



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

**SIR JOHN KOTALAWALA DEFENCE
ACADEMY (AMENDMENT)
ACT, No. 27 OF 1988**

[Certified on 27th July 1988]

Printed on the Orders of Government

**Published as a Supplement to Part II of the Gazette of the Democratic
Socialist Republic of Sri Lanka of July 29, 1988**

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO

Price : 60 cents

Postage : 75 cents

Sir John Kotalawela Defence Academy
(Amendment) Act, No. 27 of 1988

[Certified on 27th July, 1988]

L. D.—O. 42/86.

AN ACT TO AMEND THE SIR JOHN KOTALAWELA DEFENCE
ACADEMY ACT, No. 68 OF 1981

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

1. This Act may be cited as the Sir John Kotalawela Defence Academy (Amendment) Act, No. 27 of 1988. Short title.

2. Section 2 of the Sir John Kotalawela Defence Academy Act, No. 68 of 1981 (hereinafter referred to as the “principal enactment”) is hereby amended by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :— Amendment of section 2 of Act No. 68 of 1981.

“(1) There shall be established a university which shall be called “the General Sir John Kotalawela Defence Academy” (hereinafter referred to as the “Academy”).

3. Section 3 of the principal enactment is hereby amended by the insertion immediately after paragraph (a) of that section of the following paragraphs :— Amendment of section 3 of the principal enactment.

“(aa) to provide for courses of study, and instruction in branches of learning related to defence and military management ;

(ab) to admit officer cadets and officers to follow such courses of study and instruction ;

(ac) to hold examinations for the purposes of ascertaining the officer cadets and officers who have acquired proficiency in such branches of learning ;

(ad) to admit public officers to follow courses of study relating to defence and military management and to hold examinations for the purposes of ascertaining the officers who have acquired proficiency in such studies ;”.

4. Section 4 of the principal enactment is hereby amended by the insertion immediately after paragraph (a) of that section of the following paragraphs :— Amendment of section 4 of the principal enactment.

“(aa) to provide facilities for and instruction in academic studies in such subjects as would be relevant to officer cadet and officer training ;

(ab) to provide a basic service training to pre-officer cadets ;

(ac) to provide for courses of study, and instruction, in branches of learning relating to defence and military management;

(ad) to admit officer-cadets and officers to follow such courses of study and instruction;

(ae) to hold examinations for the purposes of ascertaining the officer-cadets and officers who have acquired proficiency in such branches of learning;

(af) to admit public officers to follow courses of study relating to defence and military management and to hold examinations for the purposes of ascertaining the officers who have acquired proficiency in such studies;

(ag) to grant and confer, notwithstanding anything in section 128 of the Universities Act, No. 16 of 1978, degrees, diplomas, certificates on officer cadets and officers and public officers who have followed courses of study in such branches of learning at the Academy and passed such examinations;

(ah) to confer honorary degrees and other academic distinctions on persons recommended by the Board of Management;

(ai) to erect, equip and maintain for the purposes of the Academy, libraries, laboratories and other buildings;

(aj) to institute Professorships, Lecturerships and other posts as may be required for the purposes of the Academy."

Amendment
of section
5 of the
principal
enactment.

5. Section 5 of the principal enactment is hereby amended as follows:—

(1) by the renumbering of that section as subsection (1) of that section;

(2) in the renumbered subsection (1), by the insertion, immediately after paragraph (a) thereof, of the following paragraph:—

(aa) the Additional Secretary to the Ministry of the Minister in charge of the subject of defence (hereinafter referred to as the "Additional Secretary"); and

(3) by the addition immediately after the renumbered subsection (1), of the following new subsections :—

“(2) The Secretary to the Ministry of the Minister in charge of the subject of defence shall preside at meetings of the Board, and in his absence, the Additional Secretary shall preside the meeting.

(3) Five members shall form a quorum at any meeting of the Board, of whom at least two members shall be Commanders of the Armed Forces.”

6. Section 7 of the principal enactment is hereby amended in subsection (1) of that section, by the substitution for the words “control of the Board”, of the words “control of the Board and the provisions of section 7A”

Amendment
of section
7 of the
principal
enactment.

7. The following new section is hereby inserted immediately after section 7 of the principal enactment and shall have effect as section 7A of that enactment :—

Insertion
of new
section 7A
in the
principal
enactment.

“The
Board of
Studies.

7A. (1) The affairs of the Academy relating to academic and defence studies shall be vested under the direction of the Board of Studies appointed by the Board of Management.

(2) The Board of Studies shall, subject to the general direction and control of the Board, be responsible for the direction of instruction, courses of study, research and examinations of the Academy.”

8. The following new section is hereby inserted immediately after section 10 of the principal enactment and shall have effect as section 10A of that enactment :—

Insertion
of new
section 10A
in the
principal
enactment.

“Audit of
accounts.

10A. (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 Academy.

(2) The provisions of Article 154 of the Constitution relating to the audit of accounts of public corporations shall apply to the audit of accounts of the Academy.”

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Amendment
of section
19 of
the princi-
pal enact-
ment.

9. Section 19 of the principal enactment is hereby amended by the omission of paragraphs (a) and (b) of that section.

Insertion
of new
section 24A
in the
principal
enactment

10. The following new section is hereby inserted immediately after section 24 of the principal enactment and shall have effect as section 24A of that enactment :—

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

24A. The provisions of the Universities Act, No. 16 of 1978, shall not apply to or in relation to the Academy established by this Act."

Construction
of certain
expressions
in the
principal
enactment.

11. In every section specified in Column I of the Schedule to this Act, the reference to the expressions as referred to in the corresponding entry in Column II of such Schedule, shall be read and construed as a reference to the expressions as referred to in the corresponding entry in Column III of that Schedule.

Amendment
of the
principal
enactment
and other
written
law.

12. Wherever in any provision of the principal enactment or any written law, or of any notice, communication, form, or other document issued, made, required or authorized by or under any written law the words "Sir John Lionel Kotalawela" or "Sir John Kotalawela Defence Academy" occurs, there shall be substituted for those words, the words "General Sir John Lionel Kotalawela" and "General Sir John Kotalawela Defence Academy", respectively.

Savings
for
contracts
&c.

13. Every contract, agreement or other instrument or document whatsoever made, issued or executed prior to the date of commencement of this Act, by or in favour of "the Sir John Kotalawela Defence Academy" shall be deemed on and after the date of commencement of this Act to be and to have been made, issued or executed by or in favour of "the General Sir John Kotalawela Defence Academy".

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SCHEDULE

Section 10)

| <i>Column I</i> | <i>Column II</i> | <i>Column III</i> |
|--|----------------------|-------------------------------|
| Sections of the principal enactment | | |
| 3 (a) | — pre-officer cadet | — officer-cadet and officer |
| 3 (b) | — pre-officer cadets | — officer-cadets |
| 3 (c) | — pre-officer cadets | — officer-cadets |
| 7 (1) | — pre-officer cadets | — officer-cadets and officers |
| 14 | — pre-officer cadet | — officer-cadets |
| 15 (2) (b) | — pre-officer cadets | — officer-cadets |
| 15 (2) (c) | — pre-officer cadets | — officer-cadets |
| 15 (2) (d) | — pre-officer cadets | — officer-cadets |
| 15 (2) (e) | — pre-officer cadets | — officer cadets |
| 19 (c) | — pre-officer cadets | — officer cadets and officers |