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The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

UVA PROVINCE PROVINCIAL COUNCIL

Uva Provincial Council Statute No. 05 of 2017 of Uva Navodaya Fund (Amendment)

THE above statute having passed by the Provincial Council of the Uva Province of the Democratic Socialist Republic of Sri Lanka on the 09th of November, 2017 has been approved by the Hon. Governor of the Uva Province on the date 11th of December, 2017 and which is here by published for the notification of the public.

R. A. H. A. SAMARASINGHE,
Secretary,
Provincial Council of the Uva Province.

Council Secretariat,
Uva Provincial Council,
King's Street,
Badulla.
20th December 2017

UVA PROVINCE PROVINCIAL COUNCIL

Statute No. 05 of 2017 of Uva Navodaya Fund

THE Statute No. 01 1992 of Uva Navodaya Fund is Statute to be substitute in order to provide financial assistance and materials for the students in Uva Province those who got university entrance, talented students with the qualifications to sit for advanced level, to provide facilities to confirm the health of the school students in Uva Province, to appreciate the students showing sporting talents, provide facilities, providing physical infrastructure facilities and to provide provisions for other things related to this in order to support to uplift the sports skills.

Enact as such by the Procincial Council of Uva Provincial Council of the Democratic Socialist Republic of Sri Lanka.



Short title and date of Implementation	01. This Statute will be identified as the Statute No. 05 of 2017 of Uva Navodaya Fund, it will come to effect from the date of approval by the Governor of Uva Province.
Establishing Uva Navodaya Fund	02. (1) (Hereafter will be mentioned as "fund") a fund should be established mentioned as Uva Navodaya Fund. (2) As per the name given in the paragraph (1) the fund is a corporation, there should be a continuous survival and general stamp for that. Further cases can be filled by the fund and against the fund by this name.
Administrative board of the fund	03. (1) The administration, management and control should be assigned to the board established as per the provisions provided hereafter (2) (Hereafter will be mentioned as "board") the administrative board of the fund should include the following members: (a) The Chief Minister; (b) The Education Minister of the Cabinet; (c) Chief Secretary; (d) The Secretary of the Education Ministry; (e) The Secretary of the organization in charge of this Statute; (f) Two representatives appointed by the Chief Minister, representing Tamil and Muslim community; (g) The opposition leader or the representative appointed by him (h) Two opposition members of the Provincial Council appointed by the Opposition leader (3) The Chief Minister should be the Chairman of the Board; (4) The Secretary of the organization in charge of this statute should be the Secretary of this board by ex-officio. The Secretary should be the Chief accounting officer of the board. (5) The members appointed to board can resign by their own at any time by sending a letter to the Chairman. (6) The following persons are not suitable to be appointed as a member of the board or continue as a member of the board. (a) If a person in a situation can't be released from liquidation and bankruptcy after announced bankrupt by the laws existing in Sri Lanka or other countries. (b) If a person committed crimes related to abuse against morality, which can be subjected to imprisonment not less than six months. (c) If a person is mentally upset or with mental disorders under the laws existing in Sri Lanka. (7) Under the provisions in paragraph (5) and (6) the tenure of the members appointed to the board is three years. (8) The Chairman has the total powers to remove the members appointed to the board from the posts at any time with giving the reason. A new member can be appointed to that vacancy by the Chief Minister. (9) In case of the appointed member passed away, resigned or vacate the post before the maturity of the tenure due other reasons the replacement member appointed can stay in the post for the period not matured during the tenure of the predecessor

- (10) In case of conflicts in ideas among members the decision of the majority should bind with power.
 - (11) Should not consider any act or activity powerless only for the reason there is a vacancy among members of the board.
 - (12) The quorum for any meetings of the board should be three members.
 - (13) Under the provisions of the (9) paragraph there should be a proper procedure relate to the meetings of the board and conducting meetings.
 - (14) The meetings of the board should be conducted as per the orders of the Chairman or once in two months.
4. The purposes of the fund should be as follows The purpose of the fund
- (a) To provide financial assistance and materials for the students in Uva Province those who got university entrance, talented students with the qualifications to sit for advance level.
 - (b) Reward to appreciate the students of Uva Province, shows special talents in Education.
 - (c) To provide pure drinking water to confirm the good health of the students of Uva Province and to provide infrastructure facilities prevent these children from specific disease.
 - (d) To provide financial assistance and scholarship to improve the sports techniques of the students of Uva Province, they show sporting talents accepted at District/Provincial and national level
 - (e) To improve and develop the infrastructure facilities and physical situation of the existing sports grounds in support to improve the sports skill of the students and members of the sports societies in general and to establish new grounds and facilities in places without such facilities.
5. Stamp of the fund Stamp of the fund
- (a) It should be in the custody of the person defined earlier by the board;
 - (b) Can be changed by some way according to the decision of the board;
 - (c) No register should be signed except in front of two members with the powers of the board, these two should sign the register to witness their presence.
6. (1) The board has the powers to perform everything needed or the initial things in the name of the board to activate the purposes of the Power and duties of the fund
- (2) Following should be the powers and duties of the board according to the sub paragraph (1)
 - (a) Collection of funds and obtaining grants, gifts and donations from local and international financial sources.
 - (b) The fund has the powers to acquisition and possession of movable or fixed assets assigned to the board under this Statute or by purchase, by grant, by gift, by legacy or by other

means and has the powers to sell, mortgage, to rent, to donate, to assign, to release, to exchange or to dispose by other means.

- (c) To maintain a lottery system and collect funds under some existing law to improve the purposes of the fund.
- (d) To function by involving as a sub agent if there is no officer or employee given straight or it hoc in writing powers by the board through agreements or understanding to implement the powers, functions and duties to perform the purposes of the fund.
- (e) To construct a building or to make a sketch or to plan such things in the land owned by enjoyed by the fund.
- (f) With the approval of the board to invest the money owned by the fund including the money of the Uva Navodaya Fund No. 01 of 1992 in legal investments, to reinvestment, to change that investment, to cancel as per the wish of the board, to collect the income generated by these investments.
- (g) Opening bank accounts in banks as per the notice of the board and closing down the bank accounts.

Composition of the fund

7. The money received from the following financial sources should be credited to the fund.

- (a) Assistance given by the Uva Provincial Council to the fund;
- (b) Grants or donations in the form of money or others given by individuals or organizations;
- (c) Income received by the board through lottery organized by the board and carnival;
- (d) Income or interest received by investments;
- (e) Grants, Gifts or donations from international donors;
- (f) All other incomes received by the board through other means;
- (g) By integrating the money of Uva Navodaya fund No. 1/1992.

Payments made by the fund

8. Following expenditure should be done by the fund:

- a. All the expenditures approved by the fund for the functions needed to fulfill purposes of the fund.
- b. Expenses needed to establish, conduct and to implement the fund.

- 9. (a) According to the necessity of the fund, all the officials and employees coming under provincial public service commission can be used for the functions of the board for a time period decided by the board based on the wish of the respective officials or employees and the Chief Secretary.
- (b) The service done by the officials and employees for the fund during this period should be considered as a service done for the provincial council.

Accounts and Auditing

- 10. (1) The board should update and maintain their income, expenditure, assets and liabilities and all other transactions in accordance with the accounting standard.
- (2) In each year on the Thirty first of December the board should take measures to calculate the balance in the account books and should make arrangements to prepare the income and expenditure accounts for the respective year before the Thirty First of March of the next year and to prepare the final accounts including the balance sheet, including the over view of the assets and liabilities to be prepared on the date mentioned first.

- (3) To implement the provisions mentioned in the paragraph (3), (2) can get the assistance of an accountant of Uva Provincial Councils as per the paragraph 9(a).
 - (4) The income and expenditure accounts and the balance sheet of the board should be certified by two members of the board authorized for *ad hoc* through the approval of a proposal.
 - (5) According to the 154th constitution the accounts of the fund should be audited by the Auditor General every year.
11. The calendar year should be the financial year of the fund. Financial year
 12. (1) The amount incurred related to legal situations because of the case filed by the fund or case filed against the fund in a courts, should be reimburse by the fund. Reimbursement of expenditure
 13. (1) The minister may make rules or regulations in respect to all matters which have been authorized or required by this statute or by order by this statute. The rules shall be made by the Minister
 - (2) Any rule or regulation made by the Minister shall be effective from the date of publication in the gazette or from any day from which the rule may be specified.
 - (3) Any rule or regulation made by the Minister shall be submitted to the Provincial Council as soon as possible after being published in the *gazette*. Any rule not deferred by the council shall be without prejudice to any earlier action under the said rule or regulation it should be considered as offended.
 - (4) The date considered when any rule or regulation should be repealed published in the *Gazette*.
 - (5) The rules or regulations made by the Minister made under the subsection (1) of the sub clause should come in to force as per the provisions of this statute.
 14. All the officials and employees of the fund should considered as government servants as per the interpretations and functions of panel code. The officials and employees of the fund should considered as government servants under panel code
 15. Fund should be considered as an organization listed under the interpretations of the bribery act. Fund should be considered as an organization listed under the interpretation
 16. The Statute of Uva Navodaya fund No. 1/1992 will be repeal from the date of implementation of this Statute, no prejudice will done to all the activities carried out up to now by the Statute of Uva Navodaya fund No. 1/1992 and should considered as done by this.
 17. If there is any inconsistency, between Sinhala, Tamil and English the Sinhala text may be impose. Impose of Sinhala when there is an inconsistency
 18. If there is any need for definitions in this statute, Definitions
Chief Minister as Uva Province Chief Minister,

Cabinet Minister of Education as Uva Provincial Cabinet Minister of Education

Chief Secretary as Uva Province Chief Secretary;

Secretary of Ministry of education as Secretary of Uva Provincial Ministry of Education;

Secretary of the organization in charge of this Statute as Secretary

of the organization implementing the activities of the fund according to the decision of the administrative board;

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