



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

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**CLOTHING INDUSTRY TRAINING  
INSTITUTE**

**ACT, No. 3 OF 1984**

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**[Certified on 13th January, 1984]**

*Printed on the Orders of Government*

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**Clothing Industry Training Institute  
Act, No. 3 of 1984**

L. D.—O. 86/80.

[Certified on 13th January, 1984]

**AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A CLOTHING  
INDUSTRY TRAINING INSTITUTE AND FOR MATTERS CONNECTED  
THEREWITH OR INCIDENTAL THERETO.**

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

1. This Act may be cited as the Clothing Industry  
Training Institute Act, No. 3 of 1984.

**Short  
title.**

**PART I**

**ESTABLISHMENT OF THE CLOTHING INDUSTRY TRAINING  
INSTITUTE**

2. (1) There shall be established an Institute which  
shall be called the "Clothing Industry Training Institute"  
(hereinafter referred to as the "Institute") and which  
shall consist of the persons who are for the time being  
members of the Institute under section 6.

**Establishment  
of the  
Clothing  
Industry  
Training  
Institute.**

(2) The Institute shall, by the name assigned to it by  
subsection (1), be a body corporate, and shall have perpetual  
succession and a common seal and may sue and be sued in  
its corporate name.

3. The objects for which the Institute is established shall  
primarily be directed towards the promotion and develop-  
ment of technical and management skills within the  
clothing industry, and in particular—

**Objects  
of the  
Institute.**

(a) to promote the professional ability of workers and  
executives by providing or implementing training  
facilities and programmes relating to the clothing  
industry, and the fields of study of clothing manu-  
facture and to award certificates, diplomas, degrees  
and prizes in connection therewith;

(b) to foster and assist studies pertaining to the clothing  
industry;

(c) to offer technical and economic consultancy services  
to industrial units in the clothing industry;

(d) to sponsor and hold conferences and seminars, and  
publish journals and magazines relating to clothing  
industry training;

Powers,  
duties  
and  
functions  
of the  
Institute.

- (e) to co-operate with other institutes of similar nature in the field of clothing manufacture; and
- (f) to study specific technical problems of industrial units and render necessary guidance and advice.

4. The institute shall exercise, perform and discharge such powers, duties and functions as may reasonably be necessary to carry out its objects and in particular may—

- (a) acquire and hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of, any movable or immovable property;
- (b) acquire, establish, instal and operate field training centres and pilot projects relating to the clothing industry;
- (c) import plant, machinery and equipment required for the purpose of the Institute, and receive equipment, funds, personnel and any other assistance for the efficient functioning of the Institute;
- (d) conduct, assist, co-ordinate and encourage studies into all aspects of the clothing industry;
- (e) levy fees or charges for any training and services rendered by the Institute;
- (f) provide welfare and recreational facilities for its employees;
- (g) make rules in respect of the administration of the affairs of the Institute;
- (h) delegate to any member, the Director of the Institute, or any employee such functions as the Board of Governors may consider necessary for the efficient transaction of its business;
- (i) enter into any land or premises for the purpose of carrying out investigations and recording of data, inspection of books and documents and taking copies or extracts therefrom, relating to the clothing industry which in the opinion of the Board of Governors are necessary for the attainment of the objects of the Institute; and
- (j) do all such other things which in the opinion of the Board of Governors are necessary or conducive or incidental to the attainment of the objects of the institute.

5. In the exercise of its powers and the carrying out of its duties, the Institute shall comply with the general policy of the Government in relation to the clothing industry and with any general or special directions issued by the Minister in relation to such policy.

**Institute to exercise its powers under the directions of the Minister.**

6. The Institute shall have a Board of Governors (hereinafter referred to as the "Board") consisting of the following persons appointed by the Minister:—

**Constitution of the Board of Governors.**

- (a) (i) the Secretary to the Ministry of the Minister ; or  
(ii) any other officer of the Ministry of that Minister, who shall be the Chairman of the Board ;
- (b) an officer of the Ministry of the Minister in charge of the subject of National Apprenticeship nominated by such Minister ;
- (c) an officer of the Ministry of the Minister in charge of the subject of Higher Education nominated by such Minister ;
- (d) a representative of the Garment Exporters' Association ;
- (e) a representative of the Garment Manufacturers' Association ;
- (f) a representative of the Hosiery Manufacturers' Association ;
- (g) the President, Textile Institute (Sri Lanka Section) ; and
- (h) two other members one of whom shall be from the handloom industry.

7. A person shall be disqualified from being appointed or continuing as a member of the Board—

**Disqualification from membership.**

- (a) if he is or becomes a Member of Parliament ;
- (b) if he directly or indirectly holds or enjoys any right or benefit under any contract made by or on behalf of the Institute ; or
- (c) if he has any such financial or other interest as is likely to prejudicially affect the discharge by him of his functions as a member of the Board.

Term of  
office of  
members.

8. Every member appointed under section 6, shall, unless he vacates office earlier by death, resignation or removal, hold office for a term of three years and shall be eligible for reappointment.

Death,  
resignation  
and removal  
of members.

9. (1) Any member of the Board may at any time resign his office by letter to that effect addressed to the Minister.

(2) The Minister may, if he considers it expedient to do so, remove from office by Order published in the *Gazette*, any member of the Board without assigning any reason therefor and such removal shall not be called in question in any court:

Provided, however, that no member shall be removed under this subsection except in consultation with the Minister in consultation with whom such member was appointed or the authority nominating such member.

(3) In the event of the death or the vacation of office by any member of the Board or his removal from office under the provisions of the preceding subsections, the Minister may appoint another person in like manner as such member was appointed in accordance with the provisions of section 6. Any person appointed in place of such member shall hold office during the unexpired part of the term of office of the member whom he succeeds.

(4) If any member of the Board is temporarily unable to perform the duties of his office during any period due to ill health or other infirmity or absence from Sri Lanka, the Minister may appoint some other person to act in his place during such period in like manner as such member was appointed in accordance with the provisions of section 6.

(5) The provisions of subsections (1), (2), (3) and (4) of this section shall not apply to the Chairman where the Chairman is the Secretary to the Ministry of the Minister and to the member appointed under paragraph (g) of section 6.

Acts not  
invalidated  
by reason  
of a  
vacancy.

10. No act or decision or proceeding of the Board shall be invalidated by reason only of the existence of a vacancy among its members or any defect in the appointment of a member thereof.



11. The members of the Board may be paid such remuneration out of the Fund of the Institute, as may be determined by the Minister.

Remuneration  
of the  
members  
of the  
Board.

12. Rules may be made under this Act in respect of the meetings of the Board and the quorum therefor and for the procedure to be followed at such meetings.

Meetings  
of the  
Board.

13. (1) The Board may delegate to the Chairman or any other member of the Board, or the Director of the Institute or any employee of the Institute, any of its powers, functions or duties.

Delegation  
of powers,  
functions  
or duties.

(2) The Chairman, other member, the Director or employee to whom any of the powers, functions or duties of the Board has been delegated under subsection (1) shall exercise, perform or discharge the powers, functions or duties so delegated subject to the general or special directions of the Board.

14. (1) The Minister may, in consultation with the Chairman, appoint a Vice-Chairman from among the members appointed by him under section 6.

Vice-  
Chairman  
of the  
Board.

(2) If the Chairman or Vice-Chairman, is, by reason of ill health or other infirmity or absence from Sri Lanka, temporarily unable to perform the duties of his office, the Minister may appoint one of the other members to act in his place.

(3) The Chairman, or in his absence, the Vice-Chairman, shall preside at meetings of the Board and in the absence of both the Chairman and the Vice-Chairman, the member appointed by the Minister under subsection (2) shall preside at meetings of the Board.

(4) Where there is an equality of votes on any matter to be decided at a meeting of the Board, the Chairman at such meeting shall, in addition to his vote, have a second or casting vote.

15. The Board shall administer the affairs, may exercise the powers and perform the duties of the Institute.

Board to  
administer  
the affairs  
of the  
Institute.

## PART II

## APPOINTMENT OF THE DIRECTOR AND STAFF OF THE INSTITUTE

Director  
of the  
Institute.

16. (1) The Minister shall, in consultation with the Chairman of the Board, appoint to the staff of the Institute a Director who shall be the chief executive officer. The conditions of employment, including remuneration of the Director, shall be determined by the Minister in consultation with the Minister in charge of the subject of Finance.

(2) The Director shall exercise, perform and discharge such powers, functions and duties as may be delegated to him.

(3) The Minister may remove from office the Director appointed under subsection (1), and such removal shall not be called in question in any court.

Powers  
of the  
Board in  
regard to  
appointments  
to the  
staff  
of the  
Institute.

17. (1) Subject to the other provisions of this Act, the Board may—

(a) appoint, dismiss and exercise disciplinary control over the staff of the Institute;

(b) fix the wages, salaries or other remuneration of the staff;

(c) determine the terms and conditions of service of such staff; and

(d) establish and regulate provident funds and schemes for the benefit of such staff and make contributions to any such fund or scheme.

(2) Rules may be made under this Act in respect of all or any of the matters referred to in subsection (1).

Appointment  
of public  
officers  
to the  
staff  
of the  
Institute.

18. (1) At the request of the Board, any officer in the public service may, with the consent of that officer and the Secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the staff of the Institute for such period as may be determined by the Board with like consent, or be permanently appointed to such staff.

(2) Where any officer in the public service is temporarily appointed to the staff of the Institute, the provisions of subsection (2) of section 13 of the Transport Board Law, No. 19 of 1978, shall, *mutatis mutandis*, apply to and in relation to him.

(3) Where any officer in the public service is permanently appointed to the staff of the Institute, the provisions of subsection (3) of section 13 of the Transport Board Law, No. 19 of 1978, shall, *mutatis mutandis*, apply to and in relation to him.

(4) Where the Institute 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 with the Institute by that person shall be regarded as service to the Government for the purpose of discharging the obligations of such contract.

(5) At the request of the Board any member of the Local Government Service or any other officer or servant of a local authority, may, with the consent of such member, officer, or servant and the Local Government Service Advisory Board, or the local authority, as the case may be, be temporarily appointed to the staff of the Institute for such period as may be determined by the Board 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 Board and the Local Government Service Advisory Board or that local authority.

(6) At the request of the Board any officer or servant of a public corporation may, with the consent of such officer or servant and the governing body of the public corporation, be temporarily appointed to the staff of the Institute for such period as may be determined by the Board with like consent, or be permanently appointed to such staff on such terms and conditions including those relating to pension and provident fund rights, as may be agreed upon the Board and the governing body of public corporation.

(7) Where any person is temporarily appointed to the staff of the Institute in pursuance of subsection (5) or (6), such person shall be subject to the same disciplinary control as any other member of such staff.

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

Officers  
and  
servants  
of the  
Institute  
deemed to  
be public  
servants.



Institute  
deemed  
to be a  
scheduled  
institution  
within the  
meaning  
of the  
Bribery  
Act.

20. The Institute 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.

### PART III

#### FINANCE

Capital  
of the  
Institute.

21. (1) The initial capital of the Institute shall be one million and two hundred and fifty thousand rupees and shall be made available to the Institute by the Government on such terms and conditions as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

(2) At the request of the Minister the capital of the Institute may be increased from time to time by such amount as may be authorized by any Appropriation Act or by resolution of Parliament and such amount shall be paid or made available to the Institute by the Government by way of grant or loan on such terms and conditions as may be determined by the Minister in charge of the subject of Finance.

Fund  
of the  
Institute.

22. (1) The Institute shall have its own Fund.

(2) There shall be paid into the Fund all such sums of money as may be received by the Institute by way of—

- (a) payments required to be made into such Fund by or under this Act;
- (b) fees collected from trainees on registration;
- (c) fees charged for services rendered or training provided by the Institute; and
- (d) donations.

(3) There shall be paid out of the Fund of the Institute all such sums of money required to defray any expenditure incurred by the Institute in the exercise, performance and discharge of its powers, functions and duties.

Financial  
year.

23. The financial year of the Institute shall be the calendar year.

24. (1) The Board shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Institute.

Audit of  
Accounts.

(2) The provisions of Article 154 of the Constitution, relating to the audit of accounts of a public corporation shall apply to the audit of accounts of the Institute.

#### PART IV

##### GENERAL

25. (1) Where any immovable property is required to be acquired for any purpose of the Institute, and the Minister by Order published in the *Gazette* approves of the proposed acquisition, the purpose for which the land is required shall be deemed to be a public purpose and may accordingly be acquired under the Land Acquisition Act and be transferred to the Institute.

Acquisition  
of  
immovable  
property  
under the  
Land  
Acquisition  
Act  
for the  
Institute.

(2) Any sum payable for the acquisition of any immovable property under the Land Acquisition Act for the Institute shall be paid out of the Fund of the Institute.

26. (1) Where any immovable property of the State is required for any purpose of the Institute, such purpose shall be deemed to be a purpose for which a special grant or lease of such property may be made under section 6 of the Crown Lands Ordinance, and accordingly the provisions of that Ordinance shall apply to a special grant or lease of such property to the Institute.

State  
property  
both  
movable  
and  
immovable  
to be  
made  
available  
to the  
Institute.

(2) Where any movable property of the State is required for any purpose of the Institute, the Minister may, with the concurrence of the Minister having control over such movable property, by Order published in the *Gazette*, transfer to and vest in the Institute the possession and use of such property.

27. The Government may provide for the use of the Institute such land, buildings and other facilities as may be deemed necessary.

The  
Government  
to make  
available  
premises,  
&c. for  
the use  
of the  
Institute.

Protection for action taken under this Act or on the direction of the Board.

28. (1) No suit or prosecution shall lie—

- (a) against the Board for any act which in good faith is done or purported to be done by the Board under this Act; and
- (b) against any member of the Board, any employee of the Institute or agent of the Board for any act which in good faith is done or purported to be done by him under this Act or on the direction of the Board.

(2) Any expenses incurred by 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 by him under this Act or on the direction of the Board shall, if the court holds that the Act was done in good faith, be paid out of the Fund of the Institute.

No writ to issue against person or property of a member of the Board.

29. No writ against person or property shall be issued against a member of the Board in any action brought against the Institute.

Power of Board or any member thereof or any employee acting under its authority to enter into any land or premises.

30. Where the Board considers it necessary for the attainment of the objects of the Institute, it shall be lawful for the Board to authorize any member of the Board or any officer or employee of the Institute to enter into or upon any land or premises for inspection, investigation and recording of data.

Any person who prevents or obstructs the Board or any member or authorized employee to be guilty of an offence.

31. Any person who prevents or obstructs the Board or any member of the Board, or any officer or employee authorized by the Board in carrying out such investigation or inspection or the recording of data referred to in section 30 shall be guilty of an offence, under this Act.

Power to acquire information.

32. (1) For the purpose of enabling the Institute to exercise, perform and discharge any of its powers, functions and duties under section 4 the Chairman of the Board, a member, the Director of the Institute or any

employee authorized in that behalf by the Board, may, by notice in writing, require any person to furnish within such period as shall be specified in the notice all such information as may be specified in such notice.

(2) It shall be the duty of any person who is required to furnish any information by a notice under subsection (1) to comply with such requirement within such time as may be specified in the notice, except where such person is precluded from divulging such information under the provisions of any law.

(3) Any person who fails, without reasonable cause, to comply with the provisions of subsection (1) or who furnishes information knowing such information to be false, shall be guilty of an offence under this Act.

(4) The Chairman or a member of the Board, the Director of the Institute or any officer or employee of the Institute shall not disclose to any person or use any information acquired under the provisions of subsection (1) except when required to do so by a court of law or for the purposes of achieving the objects of the Institute.

33. Every person who is found guilty of an offence under this Act shall, on conviction after summary trial before a Magistrate, be liable to imprisonment of either description for a period not exceeding six months or to a fine not less than five hundred rupees or to both such fine and imprisonment.

Penalty  
for  
offences.

34. The Minister may give special or general directions in writing as to the performance of the duties and the exercise of the powers of the Board, and the Board shall give effect to such directions.

Power  
of the  
Minister  
to give  
special and  
general  
directions  
to the  
Board.

35. (1) The Board may make rules in respect of all or any of the matters for which rules are authorized, or required by this Act, to be made.

Power  
of the  
Board to  
make  
rules.

(2) A rule made by the Board under subsection (1) shall not have effect until it is approved by the Minister and is published in the *Gazette*.