

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

OCEAN UNIVERSITY OF SRI LANKA

ACT, No. 31 OF 2014

[Certified on 07th September, 2014]

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 September 12, 2014

PRINTEDATTHE DEPARTMENTOFGOVERNMENTPRINTING,SRILANKA

TO BEPURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 60.00 Postage : Rs. 45.00

Ocean University of Sri Lanka 1

Act, No. 31 of 2014

[Certified on 07th September, 2014]

L.D.—O. 31/2011.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT, MAINTENANCE AND

ADMINISTRATION OF THE OCEAN UNIVERSITY OF SRI LANKA; TO

PROVIDE THE NECESSARY LEGAL INFRASTRUCTURE FACILITATING

COURSES LEADING TO HIGHER EDUCATION AT THEOCEAN UNIVERSITY

OF SRI LANKA; TO REPEAL THE NATIONAL INSTITUTE OF FISHERIES

AND NAUTICAL ENGINEERING ACT, NO. 36 OF 1999; AND FOR

MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS there is a requirement to cater to the manpower Preamble.

needs in the fisheries, marine and maritime sectors of

Sri Lanka:

AND WHEREAS it is necessary to establish a higher

education institution for the purpose of enhancing the

scientific, technical and managerial skills of persons

engaged in the fields of fisheries, ocean sciences, maritime

technologies and allied fields:

AND WHEREAS it has become necessary to ensure that the

higher educational qualification obtained by the persons

who pursue studies in the above fields will be a qualification

which has recognition within as well as outside Sri Lanka:

AND WHEREAS it has become a matter of national

importance to establish a University to impart knowledge in

the above fields in order that the knowledge acquired by the

persons engaged in those fields be utilized for the

development of the country.

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 Ocean University of Sri Short title and

Lanka Act, No. 31of 2014 and shall come into operation on date of operation.

such date as the Minister may appoint by Order published in

the Gazette (hereinafter in this Act referred to as the

“appointed date”).

2—PL 008390—2,050 (08/2014)

2 Ocean University of Sri Lanka

Act, No. 31 of 2014

PART I

ESTABLISHMENT OF THE OCEAN UNIVERSITY OF SRI LANKA.

Establishment of 2. (1) Notwithstanding anything to the contrary in the

the Ocean Universities Act, No. 16 of 1978, there shall be established a

University of Sri

Lanka. University called the Ocean University of Sri Lanka

( hereinafter in this Act referred to as “ the University”).

(2) The University shall be a body corporate with

perpetual succession and, by the name assigned to it by

subsection (1), may sue and be sued.

Seal of the 3. (1) The University shall have the full power and

University.

authority to have and use a common seal which shall be in

the custody of the Registrar of the University and may be

altered in such manner as may be determined by the Board

of Governors of the University.

(2) The seal shall not be affixed to any instrument or

document except in the presence of the Registrar or any

other officer as may be nominated by the Vice Chancellor in

that behalf who shall sign such instrument or document in

token of his presence.

PART II

OBJECTIVES AND POWERS OF THE UNIVERSITY.

Objectives of the 4. The objectives of the University shall be to—

University.

(a) provide for University education in the fields of

fisheries, ocean sciences, maritime technology and

allied fields;

(b) offer vocational and technical courses of study

relating to fisheries and allied fields in order to

cater to the manpower needs in any areas;

Ocean University of Sri Lanka 3

Act, No. 31 of 2014

(c) disseminate knowledge relating to fisheries, marine

and maritime sectors among persons who are

engaged in fisheries and allied fields;

(d) provide for extension courses for continuous

professional development in the fields of fisheries,

ocean sciences, maritime technology and allied

fields;

(e) provide vocational and technical courses for

personnel in the fields of fisheries and allied fields

for admission to the University;

(f) provide for the progressive development of students

in the fields of engineering, scientific, technical and

vocational education and training systems, based

on their aptitude and ability to acquire a University

education in the fields of fisheries, ocean sciences,

maritime technology and allied fields; and

(g) provide courses of study for those who possess

National Vocational Qualifications and assist them

to upgrade their competency and acquire academic

qualifications in the fields of fisheries, ocean

sciences, maritime technology and allied fields.

5. (1) The University shall subject to the provisions of powers of the

this Act, have the power to— University.

(a) acquire by way of purchase or otherwise both

movable and immovable property and to take,

accept and hold any such property which may

become vested in it by virtue of such purchase or

otherwise:

Provided that, any immovable property of the

University shall not be disposed of without the prior

written approval of the Minister to whom the subject

of Skills Development is assigned.

4 Ocean University of Sri Lanka

Act, No. 31 of 2014

(b) exercise, perform and discharge such powers,

functions and duties as are conferred or imposed on

or assigned to the University by this Act;

(c) admit students in keeping with the admission criteria

for different categories of candidates along with an

aptitude test as recommended by the Admission,

Accreditation and Quality Assurance Council under

section 23, and provide instructions for courses of

study designed in keeping with the objectives of

the University;

(d) recognize examinations and duration of study

programmes of any University established or

deemed to be established under the Universities

Act, No. 16 of 1978 and any higher educational

institution, technical and vocational or professional

institution, for the purpose of admitting students to

the University;

(e) conduct programmes of studies and training

programmes relating to fisheries and Ocean

sciences, maritime technology and allied fields;

(f) hold examinations in the programmes specified in

paragraph (e) and assess the performance of such

students;

(g) grant and confer degrees and other academic

distinctions in conformity with any Statute enacted

for such purpose;

(h) establish institutions for vocational training in

related fields including the National institute of

Fisheries and Maritime Training. The Institute of

Fisheries and Maritime Training shall be established

prior to the appointed date;

(i) establish centers and campuses of the University

on a provincial and Regional basis;

Ocean University of Sri Lanka 5

Act, No. 31 of 2014

(j) charge fees or any other payments for the courses of

study and training programmes conducted by the

University;

(k) charge fees for any extension services provided to

the public or any institution, as the case may be,

and disburse the income so generated for the

attainment of the objects of the University in such

manner as shall be prescribed by Ordinance;

(l) undertake advisory, consultancy and any income

generating functions and disburse the proceeds

thereof for the development of any scheme approved

by the Board of Governors of the University;

(m) establish any committee or sub-committee

including an Audit and Management Committee

as may be necessary to carry out the functions of

the University;

(n) invest any fund not immediately required for the

purposes of the University in such manner as the

Board of Governors of the University may consider

appropriate;

(o) co-operate by way of exchange of teachers, students

and scholars with other institutions in or outside

Sri Lanka having objects or interests similar to those

of the University;

(p) make arrangements for the conduct of examinations

for persons in the affiliated institutions and also to

enable the persons who do not receive instructions

at the University to obtain degrees, diplomas and

certificates from the University and to determine

the courses of instruction for such examinations;

(q) provide facilities for higher education to persons

employed by the University;

6 Ocean University of Sri Lanka

Act, No. 31 of 2014

(r) make opportunities available to the staff and

students of the University for research and thereby

for the advancement and dissemination of

knowledge;

(s) confer honorary degrees or other distinctions on

persons approved by the Academic Council and

the Board of Governors of the University, in

conformity with any Statute made for the purpose;

(t) award fellowships, scholarships, bursaries, medals

and other prizes in conformity with any Statutes

made for the purpose;

(u) introduce Senior Professorships, Professorships,

Associate Professorships, Senior Lectureships,

Lectureships, Assistant Lectureships and other non-

academic positions, as may be required for the

purposes of this Act;

(v) establish and maintain libraries, laboratories and

other buildings for instructional purposes as may

be necessary for the purposes of this Act;

(w) appoint, employ, remunerate and exercise

disciplinary control and power of dismissal over

such officers and servants as may be necessary for

the purpose of achievement of the objects under

this Act;

(x) establish and regulate provident fund schemes or

pension schemes for the benefit of the officers and

servants of the University and make contributions

to any such scheme;

(y) open, operate and close bank accounts in any bank

or banks approved by the Central Bank of Sri Lanka;

and

Ocean University of Sri Lanka 7

Act, No. 31 of 2014

(z) do all such other acts or things as may be necessary

for the attainment of the objects of this Act.

(2) The powers enumerated above shall unless otherwise

expressly provided for by this Act be exercised by the Board

of Governors of the University.

PART III

POWERS OF THE MINISTER

6. (1) The Minister shall be responsible for the Responsibility

administration and implementation of the provisions of this and powers

of the

Act.

Minister.

(2) The Minister, in fulfilling his responsibilities under

subsection (1), shall in consultation with the Vice Chancellor

of the University, issue to the Board of Governors of the

University, form time to time, written directions as he may

consider necessary for the smooth functioning of the

University.

(3) It shall be the duty of the Board of Governors of the

University to comply with all such directions as may be

issued by the Minister under this section.

(4) The Minister may, from time to time, for the purpose

of effectually fulfilling his responsibilities relating to the

administration and implementation of the provisions of this

Act, order that all or any of the activities pertaining to the

administration of the University be investigated and reported

to him by the Board of Governors of the University.

(5) Upon receipt of a report from the Board of Governors

of the University in compliance with an order under

subsection (4), the Minister upon consideration of the report

shall direct the Board of Governors of the University to take

such remedial action as he may consider appropriate in

relation to the activity pertaining to the administration of

8 Ocean University of Sri Lanka

Act, No. 31 of 2014

the University of which an investigation has been carried

out under subsection (4).

Where situation 7. Where the Minister is of the view that any situation

prevails is likely prevailing in the University is likely to endanger the national

to endanger the

security or is detrimental or prejudicial to national policy or

national security

&c. is likely to disrupt the smooth functioning of the University,

he shall direct the Board of Governors of the University to

take all such steps as may be necessary to bring such situation

under control.

Measures to be 8. (1) Where the Minister, in consultation with the Vice

taken by the Chancellor of the University is of the view that due to any

Minister in the

strike, lockout or any such circumstances, the work or the

event of a lockout

&c. administration of the University has been seriously disrupted

and the relevant authorities of the University have failed to

restore normal conditions, he shall take all such measures as

may be necessary to ensure the restoration of normal

conditions of the University. The Minster may, at any time

prior to normal condition is restored, by Order published in

the Gazette make such provisions as he may deem

appropriate in respect of all or any of the following

matters:—

(a) the closure of the University;

(b) the appointment of any person by name or by office

to be a competent authority for the purpose of

exercising, performing or discharging any power,

function or duty under this Act, in lieu of the officer,

authority or other body of the University;

(c) any other matter connected with or relating to any

of the matters specified in paragraph (a) or (b).

(2) An Order made by the Minister under subsection (1)

shall come into force on such date as may be specified therein,

and shall within one month from the date of publication of

the Gazette be tabled in Parliament. The Order shall unless

Ocean University of Sri Lanka 9

Act, No. 31 of 2014

earlier rescinded remain in force for a period not exceeding

three months therefrom.

9. (1) The University shall before the expiry of a period Annual Report of

of six months after the closure of each financial year, submit the University.

to the Minister a report containing a full account of its

activities during that year. The Minister shall cause copies

thereof to be tabled in Parliament.

(2) The University shall cause copies of the report submitted

under subsection (1) to be made available to the public on

payment of a fee as may be determined by the University.

PART IV

CHANCELLOR AND OFFICERS OF THE UNIVERSITY

10. (1) The President shall appoint the Chancellor of Chancellor

the University who shall be the Head of the University and and officers

of the

who shall hold office for a period of five years from the date

University.

of such appointment.

(2) The Chancellor shall when present preside at every

Convocation of the University.

(3) The officers of the University shall be as follows:—

(a) the Vice Chancellor;

(b) the Deputy Vice Chancellor (if any)

(c) the Rector of each Campus;

(d) the Dean of each Faculty;

(e) the Registrar of the University;

(f) the Director, Media and Information Services;

(g) the Director, Finance;

10 Ocean University of Sri Lanka

Act, No. 31 of 2014

(h) the Director, Admission, Accreditation and Quality

Assurance Council; and

(i) any person holding a post declared by any Statute

to be that of an officer of the University.

The Vice 11. (1) The Vice Chancellor of the University shall be

Chancellor. appointed by the President in consultation with the Minister,

from and out of a Panel of three persons nominated by the

Board of Governors of the University.

(2) The Panel of three persons to be nominated for the

purpose of subsection (1) shall be selected from amongst

those who have academic qualifications, knowledge and

experience in the fields of engineering, fisheries, science,

technology, management or any other relevant field.

(3) The Vice Chancellor shall hold office for a period of

four years. However a person shall not be appointed as a

Vice Chancellor for more than two consecutive terms.

(4) The Vice Chancellor shall be a full-time officer of the

University and shall be the principal executive officer and

the principal academic officer thereof. He shall be an ex-

officio member and Chairman of both the Board of Governors

of the University and of the Academic Council. The Vice

Chancellor shall be entitled to convene, be present and speak

at any meeting of any other Authority of the University or

other body as may be prescribed by Ordinance, but shall not

be entitled to vote at any such meeting, unless he is a member

of such other Authority or other body.

(5) It shall be the duty of the Vice Chancellor in

accordance with such directions as may, from time to time,

be lawfully issued to him in that behalf by the Board of

Governors of the University, to ensure that the provisions of

this Act and of any appropriate Instrument are duly observed,

and he shall have and may exercise all such powers as he

may deem necessary for the purpose.

Ocean University of Sri Lanka 11

Act, No. 31 of 2014

(6) Subject to the provisions of this Act, it shall be the

duty of the Vice Chancellor to give effect to and ensure that

effect is given to the decisions of the Board of Governors of

the University and of the Academic Council.

(7) The Vice Chancellor shall be the Accounting Officer

of the University and shall be responsible for the maintenance

of discipline within the University.

(8) The Vice Chancellor may, unless he vacates office

earlier or is removed from office under subsection (9) of this

section, hold office until he has completed his sixty fifth

year or his term of office expires whichever is earlier.

(9) The President may remove the Vice Chancellor from

office for reasons assigned therefor.

(10) Where the Vice Chancellor by reason of leave, illness,

absence from Sri Lanka or for any other cause is temporarily

unable to perform the duties of his office, the Deputy Vice

Chancellor, if any, shall perform such duties on behalf of the

Vice Chancellor. If a Deputy Vice Chancellor is not available,

the Minister, on the recommendation of the Board of

Governors of the University 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 the

Vice Chancellor. The Registrar of the University shall until

such arrangements are made carry out the routine duties of

the office of the Vice Chancellor.

(11) Where any vacancy occurs in the office of the Vice

Chancellor, the President may within seven days of the

occurrence of such vacancy, make such arrangement as he

may think fit, for carrying on the duties of the office until a

permanent appointment is made. Until such arrangements

are made, the Registrar of the University shall carry out the

routine duties of the office of the Vice Chancellor.

12 Ocean University of Sri Lanka

Act, No. 31 of 2014

Deputy Vice 12. A Deputy Vice Chancellor of the University shall

Chancellor of the be appointed by the Board of Governors of the University

University.

upon the recommendation of a select committee, the

composition of which shall be prescribed by Ordinance. On

being appointed the Deputy Vice Chancellor shall function

as a full time officer of the University under the direction of

the Vice Chancellor. The Board of Governors of the

University shall decide on the duties and functions of the

Deputy Vice Chancellor, if any.

The Dean of a 13. (1) There shall be a Dean of each Faculty who shall

Faculty. be the academic and administrative Head of such Faculty.

The Dean shall be elected by the Faculty from among the

Senior Professors, Professors, Associate Professors and Senior

Lecturers who are members of such Faculty.

(2) The Dean shall subject to the provisions of any

appropriate instrument, hold office for a period of three years

reckoned from the date of his election and shall unless

disqualified from holding such office, be eligible for re-

election. However he shall not in any event hold office for

more than two consecutive terms.

(3) The Dean of a Faculty who is disqualified from

continuing to function as an officer of the University under

section 59 of this Act shall be removed from such office.

(4) Where owing to leave of absence, illness or other cause,

the Dean of a Faculty is temporarily unable to perform the

duties of his office for a period exceeding three months, the

Vice Chancellor shall appoint a Senior Professor, Professor,

Associate Professor or a Senior Lecturer of that Faculty, to

act in the post of Dean for such period.

(5) Where a Dean of a Faculty is removed, retires, resigns,

or is for any other reason unable to perform the duties of his

office for a period exceeding three months, the post of Dean

of the Faculty shall be deemed to have become vacant, and

a new Dean shall be elected in accordance with the provisions

Ocean University of Sri Lanka 13

Act, No. 31 of 2014

of subsection (1). The person so elected shall hold office for

the un-expired term of office of his predecessor.

14. (1) The Registrar of the University shall be appointed Registrar of the

University.

by the Board upon the recommendation of a select committee

the composition of which shall be prescribed by Ordinance

and shall function as a full time officer of the University.

The Registrar shall also be the Assistant Accounting officer

of the University.

(2) The Registrar shall—

(a) subject to the direction and control of the Vice –

Chancellor, be responsible for the general

administration of the University and the

disciplinary control of its non academic staff;

(b) be responsible for the custody of the records and

the property of the University; and

(c) exercise, discharge and perform such powers, duties

and functions as may be conferred or imposed on or

assigned to him by this Act or by any appropriate

instrument.

15. (1) The Director, Media and Information Services The Director,

of the University shall be appointed by the Board of Media and

Information

Governors of the University upon the recommendation of a Services.

select committee, the composition of which shall be

prescribed by Ordinance, and shall function as a full-time

officer of the University.

(2) The Director, Media and Information Services shall—

(a) subject to the direction and control of the Vice

Chancellor, be responsible for the general

administration of the Media and Information Centre

or Centres of the University; and

14 Ocean University of Sri Lanka

Act, No. 31 of 2014

(b) exercise, perform and discharge such powers, duties

and functions as may be conferred or imposed on or

assigned to him by this Act or by any appropriate

instrument.

The Director, 16. (1) The Director, Finance of the University, shall be

Finance.

appointed by the Board of Governors of the University upon

the recommendation of a select committee, the composition

of which shall be prescribed by Ordinance, and shall function

as a full-time officer of the University.

(2) The Director, Finance shall—

(a) subject to the direction and control of the Vice

Chancellor, be responsible for the general

administration of the finances of the University and

shall maintain its accounts in such form and manner

as may be prescribed by Ordinance; and

(b) exercise, perform and discharge such powers, duties

and functions as may be conferred or imposed on or

assigned to him by this Act or by any appropriate

Instrument.

(3) The Director, Finance shall have the custody of all the

funds of the University.

The Director, 17. (1) The Director, Admission, Accreditation and

Admission, Quality Assurance Council of the University, shall be

Accreditation and

Quality Assurance appointed by the Board of Governors of the University upon

Council. the recommendation of a select committee, the composition

of which shall be prescribed by Ordinance. The Director,

Admission, Accreditation and Quality Assurance Council

shall function as a full -time officer of the University.

(2) The Director, Admission, Accreditation and Quality

Assurance Council shall—

(a) subject to the direction and control of the Vice

Chancellor, be responsible for the admission criteria

Ocean University of Sri Lanka 15

Act, No. 31 of 2014

and for ensuring quality assurance of courses and

other supporting services provided by the

University; and

(b) exercise, perform and discharge such powers, duties

and functions as may be conferred or imposed on or

assigned to him by this Act or by any appropriate

Instrument.

PART V

THE AUTHORITIES OF THE UNIVERSITY

18. The Authorities of the University shall be the The Authorities of

following :— the University.

(a) the Board of Governors;

(b) the Admission, Accreditation and Quality

Assurance Council;

(c) the Academic Council;

(d) the Faculty Boards; and

(e) such other bodies as may be prescribed by

Ordinances to be Authorities of the University.

19. (1) The Board of Governors of the University The Board of

Governors of the

(hereinafter in this Act referred to as the “Board”) shall

University.

consist of—

(a) the following ex-officio members:—

(i) the Vice Chancellor;

(ii) the Deputy Vice-Chancellor, if any;

(iii) Dean of each Faculty;

16 Ocean University of Sri Lanka

Act, No. 31 of 2014

(iv) the Director of each institute established

under any Ordinance;

(v) the Secretary to the Ministry of the Minister

in charge of the subject of Skills Development

or his nominee;

(vi) the Secretary to the Ministry of the Minister

in charge of the subject of Finance or his

nominee;

(vii) the Secretary to the Ministry of the Minister

in charge of the subject of Higher Education

or his nominee;

(viii) the Secretary to the Ministry of the Minister

in charge of the subject of Shipping or his

nominee;

(ix) the Secretary to the Ministry of the Minister

in charge of the subject of Science and

Technology or his nominee;

(x) the Secretary to the Ministry of the Minister

in charge of the subject of Fisheries and

Aquatic Resources or his nominee;

(xi) the Rector of each Campus, if any;

(xii) the Chairman of the Vocational Training

Authority of Sri Lanka, established by the

Vocational Training Authority of Sri Lanka

Act, No. 12 of 1995;

(xiii) 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;

Ocean University of Sri Lanka 17

Act, No. 31 of 2014

(xiv) the Chairman of the National Apprentice and

Industrial Training Authority, established by

the Tertiary and Vocational Education Act,

No. 20 of 1990; and

(xv) the Director-General of the Tertiary and

Vocational Education Commission

established by the Tertiary and Vocational

Education Act, No. 20 of 1990; and

(b) the following persons appointed by the Minister

(in this Act referred to as “appointed members”)

(i) two members of the Academic Council

nominated by such Council from among its

members;

(ii) one member representing each of the

professional bodies in the areas of

engineering, science and management;

(iii) three members from among persons who have

rendered distinguished service in educational,

professional and administrative spheres.

(2) The Chairman of the Board shall be the Vice

Chancellor who shall preside at all meetings of the Board. If

the Chairman is unable to preside at any meeting, the

members present shall elect a member from among

themselves to preside at such meeting. The Registrar of the

University shall function as the secretary of the Board.

(3) An appointed member of the Board 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 from office, be eligible for re-appointment:

Provided that, if any appointed member vacates his office

prior to the expiry of his term, his successor shall hold office

for the unexpired period of the term of the member whom he

succeeds.

18 Ocean University of Sri Lanka

Act, No. 31 of 2014

(4) An appointed member of the Board may resign his

office by writing under his hand addressed to the Minister.

(5) An appointed member of the Board who is

disqualified from continuing to be a member of an Authority

of the University under section 59 of this Act shall be

removed from such office.

(6) An appointed member of the Board who for whatever

reason absents himself from three consecutive meetings of

the Board, shall be deemed to have vacated his office as a

member and the Minister shall, having regard to the

provisions of paragraph (b) of subsection (1), appoint another

person to fill the resulting vacancy.

(7) An appointed member of the Board may be paid such

allowances as the Minister, in consultation with the Minister

in charge of the subject of Finance shall determine.

(8) The quorum for a meeting of the Board shall be one

third of the total number of members.

(9) The Board shall meet whenever necessary provided

that it shall have at least ten meetings in each year.

(10) The Chairman of the Board shall whenever he thinks

necessary or within one week upon the receipt by him of a

written requisition from not less than one third of the total

membership of the Board convene a special meeting of the

Board.

Powers, duties and 20. (1) Subject to the provisions of this Act, the Board

functions of the shall exercise, perform and discharge the powers, duties and

Board.

functions conferred or imposed on or assigned to the

University by this Act.

(2) Without prejudice to the generality of the powers

conferred upon it by subsection (1), the Board shall exercise,

Ocean University of Sri Lanka 19

Act, No. 31 of 2014

perform and discharge the following powers, duties and

functions:—

(a) approve courses of study recommended by the

Academic Council;

(b) determine, from time to time, the requirements for

the admission of students to the University having

considered the recommendations made by the

Admission, Accreditation and Quality Assurance

Council;

(c) hold, control and administer the property and funds

of the University;

(d) select a coat of arms for the University and

determine its form;

(e) regulate and determine all matters concerning the

University in accordance with the provisions of this

Act and of any appropriate instrument;

(f) inquire into or investigate, from time to time, the

financial needs of the University;

(g) prepare, from time to time, corporate strategic plans

and corresponding budgets for the University, for

periods not less than three years at a time;

(h) determine, from time to time, within the overall

wage and salary policies of the Government, the

quantum of remuneration that should be paid to

the members of the staff of the University and other

benefits that the staff is entitled to receive;

(i) administer any funds placed at the disposal of the

University for specific purposes;

(j) receive and accept by way of bequests, donations,

grants or otherwise property made to the University;

20 Ocean University of Sri Lanka

Act, No. 31 of 2014

(k) consider the annual report and the annual accounts

of the University and submit such report and

accounts, along with any amendments that it may

consider necessary to the Minister;

(l) prepare the budget estimates and the annual

financial appropriations of the University and

submit the same to the Minister;

(m) make Statutes when so required for any matter in

respect of which Statutes are required to be made

under this Act;

(n) make by-laws in respect of any matter for which by-

laws are authorized to be made under this Act;

(o) provide buildings, premises, furniture, equipment

and other materials needed for the carrying on of

the work of the University;

(p) appraise performance of persons in the staff of the

University;

(q) appoint examiners, whether from the staff of the

University or from elsewhere, after considering any

recommendations made by the Academic Council,

and determine the fees which may be paid to such

examiners;

(r) appoint a Board of Welfare which shall include a

representative of the students, for the promotion of

the general well being of the students of the

University. The composition, powers, duties and

functions of such Board shall be prescribed by

Ordinance;

(s) appoint a Board of Residence and Discipline which

shall include a representative of the students, for

the maintenance of discipline and provision of

Ocean University of Sri Lanka 21

Act, No. 31 of 2014

residential facilities for the staff and students of the

University and matters connected therewith or

incidental thereto. The composition, powers, duties

and functions of such Board shall be prescribed by

Ordinance;

(t) enter into, implement and where necessary cancel

contracts on behalf of the University and invest

any moneys belonging to the University, including

any unapplied income generated by the University,

in the purchase of immovable property in Sri Lanka,

or any such investments or place in fixed deposits

in any bank approved by the Board, any portion of

such moneys not required for immediate

expenditure;

(u) determine after consultation with the Academic

Council, the academic dress or insignia or both of

the Vice Chancellor, the officers, the graduates and

students of the University;

(v) institute, abolish or suspend Senior Professorships,

Professorships, Associate Professorships, Senior

Lectureships, Lectureships and Assistant

Lectureships, in consultation with the Admission,

Accreditation and Quality Assurance Council;

(w) institute, abolish or suspend any non-academic post

in consultation with the Admission, Accreditation

and Quality Assurance Council;

(x) decide on the qualifications required for any post

referred to in paragraphs (xxi) and (xxii) in

consultation with the Admission Accreditation and

Quality Assurance Council;

(y) establish collaborations and partnerships with

public and private sector, for the purpose of

achieving the objects of the University;

22 Ocean University of Sri Lanka

Act, No. 31 of 2014

(z) establish such number of Faculties, Academic

Divisions, Departments of Study, Units or Centres

as may be recommended by the Academic Council;

(aa) permit officers of the University, permanent staff or

any members of the Board to serve on the Board of

Management of any organization registered under

the Companies Act, No. 7 of 2007 and contribute

towards consultancy services of such organizations

solely for the undertaking of income generation

activities and commercialization of knowledge

provided that, the profits of such organization

would be donated to the University for its

development and welfare of the staff and students,

For the purposes of this paragraph, “University

Board” means any university Board, including the

Board of Welfare and the Board of Residence and

Discipline appointed by the Board of Governors.

(bb) determine and assign the duties and functions of

the Deputy Vice Chancellor, if any;

(cc) award fellowships, scholarships, bursaries, medals

and other prizes, on the recommendations of the

Academic Council; and

(dd) exercise all other powers of the University, the

exercise of which is not otherwise provided for in

this Act or in any appropriate Instrument.

(3) No resolution shall be passed by the Board in relation

to any academic matter, unless the Academic Council has

first been given an opportunity of recording and transmitting

to the Board its opinion thereon.

In this section, “academic matter” means any matter which

is subject to the control and general direction of the Academic

Council.

Ocean University of Sri Lanka 23

Act, No. 31 of 2014

21. (1) The Board may make Ordinances in respect of Powers of the

all such matters as it may deem necessary to enable it to Board to make

Ordinances.

effectively exercise, perform and discharge its powers, duties

and functions under this Act.

(2) Without prejudice to the generality of the powers

conferred by subsection (1), the Board may make Ordinances

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

(a) all matters required to be prescribed by Ordinance

or in respect of which Ordinances are authorized to

be made by the Board under any other provision of

this Act;

(b) the establishment of institutions and maintenance

of standards of such institutions for vocational

training in related fields;

(c) the terms and conditions of service of the full time

officers of the University;

(d) the terms and conditions of service of the staff of

the University;

(e) the establishment and maintenance of standards of

instruction in the University for the grant of degrees,

diplomas and other academic distinctions;

(f) the recognition of foreign degrees and diplomas

and other academic distinctions; and

(g) any other matter connected with or incidental to

any of the matters aforementioned.

(3) Every Ordinance made by the Board under this Act

shall be published in the Gazette and shall come into

operation on the date specified therein.

24 Ocean University of Sri Lanka

Act, No. 31 of 2014

The Admission, 22. (1) The Admission, Accreditation and Quality

Accreditation and Assurance Council of the University (hereinafter referred to

Quality Assurance

as the “Quality Assurance Council”, shall consist of—

Council.

(a) the following ex-officio members:—

(i) the Dean of each Faculty of the University;

(ii) the Director-General of the Tertiary and

Vocational Education Commission

established by the Tertiary and Vocational

Education Act, No. 20 of 1990;

(iii) the Director of the Quality Assurance

Council;

(iv) the Registrar of the University;

(v) the Head of the body entrusted with the

responsibility of regulating the activities of

Colleges of Technology; and

(b) the following persons appointed by the Vice

Chancellor (in this section referred to as “appointed

members”):—

(i) one representative each from the professional

bodies in Fisheries and Ocean Sciences,

Maritime Technologies and allied fields up

to a maximum of three members;

(ii) one University academic each from other

Universities in Fisheries and Ocean Sciences,

Maritime Technologies and allied fields up

to a maximum of three members elected from

amongst the Deans of Faculties;

(iii) three representatives from Academic Council,

nominated by that Council from among its

members; and

Ocean University of Sri Lanka 25

Act, No. 31 of 2014

(iv) Director of Quality Assurance Council of the

University Grants Commission and two

directors responsible for the National

Vocational Qualifications and for

Accreditation, from the Tertiary and

Vocational Education Commission

established by the Tertiary and Vocational

Education Act, No. 20 of 1990.

(2) The Chairman of the Quality Assurance Council shall

be elected from among the Deans of each faculty who shall

preside at all meetings of such Council. If the Chairman is

unable to preside at any meeting, the members present shall

elect a member present to preside at such meeting.

(3) The Registrar of the University shall be the Secretary

to the Quality Assurance Council.

(4) The quorum for a meeting of the Quality Assurance

Council shall be one half of its total membership and the

Quality Assurance Council shall meet whenever necessary,

provided that it shall meet at least on one occasion in each

year.

(5) An appointed member of the Quality Assurance

Council shall unless he vacates office earlier, hold office for

a term of four years reckoned form the date of his

appointment, and shall, unless removed from office, be

eligible for re-appointment:

Provided that, if any appointed member vacates his office

prior to the expiry of his term, his successor shall hold office

only for the unexpired period of the term of office of the

member whom he succeeds.

(6) An appointed member of the Quality Assurance

Council may resign his office by writing under his hand

addressed to the Vice Chancellor.

26 Ocean University of Sri Lanka

Act, No. 31 of 2014

(7) An appointed member of the Quality Assurance

Council who is disqualified from continuing to be a member

of an Authority of the University under section 59 of this

Act shall be removed from such office.

(8) An appointed member of the Quality Assurance

Council who for whatever reason absents himself from three

consecutive meetings of the Quality Assurance Council,

shall be deemed to have vacated his office as a member and

the Vice Chancellor shall, having regard to the provisions

of paragraph (b) of subsection (1), appoint another person to

fill the resulting vacancy.

(9) An appointed member of the Quality Assurance

Council may be paid such allowance as the Minister shall in

consultation with the Minister in charge of the subject of

Finance determine.

Powers of the 23. The Quality Assurance Council shall have the power

Quality Assurance to recommend to the Board upon consideration of any

Council.

appropriate reports, on matters relating to—

(a) the admission criteria for courses of study at the

University:

Provided that, any aptitude test for any

category of candidates for the admission shall be

conducted by the Department of Examinations in

consultation with the University;

(b) the number of students to be admitted to each course

of study;

(c) the qualifications from among National Vocational

Qualifications and any other vocational

qualifications awarded or granted by any public or

private institution, that are required to be satisfied

in order to gain admission for courses of study at

the University;

Ocean University of Sri Lanka 27

Act, No. 31 of 2014

(d) the recruitment and promotion criteria for the staff

of the University;

(e) any matter relevant for the maintenance or

upgrading of academic standards of courses;

(f) the institution, abolition or suspension of Senior

Professorships, Professorships, Associate

Professorships, Senior Lectureships, Lectureships

and Assistant Lectureships;

(g) the formulation of accreditation requirements of

courses of studies at the University, in consultation

with the Academic Council and relevant

stakeholders;

( h) the qualification requirements of all teachers and

non-academic staff of the University;

(i) collaborations to be established with other national

and international higher educational institutions

and professional bodies to further the objectives of

the University;

(j) the appointment of such number of committees

consisting of its own members and any other

professionals outside its membership, as it may

deem necessary to deliberate and report to it on

matters pertaining to its powers, which may be

referred to such committee; and

(k) any other matter that may be referred to it by the

Board for its recommendation.

24. (1) The Academic Council shall consist of— The Academic

Council.

(a) the following ex-officio members:—

(i) the Vice Chancellor;

28 Ocean University of Sri Lanka

Act, No. 31 of 2014

(ii) the Deputy Vice-Chancellor, if any;

(iii) the Dean of each Faculty;

(iv) the Rector of each Campus and the Director

of each Institute established under the

University;

(v) every Senior Professor and Professor of the

University;

(vi) the Registrar of the University;

(vii) the officer designated to be in charge of

examinations;

(viii) the Director of media and information

services;

(ix) the Director of the Quality Assurance

Council;

(x) the Head of each academic Department of

Study of the University;

(b) the following elected and appointed members:—

(i) such number of Associate Professors and

Senior Lecturers not exceeding seven

representatives from each faculty, as may be

elected by the permanent teachers of such

Faculty, from among their numbers;

(ii) such number of Lecturers as is equal to the

total number of Faculties, elected by the

faculty Board to represent each of such

faculties ; and

(iii) such number of members as is equal to the

total number of Faculties, appointed by the

Board from among persons who have rendered

distinguished service in educational,

professional, commercial, industrial,

Ocean University of Sri Lanka 29

Act, No. 31 of 2014

scientific or administrative spheres, as

recommended by the respective Faculty

Boards.

(2) Each member elected or appointed under paragraph

(b) of subsection (1), shall hold office for a period of two

years reckoned from the date of his election or appointment,

as the case may be.

(3) The quorum for a meeting of the Academic Council

shall be one third of its total membership.

(4) The Academic Council shall meet whenever necessary,

provided that, it shall meet not less than ten occasions in

each year.

(5) The Chairman of the Academic Council shall be the

Vice Chancellor who shall preside at all meetings of the

Academic Council. If the Chairman is unable to preside at

any meeting, the Deputy Vice Chancellor, if any shall

preside at such meeting. In the absence of the Deputy Vice

Chancellor, the members present shall elect a member from

among those present to preside at such meeting.

25. (1) The Academic Council shall be the academic Powers, duties and

authority of the University and subject to the provisions of functions of the

Academic

this Act or any appropriate instrument, shall have control Council.

and general direction of the standard of instruction,

education, research and examinations of the University.

(2) Without prejudice to the generality of the powers

conferred upon it by subsection (1), the Academic Council

shall exercise, perform and discharge the following powers,

duties and functions:—

(i) to advise the Board, upon consideration of the

reports submitted by any Faculty on the methods

of regulating the courses of study and examinations,

and to make recommendations to the Board

regarding such courses of study;

30 Ocean University of Sri Lanka

Act, No. 31 of 2014

(ii) recommend to the Board after considering any

reports submitted by any Faculty or Faculties, the

names of persons suitable to be appointed as

examiners;

(iii) evaluate any request made by a Faculty Board on

any proposals relating to the institution, abolition

or suspension of Senior Professorships,

Professorships, Associate Professorships, Senior

Lecturerships, Lecturerships and Assistant

Lecturerships in the University, and make its

recommendations on the same to the Quality

Assurance Council;

(iv) recommend to the Board after considering the

reports submitted by any Faculty or Faculties—

(a) schemes for the re-organization of existing

Faculties; and

(b) schemes for the assignment of subjects of

study to the respective Faculties;

(v) make recommendations to the Board on matters

relating to the mode and conditions of competition

to be imposed for the grant of fellowships,

scholarships, exhibitions, bursaries, medals and

other prizes;

(vi) make recommendations to the Board on matters

relating to the award of fellowships, scholarships,

exhibitions, bursaries, medals and other prizes;

(vii) appoint such number of Standing Committees, or

ad hoc committees or Boards from and out of the

members of the Academic Council as it may deem

necessary, and in particular, the following:—

(a) Media and Information Services Committee;

Ocean University of Sri Lanka 31

Act, No. 31 of 2014

(b) Research and Publication Committee;

(c) Industry-University partnership Committee;

(d) Curriculum Development and Evaluation

Committee;

(e) Leave and Awards Committee; and

(f) Regional Committee;

(viii) specify the terms of reference of the Committees

and Boards appointed under paragraph (vii) and to

either approve the reports submitted by any such

Committee or Board with or without modification,

or to reject such reports;

(ix) refer to the Quality Assurance Council any proposals

made by a Faculty Board relating to the admission

of students to any courses of study along with its

observations on the same; and

(x) recommend to the Board, from time to time,

regarding the establishment of such Faculties as it

may deem necessary for developing its teaching,

research and extension programmes.

26. (1) The Faculty Board of each Faculty of the The Faculty

Board.

University shall consist of the following persons:—

(a) the Dean of the Faculty;

(b) the Head of each Academic Department of Study;

(c) all Senior Professors, Professors, Associate

Professors, Senior Lecturers and Lecturers of the

Faculty;

32 Ocean University of Sri Lanka

Act, No. 31 of 2014

(d) the Director, Quality Assurance Council or his

nominee;

(e) the Director, Media and Information Services or his

nominee;

(f) two members of the permanent staff imparting

instructions in the Faculty, excluding those referred

to in paragraph (c), elected by themselves from

among those in the permanent staff;

(g) two students elected by the students of the Faculty

from among their numbers:

Provided that, the members elected under this

paragraph shall be excluded from the proceedings

of any meeting of the Faculty Board relating to the

election of the Dean under section 13 of this Act

and relating to examinations and connected matters

and any such meeting shall, notwithstanding such

exclusion, be deemed to have been duly held ; and

(h) five persons not being members of the staff of the

University, nominated by the Faculty from among

persons of eminence in areas of study relevant to

the respective Faculty.

(2) The members elected under paragraph (g) of

subsection (1) shall hold office as a member for a period of

one year and all other elected members shall hold office for

a period of three years, reckoned from the date of his election.

(3) The Chairman of the Faculty Board shall be the Dean

of the Faculty who shall preside at all meetings of the Faculty

Board. Where the Dean of the Faculty is unable to preside at

any such meeting, the members present shall elect a member

present other than a member elected under paragraph (g) of

subsection (1), to preside at such meeting.

Ocean University of Sri Lanka 33

Act, No. 31 of 2014

(4) The quorum for a meeting of the Faculty Board shall

be one third of its total membership and it shall meet

whenever necessary, provided that it shall meet not less than

ten occasions in each year.

27. Subject to the provisions of this Act, a Faculty Powers duties and

Board shall exercise, perform and discharge the following functions of the

Faculty Board.

powers, duties and functions—

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

by the Academic Council;

(b) subject to the control of the Academic Council, to

regulate matters connected with teaching,

examinations and research in the various branches

of oceanography, marine engineering, fisheries and

ocean science and management, technical and

vocational education and training;

(c) to present recommendations and reports to the

Academic Council on all matters connected with

the courses of study and examinations in the

Faculty;

(d) to appoint committees which may include persons

other than members of the Faculty for the purpose

of considering and reporting on any special subject

or subjects; and

(e) recommend to the Academic Council names of

persons suitable to be appointed as examiners.

PART VI

CAMPUSES

28. The Board may by an Order (hereinafter referred to Establishment of

as “the Campus Order”)— Campuses.

(a) establish a Campus of the University;

34 Ocean University of Sri Lanka

Act, No. 31 of 2014

(b) assign a name and style to such Campus;

(c) specify the location or site of such Campus;

(d) assign a Faculty or Faculties to such Campus; and

(e) specify the Department of Study comprising such

Faculty or Faculties.

The Rector of a 29. (1) The Rector of a Campus shall be appointed by

Campus. the Vice-Chancellor. He shall unless he vacates office earlier

hold office for a period of three years reckoned from the date

of his appointment and shall unless removed from office be

eligible for re-appointment for a further period of three years

immediately succeeding the aforesaid period.

(2) If the Rector by reason of leave, 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. Until such arrangements are made the Registrar

shall carry on the routine duties of the office of the Rector.

(3) The Rector shall be a full time officer of the Campus

and shall be the academic and administrative Head of the

Campus.

(4) The Rector shall be the Chairman of the Campus.

The Campus 30. (1) A Campus shall have a Board, (hereinafter

Board. referred to as the “Campus Board”), the composition of which

shall be prescribed by Ordinance.

(2) The Campus Board shall be responsible—

(a) for the internal administration of the Campus;

(b) for making arrangements for the general wellbeing

of and the provision of amenities for persons

attached to the Campus; and

Ocean University of Sri Lanka 35

Act, No. 31 of 2014

(c) for the performance of any other duty as may be

prescribed by Statute.

(3) The Campus Board may with the approval of the Board

of Governors of the University make Rules in repect of all

matters relating or incidental to or connected with the

internal administration of the Campus.

PART VII

CONVOCATION OF THE UNIVERSITY

31. (1) The University shall for the purpose of conferring Holding of the

degrees, hold a convocation once in every year on such date Convocation of

the University.

or dates as may be approved by the Chancellor:

Provided that, the University may hold a Special

Convocation at any other time, as the Chancellor may

determine.

(2) Notwithstanding the provisions of subsection (1), first

degrees may be conferred without the holding of the

convocation.

(3) The procedure for the holding of a Convocation shall

be prescribed by by-laws.

(4) The President shall when present preside at

Convocation. In the absence of the President, the Chancellor

shall preside at such Convocation and in the absence of

both the President and the Chancellor, the Vice Chancellor

shall preside at such Conversation.

PART VIII

STAFF OF THE UNIVERSITY

32. Every appointment to the staff of the University Board to appoint

shall be made by the Board in accordance with such schemes staff of the

University.

of recruitment and procedures as prescribed by Ordinance

for the same.

36 Ocean University of Sri Lanka

Act, No. 31 of 2014

Determination of 33. The qualifications of all teachers of the University

qualifications of

shall be determined by the Board in consultation with the

staff of the

University. Quality Assurance Council while qualifications of all non-

academic staff shall be determined by the Board in

consultation where it considers necessary with the Quality

Assurance Council.

Institution, abolition 34. (1) It shall be the duty of each Faculty Board to

and suspension of make written proposals to the Academic Council relating to

posts in the staff of

the institution, abolition and suspension of posts of teachers

the University.

required for such Faculty. The Academic Council shall

consider and evaluate such proposals and thereafter make

its recommendations to the relevant Faculty Board.

(2) It shall be the duty of the Registrar of the University

to make recommendations to the Board relating to the

institution, abolition and suspension of all non-academic

posts in the University.

(3) The Faculty Board may where it considers it

appropriate prior to the institution, abolition or suspension

of any post of a teacher or of any non-academic post in the

University obtain the advice of the Quality Assurance

Council regarding the same.

Probationary 35. (1) Every appointment to a post of a teacher shall in

periods and the first instance be for a probationary period of three years,

confirmation.

which period may be extended by the Board for a period of

one year at a time, so however the extension shall not in the

aggregate exceed a period of three years. At the end of the

probationary period, the appointment may be confirmed in

accordance with the requirements or conditions as to

confirmation provided for in the appropriate schemes of

recruitments as prescribed by Ordinance.

(2) Every appointment to a non-academic post shall in the

first instance be for a probationary period of three years and

such appointment may thereafter be confirmed in accordance

with the confirmation criteria as prescribed by Ordinance.

Ocean University of Sri Lanka 37

Act, No. 31 of 2014

36. (1) A person holding the post of a teacher shall if he Retirement of

has been confirmed in his post, hold such post until he has teachers and

persons holding a

completed sixty years. If the sixtieth year ends before the non-academic

end of the academic year, he may continue till the end of post.

such academic year and shall thereafter be deemed to have

retired from service:

Provided that, the holder of such post may at any time

pending an inquiry by the Board be suspended for

misconduct, inefficiency or dereliction of duty and may be

dismissed or compulsorily retired if found guilty after such

inquiry on a resolution adopted by such Board.

(2) Notwithstanding the provisions of subsection (1), a

teacher who has reached sixty years of age and who in the

opinion of the Board is competent to continue to hold such

post may be recruited on contract basis to serve as a teacher

for a maximum period of five years so however such period

shall not exceed one year at a time. The period of service

however may be extended further by one year each at a time,

until he completes sixty-five years of age.

(3) Public Adminstration Circulars relating to the age of

retirement of public officers shall be applicable in regard to

the age of retirement of those holding any non-academic

post in the University:

Provided that, the holder of any such post may at any

time pending an inquiry by the Board be suspended for

misconduct, inefficiency or dereliction of duty and may be

dismissed or compulsorily retired if found guilty after such

inquiry on a resolution adopted by the Board.

(4) Where before completing the probationary period

referred to in section 35, a person holding—

(a) the post of a teacher reaches the age of sixty years;

or

38 Ocean University of Sri Lanka

Act, No. 31 of 2014

(b) a non-academic post reaches the age of retirement

specified in the Public Adminstration Circular

referred to in subsection (3),

such person shall be deemed to have retired from service

from the date on which he reached that age.

(5) Every holder of a post in the University who is

dismissed or is compulsorily retired from his post or is

otherwise punished for misconduct, inefficiency or

dereliction of duty may appeal against such dismissal or

retirement or other punishment to the University Appeals

Board.

Appointment of 37. (1) At the requset of the Board, an officer in the

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

the staff of the

University. Secretary to the Ministry by or unedr which that officer is

employed, the Secretary of the Minister in charge of the

subject of Public Administration and the Public Service

Commission, be temporarily appointed to the post of a

teacher of the University for such period as may be

determined by the Board or with like consent be permanently

appointed as a teacher.

(2) 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 any officer in

the public service who is temporarily appointed to the post

of a teacher of the University and the provisions of subsection

(3) of section 14 of that Act shall mutatis mutandis apply to

and in relation to any officer in the public service who is

permanently appointed to the post of a teacher of the

University.

(3) Where the University 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 University by that person shall

be regarded as service to the Government for the purpose of

discharging the obligations of such contract.

Ocean University of Sri Lanka 39

Act, No. 31 of 2014

38. At the request of the Board any teacher in the Appointment of

service of any Higher Educational Institution established teachers of Higher

Educational

under the Universities Act, No. 16 of 1978, may with the

Institutions to the

consent of such teacher, the University Grants Commission staff of the

and the governing authority of that institution, be University.

temporarily appointed to the post of a teacher of the

University. Such appointment shall be for such period as

may be determined by the Board or with like consent be

permanently appointed to such post on such terms and

conditions as may be agreed upon by the Board and such

Higher Educational Institution. Such teacher shall be subject

to the same disicplinary control as any other teacher in the

staff of the University.

PART IX

UNIVERSITY APPEALS BOARD

39. (1) The Minister shall, from time to time, appoint Appointment of

from among persons who have knowledge and experience the Panel of

Inquiry and

in the fields of oceanography, marine engineering, fisheries

Investigation.

and ocean science, management, academic administration,

financial management and legal or other relevent service

sectors, a Panel of Inquiry and Investigation consisting of

not less than nine persons.

(2) A person appointed as a member of the Panel of Inquiry

and Investigation shall hold office for a period of five years

from the date of appointment and unless removed from office

shall be eligible for re-appointment.

(3) A member of the Panel of Inquiry and Investigation

may resign from his office by writing addressed to the

Minister.

40. (1) Where— Constitution of the

University Appeals

Board.

(a) any appeal is made by any member of the staff of

the University against an appointment, promotion,

dismissal, suspension, disciplinary action taken

against him or in respect of any salary anomaly;or

40 Ocean University of Sri Lanka

Act, No. 31 of 2014

(b) any investigaion is required to be made into any

matter pertaining to the functions of the University,

the Board shall constitute a University Appeals Board

consisting of three members, selected from and out of the

persons appointed to the Panel of Inquiry and Investigation

by the Minister under section 39 to inquire into such appeal

or to conduct such investigation, as the case may be.

(2) The members of the University Appeals Board shall

elect from among themselves one of its members to be the

Chairman of such Board.

(3) There shall be a Secretary to the University Appeals

Board appointed by the Chairman of such Appeals Board.

(4) The procedure for the conduct of the proceedings of a

University Appeals Board shall be determined by the Board

by rules made in that behalf.

(5) At the conclusion of an inquiry into an appeal or the

conduct of the investigation, as the case may be, it shall be

the duty of the Chairman of the University Appeals Board to

convey to the Board, its decision and the reasons therefor

along with a report on such appeal or investigation. Further,

a copy of the decision and the reasons therefor shall also be

sent through registered post to the person who preferred the

appeal, within one week from the date of such decision.

(6) The members of the University Appeals Board shall

in respect of each appeal inquired into or investigation

conducted by them, be paid such allowance as the Minister

shall determine in consultation with the Minister in charge

of the subject of Finance.

Appeals from the 41. A person aggrieved by the decision of the University

decision of a Appeals Board in respect of any appeal made under

University Appeals

paragraph (a) of subsection (1) of section 40 may appeal

Board.

against such decision to the Court of Appeal within fourteen

days from the date on which the decision and the reasons

therefor were sent to that person by registered post under

subsection (5) of section 40.

Ocean University of Sri Lanka 41

Act, No. 31 of 2014

42. (1) Any expense incurred by the University Appeals Expenses incurred

Board in any suit or prosecution brought by or against such in any suit or

prosecution to be

University Appeals Board before any court shall be paid out

paid out of the

of the University Fund, and any costs paid to or recovered Fund.

by a University Appeals Board in any such suit or

prosecution shall be credited to that Fund.

(2) Any expense incurred by a member of a University

Appeals Board 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 any

appropriate instrument shall, if the court holds that such act

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

University unless such expense is recovered by him in such

suit or prosecution.

PART X

FINANCE

43. (1) The University shall have its own Fund into The University

which shall be credited— Fund.

(a) all moneys voted for its use by Parliament;

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

University by way of donations or grants from any

source whatsoever;

(c) fees paid to the University in accordance with the

provisions of any by-laws; and

(d) any other payments required to be made to the

University in accordance with any rule or regulation

made under this Act.

(2) There shall be paid out of the Fund of the University

all such sums of money as are required to defray all

expenditure incurred by the University in the exercise of its

powers under this Act.

42 Ocean University of Sri Lanka

Act, No. 31 of 2014

Grants in aid of 44. The Deputy Secretary to the Treasury shall as soon

the University. as may be practicable after the commencement of each

financial year, pay to the University such sums of money as

may be provided for by Parliament by way of annual

appropriation, supplementary vote or otherwise as a grant in

aid of the University.

Board to consider 45. The budget estimates and the annual financial

budget estimates appropriations of the University prepared with the assistance

and annual of the Director, Finance under paragraph (d) of section 46,

financial

appropriations. shall be considered by the Board before such date as may be

prescribed by by-law. The Board may make such alterations

in such estimates and financial appropriations as it thinks

fit, and shall submit them to the Minister together with the

accounts of the University for the completed financial year

and the Minister may where he considers it necessary amend

any such estimates and financial appropriations.

Duties of the 46. It shall be the duty of the Director, Finance of the

Director, Finance. University to—

(a) keep the accounts of the University in such form

and in such manner as may be prescribed by rules;

(b) receive all moneys paid into the Fund of the

University and to credit such moneys to the proper

heads of accounts;

(c) make all payments in accordance with the

applicable laws, Financial Regulations and

Circulars;

(d) assist the Board in the preparation of budget

estimates and the annual financial appropriations

of the University; and

(e) prepare where necessary any supplementary

estimates under section 50.

Ocean University of Sri Lanka 43

Act, No. 31 of 2014

47. The income derived to the University from grants income from

made for specific purposes or from endowments for specific grants for specific

purposes to be

objects shall be separately accounted for in the accounts of separately

the University and no payment shall be made from such accounted for.

income for the general purposes of the University or for any

purposes or objects other than those for which such grants or

endowments were made.

48. The Board shall by resolution adopt the budget The Board to

estimates, annual financial appropriations and annual adopt budget

estimates and

accounts of the University prior to the transmission of the

annual financial

same to the Minister under section 53. appropriations.

49. It shall be lawful for the Board in case of necessity, Transfer of funds

to transfer funds from one vote to another of the annual from one vote to

another.

estimates subject to the approval in writing of the Treasury.

50. (1) In case of necessity and in order to meet any Supplementary

unforeseen expenditure, it shall be lawful at any time for estimates.

Director, Finance, to prepare supplementary estimates of

expenditure.

(2) Financial liability of a recurrent nature arising under

subsection (1) shall not be incurred without the prior approval

of the Minister given with the concurrence of the Minister

in charge of the subject of Finance.

(3) The supplementary estimates prepared under

subsection (1) shall be submitted to the Board for its adoption

and once adopted shall be made available to the Minister

together with the annual appropriation for the succeeding

year.

51. (1) The financial year of the University shall be the Financial year and

calendar year. audit of accounts.

(2) The provisions of Article 154 of the Constitution

relating to the audit of the accounts of public corporations

shall apply to and in respect of the audit of accounts of the

University.

44 Ocean University of Sri Lanka

Act, No. 31 of 2014

Publications of 52. The audited accounts of the University for each

audited accounts.

financial year, shall be published in the Gazette.

Annual accounts 53. (1) The University shall within three months of the

and Auditor- receipt of the Auditor-Generals report in respect of each

General’s report

to be transmitted financial year, transmit to the Minister such report with any

to Minister. comments made thereon by the Board together with the

statement of accounts to which such report relates.

(2) The Minister shall cause copies of all the documents

transmitted to him under subsection (1) to be tabled in

Parliament before the end of the year next succeeding the

year to which such accounts and report relate. The Vice

Chancellor of the University shall attend and answer any

questions arising therefrom before the Public Accounts

Committee of Parliament.

PART XI

STUDENTS ASSEMBLY AND OTHER ASSOCIATIONS

Students 54. (1) The University shall have a Students Assembly

Assembly.

consisting of student representatives elected from among

persons who are for the time being students of the University.

(2) Every election to the Students Assembly shall be

conducted by secret ballot at the commencement of each

academic year by such person or persons as may be

nominated by the Vice Chancellor.

(3) The term of office of the members of the Students

Assembly shall expire at the end of the academic year in

which the Students Assembly was elected.

Recognition of 55. (1) The Board may recognize any society or other

certain Societies association of students established for the sole purpose of

and other

furthering academic or social objectives and which will carry

Associations.

on such activities or functions as may be specified by the

Board by by-laws made in that behalf.

Ocean University of Sri Lanka 45

Act, No. 31 of 2014

(2) The membership of any society or other association

established under subsection (1) shall consist entirely of

students of the University.

(3) Subject to the provisions of section 54, the Board

may specify by by-law, the mode of registration of societies

and other associations recognized under subsection (1), their

functions, the mode of conducting elections for the

appointment of their office-bearers and the duties and

functions of such office-bearers.

56. The Board may, from time to time, allocate to the Board to allocate

Students Assembly or to any society or other association money to Students

Assembly etc, for

recognized under section 55, such sums of money as may be approved activity.

deemed necessary by the Board for approved activities.

57. The Board shall by Ordinance prescribe— Board to prescribe

constitution,

duties and

(a) the duties and functions of the Students Assembly; functions of

Students

(b) the office bearers of the Students Assembly and the Assembly.

number of student representatives constituting the

Students Assembly and their mode of election;

(c) the duties and functions of the office bearers of the

Students Assembly;

(d) the Standing Committee or Committees which a

Students Assembly may appoint and the duties and

functions of such Committee;

(e) the purpose for which the funds allocated to the

Students Assembly and to any society or other

association recognized by the Board under section

55 shall be utilized; and

(f) the form and the manner in which the accounts of

the Students Assembly and any society or other

association shall be maintained and audited.

46 Ocean University of Sri Lanka

Act, No. 31 of 2014

Suspension or 58. Where the Students Assembly or any society or other

dissolution of association conducts itself in a manner which in the opinion

students

of the Vice Chancellor is detrimental or prejudicial to the

Assembly, society

or other good name of the University or acts in contravention of any

association. provision of this Act or any appropriate Instrument, the Vice

Chancellor may suspend or dissolve such Students Assembly,

society or other association, as the case may be.

PART XII

GENERAL PROVISIONS

Disqualification 59. A person shall be disqualified from being appointed

from being to or continuing as a member of any Authority of the

members of any

University or as an officer of the University, if such person—

Authority of the

University.

(a) is an un-discharged bankrupt or insolvent;

(b) is convicted of any offence involving moral

turpitude;

(c) is found or declared to be of unsound mind under

any law in force in Sri Lanka or any other country;

(d) is directly or indirectly by himself or by any person

on his behalf or for his use or benefit holds or enjoys

any right or benefit under any contract, other than

his contract of employment, made by or on behalf

of the University;

(e) is or becomes, a Member of Parliament, a member

of a Provincial Council or a member of any local

authority;

(f) is removed from the membership of any Authority

or from any office of the University, for misconduct;

(g) is found to be unfit to continue to be a member of

an Authority or continue to hold office of the

Ocean University of Sri Lanka 47

Act, No. 31 of 2014

University, by reason of ill health or physical or

mental infirmity;

(h) is found guilty of misconduct or corruption; or

(i) is found guilty of gross abuse of power of his office.

60. All officers and members of the staff of the University Officers and

shall be deemed to be public servants within the meaning servants of the

University

and for the purposes of the Penal Code (Chapter 19). deemed to be

public servants

under the Penal

Code.

61. The University shall be deemed to be a Scheduled University

institution within the meaning and for the purposes of the deemed to be a

Scheduled

Bribery Act, and the provisions of that Act shall be construed institution within

accordingly. the meaning of

the Bribery Act.

62. (1) Where the presence of any person within the Prohibition on

University, other than of any officer, member of the staff or a undesirable

student of the University is, in the opinion of the Vice persons from

entering precincts.

Chancellor not conducive to the welfare of the University or

its students, the Vice Chancellor may with the consent of

the Board after giving such person an opportunity of being

heard, serve on such person by writing under his hand, a

notice prohibiting such person from entering or remaining

within the precincts of the University or within such part

thereof as may be specified in such notice. Such prohibition

shall remain in force until revoked by the Board.

(2) A certificate under the hand of the Vice Chancellor to

the effect that any person named in the certificate has been

prohibited in accordance with the provisions of subsection

(1) from entering or remaining in the precincts of the

University or any part thereof, shall be admissible as evidence

and shall be prima facie evidence of the facts stated in such

Certificate.

48 Ocean University of Sri Lanka

Act, No. 31 of 2014

(3) Any person who is prohibited under the provisions of

subsection (1) from entering or remaining within the

University precincts or part thereof and who without

reasonable cause, enters or remains within such precincts or

part thereof in contravention of such prohibition, shall be

guilty of an offence and shall on conviction after summary

trial by a Magistrate, be liable to a fine of one thousand

rupees or to an imprisonment for a period not exceeding

three years in respect of each day or part thereof on which he

has entered or during which he has remained, within such

precincts or part thereof.

(4) An offence under subsection (3) shall be a congnizable

and a bailable offence within the meaning and for the purpose

of the Code of Criminal Procedure Act, No. 15 of 1979.

Statutes. 63. (1) The Board may subject to the provisions of this

Act, make Statutes in respect of all or any of the following

matters:—

(a) where unless otherwise provided for, the manner of

filling of vacancies in and the convening of any

Authority of the University;

(b) the determination of the degrees and other academic

distinctions to be conferred;

(c) the criteria applicable for the conferment of

honorary degrees or other distinctions;

(d) the institution and award of fellowships,

scholarships, exhibitions, bursaries, medals and

other prizes for which funds or property may in any

manner whatsoever be provided; and

(e) all matters for which under the provisions of this

Act, Statutes are authorized or required to be made.

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

published in the Gazette and shall come into force on the

date of such publication or on such other date as may be

specified therein.

Ocean University of Sri Lanka 49

Act, No. 31 of 2014

64. (1) Subject to the provisions of this Act, by-laws By-Laws.

may be made by the Board in respect of all or any of the

following matters:—

(a) the courses of study approved by the Board for the

grant of degrees, diplomas and other academic

distinctions;

(b) the conditions subject to which students shall be

admitted to courses of study and examinations

prescribed for degrees, diplomas and other academic

distinctions;

(c) the fees to be charged for courses of study,

examinations and award of degrees and other

academic distinctions;

(d) all matters connected with the election of

representatives to various authorities and other

bodies of the University;

(e) the conditions and mode of appointment of

examiners, their duties, the fees to be paid to them

and the conduct of and maintenance of standards at

examinations; and

(f) all matters for which under the provisions of this

Act, by-laws are authorized or required to be made.

(2) A by-law in respect of any matter relating to or

connected with teaching and the examinations of the

University shall not be made by the Board, until a draft of

such by-law has first been prepared and submitted to the

Board by the Academic Council.

(3) Every by-law made by the Board shall come into force

on such date as shall be specified therein.

50 Ocean University of Sri Lanka

Act, No. 31 of 2014

Rules. 65. (1) Subject to the provisions of this Act, any

Authority of the University may make rules in respect of all

matters—

(a) for which rules are required to be made under the

provisions of this Act; and

(b) required to be provided for in order to enable such

Authority to carry on its duties and functions under

this Act.

(2) Rules made by an Authority of the University under

subsection (1), shall come into force on such date as shall be

specified therein.

Provisions of the 66. The provisions of the Universities Act, No. 16 of 1978,

Universities Act, shall not apply to or in respect of the University established

No. 16 of 1978

not to apply. by this Act.

PART XIII

INTERPRETATION

Interpretation. 67. In this Act, unless the context otherwise requires—

“Academic Council” means the apex academic

body of the University;

“appropriate Instrument” means any Ordinance,

Statute, by-law, regulation or rule made in

accordance with the provisions of this Act;

“Authority” means any Authority specified in

section 18 of this Act;

“by-law” means a by-law made by the Board under

section 64 of this Act;

“degree” means both undergraduate and

postgraduate degrees awarded by the

University;

Ocean University of Sri Lanka 51

Act, No. 31 of 2014

“Governing Body” means the overall

administrative body of the University;

“Minister” means the Minister to whom the subject

of Skills Development is assigned ;

“non-academic staff” means all the members of the

staff other than the teaching staff of the

University;

“Ordinance” means any Ordinance made by the

Board under section 21 of this Act;

“rule” means any rule made by any Authority of

the University under section 65 of this Act;

“Statute” means any Statute made by the Board

under section 63 of this Act; and

“teaching staff” includes a Senior Professor,

Professor, Librarian, Associate Professor,

Senior Lecturer, Senior Assistant Librarian,

Lecturer and an Assistant Librarian;

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

Sinhala and Tamil texts of this Act, the Sinhala text shall prevail in case of

inconsistency.

prevail.

69. (1) Notwithstanding anything to the contrary Special Provisions

contained in any other provisions of this Act, pending the pending the

establishment of

establishment and organization of the Faculties, the

the University.

constitution of the several Authorities and the appointment

of the officers and other staff of the University under this

Act, the President shall in consultation with the Minister to

whom the subject of Skills Development is assigned, appoint

an Interim Committee consisting of—

(a) the Secretary to the Ministry of the Minister to

whom the subject of Skills Development is

assigned ;

52 Ocean University of Sri Lanka

Act, No. 31 of 2014

(b) the Chairman of the National Institute of Fisheries

and Nautical Engineering established by the

National Institute of Fisheries and Nautical

Engineering Act, No. 36 of 1999 ;

(c) the Director-General of the National Institute of

Fisheries and Nautical Engineering established by

the National Institute of Fisheries and Nautical

Engineering Act, No. 36 of 1999.

(2) The Interim Committee appointed under subsection

(1) shall subject to the provisions of subsection (4), function

for a period of three months commencing from the appointed

date and shall be responsible for taking all such measures

and making arrangements as may be necessary to enable the

University to commence its activities under this Act.

(3) The Interim Committee, in the discharge of its

functions under subsection (2), shall have the power to—

(a) allocate to the University, the staff, students,

equipment, land, buildings and other facilities and

to determine the structure and composition of each

Faculty and any other Institution and the disciplines

and subjects that are to be assigned to such Faculties

or Institutions, as the case may be ; and

(b) exercise the powers of the Board and of any other

Authority of the University, in respect of any matter

concerning the University and the appointment of

any person or persons, inclusive of officers required

to be appointed under this Act, for the purpose of

organizing, carrying out and directing the

functioning of the University during such period.

(4) The period of three months referred to in subsection

(2) may be extended by the Minister on the recommendation

of the Secretary to the Ministry of the Minister to whom the

subject of Skills Development is assigned for a period not

Ocean University of Sri Lanka 53

Act, No. 31 of 2014

exceeding a further three months, by Notification published

in the Gazette. The Notification shall be brought before the

Parliament for its approval within one month of the date of

its publication in the Gazette. A Notification not so

approved shall be deemed to be rescinded as from the date

of disapproval but without prejudice to the validity of

anything previously done thereunder.

(5) The date on which any Notification shall be deemed

to be rescinded shall be published in the Gazette.

70. (1) Notwithstanding the provisions of the National Officers and

Institute of Fisheries and Nautical Engineering Act, No. 36 servants of the

National Institute

of 1999 the officers and servants of the National Institute of

of Fisheries and

Fisheries and Nautical Engineering established under the Nautical

National Institute of Fisheries and Nautical Engineering Act, Engineering to be

No. 36 of 1999 (in this section referred to as the Institute) offered

employment in

and who are the staff of that Institute as on the appointed

the University.

date, shall, prior to the expiry of a period of two months from

the appointed date, by a written communication addressed

to the First Vice Chancellor of the University inform such

Vice Chancellor, whether such officer or servant would or

would not accept employment in the University or in the

National Institute of Fisheries and Maritime Training

established under paragraph (h) of section 5, as the case may

be, in the event of being offered employment therein.

(2) All officers and servants of the Institute who are offered

employment in the University by the First Vice Chancellor

and who express a desire to accept such employment, shall

become members of the staff of the University or the National

Institute of Fisheries and Maritime Training established

under paragraph (h) of section 5, as the case may be, from the

date specified in the Order made under subsection (1) of

section 71. Such officers and servants shall be employed on

terms not less favourable than their terms of employment in

the Institute and the period of service rendered by them, to

the Institute shall be regarded as a service rendered by them

to the University.

54 Ocean University of Sri Lanka

Act, No. 31 of 2014

(3) Where any officer or servant of the Institute expresses

a desire not to accept employment in the University or the

National Institute of Fisheries and Maritime Training

established under paragraph (h) of section 5, as the case may

be, such officer or servant shall be deemed to have retired

from service form the date specified in the Order made under

subsection (1) of section 71, and shall be eligible for the

retirement benefits that such officer or servant would have

been entitled to, if he retired from service in the Institute

after reaching his age of retirement.

Repeal of the 71. (1) The National Institute of Fisheries and Nautical

National Institute of Engineering Act, No. 36 of 1999 shall stand repealed from

Fisheries and

such date as the Minister shall specify by Order published in

Nautical

Engineering Act, the Gazette, provided the date to be so specified shall be a

No. 36 of 1999. date after three months but within six months of the

appointed date.

(2) Notwithstanding the repeal of the aforementioned Act,

from and after the date specified in the Order made under

subsection (1) of this section-

(a) all movable and immovable property of the National

Institute of Fisheries and Nautical Engineering

shall, from the date specified in the Order made

under subsection (1), vest in the University;

(b) all contracts and agreements entered into by or with

the National Institute of Fisheries and Nautical

Engineering and subsisting on the day immediately

preceding the date specified in the Order made

under subsection (1), shall be deemed to be contracts

and agreements entered into, by or with the

University;

(c) all sums of money lying to the credit of the Fund of

the National Institute of Fisheries and Nautical

Engineering on the day immediately preceding the

date specified in the Order made under subsection

Ocean University of Sri Lanka 55

Act, No. 31 of 2014

(1), shall stand transferred with effect from that date,

to the Fund established by section 43 of this Act;

and

(d) all liabilities of the National Institute of Fisheries

and Nautical Engineering existing on the day

immediately preceding the date specified in the

Order made under subsection (1), shall be deemed

to be the liabilities of the University.

56 Ocean University of Sri Lanka

Act, No. 31 of 2014

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180

(Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF

GOVERNMENT INFORMATION, NO. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th

December each year in respect of the year following.