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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 591/18—1990 ජනවාරි 05 වැනි සිකුරාදා —1990.01.05

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PART I: SECTION (I) — GENERAL

Miscellaneous Departmental Notices

L.D.—B 21/78 II

THE UNIVERSITIES ACT, No. 16 OF 1978

ORDINANCE made by the University Grants Commission under Section 23 (2) read with Section 18 of the Universities Act, No. 16 of 1978, as last amended by the Universities (Amendment) Act, No. 3 of 1989.

(Mrs) C. S. KARUNARATNE,
Actg. Secretary,
University Grants Commission.

Colombo, 27th December, 1989

Ordinance

1. This Ordinance may be cited as the Open University of Sri Lanka, Ordinance, No. 1 of 1990 and shall come into force on 01st January, 1990.

Short title and date of operation

2. The Open University of Sri Lanka, Ordinance, No. 1 of 1987 published in Gazette Extraordinary, No. 446/19 of 27th March, 1987, is hereby repealed without prejudice to any thing done thereunder.

Repeal of Ordinance No. 1 of 1987.

3. (1) Upon the coming into force of the Open University Order under Section 23 (1) of the Universities Act, No. 16 of 1978 published in Gazette Extraordinary No. 87/10 of May, 8, 1980 the Open University of Sri Lanka (hereinafter referred to as the 'Open University') shall be deemed to be established with full power and authority by and in such name to do all the things a University is empowered or authorised to do under Section 28 (1) of the Act.

Establishment of the Open University.

(2) The powers conferred on the Open University by the preceding provisions of this paragraph shall, unless otherwise expressly provided by this Ordinance or by any other appropriate Instrument, be exercised by its Council.

4. Subject to the provisions of the Act, the Open University Order, and the powers, duties and functions of the Commission, the Open University shall have the power :—

Powers of the Open University.

(a) to admit students ;

(b) to provide for instruction in such branch or branches of learning as may with the concurrence of the Commission be approved by the Open University, and for this purpose to co-operate with other educational institutions or authorities in Sri Lanka or abroad, in such manner, as the Open University may determine ;

- (c) To hold examinations for the purpose of ascertaining the persons who have acquired proficiency in different branches of learning ;
- (d) To co-operate by way of exchange of teachers, students and scholars, or otherwise, with other Universities or institutions in Sri Lanka or abroad, having objects similar or substantially similar to those of the Open University ;
- (e) to grant and confer degrees, diplomas and other academic distinctions to and on persons who have passed the examinations of the Open University as may be prescribed by By-law ;
- (f) to confer honorary degrees or other academic distinctions on persons recommended by the Senate and approved by the Council of the Open University ;
- (g) to recognize examinations passed and periods of learning or study pursued by persons seeking admission to, or by the students of, the Open University at other educational institutions as being equivalent to such examinations, and periods of learning or study in the Open University, or such part thereof, as may be prescribed by By-law, and to withdraw such recognition at any time ;
- (h) to erect, equip and maintain for the purpose of the Open University, libraries, laboratories and other buildings for instructional or residential purposes.
- (i) to recommend to the Commission the institution of Professorships, Associate Professorships, Senior Lecturerships or Lecturerships and other posts as may be required for the purposes of the Open University ;
- (j) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other prizes ;
- (k) to regulate and provide for the residence, discipline and well-being of students and teachers, officers and other employees of the Open University ;
- (l) to establish and manage halls of residence, to license lodging houses providing residential facilities to students and to provide such other services and facilities as may be necessary for the residence of students of the University ;
- (m) to provide extension services and in-service training courses to the general public in accordance with any By-law providing for the same ;
- (n) to make arrangements for conducting courses of study or parts thereof in educational institutions outside the Open University as may be prescribed by By-law ;
- (o) to demand and receive fees under such conditions as may be prescribed by By-law,
- (p) to do all such acts and things whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the Open University.

The Chancellor.

5. The President shall nominate the Chancellor of the Open University. The Chancellor shall be the Head of the Open University, and hold office for a period of five years reckoned from the date of his nomination and shall when present, preside at any Convocation of the Open University.

The Officers of
the Open Uni-
versity

6. The Officers of the Open University shall be the following :—
- (a) the Vice-Chancellor ;
 - (b) the Deputy Vice-Chancellor, if any ;
 - (c) the Dean of each Faculty ;
 - (d) the Director of Educational Technology ;

- (e) the Director, Regional Educational Services ;
- (f) the Registrar ;
- (g) the Librarian ;
- (h) the Bursar ; and
- (i) the holder of any post approved by the Commission to be a post, the holder of which is an officer for the purpose of this paragraph.

7. (1) (a) The Vice-Chancellor of the Open University shall be appointed for a term of three years by the President upon the recommendation of the Commission from a panel of three names recommended by the Council of that University.

The Vice-Chancellor.

(b) The Vice-Chancellor of the Open University may be removed from office by the President, after consultation with the Commission.

(2) The Vice-Chancellor shall be a full-time officer of the Open 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 Council and the Senate. The Vice-Chancellor shall be entitled to convene, be present and speak at, any meeting of any other Authority of the Open University or other body, but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or other body.

(3) 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 Council, to ensure that the provisions of the Act and of any appropriate Instrument in so far as they relate to the Open University are duly observed, and he shall have and may exercise all such powers as he may deem necessary for the purpose.

(4) Subject to the provisions of the Act, and this Ordinance it shall be the duty of the Vice-Chancellor to give effect, or to ensure that effect is given, to the decisions of the Council and of the Senate.

(5) The Vice-Chancellor shall be the Accounting Officer of the Open University.

(6) The Vice-Chancellor shall be responsible —

- (i) for the Execution of policies and measures approved by the Council in relation to the Open University and, subject to such policies, the direction, supervision and control of the Open University, including its administration ; and
- (ii) for the maintenance of discipline within the Open University.

(7) The Vice-Chancellor shall, unless he vacates office earlier or is removed from office under clause (b) of Sub-paragraph (1) of this paragraph hold office for a term of three years, or until he has completed his sixty fifth year, whichever event occurs earlier.

(8) If the Vice-Chancellor by reason of leave, illness, absence from Sri Lanka or other cause is temporarily unable to perform the duties of his office, the Deputy Vice Chancellor, if any shall perform such duties. Where there is no Deputy Vice-Chancellor the Commission shall, within seven days of the occurrence of such inability, make such arrangements as it may think fit for carrying on the duties of the office.

(9) If any vacancy occurs in the office of Vice-Chancellor—

- (i) the Deputy Vice-Chancellor, if any, shall perform the duties of the office of Vice-Chancellor, or
- (ii) where there is no Deputy Vice-Chancellor, the Commission shall, within seven days of the occurrence of such vacancy, make such arrangements as it may think fit for carrying on the duties of the office,

until a permanent appointment is made under the preceding provisions of this paragraph.

(10) A Vice-Chancellor who, resigns or is removed from office under clause (b) of Sub-paragraph (1) of this paragraph or in any other way ceases to hold office as Vice Chancellor, unless re-appointed, may, if he was a member of the staff of a Higher Educational Institution on the day prior to the date of his appointment as Vice-Chancellor, revert to his substantive post in the staff of such Institution provided he has not completed his sixty-fifth year.

The Deputy Vice Chancellor.

8. The Council may, at its discretion and with the prior approval of the Commission, appoint a Deputy Vice Chancellor in accordance with the provisions of, the Procedure for the Appointment of Deputy Vice Chancellor Ordinance No. 1 of 1984.

The Registrar.

9. The provisions of section 37 of the Act shall apply to and in relation to the Registrar of the Open University, subject to the modification that there shall be substituted for the expression ' University ' wherever such expression occurs in that section, of the expression ' Open University '.

The Bursar.

10. The provisions of section 38 of the Act shall apply to and in relation to the Bursar of the Open University subject to the modification that there shall be substituted for the expression ' University ' wherever such expression occurs in that section, of the expression ' Open University '.

The Librarian.

11. The provisions of section 39 of the Act shall apply to and in relation to the Librarian of the Open University subject to the Modification that there shall be substituted for the expression ' University ' wherever such expression occurs in that section, of the expression ' Open University '.

The authorities of the Open University.

12. The Authorities of the Open University shall be the following:—

- (a) the Council ;
- (b) the Senate ;
- (c) the Faculty Board or Faculty Boards ;
- (d) such other bodies as may be prescribed by Ordinance to be such Authorities.

The Council.

13. (1) The Council of the Open University (in this Ordinance referred to as ' the Council ' shall be the executive body and the governing authority of the Open University ;

(2) The Council shall consist of the following persons :—

- (i) the Vice-Chancellor
- (ii) the Deputy Vice-Chancellor ; if any ;
- (iii) the Dean of each Faculty ;
- (iv) two representatives nominated by the Senate from among its members ;
- (v) one Vice-Chancellor nominated by the Committee of Vice-Chancellors and Directors established under section 124 of the Act ;
- (vi) the Secretary to the Ministry of the Minister in charge of the subject of Higher Education or the nominee of such Secretary ;
- (vii) the Secretary to the Ministry of the Minister in charge of the subject of Broadcasting or the nominee of such Secretary ; and
- (viii) such number of members as is equal to the total number of members under clauses (i), (ii), (iii), (iv) and (v) above, increased by one. All such members shall be appointed by the Commission from among persons who have rendered distinguished service in educational, professional, commercial, industrial, scientific or administrative spheres.

(3) The provisions of sub-sections (2), (3), (4), (5), (6), (7), (8) and (9) of section 44 of the Act shall apply to and in relation to the Council.

