

Act
No. 19 of 1993.

AN ACT TO MAKE THE PROVISIONS OF THE EMPLOYEES TRUST FUND ACT, NO. 46 OF 1980 APPLICABLE TO EMPLOYEES OF, THE UNIVERSITY GRANTS COMMISSION AND OF, HIGHER EDUCATIONAL INSTITUTIONS; TO REPEAL SECTION 79A OF THE UNIVERSITIES ACT, NO. 16 OF 1978; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[31st March 1993]

Short title.

1. This Act may be cited as the Employees Trust Fund (Special Provisions) Act, No. 19 of 1993.

Repeal of
section 97A of
Act No. 16
of 1978.

2. Section 97 A of the Universities Act, No. 16 of 1978 is hereby repealed.

Application
of Employees'
Trust Fund
Act, No. 46
of 1980 to
employees
of the University
Grants Commission
and of Higher
Educational
Institutions.

3. (1) The provisions of the principal enactment shall be deemed to apply to the University Grants Commission and to every Higher Educational Institution with effect from December 9, 1980, and the liability of the University Grants Commission and every Higher Educational Institution to make contributions to the Fund under section 16 of the principal enactment shall be deemed to have commenced on March 1, 1981.

(2) The University Grants Commission and a Higher Educational Institution shall be deemed, for all purposes, to have complied with the provisions of section 16 of the principal enactment, requiring the payment of contributions by the University Grants Commission or such Higher Educational Institution in respect of a person who is, or was, an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, for any period prior to the date of commencement of this Act, if it pays to the Fund, within six months of the date of commencement of this Act-

- (a) in any case where such person was an employee of the University Grants Commission or a Higher Educational Institution on March 1, 1981 and continues to be an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, on the date of commencement of this Act, an amount equal to three *per centum* of the total earnings of such person for each month in the period commencing on March 1, 1981 and ending on the date of commencement of this Act, less the amount of any contributions made to the Fund, in respect of such person by the University Grants Commission or such Higher Educational Institution, as the case may be, during that period;
- (b) in any case where such person became an employee of the University Grants Commission or a Higher Educational Institution on any date after March 1, 1981 and continues to be an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, on the date of commencement of this Act, an amount equal to three *per centum* of the total earnings of such person for each month in the period commencing on the date on which such person became an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, and ending on the date of commencement of this Act, less the amount of any contributions made to the Fund, in respect of such person, by the University Grants Commission or such Higher Educational Institution, as the case may be during that period;
- (c) in any case where such person was an employee of the University Grants Commission or a Higher Educational Institution on March 1, 1981 and has ceased to be an employee of the University Grants Commission or such Higher

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Educational Institution, as the case may be, on a date prior to the date of commencement of this Act, an amount equal to three *per centum* of the total earnings of such person for each month in the period commencing on March 1, 1981 and ending on the date on which such person ceased to be an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, less the amount of any contributions made to the Fund, in respect of such person by the University Grants Commission or such Higher Educational Institution, as the case may be, during that period ;

(d) in any case where such person became an employee of the University Grants Commission or such Higher Educational Institution on any date after March 1, 1981 and has ceased to be an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, on a date prior to the date of commencement of this Act, an amount equal to three *per centum* of the total earnings of such person for each month in the period commencing on the date on which such person became an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, and ending on the date on which he ceased to be an employee of the University Grants Commission or such Higher Educational Institution, as the case may be, less the amount of any contributions made to the Fund in respect of such person, by the University Grants Commissions or such Higher Educational Institution, as the case may be, during that period.

(3) Any payments made under subsection (1) by the University Grants Commission or a Higher Educational Institution in respect of any person shall be credited by the Board to the individual account of such person in the Fund.

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

Sinhala
text to prevail in
case of inconsistency

5. In this Act, unless the context otherwise requires -

Interpretations.

"the Board" means the Employees' Trust Fund Board established by the principal enactment;

"the Fund" means the Employees' Trust Fund established by the principal enactment;

" Higher Educational Institution" has the same meaning as in the Universities Act, No. 16 of 1978;

"principal enactment" means the Employees Trust Fund Act, No. 46 of 1980;

"University Grants Commission" means the University Grants Commission established by the Universities Act, No. 16 of 1978.