as examiners after consideration of reports from the Faculty Council or Faculty Councils concerned in such appointments;

**Powers and
duties of the
Senate.**

- (c) to recommend to the Board of Governors the institution, abolition, or suspension of Professorships, Associate Professorships, Lecturerships, and other teaching posts, in any Faculty;
- (d) to report to the Board of Governors on all ordinances relating to courses of study in any Faculty;
- (e) to recommend to the Board of Governors schemes—
 - (i) for the organization of new Departments and Sub-Departments in any Faculty;
 - (ii) after consultation with the Campuses and Faculties concerned, for the abolition, modification, or revision of the organization of existing Departments, Sub-Departments and courses of study; and
 - (iii) for the regulation of courses in any approved institution;
- (f) to assign to Faculties their respective Departments and subjects of study;
- (g) to consider, and to report to the Board of Governors on, any matters relating to or connected with teaching, courses and syllabuses of study, books, examinations and research;
- (h) to recommend to the Board of Governors the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (i) to award fellowships, scholarships, exhibitions, bursaries, medals and other prizes, on such conditions as may be approved by the Board of Governors;
- (j) to appoint such number of standing committees, or other *ad hoc* committees or boards of the Senate as to it may seem fit, and in particular, but without prejudice to the generality of the preceding provisions of this paragraph—
 - (i) a Library Committee,
 - (ii) an Admissions Advisory Committee,
 - (iii) a Research Committee,

- (iv) an Examinations and Tests Committee, and
- (v) a Curriculum Committee;
- (k) to initiate action for the recognition of degrees and diplomas of the University, with University Authorities abroad whenever necessary;
- (l) to submit, after due consideration, recommendations to the Board of Governors on any matter whatsoever relating to, or connected with, the University:

Provided, however, that in respect of any matter touching the business of any Faculty, the recommendations or observations of such Faculty shall be called for and considered in respect of such matter before any decision or recommendation is made thereon.

- (3) The Senate may with the approval of the Board of Governors delegate to a Campus Board, Faculty Council, President of a Campus or the Dean of a Faculty any of its powers and duties under subsection (2) where it is considered expedient to do so, without prejudice to its power to revoke such delegation.

17. The Senate shall establish committees of academic staff of like disciplines called the Boards of Study, with persons representing each Faculty concerned, from all Campuses, for the purpose of studying and reporting on curricula, examination and testing and other allied matters, and persons distinguished in such field of study, though employed outside the University, may be co-opted to such committees and the reports of such committees shall be made available to the University Authorities.

Boards of Study
established
by the Senate.

18. (1) The Board of Governors may, in consultation with the Minister, by order under the hand of the Vice-Chancellor published in the *Gazette*, establish such Campus or Campuses as may be considered necessary from time to time and for the purpose may approve the affiliation to the University of other Institutions.

Campuses of
the University.

(2) An order establishing a Campus (called a "Campus order") shall contain the following particulars—

- (a) the name or designation of such Campus,

- (b) the site or location of such Campus being the seat of such Campus,
- (c) the Faculty or Faculties assigned to such Campus, and
- (d) the Departments of such Faculty or Faculties.

(3) A Campus order may be amended, varied or revoked, by a subsequent order published in the *Gazette*.

(4) A Campus order may name persons who shall act as President, Dean and Assistant Registrar during the transitional period required for the establishment and organization of the Campus to which it relates.

(5) The Board of Governors may transfer any Faculty, Department, or Sub-Department, or part thereof or any particular course of study or members of the staff from one Campus to another Campus.

19. (1) There shall be a Campus Board for a Campus which shall consist of—

(a) the President of the Campus, who shall be elected by the Deans of the Faculties of the Campus from among their number and who shall be the Chairman of the Board:

Provided however that, where there is only one Faculty in a Campus, the Dean of such Faculty shall also be the President of the Campus and shall relinquish the post of Dean on assumption of duties as President;

- (b) the Deans of the Faculties of the Campus;
- (c) the Librarian of the Campus, if any;
- (d) the Chairman of the Campus Students' Council, who shall hold office for one year;
- (e) one representative of the permanent academic staff of each Faculty, other than the Dean, appointed by each Faculty Council; and
- (f) one representative of the non-academic staff of the Campus whose selection and term of membership shall be as decided upon by the Board of Governors.

(2) The Campus Board shall be responsible for the internal administration of the Campus in such manner as may be determined by statute and shall, subject to the directions of the Board of Governors,

establish, maintain and supervise Halls of Residence and appoint and control Wardens and other staff therein.

(3) The Campus Board shall, *inter alia*, be responsible for the maintenance of order in the Campus and arrangements for the residence, the general health and welfare, the provision of amenities for persons attached to the Campus and the performance of any other duties as may be determined by statute.

(4) The Campus Board shall subject to the provisions of this Act and of any appropriate Instrument co-ordinate all academic activities of the Faculty Councils within the Campus.

20. (1) Each Campus may have a library or libraries on a common or seminar basis or otherwise as shall be determined by the President, after consultation with the Deans and such library or libraries shall be in charge of a Campus Librarian.

(2) There shall be Inter-Faculty Campus Committees as follows:—

- (a) Library Committee, consisting of the Campus Librarian, Assistant Librarians and one member of the teaching staff of each Faculty of the Campus nominated by the Faculty Council;
- (b) Residence Committee;
- (c) Sports Committee;
- (d) Welfare and Discipline Committee; and
- (e) such other Committees as the Campus Board may determine.

(3) The constitution and powers of Inter-Faculty Campus Committees shall be determined by statute.

21. (1) The Board of Governors may, in consultation with the Minister, establish Faculties of the University at any suitable Campus or other suitable place.

(2) The Board may, prior to the establishment of a Faculty, determine the Departments, Sub-Departments or courses of study that constitute such Faculty and the disciplines that are to form the courses of instruction therein.

(3) The Board shall determine the staff, land, buildings, equipment and students that would be assigned to a Faculty.

Campus
Committees and
Libraries.

A Faculty of
the University.

(4) The Board may, pending the proper organization and establishment of a Faculty, appoint an Acting Dean, or such other officers as may be deemed necessary, and such Acting Dean shall have full power and authority as may be determined by the Board for the effective discharge of his functions and duties, for a specified period.

(5) The term " Faculty " also includes an Institute, unless otherwise specified.

**The Council of
a Faculty.**

22. (1) The Council of a Faculty shall consist of the following persons—

(i) the Dean of the Faculty;

(ii) the Heads of Departments of the Faculty;

(iii) three teachers of the permanent academic staff, not being Heads of Departments elected by the Academic Committee of the Faculty;

(iv) (a) the President of the Faculty Students' Union Committee or any person acting in his place. and

(b) one other person elected by the Faculty Students' Union Committee from among their number; and

(v) one person to be elected by the non-academic staff of the Faculty from among their number:

Provided, however, that student representatives shall hold office for one year, and the representatives of the academic staff, the non-academic staff and the Faculty shall hold office for a period of two years.

(2) Any vacancy under paragraphs (iii), (iv) and (v) of sub-section (1) shall be filled by election within one month of the membership falling vacant.

(3) Representatives of students and non-academic staff shall be excluded from meetings, or proceedings conducted in connection with—

(a) appointment, promotion and discipline of members of the Faculty staff, and

(b) matters relating to examinations.

23. Subject to the provisions of this Act and any appropriate Instrument, a Faculty Council (hereinafter referred to as "the Council") shall have power to—

- (a) draft the annual report, annual accounts and financial estimates of the Faculty;
- (b) recommend to the Senate any matter touching the working or the standards of education, examination and research of the Faculty;
- (c) consider and report on any matter referred to the Council by the Vice-Chancellor, the Board of Governors or the Senate or the Campus Board;
- (d) make recommendations to the Campus Board on any matter touching the administration, organization, working or any other matter relevant thereto in respect of the Faculty;
- (e) recommend the appointment of examiners after considering the recommendations of the relevant Department;
- (f) recommend to the Board, disciplinary action in respect of—
 - (i) teachers other than Professors, Associate Professors and Lecturers, and
 - (ii) members of the non-academic staff of the Faculty;
- (g) appoint such number of standing committees, or other *ad hoc* committees or boards or advisory committees as the Council may deem fit;
- (h) make recommendations to the Senate in respect of any other matter that the Senate has the power to exercise or perform under the provisions of section 16; and
- (i) exercise any powers that may be delegated to it by the Board of Governors or the Senate.

24. (1) The Board shall have power to establish Departments of Study (whether formed by the addition of Departments or by the sub-division or combination of an existing Department or Departments or otherwise) within any Faculty.

(2) Each Department of a Faculty shall have a Departmental Committee which shall consist of the following:—

(a) *ex officio* members, namely, all Professors, Associate Professors, Lecturers and Assistant Lecturers of the Department who are permanent members of the academic staff; and

(b) other members, namely—

(i) not more than two persons who shall be elected by and from among temporary teachers of the grade of Assistant Lecturer and above, and

(ii) not more than two students who shall be nominated by the Union Committee of the relevant Faculty Students' Union:

Provided, however, that the elected or nominated members shall hold office for a period of one year but may be re-elected or renominated.

(3) There shall be a Head of each Department, who shall be elected by the permanent teachers of the Departmental Committee from among its Professors or Associate Professors, or Senior Lecturers. The Head of the Department shall hold office for a period of two years and shall be eligible for re-election. The Head of the Department, who shall also be the Chairman of the Departmental Committee, shall exercise and perform such powers and duties as may be prescribed by statute or ordinance and he shall be responsible to the Dean for the organization of his Department.

(4) When a Head of a Department goes on leave, the Dean of the Faculty shall appoint an acting Head from the same Department to serve for the period of absence of the Head of Department on leave provided the leave does not exceed three months. But where a Head of Department resigns or retires, or goes on leave for a period exceeding three months, or is incapacitated or dies, the vacancy shall be filled within one month of such event by the election of a new Head of Department by the permanent teachers of the Departmental Committee concerned, and the person so elected to fill the vacancy shall serve the remainder of the term of two years of his predecessor. Where the permanent teachers of a Departmental Committee refuse or neglect to elect a Head for the Department, the Faculty Council shall nominate a Head.

(5) Where the Head of a Department is appointed a Dean, the permanent teachers of the Departmental Committee shall elect another person in his place.

(6) The Departmental Committee shall meet at least once in each month and minutes shall be kept of such meeting.

(7) The Registrar of the University shall make the necessary arrangements for the conduct of elections referred to in paragraph (b) of sub-section (2), and the mode and manner of such election shall be prescribed by rules made by the Board.

(8) Subject to the provisions of this Act and any appropriate Instrument, inter-related Departments within a Faculty may be grouped together by the Faculty Council to form a School of Study and all permanent teachers of such School shall form the School Academic Committee which shall elect its own Chairman from among the Heads of Departments, and such Committee may consider and submit proposals to the Faculty Council on any academic or relevant matter concerning the School.

25. Subject to the provisions of this Act and of any appropriate Instrument, a Departmental Committee shall have, and may exercise and perform, the following powers and duties—

*Powers and
duties of a
Departmental
Committee.*

- (a) to consider and report on any matter referred to the Departmental Committee for consideration and report by the Faculty Council;
- (b) subject to the control of the Council, to regulate the teaching, research and other matters in the Department of Study;
- (c) to make recommendations and reports to the Council on all matters connected with or relating to curricula and syllabuses of the courses and subjects of study in the Department, and to revise them from time to time:

Provided, however, that the Academic Committee shall be informed of any matter that may be referred to the Council under this paragraph;

- (d) to advise on the use of funds allocated to the Department;

- (e) to recommend to the Council persons fit and suitable for appointment as examiners; and
- (f) to do any other acts or duties relevant to the aforesaid paragraphs (a) to (c).

The Academic Committee of a Faculty.

26. (1) There shall be an Academic Committee in each Faculty and it shall consist of—

- (i) all Professors, Associate Professors, Lecturers and Assistant Lecturers of the Faculty who are permanent members of the academic staff;
- (ii) the person in charge of the library of the Faculty if any, or the person in charge of the Campus library;
- (iii) two persons elected by the temporary teachers of the grade of Assistant Lecturer and above;
- (iv) five students nominated by the Faculty Students' Union Committee; and
- (v) not less than three persons, from outside the University, engaged in fields relevant to those of the Faculty, to be elected by members referred to in paragraph (i) and such persons shall have no voting rights.

The representatives nominated under paragraph (iv) shall not include any person referred to in paragraph (iv) of sub-section (1) of section 22 and they shall hold office for a period of one year and shall be excluded from meetings held in connection with examinations, and the promotion and the discipline of staff.

(2) The Academic Committee shall be an advisory body of the Faculty Council and shall, subject to statutes and ordinances made in that behalf, have the power to make recommendations to the Senate and the Faculty Council on the following matters—

- (a) syllabuses, courses of study, teaching and research in any Department;
- (b) the creation of new Departments and teaching posts;
- (c) facilities for inter-disciplinary studies, and
- (d) any other matter relevant to the matters referred to in the aforesaid paragraphs (a), (b) and (c) pertaining to the working of the Faculty as a whole.

(3) The Academic Committee shall appoint the following standing committees—

- (i) Curriculum,
- (ii) Evaluation,
- (iii) Research,
- (iv) Library,
- (v) Admission and Student Counselling; and
- (vi) any other committees the Academic Committee shall deem fit to appoint,

and such committees shall periodically report, at least once in every three months, to the Academic Committee on any related matter of interest.

(4) The Academic Committee shall determine the procedure for the conduct of its business.

27. The constitution, powers and duties, and the term of membership of members other than *ex officio* members, of such other bodies as shall be declared by statute to be Authorities of the University shall be prescribed by rules made by the Board of Governors.

Constitution,
powers and
duties of
other bodies.

28. The Registrar shall according to statutes to be made by the Board of Governors arrange for the conduct of elections for the selection of members to the various Authorities and other bodies from time to time as may be required, and the Assistant Registrar of a Campus shall assist him whenever necessary.

Conduct of
elections to
Authorities and
other bodies.

29. No act or proceeding of the Board of Governors, Senate, Campus Board, Faculty Council or any other University Authority or body shall be invalid by reason of the existence of a vacancy or vacancies among its members, any defect or defects in the appointment of its members or any defect in the constitution or procedure of such Authority or body, or the failure or refusal by any body of persons to elect any representative to any University Authority or body.

Act or proceed-
ing of any
Authority
or body not
invalidated by
defect in
constitution or
procedure.

30. All students, and representatives of the non-academic staff of the University, shall be excluded from proceedings at meetings of Authorities and other bodies held in connection with the promotion and appointment of the staff, disciplinary matters

Exclusion of
students and
others from
special
meetings.

of the staff, examinations, scrutiny and allied matters, and such meetings shall nevertheless be deemed to be duly held:

Provided, however, that where any matter in respect of the appointment, promotion or discipline of the non-academic staff is discussed, representatives of the non-academic staff shall not be excluded from the proceedings of such meetings.

**The Planning
and Grants
Committee.**

31. (1) There shall be a Planning and Grants Committee consisting of three members, and the Chairman of such Committee shall be the Vice-Chancellor.

(2) The two members of such Committee, other than the Chairman, one of whom shall be a person experienced in accountancy or administration, shall be appointed by the Minister and each such member shall, unless he vacates office earlier, hold office for a period of five years and the terms and conditions of service of each such member shall be determined by regulation. The Minister may, in the public interest remove any such member from office by Order published in the *Gazette* and any member so removed shall be deemed to have vacated such office from the date on which such Order is published in the *Gazette*. Such removal shall forthwith be reported to the House of Representatives.

(3) Notwithstanding the powers of the Board of Governors or any other Authority or body of the University, under any other provisions of this Act, the Planning and Grants Committee shall have the power to—

- (a) summon, inspect and examine any officers, teachers or other persons and to call for any documents or records of the University;
- (b) examine the items of expenditure incurred by the University including matters in the Auditor-General's Report, irregularities or any other aspect of public interest referred to therein;
- (c) study the draft estimates of the University and make a report thereon to the Minister, commenting on any items of interest therein, which report shall also be made available to the Board;
- (d) hear and decide appeals under sections 12 (1) (*an*), 12 (1) (*ao*), 40 and 60:

Provided, however, that where any such appeal involves any cause or matter against any member of the Planning and Grants Committee, such cause or matter shall be referred to the Minister for decision and the Minister shall have and exercise the powers of the Planning and Grants Committee for the purpose of deciding such cause or matter, and such decision shall be deemed to be a decision of the Planning and Grants Committee;

- (e) inquire into and report on any new items of proposed expenditure to the Minister; and
- (f) determine any other matter that may be referred to the Committee by the Minister or under any other provisions of this Act.

(4) For purposes of planning or any inquiry into any specialised matter the Planning and Grants Committee may co-opt as members persons of experience and ability, and the Vice-Chancellor shall furnish the staff necessary for the performance of its functions.

(5) The duties of the Planning and Grants Committee with respect to planning shall be as follows—

- (a) to direct the planning unit of the University;
- (b) to produce short-term and long-term plans for University development and to make them available to the Government, the University Authorities and interested persons; and
- (c) to act in all other matters that are relevant to paragraphs (a) and (b) including any special matter that may be referred to the Committee by the Board of Governors.

(6) The Planning and Grants Committee shall determine from time to time the total number of students who shall be admitted annually to each Faculty and the apportionment of that number to different courses of study in that Faculty and for such purpose the Committee shall have the power to control and regulate the working of the Central Agency for Admissions established under this Act.

(7) The Planning and Grants Committee may report on any matter of public interest concerning the University to the Minister at the request of the Minister or otherwise.

PART IV**CONVOCATION OF THE UNIVERSITY**

Holding of a Convocation of the University.

32. (1) A Convocation of the University for the purpose of conferring degrees shall be held in every year on such date and at such place as may be approved by the Chancellor:

Provided that a special Convocation of the University may be held at such other time as the Chancellor may determine:

And provided further that the first degrees may be conferred without the holding of a Convocation.

(2) The procedure of a Convocation of the University shall be prescribed by ordinance.

PART V**STUDENTS' UNIONS OF THE UNIVERSITY**

The Students' Union of a Faculty of the University.

33. (1) Each Faculty of the University shall have a Union called the Faculty Students' Union, in this Act referred to as the "Faculty Students' Union", consisting of the following, namely, the President, the Vice-President, the Secretary, the Assistant Secretary, the Junior Treasurer, the Editor and seven Committee Members elected from among the general body of students in attendance at the Faculty to form the Faculty Union Committee.

(2) Each Campus of the University shall have a Council called the Students' Council, in this Act referred to as the "Students' Council", consisting of the following *ex officio* members, namely, the President, the Vice-President, the Secretary, the Assistant Secretary, the Junior Treasurer and the Editors of the Faculty Students' Unions of the Campus as well as additional members nominated by the Committee of each Faculty Students' Union on the basis of one additional member for every five hundred students or part thereof in excess of the first five hundred, in the case of Faculties with over five hundred students; and such Council shall elect a Chairman, a Vice-Chairman, a Secretary, a Junior Treasurer and three Editors from among its membership.

(3) In addition to provisions made otherwise the functions of a Students' Union or Council shall be—

- (a) to foster cultural, literary and aesthetic awareness and activity among students;
- (b) to foster an interest and understanding in the arts and life and the social well-being of the citizens of the country;
- (c) to organize and promote cultural, literary and social inter-activity with other Universities and like organizations in Ceylon and abroad;
- (d) to foster activity conducive to the social and moral well-being of the student community and promote activity conducive to healthy social life;
- (e) to foster a spirit of corporate life among students of the University generally, and in particular among students of the Campus;
- (f) to organize and supervise, subject to the direction and control of the Committee of Residence and the Committee of Welfare and Discipline of the Campus, student welfare facilities in the University including recreational facilities, spiritual and religious activities, and the supply of meals and refreshments;
- (g) to make recommendations to the Campus Board on all matters relating to, or connected with, the living and working conditions of the students of the Campus;
- (h) to be represented on any other body which may in accordance with rules made by the Board of Governors or Campus Board for the purpose, be appointed to undertake student welfare activities in the University;
- (i) to assist the Committee of Residence and the Committee of Welfare and Discipline of the Campus in maintaining discipline among students;
- (j) to represent students who are the accused in disciplinary inquiries;
- (k) to participate actively in the organization and execution of extension courses and adult education programmes in collaboration with the Campus staff and students; and

(l) to undertake such other activities as may be determined by the Board of Governors from time to time.

(4) The Board of Governors and Campus Boards may frame rules for the guidance and control of Students' Unions, Councils and other Student Societies, and the proper use of funds by such bodies.

PART VI

STATUTES, ORDINANCES AND RULES

Statutes.

34. (1) Subject to the provisions of this Act, statutes may be made by the Board of Governors in respect of all or any of the following matters—

- (a) the filling of vacancies in and the convening of any Authority or other body of the University, where no provision has been made otherwise;
- (b) the maintenance of a register of registered graduates, diploma holders and certificate holders of the University;
- (c) the determination of the degrees, diplomas, certificates and other academic distinctions to be conferred by any Faculty of the University;
- (d) the conferment of honorary degrees by the University;
- (e) the conditions of residence and the discipline of students, and the appointment of Wardens of Halls of Residence of any Campus of the University;
- (f) the institution and award of scholarships, exhibitions, bursaries, medals and other prizes in any Faculty of the University for which funds or property may in any manner whatsoever be provided, and the making of rules respecting the same and the tenure thereof;
- (g) the interpretation of the statutes, ordinances and rules;
- (h) the admission of students to the University;
- (i) the regulation of external examinations and relevant courses of study in any approved institution;

- (j) the conditions under which students shall be admitted to the Degree, Diploma or Certificate Courses of study of any Faculty of the University;
- (k) the creation of offices in the University other than those provided for in the Act and the abolition of such offices;
- (l) the conditions of appointment and emoluments of the teachers, officers and employees of the University and their powers and duties;
- (m) the constitution, powers and duties and the term of membership of the Authorities or Boards where such matters have not been provided for otherwise;
- (n) all matters relating to the conduct of elections for the selection of representatives to various Authorities, Boards, Councils and Unions where necessary;
- (o) assistance in the execution of schemes for the grant of loans from credit agencies to students;
- (p) all matters for which, under the provisions of this Act, statutes are authorized or required to be made; and
- (q) all matters which, under the provisions of this Act, are to be or may be prescribed by statute.

(2) Every statute which has been made by the Board of Governors shall be submitted to the Minister and the Minister may refer the statute back to that Board or may assent thereto.

(3) Every statute shall, when assented to by the Minister, be published in the *Gazette*, and shall come into force on the date of such publication.

35. (1) Subject to the provisions of this Act and the statutes, ordinances may be made by the Board of Governors of the University in respect of all or any of the following matters—

- (a) the courses of study to be prescribed for all degrees, diplomas or certificates of the University or other approved institutions;

Ordinances.

- (b) the conditions under which students shall be admitted to the degree, diploma or certificate examinations of the University and be eligible for degrees, diplomas and certificates;
- (c) the conditions of residence of students of the University;
- (d) the formation of Departments of Study in any Faculty of the University;
- (e) the constitution, powers and duties of any board, committee or other body of the University or Faculty thereof where such matters have not been otherwise determined;
- (f) the conditions and mode of appointment, duties and emoluments of examiners, and the conduct and standard of examinations;
- (g) the amount of, and conditions under which, fees may be prescribed and charged;
- (h) the grant of assistance to students, financial and otherwise;
- (i) the provision of assistance to University students in obtaining loans from credit agencies;
- (j) all matters for which, under the provisions of this Act, ordinances are authorized or required to be made; and
- (k) all matters which, under the provisions of this Act or of the statutes, are to be or may be prescribed by ordinance.

(2) No ordinance shall be made by the Board of Governors in respect of any matter relating to or connected with the teaching in, or any examination of, the University, unless a draft of such ordinance has been prepared and submitted to the Board by the Senate after consultation with the Council of the relevant Faculty.

(3) Any ordinance made by the Board of Governors shall come into force on such date as shall be specified therein.

(4) The Board of Governors shall have power to amend any draft proposal by the Senate under subsection (2) and may return it to the Senate for reconsideration either in whole or in part together with any amendments the Board may suggest if the Board considers it expedient to do so.

Rules by
Authorities and
other bodies of
the University.

36. (1) Subject to the provisions of this Act and of any appropriate Instrument, the Authorities and other bodies of the University may make rules—

- (a) for all matters which, under the provisions of this Act or of any appropriate Instrument, are to be or may be prescribed by rules made by any such Authority or other body;
- (b) for all matters in respect of which, under the provisions of this Act or of any appropriate Instrument, rules are required or authorized to be made by any such Authority or other body;
- (c) for all other matters solely concerning any such Authority or other body and not provided for by this Act or any appropriate Instrument.

(2) Any rule made by any Authority or other body of the University may, at any time, be amended, varied or revoked by a like rule made by such Authority or other body.

(3) The Board of Governors may direct amendment in such manner as it may specify of any rules made under this section and the Authority or other body to which such direction is given shall comply therewith.

(4) All rules made by any Authority or body of the University shall be laid before the Board of Governors.

PART VII

APPOINTMENT TO THE STAFF OF THE UNIVERSITY

37. The schemes of recruitment to the staff of the University shall be as determined by statutes and rules made by the Board of Governors in consultation with the Councils of the Faculties.

Scheme of
recruitment
to the staff
of University.

38. (1) Every appointment to a post of Professor, Associate Professor, Lecturer or Assistant Lecturer in the University shall be made by the Board of Governors after considering the recommendations of a selection committee appointed by the Board, subject to the condition that at least one-half of the committee, inclusive of the Dean of the relevant Faculty, shall be members of the Senate and the Head of the Department to which such appointment is to be made

Appointment
of teachers.

(where such Head of Department is himself not an applicant for the post), shall also be a member of such committee, which shall be constituted in such manner as may be prescribed by statute.

(2) Every appointment to a post of teacher, other than that of Professor, Associate Professor, Lecturer or Assistant Lecturer, shall be made by the Board upon the recommendation of a selection committee the composition of which shall be in the manner and in accordance with the procedure prescribed by statute, and the Board may delegate its powers under this sub-section to any Authority of the University.

(3) Every appointment of a teacher made under this section, or of the Registrar or Treasurer shall be upon an agreement in writing between the Vice-Chancellor or President of the Campus on behalf of the University and such teacher or officer. Such agreement shall be—

(a) in the case of experienced persons who have already gained distinction in their subjects, for such period and on such terms as the Board may resolve; and

(b) in other cases, initially for a probationary period of three years which may be extended by the Board by resolution for a further period of one year, if the Board thinks fit, and permanently thereafter.

(4) In the case of agreements entered into by the University under sub-section (3) (b), any renewal thereof upon the expiration of the probationary period shall be expressed to be and remain in force, subject to the reservation hereinafter referred to, until the teacher appointed thereby has completed his sixty-fifth year, or, if he completes his sixty-fifth year in the course of an academic year until the last day of such academic year, and in any such agreement there shall be expressly reserved—

(a) a right for the University to annul the agreement on any ground on which it shall be lawful for the Board under the provisions of section 12 to dismiss a teacher or Registrar or Treasurer; and

(b) a right for the teacher or officer to terminate the agreement at any time, upon giving three months' notice in writing to the Vice-Chancellor.

(5) The term "teacher" in this Part and in Part VIII shall be deemed to include the Librarian or Assistant Librarian.

(6) The Board may delegate any of its powers under this section to a Campus Board in accordance with statutes made therefor.

(7) In this section and in section 39, "Campus" means the Campus in relation to which an appointment is made.

39. (1) Every appointment to a post, other than that of a teacher or the Registrar or Treasurer shall, in the first instance, be for a probationary period of three years, and shall thereafter be subject to confirmation by the Board of Governors or a Campus Board as may be prescribed by statute.

Appointments,
other than those
of teachers, to
the staff of the
University.

(2) The holder of any post other than that of a teacher may continue in office until he completes his fifty-fifth year:

Provided that the holder of any such post may, in special circumstances, be given by the Board of Governors extensions of service for a period of one year at a time until he completes his sixtieth year.

40. (1) If any officer, teacher or employee transferred to any Campus, Faculty or Department of the University refuses to comply with such order of the Board of Governors conveyed to him by the Vice-Chancellor, the period of employment in the University of such person shall be deemed to have been terminated on the date of such refusal or failure to take up duties at the place appointed by such order and he shall be deemed to have retired.

Transfers
and
appeals.

(2) Every holder of a post in the University who is dismissed or compulsorily retired from his post may appeal against such dismissal or retirement to the Planning and Grants Committee whose decision on such appeal shall be final and conclusive.

(3) Any officer or employee of the University against whom any disciplinary action is taken may appeal against such action to the Planning and Grants Committee whose decision on such appeal shall be final and conclusive.

41. (1) At the request of the University an officer in the public service may, with the consent of that officer and the Permanent Secretary to the Ministry of Public Administration, be temporarily appointed to the staff of the University for such period as may be determined by the University with like consent or be permanently appointed to such staff.

(2) The provisions of sub-section (2) of section 9 of the Motor Transport Act, No. 48 of 1957, shall, *mutatis mutandis*, apply in relation to any officer in the public service who is temporarily appointed to the staff of the University under sub-section (1); and the provisions of sub-section (3) of the aforesaid section 9, shall, *mutatis mutandis*, apply to and in relation to any officer in the public service who is permanently appointed to such staff under that sub-section.

(3) At the request of the University, an officer or servant of the Local Government Service Commission or any local authority may, with the consent of that officer or servant and the Commission or authority, as the case may be, be temporarily appointed to the staff of the University with like consent or be permanently appointed to such staff on such terms and conditions, including those relating to pension or provident fund rights, as may be agreed upon by the University and that Commission or authority.

(4) Where the University employs any person who has entered into a contract with the Government by which he has agreed to serve the Government for a specified period, any period of service to the University by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

42. (1) Notwithstanding the repeal of the Ceylon University Ordinance (Chapter 186), by section 96 of the Higher Education Act, No. 20 of 1966, sections 67, 68 and 69 of that Ordinance shall be deemed to be in force with effect from the date of such repeal in relation to all transferred officers, and to all persons in the service of the Government of Ceylon and holding posts declared to be pensionable under the Minutes on Pensions who have been appointed officers or teachers in the University of Ceylon, prior to September 30, 1966, referred to in the above-mentioned sections 67, 68 and 69.

(2) Where a person referred to in sub-section (1) has been, without a break in his service, appointed from the University of Ceylon to any other University established or deemed to be established under any earlier Act, or to several other such Universities in succession, the rights of such person under the above-mentioned sections 67, 68 and 69 shall be deemed to subsist as though his total period of service in such two or more Universities were continuous service under the University of Ceylon, so, however, that the obligations of the University of Ceylon in respect of such person shall, with regard to his period of service under such other University or each of such other Universities, be deemed to have devolved upon such other University or Universities for such period.

PART VIII

UNIVERSITY PROVIDENT FUND

43. In this Part of this Act—

Inter-
pretation
of this
Part of
this Act.

“age of voluntary retirement” in relation to a contributor—

- (a) who is the holder of a post of teacher in the University means sixty-five; and
- (b) who is the holder of any other post in the University means fifty-five;

“contributor” means any member of the staff of the University who is a contributor to the provident fund, and includes the Vice-Chancellor or a President;

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

“provident fund”, in relation to the University, means the provident fund established by the University under this Part of this Act;

“salary” means the emoluments of the substantive post or appointment held by any contributor and includes any such allowances as may, by rule made by the Board of Governors, be declared to constitute part of the salary of a contributor.

Establishment of the provident fund.

Statutes may be made for the regulation of the provident fund.

Contributions to the provident fund.

Payment out of the provident fund.

44. The University shall establish a fund which shall be called and known as the "provident fund".

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

46. (1) Every member of the staff of the University, except in such cases as may be prescribed by statute, shall from the date of his employment on such staff contribute to the provident fund, by means of monthly deductions from his salary, an amount equal to six *per centum* of his earnings; and the University shall, in addition, out of the University Fund, at the same time contribute to the provident fund in respect of every contributor a sum equal to one-tenth of the salary, or nine *per centum* of his earnings, whichever is higher, of that contributor or such other sum as the Minister in consultation with the Minister of Finance may determine.

(2) The Treasurer shall open and keep a general account for the provident fund and a separate account in respect of each contributor to that fund. All contributions made by a contributor to the provident fund and all contributions made by the University to the provident fund in respect of that contributor shall be credited to the separate account of that contributor in the provident fund.

(3) The amount lying to the credit of the account of a contributor shall, subject to statutes made in that behalf, accumulate at compound interest at the rate to be fixed by the Minister in consultation with the Minister of Finance until the day on which that contributor completes his age of voluntary retirement; and the account of that contributor shall be closed on that date.

47. (1) When the account of any contributor is closed as provided in section 46, the Treasurer shall, subject to the provisions of section 48, pay to that contributor the full amount lying to the credit of his account in the provident fund.

(2) Where a contributor, before he has completed his age of voluntary retirement, ceases to be employed by, or terminates in any manner his employment with, the University, the Treasurer shall, subject to the provisions of section 48, pay to that contributor the full amount which has accumulated to the credit of his account in the provident fund at the date on which he has ceased to be so employed, or on the date on which he voluntarily left, as the case may be.

(3) Where a contributor dies while in the service of the University, the Treasurer shall, subject to the provisions of section 48, pay the full amount which has accumulated to the credit of the account of that contributor in the provident fund to the estate of the deceased contributor or to the person or persons lawfully entitled thereto.

(4) Where a contributor, before he has completed his age of voluntary retirement, is dismissed from the service of the University, the Treasurer shall, subject to the provisions of section 48, pay to that contributor the amount contributed by him to the provident fund, together with the accumulated interest thereon up to the date of his dismissal.

48. Notwithstanding anything in the preceding provisions of this Part of this Act and without prejudice to any other right or remedy, the amount of any loss or damage sustained by the University by reason of the dishonesty or negligence of a contributor at any time during the period of his employment by the University and payments due on any loan taken by the contributor from the University or the Government, shall be a first charge upon the sum lying to the credit of the account of that contributor in the provident fund; and such amount may be deducted at the time any payment is made in accordance with the provisions of section 47.

Deductions
prior to
payment
from the
provident
fund.

PART IX

FINANCIAL PROVISIONS

49. (1) The Deputy Secretary to the Treasury shall, from time to time after the commencement of each financial year, and having regard to the availability of finances, pay to the University such sums as may be practicable out of moneys provided by

Payments
to the
University.

Parliament by way of annual appropriation, supplementary vote or otherwise for the performance of the functions of the University.

(2) All moneys paid to the University under the preceding sub-section shall be applied or expended by the University for all or any of the purposes authorized by this Act or any appropriate Instrument.

The Uni-
versity
Fund.

50. (1) There shall be a fund of the University to be called the "University Fund", into which shall be paid—

- (a) moneys provided by Parliament from time to time for the use of the University;
- (b) fees to be paid to the University in accordance with the provisions of any appropriate Instrument;
- (c) income from endowments; and
- (d) all other moneys belonging to the University from whatsoever source derived or received.

(2) All moneys belonging to the University Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Minister of Finance, be decided by the Board of Governors.

(3) The Board of Governors may disburse such sums as it may think fit for performing its functions under this Act and such sums shall be treated as expenditure payable out of the University Fund.

Payments
to a
Campus.

51. (1) Subject to the control of the Board, the Treasurer shall from time to time, after the commencement of each financial year, pay to each Campus Board such sums as may be required out of the University Fund for the performance of its functions.

(2) The Campus Board may, with the prior consent of the Board of Governors, transfer moneys assigned under one head of expenditure to any other head.

Treasurer
to keep
accounts.

52. It shall be the duty of the Treasurer of the University—

- (a) to keep the accounts of the University in such form and manner as the Board of Governors shall from time to time direct;

- (b) to receive all moneys paid into the University Fund and credit such moneys to the proper heads of accounts;
- (c) to make all authorized payments;
- (d) to prepare, in consultation with the Registrar, for the consideration of the Board of Governors, such triennial estimates as are required by the Board of Governors, the annual financial appropriations for the ensuing financial year and any supplementary estimates under section 58:

Provided, however, that income derived from grants made for specific purposes, or from endowments for specific objects, shall be separately accounted for in the accounts of the University, and no payments shall be made from such income for the general purposes of the University or for any purposes or objects other than those for which such grants or endowments were respectively made.

53. (1) Each Campus Board shall prepare and forward to the Board of Governors the annual draft estimates and proposed programme of expenditure for the ensuing year not less than six months prior to the commencement of the year to which such draft estimates relate.

Annual
draft
estimates and
programme of
expenditure.

(2) The Board of Governors shall make such alterations in such draft estimates and programme of expenditure as it thinks fit and shall direct the Treasurer to prepare the annual draft estimates and programme of expenditure for the whole University and submit the same to the Minister through the Planning and Grants Committee.

54. The annual draft estimates of the University shall be considered by the Minister and it shall be lawful for the Minister to adopt or amend such estimates, after consultation, if necessary, with the Authorities, and he shall cause the Permanent Secretary to the Ministry to forward the same to the Secretary to the Treasury for approval and inclusion of provision agreed upon by the Treasury in the annual draft estimates of the Government; and after such draft estimates are thus settled, the Permanent Secretary to the Ministry shall inform the University of the amount that will be so provided.

Annual draft
estimates
to be
considered
by the
Minister.

Board of
Governors
to prepare
budget.

Inclusion of
appropriations
in Appropriation Bill.

Annual
report.

Supplemental
estimates.

55. The Board of Governors shall, upon being informed of the approved estimates, proceed to prepare the final budget of the University showing the appropriations for the year, the amounts allocated to each Campus and such other details as may be deemed necessary in such form and manner as may be prescribed by the Minister.

56. The Secretary to the Treasury shall thereupon include such appropriations in the Appropriation Bill for the year next ensuing and inform the Permanent Secretary to the Ministry of such action.

57. The University shall prepare once a year, in such form and at such time as may be prescribed by regulation, an annual report giving a true and full account of the activities in the University during the previous year and copies thereof shall be forwarded to the Minister, and the Minister shall cause the same to be laid before the House of Representatives.

58. In case of necessity and in order to meet unforeseen expenditure it shall at any time be lawful for the Treasurer of the University to prepare supplementary estimates of expenditure and for the Board of Governors to pass such estimates:

Provided, however, that such supplementary estimates shall be submitted to the Minister together with the annual appropriations for the ensuing year:

Provided, further, that such supplementary estimates shall not exceed the grant voted by Parliament for the financial year and no financial liability of a recurrent nature shall be incurred without the prior approval of the Minister with the concurrence of the Minister of Finance.

59. (1) The University shall prepare an annual statement of accounts and statistics relating to its activities in such form and manner and containing such particulars as the Minister, with the concurrence of the Minister of Finance, may specify from time to time.

(2) The books of accounts of the University shall be kept at the office of the University.

(3) The financial year of the University shall be the same as the financial year of the Government.

Annual
statement
of
accounts
and
statistics.

60. (1) (a) The University shall have its accounts audited each year by the Auditor-General and 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.

(b) The accounts of the University for each financial year shall be submitted by the Vice-Chancellor to the Auditor-General for audit within four months after the close of that financial year.

(2) The Auditor-General and any person assisting the Auditor-General in the audit of the accounts of the University shall have access to all such books, records, deeds, agreements, vouchers and other documents of the University as the Auditor-General may consider necessary for the purpose of the audit and shall be furnished by the University and its officers with such information within their knowledge as may be required for such purpose.

(3) For the purpose of meeting the expenses incurred by him in auditing the accounts of the University, the Auditor-General shall be paid, from the University Fund, such remuneration as the Minister may determine with the concurrence of the Minister of Finance. Any remuneration received from the University by the Auditor-General shall, after deducting any sums paid by him to any qualified auditor or auditors employed by him for the purpose of such audit, be credited to the Consolidated Fund of Ceylon.

(4) For the purpose of this section, the expression "qualified auditor" means—

(a) a person who, being a member of the Institute of Chartered Accountants of Ceylon, possesses a certificate issued by the Council of that Institute to practise as an accountant, or

(b) a firm of Chartered Accountants each of the partners of which, being a member of that Institute, possesses a certificate issued by the Council of that Institute to practise as an accountant.

(5) (a) The Auditor-General shall disallow every item of the accounts which is in his opinion irregular or contrary to law and surcharge the same on the

officer, teacher or employee making or authorizing the making of such payment, and shall charge against any officer, teacher or employee any sum which ought to have been, but is not, brought into account by such officer, teacher or employee and the Auditor-General shall in each such case certify the amount due from such person.

(b) Before certifying any surcharge or disallowance against any officer, teacher or employee of the University under paragraph (a), the Auditor-General shall notify such person of such proposed surcharge or disallowance and inform such person of his right to make representations or be heard against such surcharge or disallowance, and fix a time and place for the hearing and inquiry into such representations not less than fourteen days from the date of despatch of such notice, and upon completion of such hearing and inquiry the Auditor-General shall record the same and make his decision thereon giving the reasons for such decision and the costs in the case, and inform such person and the Registrar of the University of the same.

(c) Any person aggrieved by the decision of the Auditor-General, may within fourteen days from the communication to such person of such decision, appeal therefrom to the Planning and Grants Committee:

Provided, however, that any person who, upon being informed of the proposed surcharge or disallowance by the Auditor-General, refuses or neglects to attend or take part in any inquiry or hearing before the Auditor-General, as to such surcharge or disallowance under paragraph (b) of this sub-section, shall not be entitled to appeal to the Planning and Grants Committee under this paragraph.

(d) Upon receipt of any appeal under paragraph (c) the Planning and Grants Committee shall consider such appeal and—

(i) if, in the circumstances of the case, it considers it fair and equitable that such surcharge or disallowance should be remitted, make such order; or

(ii) vary or confirm the amount of such surcharge or disallowance; and

- (iii) make an order as regards the costs incurred by the Auditor-General in respect of such surcharge or disallowance and inform such person and the Registrar of the University and the Auditor-General of such decision.
- (e) Where a surcharge or disallowance against any person has been certified by the Auditor-General and—
 - (i) an appeal has been decided by the Planning and Grants Committee under paragraph (d); or
 - (ii) no right of appeal is available to any person under the proviso to paragraph (c).

the amount directed to be recovered by any such certification, together with costs ordered therein, shall be recoverable by the University from that person upon application made by the Vice-Chancellor or a person authorized by him in writing to a Magistrate having local jurisdiction in the same manner as if it were a fine imposed by such Magistrate, notwithstanding the provisions of the Criminal Procedure Code.

61. (1) The Auditor-General shall examine the accounts of the University and furnish a report—

Auditor-General's 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 affairs of the University; and
- (c) drawing attention to any item in the accounts which in his opinion may be of interest to the House of Representatives in any examination of the activities and accounts of the University.

(2) The Auditor-General shall transmit his report to the University.

(3) The report of the Auditor-General referred to in sub-section (2) shall be considered by the Planning and Grants Committee and after such consideration the University shall inform the Auditor-General of the steps taken or proposed to be taken with regard to the matters pointed out in such report within three months of the transmission of such report to the University.

Annual
accounts and
the Auditor-
General's
report to
be trans-
mitted to
the
Minister.

Certain
provisions
of Finance
Act, No. 38
of 1971,
to apply.

Gifts, &c.

Questions
as to
validity
of elect-
ions,
appoint-
ments, &c.

Certain
assets
of members
of the
staff of
the Uni-
versity
exempt
from
seizure in
execution.

Media of
instruc-
tion.

62. The University shall, on receipt of the Auditor-General's report each year, transmit such report with any comments made thereon by the Planning and Grants Committee together with the statement of accounts to which the report relates, to the Minister who shall cause copies thereof to be laid before the House of Representatives, before the end of the year next succeeding the year to which such accounts and report relate, and the Vice-Chancellor and the Presidents of the Campuses shall attend and answer any questions arising therefrom, before the Public Accounts Committee of the House of Representatives.

63. The provisions of sub-sections (3), (4), (5) and (7) of section 13, and the provisions of section 15, of the Finance Act, No. 38 of 1971, shall, *mutatis mutandis*, apply to and in relation to the audit of the accounts of the University.

PART X

GENERAL PROVISIONS

64. The University shall not make any gift or division of money other than a death gratuity to or between any of its members, otherwise than in accordance with statutes made under the provisions of section 34 (1) (f) of this Act.

65. If any question arises whether any person has been duly elected, appointed, nominated or co-opted as, or whether any person is entitled to be, a member of any Authority or other body of the University, the question shall be referred to the Planning and Grants Committee whose decision thereon shall be final and conclusive and not be called in question in any Court.

66. Notwithstanding anything in any other written law, the moneys lying to the credit of a member of the staff of the University in the provident fund shall not at any time be attached, sequestered or seized in execution of the decree or process of any Court.

67. The University shall act in compliance with Government policy in respect of the media of instruction and the provision of facilities for instruction and study in the national languages.

68. Statutes may be made prescribing that any such radius from any such point or place in or on the Seat of a Campus of the University as shall be so prescribed shall be the radius of that Seat or Campus, as the case may be, in this Act referred to as "the radius".

Radius of
a Seat of
a Campus of
the
University.

69. (1) All members of the staff of the University shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

Members of
staff
deemed
to be
public
servants, and
the
University
a scheduled
institution
under the
Bribery Act.

(2) The University shall be deemed to be a scheduled institution within the meaning of the Bribery Act.

70. (1) Notwithstanding the provisions of any other written law no person, institution, corporation or professional or other body, other than the University of Ceylon established under this Act or the Buddha Sravaka Dharmapithaya established under Act No. 16 of 1968, shall grant or confer on any person or persons any degree or academic distinction whatsoever:

No person or
body other
than the
University
to grant or
confer de-
grees.

Provided, however, that academic distinctions may be granted by professional bodies or research institutes by arrangement with the University.

(2) Where there is a contravention of the provisions of sub-section (1) by any person, institution or body of persons, such person or the governing authority, proprietor, director or other person or persons responsible for the management of such body or institution shall be guilty of an offence and shall upon conviction after summary trial before a Magistrate, notwithstanding the provisions of the Criminal Procedure Code, be liable to a fine of two hundred and fifty rupees.

71. The University shall furnish to the Minister such returns and other information with respect to its property or activities as the Minister may from time to time require.

Returns
and
information.

72. (1) On or after such date as may be appointed, for the purpose of this section, by the Minister by Order published in the *Gazette*, no educational institute, other than the University established under this Act, shall be established or maintained by or under a name which contains the word "University".

Restrict-
ions on
the use of
the word
"University"

(2) Where there is a contravention of the provisions of sub-section (1) in respect of any educational institute, each member of the governing authority or proprietor of that institute shall be guilty of an offence, and shall, on conviction after summary trial before a Magistrate, be liable to a fine of one hundred rupees for each day upon which the word " University " was used as its name or part of its name.

(3) Sub-sections (1) and (2) of this section shall not apply to the Buddha Sravaka Dharmapithaya established under Act No. 16 of 1968.

Minister's powers.

73. (1) Notwithstanding any other provisions of this Act, the University shall comply with directives made to the University by the Minister in pursuance of national policy in matters such as finance, University places, and medium of instruction.

(2) A University Faculty shall comply with such instructions as may be issued by the Board of Governors in pursuance of directives received by the University under sub-section (1).

(3) If any Faculty fails within a reasonable time to comply with any instructions issued by the Board of Governors under sub-section (2), the Board of Governors after taking into consideration the cause if any shown by the Faculty for its failure to comply with such instructions, may withhold from such Faculty the relevant portion of the grants proposed to be made out of the University Fund.

(4) If any Faculty is aggrieved by any action taken under sub-section (3), such Faculty may, within thirty days of the withholding of the grant, appeal to the Minister.

(5) Directives issued under sub-section (1) shall be reported to the House of Representatives.

(6) (a) Where the Minister is satisfied that, due to any strike or lock-out or any other cause, the work or administration of any University Campus has been seriously dislocated and that the University authorities have failed to restore normal conditions, the Minister may take all such measures as may be necessary to ensure the restoration of normal conditions in such Campus. Pending the restoration of such normal conditions, the Minister may, by Order

published in the *Gazette*, make all such provision as he may consider necessary in respect of all or any of the following matters—

- (i) the closure of the Campus or a Faculty thereof;
- (ii) the suspension of the operation of any of the provisions of this Act or any appropriate Instrument;
- (iii) the appointment of any person by name, or by office for the purpose of exercising, discharging or performing in lieu of any officer, Authority or other body of such University or Campus thereof, any power, function or duty under this Act or any appropriate Instrument; and
- (iv) any other matter connected with or relating to any of the matters aforesaid.

(b) Any Order made by the Minister under paragraph (a) of this sub-section shall come into force on the date of its publication in the *Gazette*, or on such later date as may be specified therein. Any such Order shall, as soon as possible thereafter, be tabled in the House of Representatives, and shall remain in force for a period of three months thereafter, unless it is earlier rescinded.

(c) Any decision made, any action taken or any Order made by the Minister under this sub-section shall not be called in question in any Court of law whether by way of writ, mandate or otherwise.

74. The Minister may, by notification in the *Gazette*, make regulations for the purpose of carrying into effect the purposes and provisions of this Act and such regulations shall come into force on the date specified in such notification, and as soon as possible after they are made, be laid before the House of Representatives.

Minister
may make
regulations.

75. The Minister may, in consultation with the Board of Governors, by notice published in the *Gazette*, determine what institutions may be approved for the conduct of courses of study approved by the University for the grant of diplomas, certificates and other distinctions of the University and such institution is referred to in this Act as an “approved institution”.

Approved
institutions.

External examinations.

76. The University may in consultation with any Campus Board and Faculty concerned, make arrangements for the conduct of external examinations for persons outside the University including those receiving instruction in approved institutions, and establish an external examinations agency therefor.

Transfer of other institutions to the University.

77. (1) The Minister may, by Order published in the *Gazette*, transfer to the University any institution, school or college, together with any movable property therein, and any immovable property of such institution, school or college may by a like Order by the Minister of Lands be vested in the University.

(2) Upon the publication of such Order the movable and immovable property of such institution, school or college shall vest in the University and the provisions of Part XII of this Act shall, *mutatis mutandis*, apply to the staff of such institution, school or college, with effect from the date specified in that Order.

PART XI

APPLICATION OF THE HOUSING AND TOWN IMPROVEMENT ORDINANCE

Application of Chapter 268 to areas within the precincts or in proximity to the precincts of the University.

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

(2) Upon the publication of any Notification under sub-section (1) of this section, the said Chapter shall apply accordingly, subject to the following modifications therein—

(a) The word “ Vice-Chancellor ” shall be substituted for the word “ Chairman ”, wherever the latter word occurs therein.

- (b) The following section shall be substituted for section 7 thereof—

"Circumstances
in which
approval or
consent may be
refused.

7. The Vice-Chancellor of the University shall not refuse—

- (1) to approve any plan, drawing or specification of any building;
or
(2) to consent to any alteration in any building,

unless the building or the alteration of the building is of such a nature as to be likely, in his opinion, to injure the amenities of the precincts of the University, or unless the applicant for such approval or consent fails to comply with any requirement made under section 8.”.

(c) In section 8 (a) thereof, the words “ by local by-laws, or in the absence of such by-laws ” shall be omitted.

(d) In section 8 (b) thereof, the words “ so as to bring it into accordance with such form or so as to contain any of such particulars ” shall be substituted for the words “ so as to bring it into accordance with law ”.

(e) In section 8 (e) thereof, the word “ Chapter ”, shall be substituted for the word “ Ordinance ”.

(f) In section 13 (1) (c) thereof, the words “ this Chapter ” shall be substituted for the words “ this Ordinance or of any local by-law ”.

(g) In section 13 (2) thereof, the words “ so as not to injure the amenities of the precincts of the University ” shall be substituted for the words “ in such a way as to bring it into accordance with law ”, and the words “ and any expenses thereby incurred shall be recoverable upon an order made by the Magistrate in the same manner as a fine imposed by him, and upon recovery shall be paid to the Vice-Chancellor ” shall be substituted for the words “ and to recover the expenses thereby incurred in the same manner and by the same process as a rate ”.

- (h) In section 15 (1) thereof, the words "does not injure the amenities of the precincts of the University" shall be substituted for the words "is in accordance with law".
- (i) The reference to the tribunal of appeal in section 16 thereof shall be deemed to be a reference to the District Court having jurisdiction in the district in which the said area is situated.
- (3) The exercise of any of the powers conferred on the Vice-Chancellor of the University under the provisions of this section shall be subject to the consent of the Board of Governors, and if the Vice-Chancellor refuses to approve any plan, drawing or specifications of any building, or to consent to any alteration in any building within the said area on the ground that it will injure the amenities of the precincts of the University, the University shall make compensation to any person for any loss or damage he may sustain in consequence of such refusal; and any person aggrieved by the failure of the University to make such compensation or to make adequate compensation, may appeal to the District Court having jurisdiction in the district in which such area is situated, and the decision of the District Court on any such appeal shall be final and conclusive.

PART XII

REPEAL AND TRANSITIONAL PROVISIONS

79. (1) The Higher Education Act, No. 20 of 1966, is hereby repealed.

(2) Notwithstanding the repeal of the Higher Education Act, No. 20 of 1966, an Order by the Minister published in the *Gazette* under sub-section (1) of section 88 of that Act shall be deemed to be an Order by the Minister published in the *Gazette* under sub-section (1) of section 72 of this Act.

80. Upon the repeal of the Higher Education Act, No. 20 of 1966, a University established or deemed to have been established under that Act, and in existence on the date immediately prior to the date of such repeal, and the Secretariat of the National Council of Higher Education, shall be deemed for all purposes, to be a section of the University which has

Repeal of
Act No.
20 of
1966.

Certain
provisions
applicable
upon the
repeal of
the Higher
Education
Act.

been established under this Act, and to continue in existence in such manner as may be determined by the Board.

81. Subject to the provisions of this Act and of any appropriate Instrument, the following provisions shall apply as from the date on which an old University and the Secretariat of the National Council of Higher Education become a section of the University—

Effect of
an old
University
becoming
a section
of the
University.

- (1) All teachers, officers and servants in the service of an old University and the Secretariat of the National Council of Higher Education on the day immediately prior to that date who have not on that day completed their sixty-fifth year of age shall be deemed to be teachers, officers and servants in the service of the University, and shall hold their offices with as nearly as may be the same status and on the same terms, including terms relating to salary or wages, the termination of employment, allowances or other benefits as they had or enjoyed in the service of the old University and the Secretariat of the National Council of Higher Education.

Provided, however, that the preceding provisions of this paragraph shall not apply—

- (a) to the Vice-Chancellor of an old University who shall revert to the substantive post as teacher held by him in the University prior to his assumption of duties as Vice-Chancellor or, if such post has been filled, occupy a corresponding additional post created by the Authorities of the University, or
- (b) to a Secretary and a bursar of an old University, each of whom shall cease to hold his post;

Provided, further, that a Reader in the service of an old University shall be called and known as "Associate Professor" of the University and the terms and conditions of service shall be the same or nearly the same as that of a Reader in an old University.

- (2) All debts, obligations and liabilities incurred and all contracts, deeds, bonds, agreements and other instruments executed or entered into, and all matters and things engaged to be done by, with or for an old University or the National Council of Higher Education prior to that date shall be deemed to have been incurred, executed, entered into or engaged to be done by, with or for the University, subject to the provisions of paragraph (1) of this section.
- (3) All suits, prosecutions, appeals or other legal proceedings, civil and criminal, instituted or which might have been instituted, by or against the old University or the National Council of Higher Education prior to that date may, subject to the provisions of this Act and of any other written law, be continued or instituted by or against the University.
- (4) All decrees or orders made by a competent Court in favour of, or against, an old University or the National Council of Higher Education prior to that date shall be deemed to have been made in favour of, or against, the University.
- (5) The University Provident Funds in respect of the old Universities and the Provident Fund of the National Council of Higher Education established under the Higher Education Act, No. 20 of 1966, shall be deemed to be the provident fund of the University established under this Act.
- (6) All property, movable or immovable, which has been vested in, or legally purchased or acquired by, or leased to, or placed at the disposal of, or in any other manner transferred to an old University or the National Council of Higher Education, or is in their possession or control at that date shall be held by or in trust, for the University, subject to the trusts, charges, liabilities, reservations, servitudes or other encumbrances and on the terms and conditions appertaining, attaching or applicable thereto at that date.

- (7) All statutes, ordinances and rules made by the Authorities of the old Universities and the National Council of Higher Education shall be deemed to be statutes, ordinances and rules made by the University.
- (8) The Fund of the National Council of Higher Education and the University Funds of the old Universities established under sections 21 and 72 respectively, of the Higher Education Act, No. 20 of 1966, shall be deemed to be the University Fund of the University.

82. Where any teacher or officer or employee of an old University or the National Council of Higher Education ceases to hold such office or employment by reason of the fact that he is not deemed to be a teacher, officer or employee of the University under section 81, such person shall be deemed to have retired on reaching the age of voluntary retirement and the provisions of Part VIII of this Act shall apply to such person accordingly, but without prejudice to any action the University may take under the provisions of sub-section (3) (a) of section 38.

Cessation
of office
of employees
of an old
University.

83. The Minister may by Order, transfer to the University such fixtures and movable property belonging to the Crown and used by the Ceylon College of Technology; and any fixtures or movable property specified in any such Order shall with effect from such date as may be appointed thereby, vest in and be the property of the University.

Transfer
of property
of the
Ceylon
College of
Technology.

84. (1) Save as otherwise provided in sub-section (3) any teacher, officer, servant or other person holding a permanent appointment in the public service and employed in the Ceylon College of Technology immediately before the date on which this Act comes into operation who has not completed his fifty-fifth year may, with effect from that date, be transferred to the employ of the University.

Transfer of
staff of the
Ceylon
College of
Technology.

(2) All officers transferred under the provisions of sub-section (1) shall be employed by the University under the conditions of service prescribed under sub-sections (1) and (2) of section 41 of this Act, and any dispute between the University and such transferred officer shall be decided by the Minister in charge of Public Administration whose decision shall be final.

(3) The preceding provisions of this section shall not apply to the members of any service of the Government to which appointments are made subject to transfer within that service.

(4) Where any teacher or officer or employee of the Ceylon College of Technology, other than persons in the transferable services of the public service, is not transferred to an office or employment in the University under sub-section (1) of this section, such person shall be deemed to have retired from the public service on the ground of abolition of office on the date on which this Act comes into operation.

(5) Students receiving instruction on the appointed date in the Ceylon College of Technology at various stages relevant to the courses proposed to be held at the University, may be transferred to the corresponding stages in corresponding courses at the University and they shall for all purposes be deemed to have been duly admitted and to have attended like courses for corresponding periods at the University for the purposes of the award of degrees, diplomas and certificates of the University.

Special provisions pending the establishment of a University under this Act.

85. Notwithstanding anything in any other provision of this Act, the following provisions shall apply during the transitional period pending the creation and organization of the Faculties and Institutes, the constitution of the Authorities and the election of officers of the University under this Act for the purposes of enabling all such arrangements and measures to be made and taken as are necessary to enable the University to commence to function as such, and to carry out its objects, as early as possible after the date of its establishment:—

(a) The Governor-General and the Minister may commence to hold office as Chancellor and Pro-Chancellor respectively as from the date of the commencement of such period, and accordingly may exercise, discharge and perform all such powers, functions and duties in respect of the University as are conferred or imposed on them under this Act or any appropriate Instrument.

(b) The first Vice-Chancellor may be appointed by the Minister at any time during that period, and if so appointed,—

(i) he may exercise, discharge and perform in respect of the University all such powers, functions and duties as are

conferred or imposed on him under this Act or any appropriate Instrument;

- (ii) he shall, unless he earlier vacates office, hold office until such time as arrangements for the transition to the new structure are completed as determined by the Minister; and
- (iii) notwithstanding any other provisions of this Act, the first Vice-Chancellor shall have the power to reallocate the staff, students, equipment, land, buildings and other facilities of the University, inclusive of those of the old Universities, among the several Campuses of the University and to determine the structure and composition of each Campus including the Faculties, the Departments and sub-Departments and the disciplines and subjects that are to be assigned to such Faculties, Departments and sub-Departments and he shall during the transitional period have and exercise powers of the Board of Governors and any other Authority or body of the University in respect of any matter concerning the University, and the appointment of any person or persons inclusive of officers named under this Act for the purpose of organizing, carrying out and directing the functioning of the University during the transitional period.

(c) The first Presidents of each of the Campuses may be appointed by the Minister, at any time during the period and if so appointed—

- (i) they may exercise in respect of the Campuses such powers, functions and duties as are imposed on them under this Act or any appropriate Instrument;
- (ii) the first President of each Campus shall, unless he earlier vacates office, hold office until such time as arrangements for the transition to the new structure are completed.

- (d) The first Registrar and Treasurer may be appointed by the Minister at any time during the transitional period, and if so appointed, may exercise, discharge and perform in respect of the University all such powers, functions and duties as are conferred or imposed on them under this Act or any appropriate Instrument.
- (e) The first Registrar shall, in consultation with the first Vice-Chancellor—
 - (i) take all necessary steps to conduct the first elections to all University Authorities and bodies and the first election of officers, and
 - (ii) arrange for the establishment of the several Campuses of the University and the allocation of staff, equipment and students to the several Campuses.
- (f) Notwithstanding the provisions of section 81, the first Vice-Chancellor or any person or persons appointed by him shall within the transitional period determine the staff required for the proper functioning of the University and any person in excess of such actual requirements shall be retired from the service of the University and such retirement shall be deemed to be a retirement on the ground of the abolition of such post.
- (g) The Minister shall have the power to make regulations, in respect of arrangements for the transition.
- (h) The transitional period shall, in the first instance, be a period of two years from the appointed date and may at the end of that period be extended by the Minister, by Notification published in the *Gazette*, for a further period not exceeding one year at a time. Every such Notification shall, as soon as convenient after its publication in the *Gazette*, be brought before the House of Representatives for approval. Any Notification not so approved shall be deemed to be rescinded as from the date of disapproval, but without prejudice to the validity of anything previously done thereunder. Notification of the date of any such rescission shall be published in the *Gazette*.

86. It shall be lawful for the Minister, by Order published in the *Gazette*, to make such provision as he may, in his discretion, consider necessary or expedient for the purpose of providing for any unforeseen or special circumstances, or of resolving, determining or adjusting any doubt, question or matter, which may arise in relation to the application of this Act or in respect of which no provision or no effective provision is made in this Act.

Every Order made under this section, shall upon publication thereof in the *Gazette*, have the force of law and be as valid and effectual as if it were herein enacted.

87. In this Act, unless the context otherwise requires—

Interpre-tation.

“ appropriate Instrument ”, in any context relating to the University or any Authority thereof, the officers of the University or any other body of the University, means any regulation, statute, ordinance or rule applicable thereto duly made under this Act;

“ Authority ”, in any context relating to the University, means any Authority of the University referred to in section 9;

“ Campus ”, in any context relating to the University, means a Campus of the University established under this Act;

“ Chancellor ”, in any context relating to the University, means the Chancellor of the University;

“ Dean ”, in any context relating to the University, means the Dean of a Faculty of the University;

“ Department ”, in any context relating to the University, means a Department of an Institute or Faculty of the University;

“ employee ” means any person holding a post in the University other than that of a teacher or officer;

“ Faculty ”, in any context relating to the University, means a Faculty of the University established under this Act;

- " Faculty Council ", in any context relating to the University, means the Council of any Faculty of the University;
- " Institute ", in any context relating to the University, means an Institute of the University;
- " Lecturer ", in any context relating to the University, includes a Senior Lecturer;
- " Minister ", in any context relating to the University, means the Minister in charge of the subject of education;
- " officer " means any person holding a post declared to be that of an officer under the provisions of section 6;
- " old University " means any University established or deemed to be established under the Higher Education Act, No. 20 of 1966;
- " ordinance ", in any context relating to the University, means an ordinance made by the Board of Governors under this Act;
- " President ", in any context relating to the University, means the President of a Campus of the University;
- " Pro-Chancellor ", in any context relating to the University, means the Pro-Chancellor of the University;
- " regulation " means any regulation made by the Minister under this Act;
- " rule " means any rule duly made by the appropriate body or Authority under this Act;
- " Senate ", in any context relating to the University, means the Senate of the University;
- " statute ", in any context relating to the University, means a statute made by the Board of Governors under this Act;
- " teacher ", in any context relating to the University, means a Professor, Associate Professor, Lecturer or Assistant Lecturer in the University;

- “ University ” means the University established under this Act or deemed to be established under this Act;
- “ Vice-Chancellor ”, in any context relating to the University, means the Vice-Chancellor of the University.