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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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PART I: SECTION (I)—GENERAL

Government Notifications

L.D.—B. 21/78

THE UNIVERSITIES ACT, No. 16 OF 1978

ORDINANCE made by the University Grants Commission under section 24 A read with Section 18 of the Universities Act, No. 16 of 1978.

Dr. B. S. WIJEWEERA,
Secretary,

University Grants Commission.

Colombo, 31st December, 1985.

Ordinance

1. This Ordinance may be cited as the Postgraduate Institute of Archaeology Ordinance, No. 2 of 1985 and shall come into force on 1st January, 1986.

2. This Ordinance shall apply to the Postgraduate Institute of Archaeology (hereinafter referred to as the "Institute") established on 1st January, 1986, by Order dated 18th December, 1985 made by the Minister in consultation with the University Grants Commission under section 24 A of the Universities Act, No. 16 of 1978.

3. The Institute shall be attached to the University of Kelaniya, Sri Lanka (hereinafter referred to as the "University").

4. Subject to the provisions of the Act and of any appropriate Instrument and the powers, duties and functions of the Commission, the Institute shall have the power—

- (a) to provide for postgraduate instruction, professional training and research in archaeology;
- (b) to encourage and promote the acquisition, advancement and dissemination of knowledge in the various branches of archaeology;
- (c) to sponsor, promote and stimulate the study and practical application of, and research in, archaeology;
- (d) to admit and to organize and supervise the instruction and training of persons desiring to qualify for and obtain postgraduate degrees, diplomas and other academic distinctions in archaeology;
- (e) to conduct or to provide for the conduct of postgraduate examinations in archaeology for the award of postgraduate degrees and to recommend to the University person; who, having passed such examinations and having satisfied such other conditions as the Board may impose, are eligible for the award of postgraduate degrees, diplomas, certificates and other academic distinctions;

(f) to promote fellowship among those engaged in the study of and research in archaeology;

(g) to collaborate, co-operate and co-ordinate with universities and other organizations in Sri Lanka or abroad for the interchange and dissemination of knowledge in archaeology; and

(h) to do all such other acts and things as may be necessary and desirable for the promotion of the above objects and any other matters necessary to further the objects of the Institute.

5. The Authorities of the Institute shall be—

- (a) the Board of Management;
- (b) the Board or the Boards of Study; and
- (c) such other bodies as may be prescribed by Ordinance to be such Authorities.

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

- (1) The following *ex officio* members, namely—
 - (a) the Director;
 - (b) the Secretary to the Ministry of the Minister in-charge of the subject of Higher Education or the nominee of such Secretary;
 - (c) the Secretary to the Ministry of the Minister in-charge of the subject of Cultural Affairs or the nominee of such Secretary;
 - (d) two Vice-Chancellors nominated by the Committee of Vice-Chancellor; and Directors established under Section 124 of the Act;
 - (e) the Head of the Department of Archaeology of the University of Peradeniya;
 - (f) the Head of the Department of Archaeology of the University of Kelaniya;
 - (g) the Commissioner of Archaeology;
 - (h) the Director-General of the Central Cultural Fund; and
 - (i) the Director of National Museums.
- (2) the following other members namely—
 - (a) seven members appointed by the University Grants Commission from among persons who have rendered distinguished service in educational, professional, scientific or administrative spheres.

7. (1) The Chairman of the Board shall be elected by the members thereof from among their number and shall preside at all meetings of the Board. In the absence of the Chairman from any meeting of the Board the members present shall elect from among themselves any member to preside at such meeting.

(2) The Chairman shall hold office for a period of one year reckoned from the date of his election and shall be eligible for re-election.

(3) Any appointed member shall, unless he vacates office earlier, hold office for a term of three years reckoned from the date of his appointment and shall unless removed earlier, be eligible for re-appointment.

Provided, however, that if any appointed member vacates his office prior to the expiry of his term, his successor shall, unless he vacates office earlier, hold office for the unexpired term of office of his predecessor;

(4) 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.

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

(6) The quorum for a meeting of the Board shall be seven members.

8. The Board may, from time to time, appoint such number of Standing Committees and ad hoc Committees, consisting of such number of members and with such duties and functions as may be determined by the Board.

9. The Board shall have and may exercise, discharge and perform the following powers, duties and functions:—

- (a) to hold, control and administer the property and funds of the Institute;
- (b) to receive and accept with the concurrence of the Commission bequests, donations and grants of property to the Institute;
- (c) to consider the annual report and the annual statement of accounts of the Institute and to submit such report and such statement to the Commission;
- (d) to prepare the financial estimates of the Institute and to submit such estimates to the Commission for approval;
- (e) to provide or cause to be provided, the buildings, premises, furniture, equipment and other materials needed for carrying on the work of the Institute;
- (f) to recommend to the Council of the University in consultation with the Board or Boards of Study concerned, such persons as are suitable for recognition as examiners of the Institute;
- (g) to draft, after consideration of reports from the Board or Boards of Study concerned Regulations relating to courses of study and examinations, and to submit such drafts to the Senate of the University for enactment;
- (h) to recommend to the University in consultation with the Board or Boards of Study concerned the postgraduate degrees, diplomas, certificates and other academic distinctions which shall be awarded in the several branches in Archaeology, and the courses of study and training to be followed the examination to be passed and other conditions to be satisfied by students who wish to qualify for such degrees, diplomas, certificates and other academic distinctions;

(i) to determine in consultation with the Senate of the University the requirements for the admission and registration of students to courses of study; and

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

10. The Institute shall be under, and subject to the control of a Director. Subject to such directions as may be given from time to time by the Board, the Director shall be responsible to the Board for the proper administration of the Institute.

11. The first Director of the Institute shall be appointed by the Commission. Every subsequent Director shall be appointed by the Commission from a panel of three names recommended by the Board.

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

(2) The Director shall, unless he vacates office earlier or is removed from office as Director, 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.

(3) If a Director who was a member of the staff of a Higher Educational Institution prior to his appointment as Director, resigns or is removed from office, or completes his term of office, he shall unless re-appointed, revert to his substantive post in such Higher Educational Institution, provided that he has not completed his sixty-fifth year.

(4) If the Director, by reason of leave, illness, absence from Sri Lanka, or other cause is temporarily unable to perform the duties of his office, the Commission shall, within seven days of the occurrence of such inability or absence, make such arrangements as it may deem fit for carrying on the duties of the office.

(5) If any vacancy arises in the office of the Director, the Commission shall, within seven days of the occurrence of such vacancy, make such arrangements as it may deem fit for carrying on the duties of the office, until a permanent appointment is made under paragraph 11.

13. (1) The Director of the Institute shall be the principal executive officer and the principal academic officer of the Institute. He shall be an ex officio member of the Board and shall be entitled to convene, be present and speak at any meeting of any other Authority or other body of the Institute.

(2) It shall be the duty of the Director, to ensure, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board that the provisions of this Ordinance 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 to do so.

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

(4) The Director shall be responsible for the maintenance of discipline within the Institute.

14. There shall be established a Board of Study in respect of each of the following branches of learning and for such other branch or branches of learning as may be approved by the Commission upon the recommendation of the Board:—

- (a) Environmental Archaeology; and
- (b) Social Archaeology

15. (1) Each Board of Study shall consist of the following persons:—

- (a) the Director; and
 - (b) such teachers and other persons, not exceeding five in number, appointed by the Board of Management from those imparting instruction in the Institute.
- (2) The powers, duties and functions of each Board of Study shall be determined by the Board of Management.

16. The financial year of the Institute shall be the same as the financial year of the University.

17. (1) The Institute shall have a fund which shall be called the Postgraduate Institute for Archaeology Fund (hereinafter referred to as the "Fund").

- (2) There shall be paid into the Fund—
- (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 source derived.

18. It shall be the duty of the Director—

- (a) to keep or cause the keeping of the accounts of the Institute in such form and manner as may be prescribed by Rules;
- (b) to receive all moneys paid into the Fund and to credit such moneys to the proper heads of account;
- (c) to make all authorized payments; and
- (d) to prepare for the Board of Management 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 subjects, shall be separately accounted for in the accounts of the Institute, and that no payment shall be made from such income for the general purposes of the Institute or for any purpose or object other than for which such grants or endowments were respectively made.

19. (1) The Board 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 maintained at the office of the Institute.

20. The provisions of Part XIII of the Act relating 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.

21. (1) The Staff of the Institute shall consist of such teachers, officers and other employees as the Board may with the approval of the Commission deem necessary for the efficient functioning 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, relating to the appointment of staff of a Higher Educational Institution shall, *mutatis mutandis*, apply to and in relation to appointments to the staff of the Institute.

(3) Where the services of a teacher, officer or other employee of a Higher Educational Institution have been provided to the Institute on a full-time basis, the Institute shall pay him the salary and allowances of his substantive post in the Higher Educational Institution. In any other case, the Institute may pay the teacher, officer or other employee concerned, such salary or allowances as it may determine with the approval of the Commission.

(4) Subject to the provisions of the Act, the staff of the Institute shall be subject to the direction and disciplinary control of the Director.

22. If any question arises as to whether any person has been duly elected, appointed, nominated or co-opted, 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.

23. No act, resolution or proceeding of any Authority or other body of the Institute, shall be invalidated merely by reason of the existence of any vacancy among its members, or any defect in the appointment of any of its members.

24. 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-Law, Regulation or Rule made in accordance with provision of the Act;

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

"Higher Educational Institution" means a University, Campus, Open University, University College or Centre for Higher Learning established or deemed to be established under the Act.