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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

UNIVERSITY OF VOCATIONAL TECHNOLOGY ACT, No. 31 OF 2008

ORDINANCE made by the Board of Governors of the University of Vocational Technology under subsection (1) of section 20 read with section 5 (e) of the University of Vocational Technology Act, No. 31 of 2008.

Chairman,
Board of Governors,
University of Vocational Technology.

Ratmalana,
25th September, 2014.

Ordinance

1. This Ordinance may be cited as the ‘University College’ Ordinance, No.1 of 2014, of the University of Vocational Technology, and shall come into operation on 1st of October 2014.

2. The provisions of this Ordinance shall apply to the specialized institutes hereby established and which are specified in the Schedule to this Ordinance (herein after referred to as a “College”).

3. A college shall be an Institute attached to the University of Vocational Technology (hereinafter referred to as the “University”)

4. Subject to the provisions of Section 5(e) of the Act and of any appropriate Instrument, a College shall have following powers:-

- (a) to conduct National Vocational Qualifications, Level 5, 6 and 7 Courses and other technological courses of a similar level, as may be approved by the University;



- (b) to conduct with the approval of the University, examinations for the purpose of ascertaining the persons who have acquired proficiency in the National Vocational Qualifications Courses and similar level technological courses (hereinafter referred to as the “courses of study”) and to recommend to the University persons who having passed such examinations and having satisfied such other conditions as may be imposed by any By-laws made in that behalf, are eligible for the award of degrees, diplomas, certificates and other academic distinctions by the University;
- (c) to determine with the approval of the University, the degrees, diplomas, certificates and other academic distinctions to be awarded in any other courses of study;
- (d) to recommend to the University in compliance with any appropriate Instrument made in that behalf, the recognition of examinations passed and the periods of learning or study for persons seeking admission to a College and to withdraw such recognition;
- (e) to recommend to the University in consultation with the Board of Studies, the qualifications required for admission of student to follow any diploma or industry oriented short term certificate courses conducted by a College and to admit students in consultation with the University;
- (f) to seek with the approval of the University, the course accreditation from external bodies;
- (g) to erect, equip, and maintain for the purpose of a College, libraries, laboratories and other buildings;
- (h) to institute with the approval of the university such academic, administrative and other posts as may be required for the purposes of a College and the abolition or suspension of any such post;
- (i) to charge and receive fees in accordance with any appropriate Instrument made for that purpose; and
- (j) to do all such other acts and things as may become necessary, in the exercise the powers referred to above.

5. The Officers of a College shall be:-

- (a) the Director of the College (hereinafter referred to as the “Director”); and
- (b) the Registrar of the College.

6. (1) The Director shall be appointed by the Board of Governors of the University, with the concurrence of the Secretary to the Ministry of the Minister, and shall be the Chief Executive Officer of the College.

- (2) (a) The Director shall, unless he vacates his office earlier or is removed from office, hold office for a period of three years from the date of his appointment or until he completes his sixtieth year, whichever event occurs first;

- (b) No person shall be appointed as Director for more than two consecutive terms.

(3) The Director may be removed from office by the Board of Governors of the University on a vote of censure passed by not less than two-third of the total membership of the Board of Management of the College at a Special Meeting convened for that purpose, which shall be presided over by a member elected from among the members of the Board, by those present at such meeting.

(4) If the Director by reason of illness, absence from Sri Lanka or such other cause, is temporarily unable to perform the duties of his office, the Vice Chancellor of the University (herein after referred to as the “Vice Chancellor”) shall within seven days of the occurrence of such inability, make arrangements as he thinks fit for carrying on the duties of the office of Director. Until such arrangements are made, the Registrar of the College shall carry on the routine duties of such Office.

(5) If a vacancy occurs in the office of the Director, the Vice Chancellor shall, within seven days of the occurrence of such vacancy, make such arrangements as he may think fit for carrying on the duties of the office. Until such arrangement is made, the Registrar of the College shall carry on the routine duties of such office of the Director.

(6) It shall be the duty of the Director:-

- (a) in accordance with such directions as may be issued from time to time in that behalf by the Board of Governors of the University, to ensure that the provisions of the Act and of any appropriate Instrument in so far as it applies or relate to the College, are duly observed and may exercise all such powers as he may deem necessary for that purpose;
- (b) to give effect or to ensure that effect is given to the all decisions of the Board of Management of the College;
- (c) to maintain discipline within the College; and
- (d) to prepare the Annual Report on the activities of the College.

(7) It shall be the duty of the Registrar:-

- (a) subject to the direction and control of the Director, be responsible for the general administration of the College and the disciplinary control of its non-academic staff;
- (b) be responsible for the custody of the records and the property of the College; and
- (c) exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by this Ordinance or any appropriate instrument.

7. The Authorities of the College shall be:-

- (a) the Board of Management;
- (b) the Board of Studies; and
- (c) such other bodies as may be prescribed by an Ordinance

8. A College shall have a Board of Management (in this Ordinance referred to as the "Board") which shall be the academic and executive body of the College, appointed by the Vice Chancellor, and shall consist of:-

- (a) the following *ex officio* members, namely;
 - (i) the Director;
 - (ii) the Secretary to the Ministry of the Minister or his nominee;
- (b) the following other appointed members namely;
 - (i) one person nominated by the Board of Governors from among its members;
 - (ii) two persons elected by the Board of Studies from among its members, excluding the members under 13.1 (e); and
 - (iii) two persons nominated by the University from among persons who have rendered distinguished service in the industry.

9. (1) The Chairman of the Board shall be the Director who shall preside at all meetings of the Board. In the absence of the Chairman from any meeting of the Board, the members present at such meeting shall elect a member from among the members present, to preside at such meeting.

(2) The Registrar of the College shall be the Secretary to the Board.

(3) Each appointed member of the Board shall, unless he vacates office earlier, hold office for a period of three years 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, unless he vacates his office earlier, hold office for the unexpired of the term of office, of his predecessor.

(4) Any appointed member of the Board may resign his office by a written request addressed to the Vice Chancellor.

(5) An appointed member of the Board may be removed from office by the Vice Chancellor, for reasons assigned.

(6) Any appointed member of the Board who, without leave of absence, fails to attend three consecutive meetings of the Board, shall be deemed to have vacated his office as a member of the Board.

(7) A vacancy arising among any appointed members of the Board due to the resignation or removal of any member or in terms of sub-paragraph (6), shall be filled in the same manner as provided for appointing a member under sub-paragraph (b) of paragraph 8 of this Ordinance.

10. (1) The quorum for any meeting of the Board shall be four members.

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

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

11. A member of the Board who is an employee of the College shall not be entitled to any remuneration. However the other members may be paid such remuneration or allowances as the Minister, in consultation with the Minister in charge of the subject of Finance, shall determine.

12. (1) Subject to the provisions of this Ordinance and of any appropriate Instrument made by the University for the purpose, the Board shall exercise, perform and discharge the powers, duties and functions conferred upon the College by paragraph 4 of this Ordinance.

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

- (a) to appoint teachers and other administrative officers and employees of the College with the approval of the University;
- (b) to recommend to the University in consultation with the Board of Studies:-
 - (i) the diplomas, certificates and other academic distinctions that shall be awarded for the various courses of studies conducted by the College;
 - (ii) the courses of studies and training to be followed and other conditions to be satisfied by students of the College who wish to qualify for any degrees and other academic distinctions awarded by the University;
 - (iii) the persons suitable for appointment as examiners of the College;
 - (iv) the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (c) to recommend to the University the qualifications of teachers and other administrative officers and employees to be appointed to the College;

- (d) to recommend to the University for the suspension, dismissal or taking disciplinary action against persons who are in the staff of the College;
- (e) to institute and award in accordance with any appropriate Instrument made in that behalf by the University, fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (f) to make arrangements for conducting courses of studies or parts of any courses of study at any place outside the College, in accordance with any By-law made by the University in that behalf;
- (g) to cooperate, by way of exchange of teachers, students and scholars or otherwise, with Universities or institutions in Sri Lanka or abroad having courses of study similar or substantially similar to those of the College with the concurrence of the University;
- (h) to regulate and provide for residential facilities, discipline and the general well-being of the students, teachers, officers and other employees of the College;
- (i) to establish and manage halls of residence, to license lodging houses which can provide residential facilities to students and to provide any other services and facilities that may be necessary for students of the College;
- (j) to assist students of the College to obtain loans from banks and other agencies in accordance with any appropriate Instrument;
- (k) to appoint such number of Standing Committees or *ad hoc* Committees as may deem necessary or appropriate, to specify the terms of reference of such Committees and to consider and approve reports they submit, with or without modifications or to reject any reports submitted;
- (l) to hold, control and administer the property and funds of the College on behalf of the University;
- (m) to administer any funds placed at the disposal of the College for specific purposes;
- (n) to prepare the financial estimates of the College and submit such estimates to the University and the Ministry along with the business plan;
- (o) to receive and accept, with the concurrence of the University, bequests, donations and any other grants of property to the College;
- (p) to consider the Annual Report and the Audited Annual Accounts of the College and submit such reports and such accounts to the University and to the Secretary of the Ministry;
- (q) to provide necessary buildings, premises, furniture, equipment and other material needed for carrying out the activities of the College;
- (r) to appoint a Board of Welfare, which shall include representatives of the students, for the promotion of the general well-being of the students of the College and to specify its composition, powers, duties and functions;
- (s) to make recommendations to the Board of Governors on any appropriate Instrument that it is empowered to make under the Act, relating to the powers, duties and functions of the Board under this Ordinance;
Provided that any recommendations that relates to the courses of study and examinations shall, not be made except after considering any of report submitted by the Board of Studies pertaining to the same;
- (t) to regulate and to determine all matters concerning the College in accordance with the provisions of the Act, this Ordinance and of any relevant appropriate Instrument; and
- (u) to exercise such other powers, duties and functions that are incidental to those specified above.

(3) No resolution shall be passed by the Board in relation to any academic matter, unless the Board of Studies has first been given an opportunity of recording and forwarding its opinion to the Board.

Provided however that no resolution so passed shall be acted upon except with the concurrence of the University. In this paragraph "academic matter" means any matter which is subject to the control and general direction of the Board of Studies and the Academic Council, of the University.

13. (1) There shall be established a Board of Studies, which shall consist of:-

- (a) the Director, who shall be the Chairman;
- (b) the person in-charge of the library of the College;
- (c) the permanent teachers of the College;
- (d) the teacher-in-charge of industrial training;
- (e) two students elected by the student class representatives of the College; and
- (f) two persons not being members of the staff of the College, elected by the Board from among persons of eminence in any area of studies relevant to the College.

(2) The members elected in sub-paragraph (1)(e), shall, unless he vacates office earlier, hold office 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 and shall, unless removed from office, be eligible for re- election;

Provided that an elected member shall hold office so long only he holds the status or position by virtue of which he became eligible to be elected as a member of the Board of Studies.

(3) Where an elected member vacates office prior to the expiry of his period of office, the person elected as his successor shall, unless he vacates office earlier, hold office for the unexpired period of the term of office of his predecessor;

(4) The members elected under sub-paragraph (1)(e), shall be excluded from attending any meeting of the Board of Studies, relating to examinations and connected matters and any such meeting shall, notwithstanding such exclusion, be deemed to have been duly held.

(5) Any member elected and appointed under sub paragraph (1)(e) and (f) may resign his office by a written request addressed to the Director.

(6) The quorum for a meeting of the Board of Studies shall, subject to the provisions of sub-paragraph (4), be one third of its total membership and such Board shall meet whenever necessary, so however that it meets on not less than ten occasions in each year.

14. (1) Subject to the provisions of the Act and of any appropriate Instrument, the Board of Studies shall be responsible for the general control and direction of instruction, education, research and for the conduct of the examination of the College.

(2) Without prejudice to the generality of the powers conferred upon it by sub-paragraph (1), the Board of Studies shall:

- (a) consider and report on any matter referred to it by the Board;
- (b) present recommendations and reports to the Board, on-
 - (i) matters connected with the courses of study, teaching programme or programmes, and examinations;
 - (ii) requirements for the admission of students to courses of study and examinations;
 - (iii) persons who are suitable to be recognized as examiners;
 - (iv) persons, who having passed the required examinations and having satisfied any other conditions, are eligible for the award of diplomas, certificates and other academic distinctions;
 - (v) the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes; and
 - (vi) the names of persons suitable for the award of scholarships, exhibitions, bursaries, medals and other prizes; and
 - (vii) appoint committees, which may include persons other than its own members, for the purpose of considering and reporting on any special subject or subjects referred to it by the Board.

15. (1) A College shall have its own fund known as the College Fund (hereinafter referred to as the "Fund"), into which shall be credited:-

- (a) all fees paid by students in accordance with the provisions of any appropriate Instrument;
- (b) all income derived from endowments
- (c) all moneys voted by the Parliament as grants to the College; and
- (d) such other moneys accruing to the College from any source whatsoever.

(2) A summary of all sums of money credited to the Fund in the course of a month classified under the appropriate heads of revenue shall, before the end of the next ensuing month, be submitted by the Director to the University and to the Secretary, of the Ministry for information.

16. (1) The Director shall be the accounting officer of the College.

(2) As the accounting officer, it shall be the duty of the Director, to :-

- (a) maintain the accounts of the College in such a manner as may be determined by the Board;
- (b) receive all moneys paid into the Fund and to credit such moneys to proper heads of accounts;
- (c) make all authorized payments;
- (d) prepare for the perusal of the Board such estimates as are required by the University and the annual financial appropriations of the ensuing year; and
- (e) prepare annual statement of accounts, business Plan and statistics relating to the activities of the College, from and in such manner and containing such particulars as the University may specify from time to time.

(3) Notwithstanding the provisions of sub-paragraph (2), any income derived from grants made for specific purposes or from endowments for specific objects, shall be separately accounted for in the accounts of the College, and no payment shall be made from such income for the general purposes of the College or for any purpose or object other than that for which the grants or endowments were made respectively.

(4) The books of accounts of the College shall be kept at the office of the College.

17. (1) The financial year of the College shall be the calendar year.

(2) The Director shall cause the accounts of the College to be audited each year by the Auditor-General.

(3) A copy each of the audited accounts and of the Annual Report shall be submitted to the University and to the Secretary, to the Ministry annually by the Director.

18. (1) The staff of the College shall consist of such officers, teachers and other administrative officers and employees appointed by the Board with the approval of the University, as it may deem necessary for the efficient exercise, performance and discharge of the powers, duties and functions conferred upon the Board. However, the first appointments of staffs of the College, until the Board of Management is formed, will be made by the University.

(2) The members of the staff of the College shall be subject to the direction and the disciplinary control of the Director.

19. In this Ordinance, unless the context otherwise requires:-

“Act” means University of Vocational Technology Act No. 31 of 2008;

“appropriate Instrument” means any Ordinance, Statute, By-Law, regulation or rule made under the Act;

“Board of Governors” means the Board of Governors of the University;

“industry” means organizations engaged in construction or manufacturing or any other field of technology or service sector;

“licensed commercial bank” means a licensed commercial bank within the meaning of the Banking Act, No. 30 of 1988;

“teacher” means a Senior Professor, Professor, Associate Professor, Senior Lecturer or a Lecturer;

SCHEDULE

1. University College of Anuradhapura, University of Vocational Technology
2. University College of Kuliyaipitiya, University of Vocational Technology
3. University College of Matara, University of Vocational Technology
4. University College of Ratmalana, University of Vocational Technology
5. University College of Jaffna, University of Vocational Technology