



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**DEFENCE SERVICES COMMAND AND
STAFF COLLEGE (AMENDMENT)
ACT, No. 13 OF 2012**

[Certified on 04th May, 2012]

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*Defence Services Command and Staff
College (Amendment) Act, No. 13 of 2012*

[Certified on 04th May, 2012]

L.D.—O. 41/2010.

AN ACT TO AMEND THE DEFENCE SERVICES COMMAND AND
STAFF COLLEGE ACT, NO. 5 OF 2008

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows:—

1. This Act may be cited as the Defence Services
Command and Staff College (Amendment) Act, No. 13 of
2012.

Short title.

2. Section 17 of the Defence Services Command and
Staff College Act, No. 5 of 2008 (hereinafter referred to as
the “principal enactment”) is hereby amended as follows:—

Amendment of
section 17 of the
Act, No. 5 of
2008.

- (1) by the repeal of subsections (3) and (4) of that
section;
- (2) by the re-numbering of subsections (5) and (6) as
subsections (3) and (4); and
- (3) by the substitution for the marginal note to that
section of the following:—

“Code of Discipline and its application.”.

3. The following section is hereby inserted immediately
after section 17 of the principal enactment and shall have
effect as section 17A of that enactment:—

Insertion of new
section 17A in
the principal
enactment.

“Disciplinary control of the permanent staff and civilian staff of the Staff College. 17A. (1) The disciplinary control of the permanent staff of the Staff College shall be exercised by the Commandant of the Staff College or any other officer of the Staff College authorized in that behalf by the Commandant.

(2) The disciplinary control of the civilian staff of the Staff College shall be exercised by

the Commandant of the Staff College, in accordance with the procedure to be specified by rules made by the Board.

(3) There shall be a Civil Administrative Officer who shall be appointed in accordance with such procedures as shall be applicable to appointments in the public service. The appointment of such person shall be for a period of five years. The Civil Administrative Officer shall be responsible to the Commandant for the due administration of the civilian staff.”.

Amendment of section 21 of the principal enactment.

4. Section 21 of the principal enactment is hereby amended by the repeal of subsection (2) of that section, and the substitution therefor, of the following subsection:—

“(2) The Board shall appoint a qualified auditor who shall be a person belonging to the Accountants Service of Sri Lanka and shall be responsible to the Commandant for the audit of accounts of the Staff College. The provisions of Article 154 of the Constitution relating to the audit of accounts of public corporations shall apply to the audit of accounts of the Staff College.”.

Amendment of section 22 of the principal enactment.

5. Section 22 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor, of the following subsection:—

“(2) The Accountant of the Staff College shall be appointed by the Board and such Accountant shall belong to the Accountants Service of Sri Lanka. The Accountant shall be responsible to the Commandant for the preparation of estimates and of all financial matters relating to the administration of the Staff College.”.

6. The following section is hereby inserted immediately after section 25, of the principal enactment and shall have effect as section 25A of that enactment:—

Insertion of section 25A in the principal enactment.

“Appointment of Public Officers to the civilian staff of the Staff College. 25A. (1) At the request of the Board, any officer in the public service may with the consent of that officer and the Chairman of the Public Service Commission, be temporarily appointed to the staff of the Staff College for such period as may be determined by the Council, or with like consent, be permanently appointed to such staff.

(2) Where any officer in public service is temporarily appointed to the staff of the Staff College, 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 such officer.

(3) Where any officer in public service is permanently appointed to the staff of the Staff College, the provisions of subsection (3) of section 14 of the National Transport Commission Act, No. 37 of 1991 shall, *mutatis mutandis* apply to, and in relation to such officer.

(4) Where Staff College employs a person who has entered into a contract with the Government by which he has agreed to serve the Government for a specific period, any period of service to the Staff College by that person shall be regarded as service to the Government for the purpose of discharging the obligations of that person under such contract.

(5) At the request of the Board, a member of the Local Government Service or any officer of any Local Authority may with the consent of that member, officer or employee be temporarily appointed to the staff of the Staff College for such period as may be determined by the Staff College, or with like consent be permanently appointed to such staff on such terms and conditions including those relating to pension or provident fund rights as may be agreed upon by the Staff College and the Local Government Service Advisory Board or the Local Authority, as the case may be.

(6) Where a person is temporarily appointed to the staff on the Staff College under subsection (5) of this section, that person shall be subject to the same disciplinary control as any other member of the staff.”.

Sinhala text to prevail in case of inconsistency.

7. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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