



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

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**BUDDHASRAVAKA BHIKKU UNIVERSITY**

**ACT, No. 26 of 1996**

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**[Certified on 17th October, 1996]**

*Printed on the Order of Government*

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*Buddhasravaka Bhikku University Act, No. 26 of 1996*

(Certified on 17th October, 1996)

L. D.—O.45/95

AN ACT TO PROVIDE FOR THE ESTABLISHMENT, MAINTENANCE AND ADMINISTRATION OF A UNIVERSITY CALLED BUDDHASRAVAKA BHIKKU UNIVERSITY, TO IMPART HIGHER EDUCATION AT UNIVERSITY LEVEL TO BHIKKUS; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS it is the duty of the Republic of Sri Lanka to protect and foster the Buddhasasana and whereas it is of national importance to establish a Buddhasravaka Bhikku University to function as a National University of Buddhist studies:

NOW be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Buddhasravaka Bhikku University Act, No. 26 of 1996, and shall come into operation in respect of all or any of its provisions on such date or dates as the Minister may appoint by Order published in the Gazette. Different dates may be appointed in respect of different Parts of this Act.

Preamble.

Short title and date of operation.

## PART I

### THE BUDDHASRAVAKA BHIKKU UNIVERSITY

2. (1) Notwithstanding anything to the contrary in the Universities Act, No. 16 of 1978, there shall be established a unitary and residential university for Bhikkus with the name and style of the Buddhsravaka Bhikku University (hereinafter referred to as "the University").

Establishment of the Buddhasravaka Bhikku University.

(2) The University shall be a body corporate with perpetual succession and with the name assigned to the University by subsection (1), and shall have full power in such name—

- (i) to sue and to be sued in all courts ;
- (ii) to have and use a common seal ;
- (iii) for the purpose of this Act and subject to any Ordinance and rules, to purchase, acquire by gift, testamentary disposition or otherwise, take on lease, or hire, and hold, movable or immovable property ;

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

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

(v) to exercise and perform in accordance with the provisions of this Act all the powers and duties conferred or imposed on the University by any such provisions.

**Objects of the University.**

**3. The objects of the university shall be —**

- (i) to train Bhikku students in accordance with the teachings of the Lord Buddha ;
- (ii) to promote training and research in Buddhist meditation among the Bhikkus students of the University ;
- (iii) to train Bhikku students for the propagation of Theravada Buddhism in Sri Lanka and abroad ;
- (iv) to encourage the study of, and research in, Buddhism ;
- (v) to promote Buddhist culture and values ; and
- (vi) to do any other thing connected with, or incidental to any of the objects aforesaid.

**Powers of the University.**

**4. The University shall, subject to the provisions of this Act have the power —**

- (a) to select and admit Bhikku students and to provide for instruction in any approved branch of study ;
- (b) to provide for instruction in the following subjects, namely Sutra, Abidharma, Vinaya, Buddhist Philosophy and Logic, Psychology, Archeaology, Buddhist History and Culture, Comparative Religion, Oriental and Western languages, and any other subject relevant to Buddhist education and to establish in respect of each of such subjects or a group of such subjects, a Department of study ;

- (c) to provide post-graduate courses in Dharmaduta Activities and Buddhist Education and for this purpose, to co-operate with other Universities or Authorities in Sri Lanka or abroad in such manner and for such purposes as the University may determine ;
- (d) to hold examinations for the purpose of ascertaining the persons who have acquired proficiency in approved branches of study ;
- (e) to co-operate, by way of exchange of teachers, students and scholars or otherwise with other Universities or institutions in Sri Lanka or abroad, having objects similar, or substantially similar, to those of the University ;
- (f) to grant and confer such degrees, diplomas and other distinctions as under this Act are determined by the Senate and approved by the Council, to and on Bhikku students who have pursued approved courses of study at the University and who have passed the necessary examinations of the University ;
- (g) to admit Bhikku graduates or Bhikku students of other Universities to equal or similar degrees and courses of study at the University on such conditions as may be prescribed by by-law and to register them as Bhikku graduates or Bhikku students of the University ;
- (h) to confer honorary degrees or other academic distinctions on persons recommended by the Senate of the University and approved by the Council of the University ;
- (i) to recognize the examinations passed and periods of learning or study pursued by Bhikkus seeking admission to, or by Bhikku students of, the University, at other Universities or places of learning of University status as are equivalent to such examinations and periods of learning or study in the University or such part thereof, as may be prescribed by by-law or regulation and to withdraw such recognition at any time ;

- (j) to erect, equip and maintain, for the purposes of the University, libraries and other buildings whether for instructional or residential purposes ;
- (k) to institute Professorships, Associate Professorships, Senior Lecturerships, Lecturerships, posts of examiners and such other posts as may be required for the purposes of the University ;
- (l) to make appointments to all posts in the University ;
- (m) to institute and award research scholarships, fellowships, bursaries, prizes and make grants to deserving post graduate research Bhikku students for the furtherance of Buddhist studies ;
- (n) to enter into agreements for co-operation with educational or other institutions, whether in Sri Lanka or abroad, having objects wholly or partly similar to those of the University for such purposes as may be conducive to their common objects ;
- (o) to regulate and provide for the residence, discipline and moral, mental and physical well-being of the officers, teachers, or servants and Bhikku students of the University ;
- (p) to establish and manage halls of residence and to provide such other services and facilities as may be necessary for the residence of the Bhikku students of the University ;
- (q) to demand and receive such fees as may from time to time be prescribed by law ; and
- (r) to do all such other acts and things as may be necessary for effectively exercising any of the powers specified in this Act and for attaining the objects set out in section 3.

PART II

MAHAMAHOPADYAYA, MAHOPADYAYA AND OFFICERS OF THE UNIVERSITY

5. (1) The Maha Mahopadyaya of the University shall, in rotation, be —
- (i) the Mahanayake Thera of the Malwatta Chapter of the Siamopali Maha Nikaya ;
  - (ii) the Mahanayake Thera of the Asgiriya Chapter of the Siamopali Maha Nikaya ;
  - (iii) the Chief Mahanayake of Sri Lanka Amarapura Mahasangasabha or the President for the time being of Sri Lanka Amarapura Mahasangasabha ; and
  - (iv) the Mahanayake Thera of Sri Lanka Ramanna Nikaya.
- commencing with Mahanayaka Thera referred to in paragraph (i), each of whom shall hold office for a period of two years at a time.
- (2) In the event of any Maha Nayaka Thera or Chief Maha Nayaka Thera of any Nikaya referred to in subsection (1) declining to accept appointment as Maha Mahopadyaya of the University the Minister in charge of the subject of Buddha Sasana shall in consultation with such Maha Nayaka Thera or Chief Maha Nayaka Thera as the case may be nominate another Maha Thera of such Nikaya to be the Maha Mahopadyaya of the University.
- (3) The Maha Mahopadyayas shall be the Head of the University, and shall, when present, preside at any Convocation of the University.
- (4) In the event of the death of, or vacation of office by the Mahanayaka Thera or Maha Thera holding the office of Maha Mahopadyaya, the Maha Nayaka Thera or Maha Thera succeeding such Mahanayake Thera or Maha Thera shall hold the office of Maha Mahopadyaya for the unexpired period of the term of office of his predecessor.

The Maha Mahopadyaya.

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Officers of the  
University.

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

- (i) Mahopadyaya :
- (ii) the Registrar :
- (iii) the Bursar :
- (iv) the Librarian ; and
- (v) the holder of any other post prescribed by Ordinance to be a post, the holder of which is an Officer for the purposes of this Act.

The  
Mahopadyaya

7. (1) (a) The first Mahopadyaya of the University shall be appointed by the Minister, and when appointed —

- (i) he shall exercise, perform and discharge all such powers, duties and functions as are conferred or imposed on, or assigned to him, under this Act ;
- (ii) he may exercise, perform and discharge the powers, duties and functions of any or all Authorities of the University until such time as such Authorities are duly constituted under this Act : and
- (iii) he shall, unless he vacates office earlier, and subject to the provisions of subsection (3) and subsection (4) of this section hold office for a term of three years reckoned from the date of his appointment, and shall be eligible for re-appointment under subsection (2) of this section for a further period of three years notwithstanding anything in sub-paragraph (iv) of subsection (2).

(b) The Mahopadyaya of the University shall be a disciplined Upasampada Bhikku who has completed twenty years after Upasampada. He shall be a person holding a post-graduate degree in Buddhist studies from a recognized University.

(2) (i) Application for the post of every subsequent Mahopadyaya shall be published in the Government Gazette and in a prescribed local newspaper in Sinhala, Tamil and English.

(ii) The Council shall select three names from among Bhikku applicants who possess the qualifications specified in subsection (1)(b), and submit those names to the Uththarithara Sabhawa constituted under section 12 of this Act.

(iii) The Uththarithara Sabhawa constituted under section 12 of this Act shall examine the educational and other qualifications of the Bhikku applicants and select and recommend the name of one Bhikku applicant to the Minister, within three months, of the submission of the names.

(iv) The Bhikku recommended by the Uththarithara Sabhawa shall be appointed by the Minister as the Mahopadyaya of the University for a period of three years. No Bhikku shall be appointed as Mahopadyaya of the University for more than two consecutive terms.

(v) Any Mahopadyaya who vacates office by reason of the expiration of his term or by resignation shall have the right to revert back to the substantive post held by him in the University before he was appointed to the post of Mahopadyaya if he has not completed his age of retirement.

(3) If the Minister is of the opinion that there is sufficient proof that the Mahopadyaya has acted in a manner detrimental to the interests of the University, the Minister may, by Order in writing remove the Mahopadyaya from office.

(4) The Mahopadyaya of the University shall be removed from office by the Minister on a vote of censure passed by not less than two-thirds of the total membership of the Uththarithara Sabhawa, at a special meeting convened for the purpose.

The Mahaopadyaya shall be a full time officer of the University and shall be the Chief executive officer and the Chief academic officer thereof. He shall be *ex officio* member of the Uththarithara Sahabawa and an *ex officio* member and chairman of both the Council and the Senate. In the absence of the Maha Mahopadyaya, the Mahopadyaya shall preside at the meetings of the Uththarithara Sabhawa. The Mahopadyaya shall be entitled to convene, be present and speak at any

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meeting of any other Authority or board of the University, but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or board.

(5) It shall be the duty of the Mahopadyaya, to ensure that the provisions of this Act and of 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 Mahopadyaya to give effect or to ensure that effect is given to the decisions of the Council and of the Senate.

(7) The Mahopadyaya shall be responsible for the maintenance of discipline within the University.

(8) The Mahopadyaya shall, unless he vacate office earlier or is removed from office under subsection (3) and subsection (4) of this section, hold office for a term of three years or until he has completed his sixty fifth year, whichever event occurs earlier.

(9) If the Mahopadyaya, by reason of leave, illness, absence from Sri Lanka, or other cause, is temporarily unable to perform the duties of his office, the Council may within seven days of the occurrence of such inability, make such arrangements as it may think fit for carrying on the duties of the office. Until such arrangements are made, the Registrar shall carry on such duties of the office as are of a routine nature.

(10) If any vacancy occurs in the office of the Mahopadyaya, the Minister shall, within seven days of the occurrence of the vacancy, make such arrangements as he may think fit for carrying on the duties of the office, until a permanent appointment is made under the preceding provisions of this section and until such arrangements are made, the Registrar shall carry on such duties of the office as are of a routine nature.

8. (1) The first Registrar of the University shall be appointed by the Minister for such period as the Minister may determine. Every subsequent Registrar shall be appointed by the Council for a period of three years which may be renewed. An officer in the Public Service shall not be appointed as the Registrar of the University except with the consent of that officer and the Secretary to the Treasury.

The Registrar.

(2) The Registrar shall be a lay Buddhist and a full time officer of the University and shall exercise, perform and discharge powers, duties and functions as may be conferred or imposed on him by this Act. He shall be the *ex officio* Secretary of the Uththarithara Sabhawa and the Council and the Senate of the University.

(3) The Registrar shall be the Accounting Officer of the University and shall be responsible for the proper administration of the moneys and properties of the University and in the performance of such duty, he shall act in conformity with any decision or order made, or any direction given by the Council of the University in respect of the administration of the funds and properties of the University. He shall exercise and perform all such powers and duties as may be conferred or imposed on him by this Act or by Ordinance, regulation or rule.

(4) The Registrar shall assist the Mahopadyaya when he is called upon to do so.

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

9. (1) The first Bursar of the University shall be appointed by the Minister. Every subsequent Bursar shall be appointed by the Council. He shall be a lay Buddhist and a full-time officer of the University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Act.

The Bursar.

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(2) The Bursar shall, subject to the direction and control of the Mahopadyaya be responsible for the administration of the finances of the University and maintenance of its accounts in such form and manner as may be presecribed by law and shall have the custody of the funds of the University.

The  
Librarian.

10. (1) The first Librarian of the University shall be appointed by the Minister. Every subsequent Librarian shall be appointed by the Council. He shall be a lay Buddhist and a full-time officer of the University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on him by this Act.

(2) The Librarian shall, subject to the direction and control of the Mahopadyaya, be responsible for the administration of the Library or Libraries of the University.

### PART III

#### THE AUTHORITIES OF THE UNIVERSITY

The Authorities of  
the University.

11. The Authorities of the University shall be the following :—

- (i) the Uththarithara Sabhawa ;
- (ii) the Council ;
- (iii) the Senate.

The  
Uththarithara  
Sabhawa of  
the University.

12. (1) The Uththarithara Sabhawa of the University (in this Act referred to as " the Uththarithara Sabhawa "), shall consist of the following persons :—

- (i) the Mahanayake Thera of the Malwatta Chapter of the Siamopali Maha Nikaya or any Bhikku nominated by him;
- (ii) the Mahanayake Thera of the Asgiriya Chapter of the Siamopali Maha Nikaya or any Bhikku nominated by him;
- (iii) the Mahanayake Thera of Sri Lanka Amarapura Nikaya or the Chief Mahanayake of that Nikaya or any Bhikku nominated by him;
- (iv) the Mahanayake Thera of Sri Lanka Ramannya Nikaya or any Bhikku nominated by him;
- (v) the Nayake Thera of Atamasthanaya temples of Anuradhapura or any Bhikku nominated by him;

- (vi) the Mahopadyaya; and
- (vii) not more than five other learned and distinguished Bhikkus nominated by the Minister and two laymen who are engaged in the field of Buddhist education nominated by the Minister.

(2) The Chairman shall be the Maha Mahopadyaya who shall preside at all meetings of the Uththarithara Sabhawa.

(3) A nominated member of the Uththarithara Sabhawa shall, unless he vacates office earlier, hold office for a term of three years reckoned from the date of his nomination and shall, unless removed from office be eligible for re-nomination :

Provided, however, that if any nominated member vacates his office prior to the expiry of his term, his successor shall, unless he vacates his office earlier, hold office for the unexpired period of the term of his predecessor.

(4) A nominated member of the Uththarithara Sabhawa may resign his office by writing under his hand addressed to the Minister.

(5) A nominated member of the Uththarithara Sabhawa who, without leave from the Uththarithara Sabhawa, absents himself from three consecutive meetings of the Uththarithara Sabhawa, shall be deemed to have vacated his office as a member of the Uththarithara Sabhawa and the Minister shall nominate a fit person to fill the resulting vacancy.

(6) A member of the Uththarithara Sabhawa shall not be entitled to any remuneration, but a member nominated under paragraph (vii) of subsection (1) may be paid such allowance as the Minister may determine in consultation with the Minister in charge of the subject of Finance.

(7) The quorum for a meeting of the Uththarithara Sabhawa shall be one-third of its total membership.

(8) There shall be an Annual Meeting of the Uththarithara Sabhawa to be held on a date to be fixed by the Maha Mahopadyaya.

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(9) The Maha Mahopadyaya shall, whenever he thinks, necessary, or within two weeks upon the receipt by him of a written request from not less than one-third of the total membership of the Uththarithara Sabhawa convene a special meeting of the Uththarithara Sabhawa.

Powers, duties  
and functions of  
the Uththarithara  
Sabhawa.

13. Subject to the provisions of this Act the Uththarithara Sabhawa shall exercise, perform and discharge the following powers, duties and functions :—

- (a) to recommend the appointment and the removal of the Mahopadyaya to the Minister ;
- (b) to make Ordinances ;
- (c) to consider the annual report and the annual accounts of the University ;
- (d) to do any other act or to perform any other duty authorized or imposed upon the Uththarithara Sabhawa by this Act.

14. (1) The Council of the University (hereinafter referred to as "the Council") shall be the executive and governing body of the University and shall consist of the following persons :—

- (i) the Mahopadyaya ;
- (ii) the Secretary to the Ministry of the Minister in charge of the subject of Buddha Sasana or any person nominated by him ;
- (iii) the Secretary to the Ministry of the Minister in charge of the subject of Higher Education or any person nominated by him ;
- (iv) the Head of each Department of Study ;
- (v) not more than five learned Bhikkus and three lay Buddhists who have rendered distinguished service to the Buddha Sasana appointed by the Minister.

(2) The Chairman of the Council shall be the Mahopadyaya who shall preside at all meetings of the Council. If the Chairman is unable to preside at a meeting, the members shall elect any member present to preside at such meeting.

(3) Subject to the provisions of subsections (4) and (5) any appointed member of the Council shall, unless he vacates office earlier, hold office for a term of three years reckoned from the date of his appointment and shall, unless removed from office, be eligible for re-appointment :

The Council  
of the  
University.

Provided, however, that if any appointed member vacates his office prior to the expiry of his term of office his successor shall, unless he vacates his office earlier, hold office for the un-expired period of the term of office of his predecessor.

(4) An appointed member of the Council may resign his office by writing under his hand addressed to the Minister.

(5) An appointed member of the Council who, without leave from the Council, absents himself from three consecutive meetings of the Council, shall be deemed to have vacated his office as a member of the Council and the Minister shall appoint a fit person to fill the resulting vacancy.

(6) A member of the Council shall not be entitled to any remuneration but may be paid such allowance as the Minister may determine in consultation with the Minister in charge of the subject of Finance.

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

(8) The Council shall meet whenever necessary, so however that it shall meet on not less than ten occasions in a year.

(9) The Chairman of the Council shall, whenever he thinks necessary or within one week upon the receipt by him of a written requisition from not less than one third of the total membership of the Council, convene a special meeting of the Council.

15. (1) Subject to the provisions of this Act, the Council shall exercise, perform and discharge the powers duties and functions conferred or imposed on or assigned to, by the University.

(2) Without prejudice to the generality of the powers conferred upon it by subsection (1), the Council shall exercise, perform and discharge the following powers, duties and functions :—

Powers, duties  
and  
functions of  
the Council.

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- (i) to hold, control and administer the property and funds of the University;
  - (ii) to select a coat of arms for the University, and to determine the form, to provide for the custody, and to direct the use, of the common seal of the University;
  - (iii) to regulate and to determine all matters concerning the University in accordance with the provisions of this Act and of any appropriate instrument;
  - (iv) to administer any fund placed at the disposal of the University for specific purposes;
  - (v) to receive and accept bequests, donations and grants of property to the University;
  - (vi) to consider the annual report and the annual accounts of the University and to submit such report and such accounts to the Uththarithara Sabhawa and the Minister;
  - (vii) to prepare the financial estimates of the University;
  - (viii) to make by-laws for any matter in respect of which by-laws are authorised to be made;
  - (ix) to provide the buildings, premises, furniture, equipment and other material necessary for carrying on the work of the University;
  - (x) to appoint, suspend, dismiss or otherwise exercise disciplinary control over persons in the employment of the University;
- Provided that, except in the case of officers and teachers, these powers may be delegated to the Mahopadyaya;
- (xi) to appoint Professors, Associate Professors and examiners, whether from the staff of the University or from elsewhere, and to determine the salaries or fees which may be paid to them;

- (xii) to appoint a Board of Welfare which shall include representatives of the Bhikku students for the promotion of the general well-being of the Bhikku students of the University. The composition, powers, duties and functions of such Board shall be prescribed by Ordinance;
- (xiii) to enter into contracts on behalf of the University and to invest any moneys belonging to the University in any security in which, under the provisions of the Trust 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 Sri Lanka or vary such investments or to place in on fixed deposit in any bank in any portion of such moneys not required for immediate expenditure;
- (xiv) to determine, after consultation with the Senate, the academic insignia of the Mahopadyaya, the officers, the graduates and the Bhikku students of the University;
- (xv) to determine the requirements necessary for registration of students for examinations conducted by the University; and
- (xvi) to exercise all other powers of the University for which no other provision is made in this Act;

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

In this section, "academic matter" means any matter which is subject to the control and general direction of the Senate.

16. (1) The Senate of the University (in this Act referred to as "the Senate") Shall be the academic authority of the University.

The Senate.

(2) The Senate of the University shall consist of the following persons :—

- (i) the Mahopadyaya ;
- (ii) the Head of each Department of study ;
- (iii) three representatives nominated by the Council of the University from among the members of the academic staff of any other University who are engaged in teaching of any subject relating to Buddhism; Education or other relevant subjects ;
- (iv) two teachers, other than those referred to in paragraph (iii), elected by the permanent teachers of the University from among their number ;
- (v) three persons nominated by the Council of the University from among learned and distinguished laymen or members of the clergy who are not members of the staff of any University.

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

(4) The Senate shall have control and general direction of instruction, education, research and examinations in the University.

Powers, duties  
and functions  
of the Senate.

17. (1) Subject to the provisions of this Act, the Senate shall exercise, perform and discharge the powers, duties and functions —

- (i) to draft, after consideration of reports from the Department of study concerned, regulations relating to courses of study and examinations, and to submit such drafts to the Council for approval;
- (ii) to recommend to the Council, after consideration of reports from the Department of study concerned, the names of persons suitable for appointment as examiners;

- (iii) to recommend to the Council, the institution, abolition or suspension of Professorships, Associate Professorships, Senior Lecturerships, Lecturerships, examiners and such other academic posts in the University;
- (iv) to recommend to the Council, after consideration of reports from the Department of study concerned—
  - (a) schemes for the re-organization of existing Departments of study and the organization of new Departments of study; and
  - (b) the assignment of subjects of study to the respective departments;
- (v) to recommend to the Council, the mode and conditions of competition for fellowships, scholarships, bursaries and other prizes;
- (vi) to award fellowships, scholarships, bursaries and other prizes on such conditions as may be approved by the Council;
- (vii) to appoint such number of standing committees, or *ad-hoc* committees or boards of the Senate as it may deem fit, and in particular, but without prejudice to the generality of the preceding provisions of this subsection to appoint—
  - (a) a Library Committee;
  - (b) a Curriculum and Evaluation Committee; and
  - (c) a Probationary Study Leave Committee,and to specify their terms of reference; to consider their reports and to either approve such reports, whether with or without modification, or to reject such reports; and
- (viii) to recommend to the Council, requirements for the admission of students to the courses of study.

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Vacancy in or defect in appointment or nomination of a member of an Authority not invalidate any act of the Authority.

Responsibility of Minister.

Powers of the Minister to issue directions to the University.

**18.** No act or proceeding of any Authority shall be invalid by reason only of the existence of any vacancy among its members or any defect in the appointment or nomination or election of a member thereof.

## PART IV

### POWERS OF THE MINISTER

**19.** The Minister shall be responsible for the general direction of the University Education and the administration of this Act.

**20.** (1) (a) The Minister may from time to time issue to the University such general written directions as he may deem necessary for the implementation of national policy in matters such as finance, University places for Bhikku students and medium of instruction. Every such direction shall as soon as possible be tabled in Parliament.

(b) The University shall comply with such directions and the Council of the University shall afford such facilities, and furnish such information, to any member or officer of the University as may be necessary to enable the University to comply with such directions.

(c) For the purpose of enabling him to discharge effectively his responsibility for the administration of this Act, the Minister may, from time to time, order all or any of the activities or the administration of the University to be investigated and reported upon by the Secretary to the Ministry.

(d) The Secretary to the Ministry shall comply with such order and the Council of the University shall afford such facilities and furnish such information, to any member or officer of the University as may be necessary to enable the Secretary to comply with such order.

(2) Where the Minister is satisfied that the situation prevailing in the University is likely to endanger national security or is detrimental or prejudicial to national policy, he may direct the Council to take all such steps as he may deem necessary to bring the situation under control.

(3) Where the Minister is satisfied that, due to any strike or lock-out or any other cause, the work or administration of the University has been seriously dislocated and that the University has failed to restore normal conditions, the Minister may take all such measures as may be necessary to ensure the restoration of the normal conditions in the University. Pending the restoration of normal conditions, the Minister may, by Order published in the Gazette make all such provisions as he may deem necessary in respect of all or any of the following matters relating to the University :—

- (a) the closure of the University temporarily ;
- (b) the appointment of any person by name or by office, to be a competent authority for the purpose of exercising, performing or discharging, in lieu of any officer, authority or other body of the University, any power, duty or function conferred or imposed on or assigned to, such officer authority or other body, by or under this Act : or
- (c) any other matter connected with or relating to any of the matters aforesaid.

(4) Any Order made by the Minister under subsection (3) shall come into force on such date as may be specified therein. Any such Order shall, as soon as possible thereafter, be tabled in Parliament and shall, unless earlier revoked, remain in force for a period not exceeding three months thereafter.

## PART V

### CONVOCATIONS OF THE UNIVERSITY

21. (1) The University shall hold once in every year on such date or dates as may be approved by the Maha Mahopadyaya, a Convocation for the purpose of conferring degrees :

Holding of the  
Convocations  
of the  
University.

Provided that, first degrees may be conferred without the holding of a Convocation.

(2) The procedure of a Convocation shall be prescribed by by-laws.

(3) The Maha Mahopadyaya shall when present, preside at a Convocation. In his absence the Mahopadyaya shall preside at the Convocation.

## PART VI

### APPOINTMENT TO THE STAFF

Appointment  
to the staff to  
be made by  
the Council.

22. Every appointment to the staff of the University shall be made by the Council in accordance with the scheme of recruitment and the procedure for appointment in accordance with the provisions of this Act.

Appointment  
of teachers.

23. (1) No person who is not a Bhikku shall be appointed to the permanent staff of the University as a teacher.

(2) A male person who is not a Bhikku but who professes Buddhism and having educational qualifications prescribed by regulation may be appointed as a visiting teacher.

(3) Without prejudice to the provisions of subsection (1), every appointment to a post of teacher shall, in the first instance, be for a probationary period of three years, which period may be extended by the Council, by one year at a time for a further period not exceeding five years. Such appointment shall be subject to such requirements or conditions as may be provided in the appropriate schemes of recruitments prescribed by rules.

Retirement of  
teachers.

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

Provided, however that a Bhikku who holds any such a post of teacher may, at any time, be suspended pending an inquiry for misconduct, inefficiency or dereliction of duty or be dismissed or retired, if found guilty after such inquiry on a resolution adopted by the Council.

25. Every appointee to a post, other than that of teacher, shall in the first instance, be for a probationary period of three years, and shall thereafter be subject to confirmation by the Council :

Provided, however, where a person whose services have been confirmed in the University is subsequently appointed to another post otherwise than by way of promotion to another post other than that of a teacher in the University, his period of probation shall be one year.

26. The holder of any post, other than that of teacher shall continue in office until he completes his fifty-fifth year and shall thereafter be deemed to have voluntarily retired from service:

Provided, however, that the holder of any such post may, upon a written request made by him, be given by the Council extension of service for a period of one year at a time until he completes his sixtieth year, and shall thereafter be deemed to have retired :

Provided further that the holder of any such post may, at any time be suspended pending an inquiry by the Council for misconduct, inefficiency or dereliction of duty or be dismissed or compulsorily retired if found guilty after such inquiry on a resolution adopted by the Council.

27. (1) At the request of the Council and subject to section 23 of this Act, an officer in public service may, with the consent of that officer, the Secretary to the Ministry by or under which that officer is employed, and the Secretary to the Ministry in charge of the subject of Public Administration, be temporarily appointed to the staff of the University for such periods as may be determined by such Council with like consent, or with like consent be permanently appointed to such staff.

Appointment  
to a post other  
than that of  
teacher.

Retirement of  
persons other  
than teachers.

Appointment  
of public  
officers to the  
staff of the  
University.

(2) The provisions of section 14(2) of the National Transport Commission Act, No. 37 of 1991, shall, *mutatis mutandis*, apply to and in relation to any officer in the public service who is temporarily appointed to the staff of the University and the provisions of section 14(3) of that Act shall, *mutatis mutandis*, apply to and in relation to any officer in the public service who is permanently appointed to such staff.

(3) 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.

Appointment  
of officers  
and servants  
of Higher  
Educational  
Institutions to  
the staff of  
the  
University.

28. At the request of the Council and subject to section 23 an officer, Lecturer, Professor, Associate Professor, or servant in the service of any Higher Educational Institution established under the Universities Act, No. 16 of 1978, may, with the consent of that officer, the University Grants Commission established under that Act and the governing authority of that Institution, be temporarily appointed to the staff of the University for such period as may be determined by the Council with like consent, or with like consent be permanently appointed to such staff.

(2) Where any officer in the service of any Higher Educational Institution established under the Universities Act, No. 16 of 1978, is temporarily appointed to the staff of the University, he shall be subject to the same disciplinary control as any other member of such staff.

## PART VI

### BUDHASRAVAKA BHIKKU UNIVERSITY PROVIDENT FUND

Interpretation  
of this Part of  
this Act.

29. In this Part of this Act—

“age of retirement”—

(a) when used in relation to a contributor who is the holder of a post of a teacher in the University means sixty-five years : and

(b) when used in relation to a contributor who is the holder of any other post in the University means the age at which he ceases to be in employment of the University :

"contributor" means any member of the staff of the University who is a contributor to the Provident Fund ;

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

"Fund" means the University Fund established under section 39 of this Act :

"Provident Fund" means the Provident Fund established by the University under this Part of this Act : and

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

**30.** The University shall establish a fund to be called and known as the "Buddhasravaka Bhikku University Provident Fund" (hereinafter referred to as the "Provident Fund").

Establishment  
of the  
Buddhasravaka  
Bhikku  
University  
Provident  
Fund.

**31.** The Council may make by-laws for the control, administration and management of the Provident Fund and for all matters connected therewith or incidental thereto.

Regulation of  
the Provident  
Fund.

**32.** (1) Every member of the staff, other than those members excluded by by-law, shall from the date of his employment contribute to the Provident Fund, by means of equal monthly deductions from his salary, an amount equal to ten *per centum* of his earnings, and the University shall in addition, out of the Fund, at the same time, contribute to the Provident Fund in respect of every contributor a sum equal to fifteen *per centum* of the earnings of the contributor.

Contributions  
to the  
Provident  
Fund.

(2) The Registrar shall open and keep a general account for the Provident Fund and a separate account in respect of each contributor to the Provident 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 placed to the credit of account of that contributor in the Provident Fund.

(3) The amount lying to the credit of the account of a contributor shall, subject to the provisions of any by-law made by the Council in that behalf, accumulate, at compound interest at a rate to be fixed by the Council in consultation with the Minister in charge of subject of Finance, until the day on which that contributor ceases to be a contributor in accordance with by-law made by the Council and the account of that contributor shall be closed on that date.

Repayments to contributors.

33. (1) When the account of any contributor is closed as provided in section 32 (3), the Registrar shall subject to the provisions of section 34 pay to the contributor the full amount lying to the credit of his account in the Provident Fund together with the accumulated interest thereon.

(2) Where a contributor ceases to be employed by the University either on account of ill health, or incapacity or on account of the abolition of the post in which he was employed, or voluntarily leaves the services of the University, the Registrar shall, subject to the provisions of section 34, pay to the contributor the full amount lying to the credit of his account in the Provident Fund together with the accumulated interest thereon at the date on which he ceased to be so employed or on the date on which he voluntarily left the services of the University, as the case may be.

(3) Where a contributor, before he has completed his age of retirement, is dismissed or compulsorily retired from the service of the University, the Registrar shall subject to the provisions of section 34 pay to the contributor the full amount lying to the credit of his account in the Provident Fund, together with the accumulated interest thereon upto the date of his dismissal or compulsory retirement, as the case may be.

(4) (a) A contributor to the Provident Fund may nominate a person (hereinafter referred to as "a nominee" in this section) to whom the amount lying to the credit of the contributions account in the Provident Fund shall be paid after the death of the contributor.

(b) Notwithstanding anything contrary in the last will of the person making, the nomination, a nomination made under paragraph (a) shall have effect.

(c) A nomination made under paragraph (a) shall be deemed to be revoked, if the nominee dies during the life time of the person making the nomination or by a notice of revocation in writing signed by the person who made the nomination in the presence of a witness who shall attest the signature of the person making the nomination or by any subsequent nomination made by the person making the nomination.

(d) Unless the nominee satisfies the Registrar as to his identity, no amount lying to the credit of a contributor in his account in the Provident Fund shall be paid to his nominee.

(e) The payment of any amount lying to the credit of a contributor of the Provident Fund after his death, to the nominee of the contributor shall constitute a discharge of all the obligations of the University with regard to that amount.

(5) Where a contributor dies while in the service of the University, the Registrar shall, subject to the provisions of section 34, pay the full amount lying to the credit of his account in the Provident Fund, together with the accumulated interest thereon, to the nominee or nominees nominated under subsection (4) or in the absence of a valid nomination, to the persons lawfully entitled to such amount.

**34. Notwithstanding anything in the preceding provisions of this Part and without prejudice to any other right or remedy —**

Deductions  
prior to  
payments  
from the  
Provident  
Fund.

- (a) the quantum of loss or damage sustained by the University, by reason of dishonesty, or negligence of the contributor at any time during the period of his employment by the University ; or
- (b) the amount due on any loan taken by the contributor from the University ; or
- (c) the amount due under a bond, agreement or any other instrument signed by the contributor under the provisions of which he has agreed that such amount shall be a charge on the amount lying to his credit in the Provident Fund,

shall be a first charge upon the amount lying to credit of his account in the Provident Fund ; and such amount may be deducted at the time where any payment is made in accordance with the provisions of section 33.

Unpaid  
Provident Fund  
to accumulate  
compound  
interest in  
certain cases.

**35.** Notwithstanding anything in the preceding provisions of this Part and without prejudice to any right or remedy where the full amount lying to the credit of a contributor in the Provident Fund is not paid to him within a period of three months from the date on which his account was closed, the amount lying to his credit shall accumulate compound interest at such rate as is determined for the purpose of section 32(3) upto the last day of the month preceding that in which the full amount lying to the credit of his account is paid :

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

Certain assets  
of contributor  
exempt from  
seizure or  
execution.

**36.** Notwithstanding anything in any written law other than this Act, the moneys lying to the credit of a contributor in the Provident Fund shall not at any time be attached, sequestered or seized in execution of the decree or process of any court.

Establishment  
of pension  
scheme and  
Widows' and  
Orphans'  
Pension  
Fund.

**37.** The Minister may in consultation with the Minister in charge of the subject of Finance, establish a pension scheme and a Widows' and Orphans' Pension Fund as an alternative, or in addition, to the Provident Fund established by the University under this Part. By laws may be made by the University for the regulation, administration and management of such pension scheme and such Widows' and Orphans' Pension Fund.

## PART VII

### FINANCE

**38.** The financial year of the University shall be the financial year of the Government.

Financial  
year.

**39.** (1) The University shall have a fund to be called the Buddhasravaka Bhikku University Fund, (hereinafter referred to as "the University Fund") into which shall be paid —

The University  
Fund.

- (a) all moneys provided by Parliament as grants ;
- (b) all such sum of money as may be received by the University by way of donation or grant from any source whatsoever and fees charged for services rendered by the University ;
- (c) all other moneys belonging to the University from whatever source derived ; and
- (d) fees to be paid to the University in accordance with any rule or regulation.

(2) Particulars of each sum of money paid into the University Fund shall within one month of such payment be submitted by the Mahopadyaya, to the Minister.

Grants in aid  
of University.

**40.** (1) The Deputy Secretary to the Treasury shall, as soon as may be practicable after the commencement of each financial year, pay to the University such sums of money as may be provided by Parliament by way of annual appropriation, supplementary vote or otherwise as a grant or grants in aid of the University.

(2) All moneys paid to the University under the preceding subsection shall be applied or expended by the University for all or any of the purposes authorised by this Act.

Council to consider triennial estimates and annual appropriations.

The Minister to consider triennial estimates and annual appropriations..

Duties of Bursar.

The Council to consider triennial estimates and annual appropriations.

**41.** The triennial estimates and the annual appropriations of the University prepared under paragraph (*d*) of section 43 shall be considered by the Council before such date as may be prescribed by by-law. Such Council may make such alterations in such estimates and such appropriations as it thinks fit and shall submit them to the Minister together with the accounts of the University for the completed financial year.

**42.** The triennial estimates and annual appropriations of the University shall be considered by the Minister, and it shall be lawful for the Minister to adopt or amend such estimates and appropriations as he thinks fit.

**43.** It shall be the duty of the Bursar of the University—

- (a) to keep the accounts of the University in such form and in such manner as may be prescribed by rules;
- (b) to receive all moneys paid into the University Fund and to credit such moneys to the proper heads of accounts;
- (c) to make all authorized payments; and
- (d) to prepare for the Council the triennial estimates and the annual financial appropriations of the ensuing financial year, and any supplementary estimates:

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 that no payment shall be made from such income for the general purposes of the University or any purposes or objects other than those for which such grants or endowments were respectively made.

**44.** The triennial estimates, annual appropriations and annual accounts of the University shall be considered by the Council and it shall be lawful for the Council by resolution to adopt and amend such estimates and appropriations as it thinks fit.

45. It shall be lawful for the Council in case of necessity to transfer funds from one vote to another of the annual estimates subject to the approval in writing of the Treasury.

Transfer of Funds from one vote to another.

46. The provisions of Article 154 of the Constitution relating to the audit of the accounts of public corporations shall apply to the audit of accounts of the University.

Audit of Accounts.

47. (1) The University shall be exempt from the payment of any rates to any local authority.

Exemption of the University from rates.

(2) The provisions of this section shall have effect notwithstanding anything to the contrary in any other written law.

48. The accounts of the University for each financial year, when audited, be published in the Gazette.

Publication of audited accounts.

49. The University shall within three months of the receipt of it by the Auditor-General's report in respect of each year, transmit to the Minister such report with any comments made thereon by the Council together with the statement of accounts to which such report relate.

Annual accounts and Auditor-General's report to be transmitted to Minister.

50. (1) No suit or prosecution shall be instituted against any member of the Council or against any officer, servant or agent of the University appointed for the purposes of this Act for any act which is in good faith done or purported to be done by such member, officer, servant or agent under this Act or on the direction of the Council.

Indemnity for acts in good faith.

(2) Any expense incurred by the University in any suit or prosecution brought by or against the University before any Court shall be paid out of the University Fund and any costs paid to, or recovered, by the University in any such suit or prosecution shall be credited to the the University Fund.

(3) Any expense incurred by any such person as is referred to in subsection (1) in any suit or prosecution brought against him before any court in respect of any act which is

done or is purported to be done by him under this Act or on the direction of the Council shall if the court holds that such act was done in good faith, be paid out of the University Fund unless such expense is recovered by him in such suit or prosecution.

## PART VIII

### 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.**

51. (1) Notwithstanding anything in 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 an Order published in the Gazette that Chapter I of Part II of that Ordinance shall apply, subject to the modifications specified in subsection (2) of this section to any area of land within the precincts or in proximity to the precincts of the University and specified in such Order 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 an Order under subsection (1) of this section, the said Chapter shall apply to the area specified in the Order subject to the following modifications, as if—

(i) the words "Mahopadyaya" were substituted for the word "Chairman" wherever that word occurs therein;

(ii) the following section were substituted for section 7 thereof—

"7 The Mahopadyaya of the University shall not refuse—

(a) to approve any plan, drawing or specification of any building; or

(b) to consent to any alteration in any building unless the building or the alteration of the building is of such nature as to be likely in his opinion to injure the amenities of the precincts of the University or unless the applications for such approval or consent fails to comply with any requirement made under section 8";

- (iii) the following paragraph were substituted for paragraph (a) of section 8 thereof " (a) the submission of any plan drawing or specification in such form and containing such particulars as may be prescribed by the Mahopadyaya ";
- (iv) the following paragraph were substituted for paragraph (b) of section 8—
  - "(b) the amendment of any plan, drawing or specification so submitted so as to bring it into accordance with such form or so as to contain any such particulars;
- (v) In paragraph (c) of section 8 thereof, the words "this Chapter" were substituted for the words " the Ordinance";
- (vi) the following paragraph were substituted for paragraph (c) of subsection (1) of section 13 thereof—
  - "(c) execute any building operation in contravention of any of the provisions of this Chapter";
- (vii) The following sub-section were substituted for subsection (2) of section 13 thereof —
  - "(2) In any case in which any person is convicted under this section, the Magistrate may, on the application of the Mahopadyaya make a mandatory order requiring such person or the owner of the building or both, within a time limited in the order, to demolish the building in question or to alter it so as not to injure the amenities of the precincts of the University, and in the event of such mandatory order not being complied with, may authorise the Mahopadyaya to demolish alter or otherwise deal with the building in such a manner

as to secure compliance with the order and any expenses thereby incurred shall be recovered upon an order made by the Magistrate in the same manner as a fine imposed by him and upon the recovery shall be paid to the Mahopadyaya of the University.

(viii) the following sub-section were substituted for subsection (1) of section 15 thereof —

“(1) No building constructed after the coming into operation of this section shall be occupied except by a caretaker until the Mahopadyaya has given a certificate that such building as regards construction, drainage and in all other respects, does not injure the amenities of the precincts to the University; and

(ix) the reference to the tribunal of appeal in section 16 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 if any of the powers conferred on the Mahopadyaya of the University under the provisions of this section shall be subject to the consent of the Council of the University and if such Mahopadyaya refuses to approve any plan, drawing or specification of any building or to consent to any alteration in any building within the said area on the ground that it will injure the amenities of the precincts of the 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 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 IX

### APPLICATION OF THE GOVERNMENT QUARTERS (RECOVERY OF POSSESSION) ACT

52. (1) The provisions of the Government Quarters (Recovery of possession) Act, No. 7 of 1969 shall—

- (a) apply to the University quarters subject to the modifications set out in subsection (2); and
- (b) be deemed at all times to have been and to be an implied condition of the occupation by persons of University quarters.

Application of  
Government  
Quarters  
(Recovery of  
Possession)  
Act to  
University  
Quarters.

(2) The provisions of the Government Quarters (Recovery of Possession) Act, shall apply as if—

(i) the words "University Quarters" were substituted for the words "Government Quarters" wherever those words appear in that Act;

(ii) in section 9 thereof, for the definition of—

(a) "Competent authority", there were substituted the following definition—

"Competent authority" means the Registrar of the University; and

(b) "Government Quarters", there were substituted the following definition—

"University quarters" means any building, room or other accommodation occupied or used for the purpose of residence which is provided by, or on behalf of, the University and includes any land or premises in which such building or room or accommodation is situated."

## PART X

### GENERAL

Disqualification  
from being  
members of  
any authority  
of the  
University.

53. A person shall be disqualified from being appointed to, or from being a member of, any authority of the University —

- (a) if he is an undischarged bankrupt or insolvent; or
- (b) if he is convicted of any offence involving moral turpitude; or
- (c) if he is, under any law in force found or declared to be of unsound mind; or
- (d) if, he directly or indirectly, by himself or by any person on his behalf or for his use or benefit holds or enjoys any right or benefit under any contract, other than his contract of employment, made by or on behalf of the University.

No writ to  
issue against  
person or  
property of a  
member of  
any authority  
of the  
University.

54. No writ against person or property shall be issued against any member of the Uththarithara Sabhawa, the Council, the Senate or any officer or servant of the University in any action brought against the University.

Officers and  
servants of the  
University  
deemed to be  
public servants  
under the Penal  
Code.

55. All officers and servants of the University shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

University to  
be deemed a  
Scheduled  
institution  
within the  
meaning of the  
Bribery Act.

56. The University shall be deemed to be a Scheduled institution within the meaning of the Bribery Act and the provisions of that Act shall be construed accordingly.

Transfer of  
other  
institutions to  
the University.

57. The Minister, may in concurrence with the Minister in charge of the subject, by Order published in the Gazette, transfer to the University, any institution, school or college maintained and managed by the Government, together with any movable property therein and any immovable property of such institution, school or college may, by a like Order by the Minister in charge of the subject of Lands, be vested in 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 with effect from the date specified in that Order.

## PART XI

### MISCELLANEOUS

**58.** No person shall reside within the University precincts unless he —

- (a) is a Bhikku; or
- (b) is a servant in a Hall of Residence of the University.

Restriction in residence within University precincts.

**59.** (1) Where the presence of any person in the University is, in the opinion of the Council undesirable, the Mahopadyaya of the University after giving such person, the opportunity of being heard, may, with the consent of the Council, by writing under his hand served on such person, prohibit such person from entering or remaining within such precincts or within such part thereof as may be specified in such writing. Such prohibition shall remain in force until revoked by the Mahopadyaya with consent of the Council.

Prohibition of undesirable persons from entering precincts.

(2) A certificate under the hand of the Mahopadyaya of the University to the effect that any person named in the certificate, has been prohibited, in accordance with the provisions of subsection (1), from entering or remaining in the precincts of the University or any part thereof, shall be received and accepted by any court as evidence of the facts stated in such certificate until the contrary is proved.

(3) A document purporting to be a certificate issued by the Mahopadyaya of the University and signed by him shall be received in evidence and shall, until the contrary is proved, be deemed to be a certificate issued by the Mahopadyaya under subsection (2).

(4) Any person who is prohibited under the provisions of subsection (1) from entering or remaining within the University precincts or part thereof and who without reasonable cause enters or remains within such precincts or part thereof in contravention of such prohibition shall be guilty of an offence and shall, on conviction after summary trial by a Magistrate be liable to fine of one hundred repees in respect of each day or part thereof on which he has entered or during which he has remained within such precincts or part thereof.

(5) An offence under subsection (4) shall be cognizable and bailable within the meaning of those terms as defined in the Code of Criminal procedure Act.

60. Ordinance may be made by the Uththarathira Sabhawa of the University in respect of all or any of the following matters :—

- (a) where not otherwise provided for, the filling of vacancies in, and the convening of, any authority or body of the University;
- (b) the determination of the degrees, diplomas and other academic distinctions to be conferred by the University;
- (c) the conferment of honorary degrees of the University;
- (d) the institution and award of fellowships, scholarships, bursaries, and prizes for which funds or property may in any manner whatsoever be provided : and
- (e) all matters for which, under the provisions of this Act, Ordinances are authorized or required to be made.

(2) Every Ordinance shall, assented to by the Uththarathara Sabhawa, be published in the Gazette and shall come into force on such date as may be specified therein.

By-Laws.

61. (1) By-laws may be made by the Council of the University in respect of all or any of the following matters :—

- (a) the courses of study prescribed for degrees, diploma and other academic distinctions of the University;
- (b) the conditions subject to which, students shall be admitted to courses of study and examinations prescribed for degrees, diploma and other academic distinctions of the University and shall be eligible for such academic distinctions;
- (c) the fees to be charged for courses of study, examinations, residence and award of degrees, diplomas, certificates and other academic distinctions;
- (d) the conditions of residence of students;
- (e) where not otherwise provided for, the constitution, powers, duties and functions and the terms of membership, of any authority or other body of the University;
- (f) all matters connected with the election of representatives to the various Authorities and other bodies of the University;
- (g) the conditions and mode of appointment, duties and emoluments, of examiners and the conduct and maintenance of standards of Examinations; and
- (h) all matters for which, under the provisions of this Act, or of the Ordinances made thereunder, by-laws are authorized or required to be made.

(2) No by-law shall be made by the Council of the University in respect of any matter relating to, or connected with, teaching in, or the examination of, the University unless a draft of such by-law has been prepared and submitted to such Council by the Senate of the University.

(3) Every by-law made by the Council of the University shall come into force on such date as shall be specified therein.

Regulations.

62. Regulations may be made by the Senate of the University in regard to any academic matter and for the amendment, variation or revocation of an existing regulation.

In this section "academic matter" means any matter which is subject to the control and general direction of the Senate.

Rules.

63. (1) Any authority or body of the University may make rules—

(a) for all matters which under the provisions of this Act are to be or may be prescribed by rules :

(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 ; and

(c) for all matters solely concerning such authority or 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, added to, varied or rescinded by a like rule made by such Authority or other body.

Provisions of  
Act. No. 16 of  
1978 not to  
apply.

64. The provision of the University Act, No 16 of 1978, shall not apply to or in relation to the University established by this Act.

## PART XII

### REPEALS AND TRANSITIONAL PROVISIONS

Repeal of Act  
No. 16 of  
1968.

65. The Buddha Sravaka Dharmapeetaya Act, No. 16 of 1968 is hereby repealed as from the date of coming into operations of this Part of this Act.

Effect of  
repeal of Act  
No. 16 of  
1968.

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

(1) All teachers, officers and other employees in the service of the Buddha Sravaka Dharmapeetaya on the day immediately preceding the date of coming into operations of this Part of this Act, who are not offered employment with the Buddhasravaka Bhikku University shall be entitled to the payment of such compensation as may be determined by the Cabinet of Ministers.

(2) All suits, prosecutions, appeals or other legal proceedings, civil or criminal, which have been instituted in any court of tribunal by or against Buddha Sravaka Dharmapeetaya prior to the date of coming into operation of this Part of this Act shall be deemed with effect from that date have been instituted, as the case may be, by or against the Buddhasravakas Bhikku University.

(3) All decrees or orders made by a competent court of tribunal in favour of, or against, the Buddha Sravaka Dharmapeetaya prior to the date of coming into operation of this Part of this Act shall be deemed with effect from that date to have been made in favour of or against the Buddha Sravaka Bhikku University, as the case may be.

(4) All property, movable and immovable, vested in, or leased to, or placed at the disposal of the Buddha Sravaka Dharmapeetaya, prior to the date of coming into operation of this Part of this Act, or which was held in trust for Buddha Sravaka Dharamapeetaya or was in its possession or control at or on the day preceding the date of coming into operation of this Part of this Act, shall be held by, or in trust for, the Buddhasravaka Bhikku University, subject, to the trusts, charges, liabilities, reservations, servitudes or other encumbrances and on the terms and conditions appertaining, attaching or applicable thereto on that day.

67. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text  
to prevail in  
case of  
inconsistency.

### PART III

#### INTERPRETATION

Interpretation.

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

“by-law” means a by-law made by the Council of the University under this Act ;

“local authority” means a Municipal Council, Urban Council or Pradeshiya Sabha and includes any authority created or established by or under any law to exercise, perform and discharge powers, functions and duties corresponding or similar to the powers, duties and functions exercised, performed and discharged by any such Council or Sabha :

“Ordinance” means any Ordinance made by the University :

“regulation” means any regulation made by the Senate of the University :

“rule” means any rule made by an Authority or other body of the University ;

“teacher” means a Professor, Associate Professor, Senior Lecturer, Lecturer, and Assistant Lecturer, and the holder of any post declared by Ordinance to be a post, the holder of which is a teacher ; and

“the Council” means the Council of the University.