

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

NATIONAL POLICE ACADEMY

ACT, No. 44 OF 2011

[Certified on 21st November, 2011]

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[Certified on 21st November, 2011]

L.D.—O. 39/2010.

ANACT TO PROVIDE FOR THE ESTABLISHMENT OF ANATIONAL POLICE

ACADEMY; TO IDENTIFY THE OBJECTIVE AND FUNCTIONS OF, AND TO

PROVIDE FOR THE MANAGEMENT AND ADMINISTRATION OF THE

NATIONAL POLICE ACADEMY; AND TO PROVIDE FOR MATTERS

CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it therefore enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the National Police Academy Short title.

Act, No. 44 of 2011.

PART I

ESTABLISHMENT OF THE NATIONAL POLICE ACADEMY

2. (1) There shall be established an academy, which Establishment

shall be called the “National Police Academy” (hereinafter of the National

Police

referred to as “the Academy”).

Academy.

(2) The Academy shall, by the name assigned to it by

subsection (1) be a body corporate and shall have perpetual

succession and a common seal and may sue and be sued in

such name.

3. The Secretary to the Ministry of the Minister assigned The Academy to

the administration of the Police Department, shall be charged be the

responsibility of

with the responsibility of ensuring the efficient management the Secretary to

and administration of the Academy in order to achieve the the Ministry of

the Minister

objective for which the Academy is established. assigned the

administration

of the Police

Department.

4. The objective of the Academy shall be to develop Objective of the

the professional knowledge and skills of police officers and Academy.

other law-enforcement officers selected for training at the

2—PL 006260—4,090 (09/2011)

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Academy in order to prepare and equip them for appointment

to appropriate positions in their respective professions.

Functions of the 5. The functions of the Academy shall be to—

Academy.

(a) provide advanced training and education on

policing, law-enforcement and related subjects to

student officers;

(b) conduct research and studies on issues directly

related to policing and law-enforcement; and

(c) disseminate and share professional knowledge on

policing and law-enforcement for the benefit of

those concerned through relevant programmes and

publications.

Powers of the 6. (1) The Academy shall have the power to do all such

Academy. acts as may be necessary for the discharge of any or all of its

functions specified in section 5 of this Act.

(2) Without prejudice to the generality of the powers

conferred on it by subsection (1), the Academy may—

(a) admit student officers to follow the courses of study

at the Academy;

(b) levy such fees, where necessary, from student

officers as are prescribed;

(c) conduct examinations for the purpose of evaluating

the proficiency of student officers admitted for

selected courses of study;

(d) issue certificates and grant and confer the post-

nominal title “npa” (national police academy) on

student officers on the successful completion of

the courses of study;

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(e) award, subject to the approval of the relevant

educational authorities, diplomas, certificates and

other academic distinctions on subjects related to

policing and law-enforcement;

(f) affiliate to any University, subject to the approval

of the University Grants Commission and the

relevant local or foreign University;

(g) publish and disseminate journals and similar

documents to facilitate the functions of the

Academy;

(h) conduct research programmes on policing and law-

enforcement to facilitate the functions of the

Academy;

(i) erect, equip and maintain for the purposes of the

Academy, libraries, laboratories and other

buildings;

(j) create lectureship and other posts as may be required

for the efficient functioning of the Academy;

(k) appoint such employees and agents as are necessary

for the administration of the affairs of the Academy;

(l) receive grants, gifts or donations, whether from local

or foreign sources;

(m) borrow or raise money for the purpose of the

Academy in such manner and upon such security

as the Board may think fit;

(n) take or hold any movable or immovable property

which may become vested in it by this Act or by

virtue of any purchase, grant, gift, testamentary

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disposition or otherwise, and to sell, mortgage,

lease, grant, convey, devise, assign, exchange or

otherwise dispose of any such movable or

immovable property;

(o) enter into and perform or carry out, whether directly

or through any officer or agent authorised in that

behalf by the Academy, all such contracts or

agreements as may be necessary for the attainment

of the objectives of the Academy; and

(p) invest its funds in such a manner as the Board may

think fit.

PART II

BOARD OF MANAGEMENT OF THE ACADEMY

Constitution of 7. (1) The management and the administration of the

the Board of affairs of the Academy shall be vested in a Board of

Management of

management (in this Act referred to as “the Board”) which

the Academy.

shall consist of—

(a) the following ex-officio members, namely—

(i) the Secretary to the Ministry of the Minister

assigned the administration of the Police

Department who shall be the Chairman;

(ii) a senior official of the rank of Deputy

Secretary to the Treasury nominated by the

Secretary to the Ministry of the Minister to

whom the subject of Finance is assigned;

(iii) an Additional Secretary to the Ministry of

the Minister assigned the administration of

the Police Department, nominated by the

Secretary;

(iv) the Inspector-General of Police; and

(v) the Executive Director of the Academy

appointed under section 13;

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(b) two members appointed by the Minister in

consultation with the Secretary; having proven

ability in the fields of national security, public

security, law, and public administration.

(2) The Chairman shall preside at all meetings of the Board

and in the absence of the Chairman from any such meeting

of the Board, a person from among members of the Board

referred to in subparagraph (ii) of paragraph (a) of subsection

(1) and subparagraph (iii) of paragraph (a) of subsection (1)

and paragraph (b) of subsection (1), who has been duly

nominated by the Chairman, shall preside at any such

meeting.

(3) The Principal Administrative Officer of the Academy

shall function as Secretary to the Board.

8. (1) The seal of the Academy shall be in the custody Seal of the

of such person as the Board may decide from time to time. Academy.

(2) The seal of the Academy may be altered in such manner

as may be determined by the Board.

(3) The seal of the Academy shall not be affixed to any

instrument or document except in the presence of the

Chairman and one other member of the Board, both of whom

shall sign the instrument or document in token of their

presence:

Provided that where the Chairman is unable to be present

at the time when the seal of the Academy is affixed to any

instrument or document, any other member of the Board

authorised in writing by the Chairman in that behalf, shall

be competent to sign such instrument or document in

accordance with the preceding provisions of this subsection.

(4) The Academy shall maintain a register of all

instruments or documents to which the seal of the Academy

is affixed.

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Branches within 9. The Academy shall consist of such Branches as are

the Academy. from time to time deemed necessary, by the Board.

Meetings and 10. (1) Subject to the other provisions of this Act, the

quorum at Board may regulate its procedure in regard to the meetings

meetings of the

of the Board and the transaction of business at such meetings.

Board.

(2) Five members shall form a quorum at any meeting of

the Board.

Vacancy among 11. No act, decision or proceeding of the Board shall be

members not to invalidated by reason only of the existence of a vacancy

invalidate

among its members or any defect in the appointment of its

proceedings of

the Board. members.

Annual 12. The Board shall as soon as may be practicable,

estimates. submit through the Secretary to the Ministry of the Minister

to whom the administration of the Police Department is

assigned the annual estimates or supplementary estimates,

as the case may be, to the Treasury for the purpose of securing

the necessary budgetary allocation for the Academy.

PART III

STAFF OF THE ACADEMY

The Executive 13. (1) There shall be appointed by the Minister a person

Director. to be the Executive Director of the Academy (hereinafter

referred to as “the Executive Director”) who shall be a qualified

senior officer holding the rank of Senior Deputy Inspector

General of Police or Deputy Inspector General of Police.

(2) The Executive Director shall hold office for a period

of three years from the date of his appointment and shall be

eligible for reappointment, unless he vacates his office earlier

by retirement, death, resignation or removal.

(3) The Executive Director may resign his office as

Executive Director by written communication in that behalf

addressed to the Minister, forwarded through the Secretary

to the Ministry of the Minister to whom the administration

of the Police Department is assigned.

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(4) The Minister may, if he thinks it expedient to do so,

by Order published in the Gazette, remove the Executive

Director from office for reasons assigned.

(5) The Executive Director, in respect of whom an Order

under subsection (4) is made, shall vacate is office on the

date of publication of such Order in the Gazette, or on such

other date as may be specified in such Order.

(6) In the event of the person appointed as Executive

Director—

( a) vacating his office or ceasing to be a member of the

Police Department of which he was a member prior

to the expiry of his term of office as Executive

Director, the Minister shall having regard to the

provisions of subsection (1), appoint a qualified

officer as Executive Director, and he shall, unless

he earlier vacates office, hold office for a period of

three years from the date of his appointment and

shall be eligible for reappiontment; or

(b) being temporarily unable to discharge the functions

of his office by reason of ill health, absence from

Sri Lanka or any other reason, the Minister shall

having regard to the provisions of subsection (1),

appoint the person holding the position of Principal

Administrative Officer of the Academy, to act in

his place as Executive Director during such period.

14. (1) The Executive Director shall, subject to the Duties of the

general direction and control of the Board, be charged with Executive

Director.

the direction of the affairs of the Academy and the discharge

of the functions of the Academy. He shall also be charged

with the overall administrative and disciplinary control of

the employees and student officers of the Academy.

(2) The Executive Director may in writing, with the

approval of the Board, delegate to any employee of the

Academy such of his duties as he may from time to time

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consider necessary. Any employee to whom such functions

are so delegated shall exercise them subject to the general or

special direction of the Executive Director. Notwithstanding

such delegation it shall be competent for the Executive

Director, where necessary, to continue to discharge such

functions.

(3) The Executive Director may in consultation with the

Board decide on the medical, welfare and recreational

facilities to be provided for student officers by the Academy.

(4) The Executive Director may take necessary measures

for the security and the protection of the Academy with the

approval of the Board.

The Principal 15. (1) The Board shall appoint an officer holding the

Administrative rank of Deputy Inspector General of Police or Senior

Officer of the

Superintendent of Police to serve as the Principal

Academy.

Administrative Officer of the Academy for such period as

may be determined by the Board.

(2) The Principal Administrative Officer of the Academy

shall be responsible to the Executive Director for supervising,

coordinating and facilitating the affairs of the Academy in

accordance with instructions issued by the Executive

Director for that purpose.

Appointment 16. The Board may, subject to the provisions of this

and conditions

Act—

of the staff of

the Academy.

( a) appoint such officers and servants as it considers

necessary for the discharge of the functions of the

Academy and formulate policies to exercise

disciplinary control over, or dismiss, such officers

or servants;

(b) fix the rates at which such officers and servants

shall be remunerated;

(c) determine the terms and conditions of service of

such officers or servants; and

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(d) establish and regulate provident funds or schemes,

where applicable, for the benefit of such officers or

servants and make contributions to any such funds

or schemes.

17. (1) At the request of the Board, any officer in the Appointment of

public service may, with the consent of that officer and of public officers

etc. to the staff

the Secretary to the relevant Ministry, be temporarily

of the Academy.

appointed to the staff of the Academy for such period as may

be determined by the Board, 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 Academy 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 Academy 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.

(4) Where the Academy employs any person who has

entered into a contract with the Government to serve the

Government for a specified period, any period of service to

the Academy by such person shall be regarded as service to

the Government, for the purpose of discharging the

obligations of such contract.

(5) At the request of the Board, any officer or servant of

any Higher Educational Institution may, with the consent of

such officer or servant and the principal executive officer of

that Higher Educational Institution, be temporarily

appointed to the staff of the Academy for such period as

may be determined by the Board or with like consent be

permanently appointed to such staff, on such conditions,

including those relating to pension and provident fund

rights, as may be agreed upon by the Board and such principal

executive officer.

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(6) Where any officer or servant of any Higher Educational

Institution is temporarily appointed to the staff of the

Academy, he shall be subject to the same disciplinary control

as any other member of such staff.

PART IV

THE BOARD OF STUDIES AND THE BOARD OF DISCIPLINE OF THE

ACADEMY

The Board of 18. (1) The affairs of the Academy relating to academic

Studies of the and professional studies shall be vested in the Board of

Academy.

Studies. The Board of Studies shall consist of—

(a) the Executive Director;

(b) the Principal Administrative Officer of the

Academy;

(c) two persons nominated by the Board;

(d) a representative nominated by the Vice-Chancellor

of the University to which the Academy may be

affiliated; and

(e) the heads of various Branches in the Academy.

(2) The Board of Studies shall discharge the functions

assigned to, or conferred on it, subject to the general direction

and control of the Board and any rules which may be made

in that behalf by the Board.

(3) The Board of Studies shall have control and general

direction over the instruction, training, research and

examination of the Academy.

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(4) The Board of Studies shall be charged with the exercise,

performance and discharge of the following powers, duties

and functions:—

(a) to identify and recommend to the Board, the courses

of study and the curricula of such courses which

are to be offered by the Academy;

(b) to decide on the degrees, diplomas, certificates and

other academic distinctions which shall be awarded

for the courses of study offered at the Academy;

(c) to identify the training to be followed, the

examinations to be passed and the other conditions

to be satisfied by students who wish to qualify for

such degrees, diplomas, certificates and other

academic distinctions;

(d) to consider and report on any matter referred to it

by the Board;

(e) to present recommendations and reports to the Board

on matters connected with the courses of study,

teaching programmes, research programmes or

examinations being conducted by the Academy;

(f) to appoint committees, which may include persons

not being members of the Board of Studies for the

purpose of considering and reporting on any special

subject or subjects;

(g) to recommend to the Board—

(i) the requirements for the admission of students

to courses of study and examination;

(ii) the persons who are suitable for recognition

as teachers or examiners;

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(iii) the 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;

(h) to identify the mode and conditions of competition

for fellowships, scholarships, exhibitions, bursaries,

medals and other prizes; and

(i) to name the persons suitable for the award of

fellowships, scholarships, exhibitions, bursaries,

medals and other prizes.

Board of 19. The Board shall, in consultation with the Executive

Discipline. Director, appoint a Board of Discipline consisting of the

following—

(a) the Principal Administrative Officer of the

Academy; and

(b) any other officers who in the opinion of the

Executive Director is required for the effective

settlement of the particular misconduct.

Code of 20. (1) Every student officer shall be subject to the Code

Discipline and of Discipline of the Academy. The Code of Discipline shall

application of

be as prescribed by regulations.

the code.

(2) Any student officer found to be in breach of such

Code or who is found guilty of any breach by the Board of

Discipline, may on recommendation being made by the

Board of Discipline to the effect that the conduct of the

student officer is not conducive to the best interest of the

Academy, be liable to be withdrawn from the course of study,

by the Executive Director.

(3) Every act of misconduct of student officers shall be

reported to the respective Head of Institution of such officer

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by the Executive Director in order that disciplinary action

as is deemed necessary in terms of the respective laws and

regulations applicable to such institution, be initiated.

(4) Any student officer who is found to be responsible for

causing damage to government property, wilfully or

negligently, shall be liable to indemnify the Academy for

such damage.

21. (1) The disciplinary control of the staff of the Disciplinary

Academy shall be exercised by the Executive Director or control of the

staff of the

any other officer of the Academy, authorised in that behalf

Academy.

by the Executive Director.

(2) The maintenance of disciplinary control of the staff of

the Academy shall be in accordance with the procedure as

specified by rules made by the Board.

PART V

FINANCE

22. (1) There shall be established a Fund called “the Fund of the

National Police Academy Fund” (hereinafter referred to as Academy.

“the Fund”).

(2) The Board shall have the power to manage, control

and operate the Fund.

23. There shall be paid into the Fund— Payment into the

Fund.

(a) all such sums of money as may be voted from time

to time by Parliament for the management and

administration of the Academy;

(b) all such sums of money as may be received by the

Academy by way of donations, gifts or grants from

any source whatsoever, whether within or outside

Sri Lanka;

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(c) all moneys received by way of fees in respect of the

courses of study being provided by the Academy;

and

(d) all such sums of money as may be received by the

Academy in the exercise, performance and discharge

of its powers, duties and functions.

Payment out of 24. There shall be paid out of the Fund—

the Fund.

(a) expenses necessary for the establishment, working

and maintenance of the Academy;

(b) the payment of fees to the visiting lecturers; and

(c) all such other payments as are approved by the

Board as being necessary for the purpose of carrying

out the objective of the Academy.

Audit of 25. (1) The Board shall direct the Accountant appointed

Accounts. in terms of section 26, to keep proper books of accounts and

accounts of all income and expenditure, assets and liabilities

and all other financial 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.

(3) The financial year of the Academy shall be the calendar

year.

(4) The annual accounts of the Academy shall be prepared

by the Accountant who shall cause the same to be forwarded

to the Board through the Executive Director.

Appointment of 26. (1) The Board shall appoint an Accountant for the

an Accountant. Academy.

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(2) The Accountant shall be responsible to the Executive

Director of the Academy for the administration and control

of the Fund of the Academy established under section 22 of

this Act and the other financial matters of the Fund.

27. (1) All student officers and the staff of the Academy Payment of

shall be entitled to such emoluments and allowances as may emoluments.

be stipulated in the relevant institutional pay regulations

applicable to them.

(2) All personnel in the Academy referred to above shall

be entitled to any additional allowances as may be paid to

those appointed to training establishments presently under

their respective institutions.

(3) All personnel of the Academy referred to above may

in addition be entitled to such other additional allowances

as may be determined by the Board from time to time with

the concurrence of the Minister in charge of the subject of

Finance.

(4) The period of training of a student officer in the

Academy shall be deemed to be reckonable service for the

purpose of pension, gratuity and allowances.

28. The Board may with the concurrence of the Minister Borrowing

and the Minister in charge of the subject of Finacne, borrow powers of the

Board.

such sums of money as may be necessary to effectively

discharge the functions assigned to it.

PART VI

GENERAL

29. (1) The Board may make rules in respect of the Board to make

courses of study to be provided for student officers by the rules.

Academy on the recommendation of the Executive Director.

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(2) Every rule made under subsection (1) shall be

approved by the Minister upon the making thereof, and shall

be published in the Gazette.

Regulations. 30. (1) The Minister may make regulations for the

purpose of giving effect to the principles and provisions of

this Act and in respect of matters required by this Act to be

prescribed or in respect of which regulations are authorised

or required to be made.

(2) Without prejudice to the generality of the powers

conferred by subsection (1), the Minister may make

regulations in respect of all or any of the following matters—

(a) the management and administration of the affairs

of the Academy;

(b) setting out the Code of Discipline;

(c) any other matter which is to be or may be prescribed

or in respect of which this Act makes no provision

or makes insufficient provision which in the opinion

of the Minister, is necessary for the proper

implementation of this Act.

(3) 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 regulations.

(4) Every regulation made by the Minister 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 such disapproval, but without prejudice to anything

previously done thereunder.

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(5) Notification of the date on which any regulation is

deemed to be rescinded shall be published in the Gazette.

31. (1) No suit or prosecution shall lie— Protection for

action taken

under this Act or

(a) against the Academy for any act which in good

on the direction

faith is done or purported to be done by the of the Academy.

Academy under this Act; or

(b) against any member, officer, servant or agent of

the Academy 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 Academy.

(2) Any expenses incurred by the Academy in any suit or

prosecution brought by or against the Academy and any

costs paid to, or recovered by the Academy in any such suit

or prosecution shall be credited to the Fund.

(3) Any expenses incurred by any such person as is referred

to in subsection (1) of this section 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 diretion of the Academy shall, if the court holds

that such act was done in good faith, be paid out of the Fund,

unless such expense is recovered by him in such suit or

prosecution.

32. The members of the Board and all officers and Members of the

servants of the Academy shall be deemed to be public officers Board and

officers and

within the meaning and for the purpose of the Penal Code.

servants of the

Academy

deemed to be

public officers.

33. The Academy shall be deemed to be a Scheduled Academy

Institution within the meaning and for the purpose of the deemed to be a

Scheduled

Bribery Act and the provisions of such Act shall be construed Institution

accordingly. within the

meaning of the

Bribery Act.

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Provisions of 34. The provisions of the Universities Act, No. 16 of

Act, No. 16 of

1978 not to 1978, shall not apply to, or in relation to, the Academy

apply. established by this Act.

Sinhala text to 35. In the event of any inconsistency between the

prevail in case

of inconsistency. Sinhala and Tamil texts of this Act, the Sinhala text shall

prevail.

Interpretation. 36. In this Act unless the context otherwise requires—

“Branch” means a section of the Academy that is

responsible for conducting specialised training

pertaining to a particular subject or field;

“Higher Educational Institution” means a University,

Campus, Open University or University College

established or deemed to be established under the

Universities Act, No. 16 of 1978;

“law-enforcement officers” mean an officer of any

organisation that is statutorily vested with the

responsibility of enforcing laws assigned to them;

“Police Department” means the Sri Lanka Police

Department established under the Police Ordinance,

(Chapter II);

“principal executive officer” in relation to—

(i) a University, means the Vice-Chancellor of that

University;

(ii) an Open University, means the Vice-Chancellor

of that Open University; and

(iii) a University College, means the Director of that

University College; and

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“student officers” mean and include officers from the

Police Department, public officers, officers of other

law-enforcement agencies of Sri Lanka and officers

from police services and law-enforcement agencies

outside Sri Lanka who are admitted to the Academy

for training and education.

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