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CENTRAL PROVINCE
PROVINCIAL COUNCIL OF THE
DEMOCRATIC SOCIALIST REPUBLIC OF
SRI LANKA

(Ministry of Local Government, Education, Industries &
Animal Husbandry).

EDUCATION STATUTE NO. 03 OF 1990 OF
THE CENTRAL PROVINCE
PROVINCIAL COUNCIL

(Governor's Assent given on 28th May, 1990).

Printed on the Order of the Central Province Provincial Council

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DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA
PROVINCIAL COUNCIL OF THE
CENTRAL PROVINCE

(Ministry of Local Government, Education, Industries &
Animal Husbandry).

EDUCATION STATUTE NO. 03 OF 1990 OF THE
CENTRAL PROVINCE PROVINCIAL COUNCIL.

I certify that this statute was approved at the Central Province
Provincial Council meeting held on 8th May, 1990.

Chairman,
Central Province Provincial Council.

EDUCATION STATUTE NO. 3 OF 1990 OF THE CENTRAL PROVINCE

A STATUTE TO MAKE PROVISION FOR THE ESTABLISHMENT OF DEPARTMENT OF EDUCATION IN THE CENTRAL PROVINCE OF SRI LANKA IN RESPECT OF FUNCTIONS DEVOLVED AS SET OUT IN ITEM 3 AND THE APPENDIX III OF LIST NO. I IN THE NINTH SCHEDULE OF 13th AMENDMENT TO THE CONSTITUTION OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA.

Be it passed by the Provincial Council of the Central Province of the Democratic Socialist Republic of the Sri Lanka as follows:

1. This Statute may be cited as the Education Statute No. 3 of 1990 of Provincial Council of the Central Province of Sri Lanka and shall come into operate on the date of Governor's assent.
2. For the purpose of this statute, there shall be a Department of Education consisting of the Director of Education, Additional Directors of Education and Asst. Directors of Education and such other officers and servants may be appointed from time to time.
3. (1) Subject to the general directions and control of the Minister of Education, the Director and other officers of the Department shall execute and shall have power to enforce the provisions of this Statute and of the regulations made thereunder.
(2) It shall be lawful for the Minister on appeal or otherwise to rescind, alter or revise any order or determination which is made by the Director in the exercise of his discretion under any of the provisions of this Statute or any regulations made thereunder. The decision of the Minister shall be final and shall be binding on the Director and all other persons affected thereby.

PART I

ESTABLISHMENT OF A CENTRAL PROVINCE EDUCATION ADVISORY BOARD, DIVISIONAL EDUCATION ADVISORY COMMITIEES AND SCHOOL ADVISORY BOARDS.

4. (1) There shall be established a Provincial Education Advisory Board consisting of such persons not being less than seven in number as may be appointed by the Minister of Education of the National Govt. with the consent of the Chief Minister of the Province.
(2) The Minister shall nominate the Secretary of the Ministry to be the Chairman of the Advisory Board thereof.
(3) An officer of the Department designated in that behalf by the Minister shall act as Secretary to the Board.
(4) The function of the Advisory Board shall be to advise the Minister on all such matters relating to Education as may be referred to by the Minister to the Board for such advice or in respect of which the Board may think fit to tender advice.
(5) On the approval of the Provincial Council the Minister may provide for the summoning and holding of meetings of the Advisory Board and for the conduct of business and procedure to be followed at the meetings of the Board.

- (6) Any member of the Advisory Board may at any time be removed from office by the Minister of Education of the National Govt. with the consent of the Chief Minister of the Province or any member of the Advisory Board may resign by letter addressed to the Minister of Education of the National Govt.
 - (7) Every member of the Advisory Board shall, unless he earlier resigns or vacates his seat or is removed from office by the Minister of Education of the National Govt. hold office for a term of two years from the date of his appointment.
 - (8) The Provincial Advisory Board may appoint Sub Committees for specific fields of Education and for the discharge of any of the functions of the Provincial Education Advisory Board subject to the general direction and control of the Provincial Board by each such Sub-Committee within that field of Education for which it is appointed.
5. (1) The Minister may appoint Divisional Advisory Committees for the purpose of advising the Director upon matters connected with Education in the Divisions of the Province and the Educational needs thereof.
 - (2) Every Divisional Advisory Committee shall consist of:
 - (a) Divisional Asst. Director of Education.
 - (b) The Mayor of the Municipal Council, Chairman of the Urban Council and Chairman of the Pradesheeya Sabhas within the education Division.
 - (c) The Commissioner of Municipal Council, the Secretary of the Urban Council and all the Divisional Secretaries within the Education Division.
 - (d) Three principals of schools within the Education Division nominated by the Asst. Director.
 - (e) The Student Leaders from the schools within the division not exceeding five in number nominated by Divisional Asst. Director.
 - (3) The Divisional Asst. Director of the Education Division shall be the Chairman of the Divisional Education Advisory Committee.
 - (4) At the first sitting of the Advisory Committee, the Advisory Committee shall elect the Secretary from its members.
 - (5) All matters referred for consideration to a Divisional Advisory Committee by the Director/Asst. Director shall be dealt with and disposed of by the Divisional Advisory Committee meetings summoned and held in the prescribed manner at the prescribed times.
 - (6) The Divisional Advisory Committee constituted for any Division under the Statute shall not be deemed for any purpose to be vested with any executive or administrative duties or powers or with any functions other than that of advising or recommending on such matters, relating to education in that Division or the Education needs thereof as may be referred for consideration to that Divisional Advisory Committee by the Director/Asst. Director.
6. (1) Conforming to the specifications laid down by the Ministry of Education of the National Govt. there shall be established a school Advisory Board for every school in the Province.
 - (2) The functions of the School Advisory Board shall be to advise the management of the school on all such matters relating to the control, organisation, development and conduct of the functions of the school as may be referred by the Director/Asst. Director or in respect of which the Board may think fit to tender advice.
 - (3) The School Advisory Board shall not be deemed for any purpose to be vested with any administrative or executive powers or functions.

- (4) The school Advisory Board shall consist of:
The Principal and the members of the staff and parents or the guardians of the students of the school.
- (5) The Chairman of the school Advisory Board shall be the Principal of the school.
- (6) At the first meeting held after the constitution of the school Advisory Board, the members of the Board shall elect its Executive Committee.
7. No application shall be refused admission to any school in the Province on account of religion, nationality, race, caste, social status or language of such applicant or of either of his parents.
8. Any private land which may be required for the purpose of or in connection with, the erection or extension of a school building, staff quarters, offices or premises or for the establishment of school gardens or play-grounds or otherwise for the purposes of this Statute may be acquired by the Provincial Council for such purpose under the provisions of the existing written law.
9. (1) No. fees shall be charged in respect of admission to any school under the authority of the Provincial Ministry.
(2) Notwithstanding any thing in Sub Section 1, regulations may be made under this Statute authorising the charging of a fee/fees from pupils in any school in order to defray the expenses incurred in providing therein facilities for games, physical training or services for educational, recreational or health purposes.
10. It shall be lawful for the Minister or the Director or any supervising officer of the Ministry or the department or any other person generally or specially authorised by the Minister or the Director to enter and supervise activities and properties therein of any school.
11. The occupier of the premises in which any child usually resides shall be deemed to have the actual custody of such child until the contrary is proved.

PART II

POWERS OF MINISTER TO MAKE REGULATIONS

12. (1) The Minister may make regulations which shall be known as the Code, for the purpose of giving effect to the principles and provisions of this Statute.
- (2) In particular, the Minister may make regulations on the following matters:
 - (a) Provision of facilities for all the schools in the Province other than National schools, special schools for services personnel and schools for specified development schemes.
 - (b) Supervision of the management of all pre-schools and other schools in the province other than the special schools referred to in Para 12(2)(a).
 - (c) Recruitment of personnel into the teaching service and of allied services in the department of Education.
 - (d) Appointment of Principals of all schools in the Province other than those in I A, B and C categories.
 - (e) Transfer and disciplinary control of all Educational Personnel.
 - (f) Preparation and Implementation of Provincial Educational development plan and Divisional Educational Development Plan.

- (g) Implementation of the Annual Education Development Plan.
 - (h) Appraisal of the performances of Principals, teachers and all other Educational personnel.
 - (i) Conducting of In-service training programmes with prior approval of the National Institute of Education.
 - (j) Conducting of local Examinations approved by the Commissioner of Examinations.
 - (k) Implementation of non-formal Education programmes.
 - (l) Registration and Supervision of pre-schools.
 - (m) Obtaining the approval of the National Institute of Education for local variations in the primary Curriculum and selected subjects in the Secondary Curriculum.
 - (n) Construction and maintenance of Education buildings, libraries and play-grounds.
 - (o) Procuring and distribution of teaching aids and visual aids and Audio-Visual materials, furniture and other equipment.
 - (p) Procuring and Distribution of Science equipment.
 - (q) Production and distribution of school text books after approval by the Ministry of Education of the National Govt.
 - (r) Organisation and development of school libraries in accordance with guide lines given by the National Library Service Board.
 - (s) Specifying the limits of any Divisional Education Offices within the Province.
 - (t) Admissions to the schools in the province, the Course and schedules of studies and the supplementary readers and apparatus to be used therein.
 - (u) Determining the date on which and the hours during which children shall attend school and the dates which shall be observed as holidays by all schools or any specified school or class of a school.
 - (v) Medical Examination or treatment, health and well-being of children including the supply of free meals and free books of those attending schools.
 - (w) Grading and up-grading, classification and opening of schools in the province with policies and the standard classified by the National Ministry.
 - (x) Preparation and Implementation of plans pertaining to the needs of Adult Education in the province.
 - (y) Provincial Budget and ensuring financial management in the Province, with a view to up-keeping the educational needs.
 - (z) Any other important matter which the Minister thinks necessary to formulate regulations.
12. (3) Every regulation made under this statute becomes law with the consent of the Governor of the province and the approval of the Provincial Council.

PART III

GENERAL

13. (1) In this Statute, unless the context otherwise requires:
- “The Governor” means the Governor of the Central Province.
 - “Chief Minister” means the Chief Minister of the Central Province.

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"The Minister" means the Minister in-charge of the subject of Education in the Province.

"Secretary" means the Secretary of the Provincial Education Ministry.

"Department" means the department of Education in the Province.

"Director" means the Provincial Director of Education and includes any officer of the department to the extent to which he is, by the authority of the Director empowered to exercise or perform any of the powers and duties of the Director under this Statute.

"Additional Directors" means the Additional Provincial Directors of Education.

"Asst. Director" means the Asst. Director of Education of a Divisional Office.

"Provincial Advisory Committee" means the Provincial Advisory Committee established under Section 4(1).

"Divisional Advisory Committee" means the Committee referred to in Section 5(1).

"School Advisory Board" means the Board referred in Section 6 (1).

"Educational needs" means such facilities for adequate educational and Industrial Training as may be prescribed by regulations.