

(Internet Version)



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

NATIONAL INSTITUTE OF FISHERIES AND
NAUTICAL ENGINEERING
ACT, No. 36 OF 1999

[Certified on 7th October, 1999]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of October 08, 1999.

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 1

Price: Rs. 14.75

Postage: Rs.5.25

*National Institute of Fisheries and
Nautical Engineering Act, No.36 of 1999*

[Certified on 7th October , 1999]

L. D. - O. 34/98.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A
NATIONAL INSTITUTE OF FISHERIES AND NAUTICAL
ENGINEERING ; AND FOR MATTERS CONNECTED THEREWITH OR
INCIDENTAL THERETO.

WHEREAS it is necessary to establish an Institute for the
purpose of raising the technical and managerial skills of
persons engaged in, or proposing to engage in, the fisheries
industry ;

Preamble.

AND WHEREAS the Institute hereinafter established is
hereby declared to be an institution of national importance ;

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

1. This Act may be cited as the National Institute of
Fisheries and Nautical Engineering Act, No. 36 of 1999, and
shall come into operation on such date as the Minister may
appoint by Order published in the Gazette (hereinafter referred
to as the “appointed date”).

Short title and
date of
operation.

PART I

THE ESTABLISHMENT OF THE NATIONAL INSTITUTE OF
FISHERIES AND NAUTICAL ENGINEERING

2. (1) There shall be established an Institute which shall
be called the National Institute of Fisheries and Nautical
Engineering (hereinafter referred to as the “Institute”).

Establishment of
the National
Institute of
Fisheries and
Nautical
Engineering.

(2) The Institute shall, by the name assigned to it by sub-
section (1), be a body corporate with perpetual succession
and a common seal and may sue and be sued in such name.

H- 022545

Functions
of the Institute.

3. The functions of the Institute shall be -

- (a) to formulate courses of study and training programmes in fisheries and nautical engineering, with a view to raising the technical and managerial skills of persons engaged in, or proposing to engage in, the fisheries industry ;
- (b) to provide courses of study and training programmes in fisheries and nautical engineering leading to the award of certificates, diplomas and other academic distinctions ;
- (c) to conduct, or arrange for the conduct of, conferences, seminars and symposia on education in the field of fisheries and nautical engineering with the assistance of national and international organisations ;
- (d) to conduct, or promote the conduct of, research, surveys and investigations on education and extension training in the fields of fisheries and nautical engineering;
- (e) to cooperate, by way of exchange of teachers and students or otherwise, with institutions in Sri Lanka or abroad having objects similar to those of the Institute ;
- (f) to advise the Minister on all such matters relating to fisheries and nautical engineering as he may refer to the Council for advice.

powers of the
Institute.

4. The Institute shall have such powers as may be necessary for the discharge of its functions and in particular it may -

- (a) erect, equip and maintain for the purposes of the Institute, centres, libraries and laboratories and other facilities ;
- (b) enter into agreements for co-operation with other national and international institutions discharging functions similar to those of the Institute ;

- (c) enter into agreements with employers to provide training to the trainees selected by the Institute in relevant fields ;
- (d) appoint, employ, remunerate and exercise disciplinary control over, and dismiss, such officers or servants as are necessary for the discharge of the functions of the Institute ;
- (e) charge fees or any other payments for the courses of study and training programmes provided by the Institute ;
- (f) acquire, hold take or give on lease or hire, mortgage, pledge and sell or otherwise dispose of, any property :
Provided that no immovable property of the Institute shall be disposed of without the prior approval of the Minister in writing ;
- (g) open and maintain current, savings, or deposit accounts in any bank or banks ;
- (h) accept grants, gifts or donations from persons or bodies of persons, in or outside Sri Lanka ;
- (i) invest any funds not immediately required for the purposes of the Institute in such manner as the Council may think fit or deposit any such funds in any fixed deposit in a bank ;
- (j) establish and regulate provident fund schemes or pension schemes for the benefit of the officers and servants of the Institute and make contributions to any such scheme ;
- (k) delegate any powers, duties and functions of the Institute to the members of the Council or to the Director - General of the Institute or to any officer of the Institute ;
- (l) undertake advisory functions ;
- (m) to conduct courses of study and training programmes in fisheries and nautical engineering ;

- (n) to review and revise the curricula for such courses of study and training programmes ;
- (o) to publish educational materials of fisheries and nautical engineering ;
- (p) to make rules setting out the conditions and procedures for admission to such courses of study and training programmes ;
- (q) to hold examinations for the purpose of ascertaining the persons who have acquired proficiency in the fields of study covered by such courses of study or training programmes ;
- (r) to confer diplomas, certificates and other academic distinctions on persons who have followed such courses of study or training programmes and passed the relevant examinations ;
- (s) to award scholarships, exhibitions, bursaries, medals and prizes to students of the Institute ;
- (t) to regulate, and provide for, the discipline of students, teachers, officers and servants, of the Institute ;
- (u) to do all such acts or things as may be necessary or incidental to the discharge of its functions.

Administration of
the Institute
vested in the
Council.

5. (1) The administration, management and control of the affairs of the Institute shall be vested in the Governing Council of the Institute (on this Act referred to as the “Council”).

(2) The Council shall, for the purpose of administering the affairs of the Institute exercise, discharge and perform the powers, functions and duties conferred or imposed on, or assigned to, the Institute by this Act.

6. (1) The Council shall consist of the following :-

Constitution of the
Council.

(a) ex- officio members, namely -

- (i) the Secretary or to the Ministry of the Minister in charge of the subject of Fisheries and Aquatic Resources or his representative ;
- (ii) the Secretary to the Ministry of the Minister in charge of the subject of Education and Higher Education or his representative ;
- (iii) the Secretary to the Ministry of the Minister in charge of the subject of Finance and Planning or his representative ;
- (iv) the Secretary to the Ministry of the Minister in charge of the Subject of Shipping or his representative ;
- (v) the Chairman of the National Aquatic Resources Research and Development Agency established by the National Aquatic Resources Research and Development Agency Act, No.54 of 1981 ;
- (vi) a representative of the University Grants Commission established by the Universities Act, No. 16 of 1978 ;
- (vii) the Chairman of the Vocational Training Authority of Sri Lanka established by the Vocational Training Authority of Sri Lanka Act, No. 12 of 1995 or his representative ; and

(b) not more than eight members appointed by the Minister (hereinafter referred to as “ appointed members”) chosen from among persons, who have had experience or have qualifications, or have shown capacity, in the field of fisheries.

(2) The Minister shall appoint one of the members of the Council, as Chairman of the Council.

(3) A Member of Parliament or a Member of a Provincial Council shall be disqualified from being appointed, or from continuing, as a member of the Council.

(4) Where any appointed member is by reason of illness, infirmity or absence from Sri Lanka for a period of not less than three months, temporarily unable to perform the duties of his office, another person, may, having regard to the provisions of section 6 be appointed to act in his place

(5) Any appointed member of the Council who is absent without leave from three consecutive meetings of the Council shall be deemed to have vacated office with effect from the date of the last of such meetings.

Term of officers. **7.** (1) An appointed member of the Council shall, subject to the provisions of subsections (2) and (3) and subsection (5) of section 6, hold office for a period of three years from the date of his appointment.

(2) The Minister may for reasons assigned therefor remove any appointed member of the Council from office.

(3) An appointed member of the Council may at any time resign his office by a letter addressed to the Minister.

(4) In the event of a vacancy occurring in the membership of the Council as a result of any appointed member vacating office by death, resignation, removal from office or otherwise, another person shall, having regard to the provisions of section 6, be appointed to fill such vacancy.

(5) Where another person is appointed to fill a vacancy caused by the death, resignation removal from office or otherwise of an appointed member, the person so appointed shall hold such office for the unexpired part of the term of office of the member of the Council whom he succeeds.

8. (1) The Chairman of the Council may at any time resign from office of Chairman by letter addressed to the Minister.

Chairman of the Council.

(2) The Minister may at any time, for reasons assigned remove the Chairman from the office of Chairman.

(3) If the Chairman is by reason of illness or absence from Sri Lanka, temporarily unable to perform the duties of his office, the Minister may appoint another member of the Council to act in his place.

(4) Subject to the provisions of subsections (1) and (2), the term of office of the Chairman shall be the period of his membership in the Council.

9. The seal of the Institute -

Seal of the Institute.

- (a) shall be in the custody of such persons as the Council may from time to time determine ;
- (b) may be altered in such manner as may be determined by the Council ; and
- (c) shall not be affixed to any document except with the sanction of the Council and in the presence of the Chairman and a member of the Council or the Chairman and the Director - General of the Institute or two members of the Council, who shall sign the document in token of their presence.

10. (1) The Chairman or in his absence a member elected by the members present shall preside at any meeting of the Council.

Meetings of the Council.

(2) The quorum for a meeting of the Council, shall be five members of the Council.

(3) All questions for decision at any meeting of the Council shall be decided by the vote of a majority of the members present. In the case of an equality of votes, the Chairmen or any other member presiding at the meeting of the Council shall, in addition to his own vote, have a casting vote.

(4) Subject to the provisions of this section , the Council may regulate the procedure in regard to its meetings and the transaction of business at such meetings.

Remuneration of
members of the
Council.

11. The members of the Council shall be paid such remuneration in such manner and at such rates as may be determined by the Minister in consultation with the Minister in charge of the subject of Finance.

The Academic
Board.

12. (1) There shall be an Academic Board (hereinafter referred to as the “Board”) of the Institute and such Board shall consist of the following persons :-

- (i) the Chairman of the Institute ;
- (ii) the Director - General of the Institute ;
- (iii) the Director of Fisheries and Aquatic Resources Development ;
- (iv) the Director- General of the National Aquaculture Development Authority established by the National Aquaculture Development Act, No. 53 of 1998 ;
- (v) the Director - General of the National Institute of Education established by the National institute of Education Act, No. 28 of 1985 ;
- (vi) the Dean of the Faculty of Zoology of the University of Sri Jayawardenapura or his representative ;
- (vii) the Dean of the Faculty of Nautical Engineering of the University of Moratuwa or his representative ;
- (viii) the Dean of the Faculty of Social Sciences of the University of Colombo or his representative ;
- (ix) the Head of the Department of Fisheries Biology of the University of Ruhuna or his representative.
- (x) the Director- General of the National Aquatic Resources Research and Development Agency established by the National Aquatic Resources Research and Development Agency Act, No. 54 of 1981 ;

- (xi) the Director- General of the National Apprentice and Industrial Training Authority established by the Tertiary and Vocational Training Act, No.20 of 1990 or his representative ;
- (xii) a representative of the Mahapola Training Institute ;
- (xiii) the heads of the Academic Departments of the Institute.

13. (1) The Board shall be responsible to the Council and shall exercise and discharge the following powers and functions :-

Powers of the Board.

- (a) subject to the provisions of this Act, advise the Council on such matters as may relate to the academic activities of the Institute ;
- (b) conduct examinations in accordance with the rules of the Institute and recommend to the Council the persons who, having passed such examinations and having satisfied such other conditions as the Institute may prescribe, are eligible for the award of diplomas, certificates and other academic distinctions of the Institute ;
- (c) consider and report on any matter referred to it by the Council ;
- (d) make recommendations and reports to the Council on all matters connected with the courses of study, training programmes and examinations conducted by the Institute ;
- (e) recommend to the Council requirements that should be imposed for the admission of students to courses of study or training programmes and examinations conducted by the Institute ;
- (f) make rules relating to courses of study, training programmes and examinations conducted by the Institute and to submit such rules to the Council.

- (g) recommend to the Council names of persons suitable for appointment as examiners at examinations conducted by the Institute ;
- (h) recommend to the Council rules, schemes of recruitment and procedures relating to the appointment of the academic staff of the Institute, their wages, remuneration, allowances and fees, the disciplinary control over them, their dismissal and retirement, and their hours of work, holidays and leave;
- (i) recommend to the Council, conditions that should be applicable to the awarding of scholarships, exhibitions, bursaries, medals and prizes awarded by the Institute ;
- (j) recommend to the Council, persons who have satisfied the conditions approved by the Council for the scholarships, exhibitions, bursaries, medals awards and prizes ;
- (k) appoint, with the approval of the Council, committees comprising the representatives of the Board ; and
- (l) make rules relating to the meetings of the Board and of the committees of the Board and for the regulation of the procedure to be followed at such meetings.

(2) The Council or any officer to whom power or function in respect of that matter has been delegated shall not take any decision on any academic matter referred to in subsection (1) without obtaining the recommendation of the Board. Where the decision of the Council or such officer is contrary to the recommendation of the Board, the Council or such officer shall adduce reasons for not adhering to the recommendation of the Board.

(3) No act, recommendation or report 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.

(4) The members of the Board may be paid such remuneration as may be determined by the Minister in consultation with the Minister in charge of the subject of Finance.

PART II

APPOINTMENT OF THE DIRECTOR- GENERAL OF THE INSTITUTE AND STAFF OF THE INSTITUTE

14. (1) The Minister shall, on the recommendation of the Council, appoint to the staff of the Institute, a Director-General (hereinafter referred to as the “Director-General”) who shall be the principal executive officer and the principal academic officer of the Institute.

Appointment of
the Director-
General of the
Institute.

(2) The Director - General appointed under subsection (1) shall, unless he vacates office earlier by death, resignation, retirement from service, or removal from office, hold office for a period of three years from the date of his appointment.

(3) The Director - General shall, subject to the general direction of the Council, be charged with the administration of the affairs of the Institute and control of the staff of the Institute. He shall also be responsible for the execution of all the decisions of the Council.

(4) The Director- General shall, exercise or perform such powers or duties as may be delegated to him by the Council.

(5) Upon a request in that behalf, made by the Council, the Minister may in writing remove the Director- General from office -

- (a) if he becomes permanently incapable of performing the duties of his office ; or
- (b) if he has done any act or thing which in the opinion of the Council is of a fraudulent or illegal character or is manifestly opposed to the objects of the Institute ; or

(c) if he wilfully fails to execute the decisions of the Council.

(6) The office of the Director- General shall become vacant upon the death , removal from office under subsection (5) or resignation by letter in that behalf addressed to the Minister, of the holder of that office.

(7) Unless any person who has been appointed as Director- General retires from service or is removed from office under subsection (5), he shall be eligible for re-appointment as Director- General.

Staff of the
Institute.

15. Subject to the provisions of this Act, the Council shall have the power to appoint the officers and servants of the Institute.

Services to the
Institute deemed
to be services to
the Government
for the purposes
of certain
contracts.

16. 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 to the Institute by that person shall be regarded as service to the Government for the purposes of discharging the obligations of such contract.

Appointment of
public officers to
the staff of the
Institute.

17. (1) At the request of the Council any officer in the public service may, with the consent of the Secretary to the Ministry of the Minister in charge of the subject of Public Administration and of that officer, be temporarily appointed to the staff of the Institute for such period as may be determined by the Institute with like consent or with like consent 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 14 of the National Transport Commission Act, No. 37 of 1991 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 14 of the National Transport Commission Act, No.37 of 1991, shall *mutatis mutandis* apply to, and in relation to, him.

18. (a) Every public officer of the National Institute of Fisheries Training of the Ministry of Fisheries and Aquatic Resources (in this part referred to as “the NIFT”) not being any such officer as is in a transferable service of the Government shall, after the date on which this Act is passed by Parliament but before the appointed date, give notice in writing to the Secretary to the Ministry of the Minister in charge of the subject of Fisheries and Aquatic Resources Development that such officer intends, on the appointed date -

Notice required to be given by public officers of the National Institute of Fisheries Training of the Ministry of Fisheries and Aquatic Resources.

- (i) to retire from the public service and become an employee of the Institute, if being a pensionable officer of the NIFT he would, on that date have had not less than ten years, pensionable service; or
- (ii) to leave the public service and become an employee of the Institute, if being a pensionable officer of the NIFT he would, on that date, have less than ten years’ pensionable service ; or
- (iii) to leave the public service and become an employee of the Institute, if he is a contributor to the Public Service Provident Fund established under the Public Service Provident Fund Ordinance ; or
- (iv) to retire or leave the public service and not become an employee of the Institute.

(b) A notice given to the Secretary to the Minister in charge of the subject of Fisheries and Aquatic Resources Development before the appointed date by a public officer of the NIFT under paragraph (a), shall be final.

Effect of not
giving notice
under section 18.

19. Any public officer of the NIFT, who does not give the notice required under sub-paragraphs (i), (ii), (iii) or (iv) of paragraph (a) of section 18 before the appointed date, shall cease to continue in office as a public officer of the NIFT on or after that date.

Effect of a notice
given under
Section 18.

20. (1) Any public officer of the NIFT who gives notice under sub-paragraph (i) or (ii) or (iii) or (iv) of paragraph (a) of section 18 before the appointed date shall -

- (a) where such notice is given by him under sub- paragraph (i) of that paragraph, become an employee of the Institute with effect from the appointed date and shall be deemed to have left the public service on that date and shall be eligible for such a pension under the Minutes on Pensions as would have been awarded to him had he retired from the public service on the ground of abolition of office on that date ; or
- (b) where such notice is given by him under sub- paragraph (ii) of that paragraph, become an employee of the Institute with effect from the appointed date and shall be deemed to have left the public service on that date and shall be eligible for such award under the Minutes on Pensions as would have been awarded to him had he left the public service on the ground of abolition of office on that date ; or
- (c) where such notice is given by him under sub- paragraph (iii) of that paragraph, becomes an employee of the Institute with effect from the appointed date and shall be deemed for the purposes of the Public Service Provident Fund to have left the service of the Government on that date upon the determination of a contract with the consent of the Government otherwise than by dismissal ; or

(d) Where such notice is given be him under subparagraph (iv) of that paragraph, and -

- (i) if is a public officer of the class or description referred to in sub- paragraph (i) of that paragraph, be deemed to have retired from the public service on the appointed date and shall be eligible for such a pension under the Minutes on Pensions as would have been awarded to him had he retired from the public service on the ground of abolition of office on that date ; or
- (ii) if he is a public officer of the class or description referred to in sub- paragraph (ii), of that paragraph , be deemed to have left the public service on the appointed date and shall be eligible for such an award under the Minutes on Pensions as would have been awarded to him had he left the public service on the ground of abolition of office on that date ; or
- (iii) if he is a public officer of the class or description referred to in sub- paragraph (iii) of that paragraph, be deemed for the purposes of the Public Service Provident Fund Ordinance to have left the public service with the consent of the Govenment other wise than by dismissal on the appointed date.

(2) In the event of any conflict or inconsistency between the provisions of subsection (1) of this section and any other provision of this Act, the provisions of that subsection shall be to the extent of such conflict or inconsistency prevail over such other provision.

21. The following provision shall apply to and in relation to an employee of the Institute who became such an employee on the appointed date by virtue of the operation of the provisions of section 20 :-

Special provisions applicable to certain employees of the Institute.

- (a) Such employee shall be employed by the Institute on such terms and conditions as may be agreed upon by such employee and the Institute : provided, however, that such terms and conditions shall be not less favourable than the terms and conditions on which such employee was previously employed in the NIFT ;
- (b) If on the day preceding the appointed date, such employee was a public officer of the NIFT holding a post declared to be pensionable and who had less than ten and not less than eight years' pensionable service, then -
 - (i) he shall be deemed, for the purposes only of the Minutes on Pensions, to be holding the post in the NIFT that he held on the day preceding appointed date until such period of time as, when added to his pensionable service under the Government, makes an aggregate of ten years' pensionable service (service under the Institute being counted as pensionable service under the Government for the computation of such aggregate) ;
 - (ii) in respect of him the Institute shall pay out of the funds of the Institute to the Deputy Secretary to the Treasury to be credited to the Consolidated Fund for every complete month of the Period of service during which he is deemed for the purposes of the Minutes on Pensions to be holding the post in the NIFT that he held on the day preceding appointed date, such sum as may be determined by the Minister in charge of the subject of Finance ; and
 - (iii) at the end of such period he shall be deemed to have retired from the public service and shall be eligible for such a pension under the Minutes on Pensions as would have been awarded to him

had he retired from the public service on the ground of abolition of office on the termination of such period.

PART III

FINANCE

22. (1) The initial capital of the Institute shall be such sums as may be allocated by the Treasury under the vote of the Minister in charge of the subject of Fisheries and such sums as may be granted by resolution of Parliament.

Initial capital of the Institute.

(2) The capital of the Institute may be increased from time to time by such amounts as may be authorized by an Appropriation Act or by any resolution of parliament.

23. (1) The Institute shall have its own fund.

Fund of the Institute.

(2) There shall be credited in to such Fund -

- (a) all such sums of money as may be voted from time to time by Parliament, for the use of the Institute ;
- (b) all such sums of money as may be received by the Institute in the exercise, performance and discharge of its powers, duties and functions under this Act;
- (c) all such sums of money as may be received by the Institute by way of loans, donations gifts or grants from any source whatsoever and fees charged for services rendered by the Institute ; and
- (d) All such sums of money as are required to be paid into such Fund by or under this Act.

(3) There shall be paid out of such fund -

- (a) all such sums of money as are required to defray any expenditure incurred by the Institute in the exercise, performance and discharge of its powers, duties and functions under this Act ; and

(b) all such sums of money as are required to be paid out of the Fund by or under this Act.

Financial year of the Institute. **24.** The financial year of the Institute shall be the calender year.

Audit of accounts. **25.** The provisions of Article 154 of the Constitution shall apply to the audit of accounts of the Institute.

PART IV

GENERAL

Directions of the Minister. **26.** (1) The Minister may give the Council such general or special directions, in writing as to the exercise, performance and discharge by the Council, of its powers, functions and duties in so far as they relates to matters of policy and the Council shall carry out such directions.

(2) The Minister may, from time, to time, order all or any of the activities of the Institute to be investigated and reported upon by such person or persons as he may specify, and upon such order being made the Council shall afford all such facilities and furnish all such information to such person or persons as may be necessary to given effect to such order.

(3) The Council shall submit to the Minister a three year plan of work, annual plan and programmes of work of the Institute.

Provisions of the Tertiary and Vocational Education Act, No. 20 of 1990 and the Universities Act, No.16 of 1978 not to apply. **27.** The provisions of the Tertiary and Vocational Education Act, No. 20 of 1990 and the provisions of section 128 of the Universities Act, No.16 of 1978 shall not apply to and in relation to the Institute.

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

Acquisition of immovable property under 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.

29. (1) The Minister may, by Order published in the *Gazette* transfer to the Institute such movable or immovable property of the Ministry of the Minister as is required by the Institute for the purposes of the Institute and any property so transferred shall, with effect from the date of the Order vest in, and become the property of, the Institute.

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

30. 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.

The Institute deemed to be a Scheduled Institution within the meaning of the Bribery Act.

31. All members of the Council and officers and servants of the Institute shall be deemed to be public servants within the meaning and for the purposes, of the Penal Code.

Members of Council and officers and Servants of the Institute deemed to be public servants.

32. (1) No suit or prosecution, shall lie -

Protection of action taken under this Act.

(a) against the Institute for any act which in good faith is done or purported to be done by the Institute under this Act ; or

- (b) against any member of the Council or any officer or servant of the Institute 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 Council.

(2) Any expenses incurred by the Institute in any suit or prosecution brought against the Institute before any court in respect of any act shall, if the Court holds that such act was done in good faith, be paid out of the Fund of the Institute.

(3) Any expenses incurred by any such person as is referred to in paragraph (b) of subsection (1) in any suit or prosecution brought against him before any Court in respect of any act which is done, or 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 Fund of the Institute, unless such expenses is recovered by him in such suit or prosecution.

Savings.

33. (1) Notwithstanding anything to the contrary in any other provision of this Act -

- (a) every agreement for training entered into by the Government for and on behalf of the National Institute of Fisheries Training with any trainee and subsisting on the date immediately preceding the appointed date, shall be deemed with effect from the appointed date, to be an agreement entered into under this Act, by the Institute with such trainee ; and
- (b) all rules or standards of training made or prescribed by the National Institute of Fisheries Training and subsisting on the date immediately preceding the appointed date shall be deemed, from and after the appointed date, to be rules made and standards prescribed under this Act.

Regulations.

34. (1) The Minister may make regulations in respect of any matter, in respect of which regulations are required or authorized by this Act to be made or which are required by this Act to be prescribed.

(2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Every regulation shall, as soon as convenient after its publication in the *Gazette* be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of its disapproval but without prejudice to anything previously done thereunder.

(4) Notification of the date on which any regulation made by the Minister is so deemed to be rescinded shall be published in the *Gazette*.

35. 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 any inconsistency.

36. In this Act, unless the context otherwise requires -

Interpretation.

“National Institute of Fisheries Training” means the National Institute of Fisheries Training functioning under the Ministry of Fisheries ;

“Provincial Council” means a Provincial Council established by Chapter XVIIIA of the Constitution.

Annual subscription of English Bills and Acts of the Parliament Rs.885 (Local). Rs.1,180 (Foreign). Payable to the SUPERINTENDENT. GOVERNMENT PUBLICATIONS BUREAU, No. 32, TRANSWORKS HOUSE, LOTUS ROAD, COLOMBO 01 before 15th December each year in respect of the year following.