

CHAPTER 109

COUNCIL OF LEGAL EDUCATION

Ordinance
No. 2 of 1900.
Law
No. 6 of 1974.

AN ORDINANCE FOR INCORPORATING THE COUNCIL OF LEGAL EDUCATION.

[21st March, 1900.]

Short title. **1.** This Ordinance may be cited as the Council of Legal Education Ordinance.

hold or have held judicial office or who are or have been engaged in the teaching of law or in legal research or who have secured academic distinction in law or made contributions to legal knowledge.

The Council of
Legal
Education
incorporated.

2. The Chief Justice and the Puisne Justices of the Supreme Court ; the Attorney-General and the Solicitor-General ; and Frederick Dornhorst, Henry Lorenz Wendt, Thomas Edward de Sampayo, Walter Pereira, James Arthur van Langenberg, advocates ; Frederick John de Saram, John William Vanderstraaten, proctors of the Supreme Court ; and Peter Daniel Anthonisz Mack, proctor of the District Court of Colombo, being the present Council of Legal Education, and their respective successors, appointed in manner provided in the Second Schedule of the Courts Ordinance*, are hereby associated together, and shall for ever hereafter be and be called a body corporate in deed and in law by the name and style of " The Incorporated Council of Legal Education ", under which name the said council may sue and be sued.

(2) Every appointed member shall, unless he earlier vacates his office by death or resignation or removal, hold office for a period of three years from the date of his appointment, and shall be eligible for reappointment:

Provided that a member appointed by the Minister to fill a vacancy in the office of an appointed member shall hold office for the unexpired portion of the term of office of the member whom he succeeds.

(3) Any appointed member may resign his office by letter addressed to the Minister.

Constitution of
Incorporated
Council of
Legal
Education.
[§2, Law 6 of
1974.]

2A. (1) Notwithstanding anything to the contrary in section 2, the Incorporated Council of Legal Education shall, with effect from such date as may be fixed by the Minister by Notification published in the Gazette, consist of—

(4) Where any appointed member becomes, by reason of illness or other infirmity or absence from Sri Lanka, temporarily unable to perform the duties of his office, the Minister may, having regard to the provisions of paragraph (d) of subsection (1), appoint a fit and proper person to act in place of that member.

(5) The quorum for a meeting of the Council shall be five members of the Council.

(6) The Council may act notwithstanding any vacancy among its members or any defect in the appointment of any member.

(a) the Chief Justice, who shall be the Chairman of the Council ;

(b) the Secretary to the Ministry charged with the subject of Justice ;

(c) the Attorney-General; and

(d) four other persons appointed by the Minister (hereinafter referred to as "appointed members"), from among persons of standing in the legal profession or persons who

3. The Incorporated Council of Legal Education shall and may have and use a common seal, and the said seal may from time to time break, change, alter, and make anew as to the said Council may seem fit. To use a common seal.

* Repealed by Law No 44 of 1973. itself repealed by Law No 19 of 1977.
+Effective from 25th March 1974.— See Gazette No. 104/2 of 1974.03.25.

Property and effects of Council in whom vested.

4. All moneys, goods, chattels, and effects whatsoever, and all securities for money or obligatory instruments and evidences or muniments of title and all other effects, and all rights and claims whether belonging to the Council of Legal Education at the date of the passing of this Ordinance or acquired by the Incorporated Council of Legal Education after the passing of this Ordinance, shall be vested in the said Council.

Power to acquire land.

5. The Incorporated Council of Legal Education shall have perpetual succession, and shall at all times hereafter be able and capable in law to purchase, acquire, hold, and enjoy in perpetuity or for any lesser term any property, movable or immovable, of what nature or kind soever, and to invest the funds of the Council in promissory notes, debentures, stock or other securities of the Government of Sri Lanka or in any Government Savings Bank or the National Savings Bank, or in any mortgage of movable or immovable property in Sri Lanka, and also in the purchase or acquisition of all manner of goods, chattels, and things whatever which they may think proper or requisite for the purposes of the said Council.

Power to erect buildings and to sell or mortgage property.

6. The Incorporated Council of Legal Education may erect or cause to be erected any buildings on any lands so purchased or acquired or held or enjoyed by them, and may also from time to time sell, grant, convey, demise, assign, exchange, and dispose of or mortgage any property for the time being vested in them.

Power to make by-laws. [§3, Law 6 of 1974.]

7. (1) It shall be lawful for the Incorporated Council of Legal Education, with the concurrence of the Minister, to make such by-laws, rules and orders as to it shall seem necessary for any of the following purposes :—

- (a) for convening the ordinary or any special meetings of the Council and fixing the number of ordinary meetings to be held each year, and the dates on which such meetings shall be held ;
- (b) for prescribing the manner in which the seal of the Council shall be affixed ;

(c) for prescribing the course of studies and examinations to be observed by such law students and the payments to be made therefor ;

(d) for the appointment of lecturers and examiners, and fixing the salary or fees to be paid to such lecturers and examiners respectively ;

(e) for fixing the minimum number of marks to be earned by candidates at the several examinations ;

(f) for the appointment and removal of such secretary, librarian, officers, clerks, and servants as the Council may deem useful or necessary ;

(g) and generally for carrying out the objects for which the Council is incorporated into full force and effect.

(2) Every by-law, rule or order made by the Council shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in the by-law, rule or order, as the case may be.

(3) Every by-law, rule or order made by the Council shall, as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Any by-law, rule or order which is not so approved shall be deemed to be rescinded as from the date of disapproval, but without prejudice to anything previously done thereunder. Notification of the date on which any by-law, rule or order made by the Council is so deemed to be rescinded shall be published in the Gazette.

*7A. The Minister may, from time to time, give to the Incorporated Council of Legal Education directions in writing on matters of general policy pertaining to the performance of the duties and the exercise of the powers of the Council, and the Council shall give effect to such directions. Powers of Minister in relation to the Council. [4, Law 6 of 1974.]

* Sections 8, 9, 10 and 11 are repealed by Law No. 6 of 1974.