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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 472/2 — 1987 සැප්තැම්බර් 21 දැනි සදුදා—1987.09.21

No. 472/2 — MONDAY, SEPTEMBER 21, 1987

(Published by Authority)

PART I: SECTION (I) -- GENERAL

THE UNIVERSITIES ACT, No. 16 OF 1978

ORDINANCE made by the University Grants Commission under Section 24A (2) read with Section 18 of the Universities Act, No. 16 of 1978 as amended by Act, No. 7 of 1985.

Secretary,
University Grants Commission,
Colombo, 15th September, 1987.

Ordinance

1. This Ordinance may be cited as the Institute of Computer Technology Ordinance No. 2 of 1987 and shall come into force on 15th September, 1987.

2. Subject to the provisions of the Act, and of any appropriate Instrument, the Institute of Computer Technology (hereinafter referred to as the "Institute") established by Order made by the Minister under Section 24 A (1) of the Act, shall have the power:—

- (a) to admit students;
- (b) to provide for instruction and training in such branches of Computer Technology as may be approved by the Commission upon the recommendation of the Institute and the University;
- (c) to conduct, with the approval of the University examinations for the purpose of ascertaining the persons who have acquired proficiency in Computer Technology and to recommend to the University persons who, having passed such examinations, and having satisfied such other conditions as the University may prescribe by BY-laws in consultation with the Institute, are eligible for the award of diplomas, certificates and other academic distinctions of the University;
- (d) to determine, with the approval of the University and the concurrence of the Commission, the diplomas, certificates and other academic distinctions to be awarded in Computer Technology;
- (e) to Co-operate, by way of exchange of teachers, students and scholars or otherwise, with Universities or institutions in Sri Lanka or abroad, having objects similar or sub-stantially similar to those of the Institute;

(f) to recommend to the Senate of the University the recognition of examinations passed and the periods of learning or study pursued at Universities and places of learning of University level, by persons seeking admission to the Institute as being equivalent to such examinations and periods of learning or study in the Institute, or such part thereof, as may be prescribed by By-law, and to withdraw such recognition at any time;

(g) to erect, equip, and maintain for the purpose of the Institute, libraries, laboratories, and other buildings whether for instructional, training or research purposes;

(h) to recommend to the University the institution of such teaching, administrative and other posts as may be required for the purpose of the institute and the abolition or suspension of such posts;

(i) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other prizes;

(j) to make arrangements for conducting courses of study or parts of such courses of study in places outside the Institute in accordance with any By-law providing for the same;

(k) to demand and receive fees in accordance with any Rule providing for the same; and

(l) to do all such other acts and things, whether incidental to the powers duties and functions aforesaid or not, as may be required in order to further the objects of the Institute.

3. The Officers of the Institute shall be the following:—

(i) the Director.

(ii) the holder of any other post declared by Ordinance to be a post, the holder of which is an Officer for the purpose of this paragraph.

4. (1) The first Director shall be appointed by the Council on the recommendation of the Vice-Chancellor. Every sub-sequent Director shall be appointed by the Council from a panel of three persons recommended by the Board of Management of the Institute. In either case the appointment of Director shall be with the concurrence of the Commission.

(2) Where a member of the staff of a Higher Educational Institution is appointed Director, such Institution shall release such member of the staff so appointed to accept the post of Director.

(3) The Director shall, unless he vacates office earlier or is removed from office under sub-paragraph (4) hold office for a period of three years reckoned from the date of his appointment or until he completes his sixty-fifth year, whichever event occurs earlier.

(4) The Director shall be removed from office by the Council on a vote of censure passed by not less than two thirds of the total membership of the Board of Management, at a special meeting convened for the purpose.

(5) The Director who resigns or is removed from office may, if he was a member of the staff of a Higher Educational Institution immediately prior to his appointment as Director revert to his substantive post in such Higher Educational Institution, provided that he has not completed his sixty-fifth year.

(6) If the Director, by reason of illness, absence from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Vice-Chancellor shall, within seven days of the occurrence of such inability, make such arrangements as he may think fit for carrying on the duties of the office of Director. Until such arrangements are made the Registrar shall carry on the routine duties of the Office.

(7) If any vacancy occurs in the office of Director, the Vice-Chancellor shall, within seven days of the occurrence of such vacancy, make such arrangements as he may think fit for carrying on the duties of the Office. Until such arrangements are made the Registrar shall carry on the routine duties of the Office.

5. (1) The Director shall be the principal executive officer and the principal academic officer of the Institute. He shall be an ex-officio member of the Board of Management and an ex-officio member of the Academic Committee. He shall be entitled to be present and speak at any meeting of any other authority or body of the Institute but shall not be entitled to vote at any such meetings unless he is a member of such other authority or body.

(2) It shall be the duty of the Director, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board of Management to ensure that the provisions of the Act and of any appropriate Instrument in so far as they relate to the Institute are duly observed and, he shall have and may exercise all such powers as he may deem necessary for the purpose.

(3) It shall be the duty of the Director to give effect, or to ensure that effect is given to the decisions of the Board of Management.

(4) The Director shall be the Accounting Officer of the Institute.

(5) The Director shall be responsible under the direction of the Vice-Chancellor for the maintenance of discipline within the Institute.

6. The Authorities of the Institute shall be the following:

- (i) the Board of Management;
- (ii) the Academic Committee; and
- (iii) such other bodies as may be prescribed by Ordinance to be such authorities.

7. The Board of Management (hereinafter referred to as the "Board") shall be the academic and executive body of the Institute and shall consist of the following persons:—

- (1) the following ex-officio members, namely—
 - (a) the Dean of the Faculty of Science of the University of Colombo, who shall be the Chairman;

(b) the Director;

(c) the Secretary to the Ministry of the Minister in charge of the subject of Higher Education or his nominee;

(d) the Chairman of the Computer and Information Technology Council of Sri Lanka (CINTEC) or his nominee;

(e) the Head of the Department of Statistics and Computer Science of the University;

(2) the following other members, namely—

(a) two representatives nominated from among its members, by the Senate;

(b) two members appointed by the Commission.

8. (1) The Chairman of the Board shall preside at all meetings of the Board. In the absence of the Chairman from any meeting of the Board the members shall elect any member from among the members present to preside at such meeting.

(2) Each nominated or appointed member shall, unless he vacates office earlier, hold office as a member for a period of three years, reckoned from the date of his nomination or appointment as the case may be, and shall unless removed from office, be eligible for nomination or re-appointment:

Provided however that if any nominated or appointed 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 office of his predecessor.

Provided further that each nominated member shall hold office so long as he holds the status by virtue of which he is a member of the Board.

(3) Any nominated member of the Board may resign his office by writing under his hand addressed to the Director.

(4) Any appointed member of the Board may resign his office by writing under his hand addressed to the Chairman of the Commission.

(5) Any appointed member of the Board who without leave of absence fails to attend three consecutive meetings of the Board, shall be deemed to have vacated his office as a member of the Board, and the Commission shall appoint a fit person to fill the resulting vacancy.

(6) A member of the Board shall not be entitled to any remuneration, but a member not being an ex-officio member, may be paid such allowances as determined by the Commission.

(7) The quorum for any meeting shall not be less than five members of the Board.

(8) The Board shall meet whenever necessary so however, that it meets on not less than eight occasions in each year.

(9) The Chairman of the Board shall, whenever he deems necessary or within one week upon the receipt by him of a request in writing from not less than two-thirds of the total membership of the Board, convene a special meeting of the Board.

9. Subject to the provisions of the Act and of any appropriate Instrument, the Board shall exercise, perform and discharge the following powers, duties and functions:—

- (a) to hold, control and administer the property and funds of the Institute;
- (b) to regulate and to determine all matters concerning the Institute in accordance with the provision of the Act and of any appropriate Instrument;

- (c) to administer any funds placed at the disposal of the Institute for specific purposes ;
- (d) to receive and accept with the concurrence of the Commission, bequests, donations and other grants of property to the Institute ;
- (e) to consider the annual report and the annual accounts of the Institute and to submit such report and such accounts to the University and the Commission ;
- (f) to prepare the financial estimates of the Institute and to submit such estimates to the University and the Commission ;
- (g) to recommend to the University, in consultation with the Academic Committee the diploma certificates and other academic distinctions which shall be awarded in Computer Technology and the Courses of Study and training to be followed, the examinations to be passed and the other conditions to be satisfied by students who wish to qualify for such certificates and other academic distinctions ;
- (h) to make By-laws for any matter in respect of which By-laws are authorised to be made ;

Provided however, that no By-law relating to courses of study and examinations shall be made except after consideration of reports from the Academic Committee ;
- (i) to make Rules for any matter in respect of which Rules are authorised to be made ;
- (j) to provide the buildings, premises, furniture, equipment and other material needed for carrying on the work of the Institute ;
- (k) to recommend to the University—
 - (i) the institution, of such teaching, administrative and other posts as may be required for the purposes of the Institute and the abolition or suspension, of such posts ; and
 - (ii) the qualifications of teachers, officers and other employees to be appointed to the Institute ;
- (l) to recommend to the University to suspend, dismiss or otherwise punish persons in the employment of the Institute ;
- (m) to recommend to the Council of the University such persons as are suitable for appointment as teachers and examiners of the Institute ;
- (n) to appoint such number of Standing Committee or ad-hoc Committee as it may deem fit ; to specify their terms of reference ; to consider their reports and to approve such reports, with or without modification, or to reject such reports ;
- (o) to determine, in consultation with the Academic Committee and the concurrence of the University and the Commission, the requirements for the admission of students to courses of study ;
- (p) to appoint a Board of Welfare, which shall also include representatives of the students, for the promotion of the general well-being of the students of the Institute, and to specify the composition, powers, duties and functions of such Board ;
- (q) to invest any moneys belonging to the Institute including any unapplied income, in any Security in which under the provisions of Section 20 of the Trusts Ordinance or any other written law, it is lawful to invest trust moneys ; or with the approval of the Commission, to invest any such moneys in the purchase of immovable property in Sri Lanka or vary such invest-

ments, or to place in fixed deposit in any bank approved by the Commission, any portion of such moneys not required for immediate expenditure ; and

- (7) to exercise all other powers of the Institute, the exercise of which is not otherwise provided for in this Ordinance or any other appropriate Instrument.

Provided, that no resolution shall be passed by the Board in relation to any academic matter unless the Academic Committee has first being given an opportunity of recording and transmitting its opinion thereon to the Board ;

Provided further that no resolution so passed shall be acted upon except with the concurrence of the University.

In this paragraph, "academic matter" means any matter which is subject to the control and general direction of the Academic Committee.

- 10. (1) There shall be an Academic Committee which shall consist of the following persons :

- (a) the Director who shall be the Chairman ;
- (b) such teachers and other staff of the Institute imparting instruction in the Institute as have been confirmed in their appointment as such ;
- (c) three members elected from among its own academic staff by the Department of Statistics and Computer Science of the University.

(2) The Academic Committee, may with the concurrence of the Board, co-opt one or more than one person for a specific purpose and for a special period but no person so co-opted shall have the right to stand for election or to vote at any meeting of the Academic Committee.

(3) The provisions of sub-paragraph (2), (4) and (5) of paragraph 10 shall mutatis mutandis, apply to and in relation to each appointed member of the Academic Committee.

(4) The quorum for a meeting of the Academic Committee shall be two thirds of its total membership excluding co-opted members, if any.

(5) The Academic Committee shall meet whenever necessary, so however, that it meets on not less than ten occasions in each year.

11. (1) Subject to the provisions of the Act and of any appropriate instrument the Academic Committee shall have control and general direction of instruction, education, research and examination of the Institute.

(2) Without prejudice to the generality of the powers conferred upon it by sub-paragraph (1), the Academic Committee shall exercise, perform and discharge the following powers, duties and functions,

- (a) to consider and report on, any matter referred to it by the Board of Management ;
- (b) to present recommendations and reports to the Board not being matters connected with the courses of study, teaching programme or programmes and examinations.
- (c) to appoint committees, which may include persons not being members of the Academic Committee, for the purpose of considering and reporting on any special subject or subjects ;
- (d) to recommend to the Board, requirements for the admission of students to courses of study and examinations ;
- (e) to recommend to the Board such persons as are suitable for recognition as teachers and examiners ;

- (f) to recommend to the Board, persons who, having passed the prescribed examinations and having satisfied other prescribed conditions, are eligible for the award of diplomas, certificates and other academic distinctions;
- (g) to recommend to the Board the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (h) to recommend to the Board the names of persons suitable for the award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes.

12. The financial year of the Institute shall be the same as the financial year of the Government.

13. (1) The Institute shall have a fund called the Institute of Computer Technology Fund (hereinafter referred to as the "Fund"), into which shall be paid—

- (a) fees to be paid to the Institute in accordance with the provisions of any appropriate Instrument;
- (b) income from endowments;
- (c) moneys provided by Parliament and disbursed by the Commission as grants in aid of the Institute; and
- (d) all other moneys belonging to the Institute from whatever sources derived;

(2) A summary of all sums of money paid into the Fund within the course of a particular month, classified under the appropriate heads of revenue shall, before the end of the next ensuing month, be submitted by the Director to the Commission for its information.

14. It shall be the duty of the Director—

- (a) to keep the accounts of the Institute in such form and manner as may be prescribed by Ordinance;
- (b) to receive all moneys paid into the Fund and to credit such moneys to the proper head of accounts;
- (c) to make all authorized payments; and
- (d) to prepare for the Board such estimates as are required by the Commission and the annual financial appropriations of the ensuing year;

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 Institute, and that no payment shall be made from income for the general purposes of the Institute or for any purpose or object other than that for which such grants or endowments were respectively made.

15. (1) The Institute shall prepare an annual statement of accounts, and statistics relating to its activities in such form and manner and containing such particulars as the Commission may from time to time specify.

(2) The books of accounts of the Institute shall be kept in the office of the Institute.

16. Such provisions of Part XIII of the Act as are relevant to the auditing of the accounts of a Higher

Educational Institution shall, mutatis mutandis, apply to and in relation to the auditing of the accounts of the Institute.

17. (1) The staff of the Institute shall consist of such officers, teachers and other employees as it may with the concurrence of the University and the approval of the Commission deem necessary for the efficient exercise performance and discharge of the powers duties and functions of the Institute.

(2) The staff of the Institute shall be provided on release by the University from among its own staff or, be appointed by the Commission or the University, as the case may be. The provisions of Part X of the Act shall mutatis mutandis apply to and in relation to appointments to the staff of the Institute.

(3) Where an Officer teacher or other employee of the university has been released for service to the Institute on a full-time basis, the Institute shall pay him the salary and the allowances of his substantive post in the University. In any other case, the Institute may pay the officer teacher or other employee concerned, such allowance as it may determine in consultation with the University and the approval of the Commission.

(4) The staff of the Institute shall be subject to the direction and the disciplinary control of the Director.

18. If any question arises as to whether any person has been duly elected, appointed, nominated or co-opted as, or as to whether any person is entitled to be a member of any Authority or other body of the Institute, such question shall be referred to the Commission, whose decision thereon shall be final.

19. No Act, resolution or proceeding of any Authority or other body of the Institute, shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members or any defect or defects in the appointment of such members.

20. In this Ordinance.—

"Act" means the Universities Act, No. 16 of 1978 as amended by the Universities (Amendment) Act, No. 7 of 1985;

"Appropriate Instrument" means any Order, Ordinance, By-laws, or Rule made in accordance with the provisions of the Act;

"Commission" means the University Grants Commission established under the Act;

"Council" means the Council established under the Act;

"Senate" means the Senate established under the Act; and

"teacher" means a Professor, Associate professor, Senior Lecturer, Lecturer, or Assistant Lecturer, and the holder of any post declared by Ordinance to be a post, the holder of which is a teacher.

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No. 471/3— MONDAY, SEPTEMBER 14, 1987

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PART I: SECTION (I)—GENERAL

Government Notifications

THE UNIVERSITIES ACT, No. 16 OF 1978

Order under Section 24A (1)

BY virtue of the powers conferred on me by subsection (1) of Section 24A of the Universities Act, No. 16 of 1978 as amended by Act, No. 7 of 1985 read with Article 44 of the Constitution of the Democratic Socialist Republic of Sri Lanka, I, Junius Richard Jayewardene, President, in consultation with the University Grants Commission do by this Order—

- (i) establish with effect from 1st September, 1987 an Institute, for the purpose of providing, promoting and developing higher education in Computer Technology; and
- (ii) assign to such Institute the name and style of "Institute of Computer Technology"

J. R. JAYEWARDENE,
President.

Colombo, 1st September, 1987

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