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**Part II of July 16, 2021**

**SUPPLEMENT**

*(Issued on 20.07.2021)*



**UNIVERSITIES (AMENDMENT)**

**A**

**BILL**

**to amend the Universities Act, No. 16 of 1978**

*Ordered to be published by the Minister of Education*

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#### *STATEMENT OF LEGAL EFFECT*

*Clause 2:* This clause inserts new section 23A to the Universities Act, No. 16 of 1978 (hereinafter referred to as the “principal enactment”) and the legal effect of the section is to provide for the establishment of Universities for specific purposes.

*Clause 3:* This clause amends section 26 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 4:* This clause amends section 27 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 5:* This clause amends section 101 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 6:* This clause amends section 102 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 7:* This clause amends section 103 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 8:* This clause amends section 104 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 9:* This clause amends section 105 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 10:* This clause amends section 107 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 11:* This clause amends section 124 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 12:* This clause amends section 128 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 13:* This clause amends section 145 of the principal enactment and is consequential to the amendment made by clause 2.

*Clause 14:* This clause amends section 147 of the principal enactment and the legal effect of the section as amended is to replace the definitions of the expressions “governing authority”, “Higher Educational Institution” and “principal executive officer”.

### *Universities (Amendment)*

L.D.—O. 8/2021

## AN ACT TO AMEND THE UNIVERSITIES ACT, NO. 16 OF 1978

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

**1.** This Act may be cited as the Universities Short title (Amendment) Act, No.      of 2021.

5        2. The Universities Act, No.16 of 1978 (hereinafter referred to as the “principal enactment”) is hereby amended by the insertion immediately after section 23, of the following new section which shall have effect as section 23A, of that enactment: -

Insertion of new section 23A in the Act, No.16 of 1978

10   “Establishment of Universities for specific purposes”

23A. (1) The Minister may, in consultation with the Commission, by an Order (hereinafter referred to as a “University for a specific purpose Order”)-

15                                   (a) establish a University for a specific  
purpose, which shall be a body  
corporate, with perpetual succession  
and a common seal for the purpose of  
providing, promoting and developing  
higher education in all such branches  
20 of learning as shall be specified in  
such Order to those who are not  
students of any of the institutions  
referred to in sections 21, 22, 23, 24,  
24A and 25;

25                   (b) assign a name and style to such  
University; and

(c) specify the location or site which shall be the seat of such University.

(2) The structure, powers, duties and functions of such University shall be prescribed by Ordinance.”.

- 5       **3.** Section 26 of the principal enactment is hereby amended as follows: - Amendment  
of section 26  
of the  
principal  
enactment
- 10           (1) by the substitution for the words “Open University Order, University College Order, Institution for Higher Learning Order”, of the words “Open University Order, University for a specific purpose Order, University College Order, Institution for Higher Learning Order”; and
- (2) by the substitution in the marginal note to that section for the figures “23, 24,”, of the figures “23, 23A, 24”.
- 15       **4.** Section 27 of the principal enactment is hereby amended as follows: - Amendment  
of section 27  
of the  
principal  
enactment
- 20           (1) in paragraph (a) of subsection (1) of that section by the substitution for the words “Open University Order, University College Order, or Institution for Higher Learning Order”, of the words “Open University Order, University for a specific purpose Order, University College Order or Institution for Higher Learning Order”; and
- 25           (2) by the substitution in the marginal note to that section for the figures “23, 24”, of the figures “23, 23A, 24”.
- 5.** Section 101 of the principal enactment is hereby amended as follows:- Amendment  
of section  
101 of the  
principal  
enactment
- 30           (1) by the substitution for the words “University or Open University or the Treasurer of a University

College”, of the words “University, Open University or University for a specific purpose, or the Treasurer of a University College”;

- 5       (2) by the substitution in paragraph (a) of that section for the words “University, Open University, University College”, of the words “University, Open University, University for a specific purpose, University College”; and
- 10       (3) by the substitution in the proviso to paragraph (d) of that section for the words “University, Open University, University College”, wherever such words appear in that proviso of the words “University, Open University, University for a specific purpose, University College”.
- 15       **6.** Section 102 of the principal enactment is hereby amended by the substitution for the words “University, Open University, University College”, wherever such words appear in that section, of the words “University, Open University, University for a specific purpose, University College”. Amendment of section 102 of the principal enactment
- 20       **7.** Section 103 of the principal enactment is hereby amended by the substitution for the words “University, Open University, University College”, of the words “University, Open University, University for a specific purpose, University College”. Amendment of section 103 of the principal enactment
- 25       **8.** Section 104 of the principal enactment is hereby amended by the substitution for the words “University, Open University, University College”, wherever such words appear in that section, of the words “University, Open University, University for a specific purpose, University College”. Amendment of section 104 of the principal enactment
- 30       **9.** Section 105 of the principal enactment is hereby amended by the substitution for the words “University or Open University or the Treasurer of a University College” and “University, Open University, University College”, of Amendment of section 105 of the principal enactment

the words “University, Open University or University for a specific purpose, or the Treasurer of a University College” and “University, Open University, University for a specific purpose, University College” respectively.

- 5       **10.** Section 107 of the principal enactment is hereby amended in subsection (6) as follows: - Amendment  
of section  
107 of the  
principal  
enactment
- 10               (1) in paragraph (b) of that subsection by the substitution, for the words “University or Open University or the Secretary of the University College”, of the words “University, Open University or University for a specific purpose, or the Secretary of the University College”; and
- 15               (2) in sub paragraph (iii) of paragraph (d) of that subsection, by the substitution for the words “University or Open University or the Secretary of the University College”, of the words “University, Open University or University for a specific purpose, or the Secretary of the University College”.
- 20       **11.** Section 124 of the principal enactment is hereby amended by the substitution for the words “Universities, the Open University or University Colleges”, of the words “Universities, the Open University, Universities for a specific purpose or University Colleges”. Amendment  
of section  
124 of the  
principal  
enactment
- 25       **12.** Section 128 of the principal enactment is hereby amended in subsection (1) by the substitution for the words “University, Open University, Centre for Higher Learning”, of the words “University, Open University, University for a specific purpose, Centre for Higher Learning”. Amendment  
of section  
128 of the  
principal  
enactment
- 30       **13.** Section 145 of the principal enactment is hereby amended by the substitution for the words and figures “sections 21, 22, 23, and 24,”, of the words and figures “sections 21, 22, 23, 23A, and 24,”. Amendment  
of section  
145 of the  
principal  
enactment

14. Section 147 of the principal enactment is hereby amended as follows: -

Amendment  
of section  
147 of the  
principal  
enactment

- 5 (1) by the repeal of the definition of the expression  
“governing authority” and the substitution therefor  
of the following definition: -

““governing authority” in relation to-

- (i) a University, means the Council of that  
University;
- 10 (ii) an Open University, means the Council  
of that Open University;
- (iii) a University for a specific purpose,  
means the Council of that University  
for a specific purpose; and
- 15 (iv) a University College, means the Board  
of Management of that University  
College;”;

- (2) by the repeal of the definition of the expression  
“Higher Educational Institution” and the  
substitution therefor of the following definition: -

20 ““Higher Educational Institution” means a  
University, Campus, Open University,  
University for a specific purpose,  
University College, or Centre for Higher  
Learning established or deemed to be  
25 established under this Act;”;

- (3) by the repeal of the definition of the expression  
“principal executive officer” and the substitution  
therefor of the following definition: -

““principal executive officer” in relation to-

- (i) a University, means the Vice-Chancellor of that University;
- 5 (ii) an Open University, means the Vice-Chancellor of that Open University;
- (iii) a University for a specific purpose, means the Vice-Chancellor of that University for a specific purpose; and
- 10 (iv) a University College, means the Director of that University College;”.

**15.** 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



