

**THE BANGLADESH SHISHU ACADEMY
ORDINANCE, 1976**

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**THE BANGLADESH SHISHU ACADEMY
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ORDINANCE NO. LXXIV OF 1976

[22nd September, 1976]

An Ordinance to provide for the establishment of the Bangladesh Shishu Academy.

WHEREAS it is expedient to provide for the establishment of the Bangladesh Shishu Academy for promotion of cultural, scientific and recreational activities for children, and for matters ancillary thereto;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975 and the 8th November, 1975 and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

1. This Ordinance may be called the Bangladesh Shishu Academy Ordinance, 1976. Short title

2. In this Ordinance, unless there is anything repugnant in the subject or context,- Definitions

- (a) "Academy" means the Bangladesh Shishu Academy established under this Ordinance;
- (b) "Board" means the Board of Management of the Academy;
- (c) "Chairman" means the Chairman of the Academy;
- (d) "Director" means the Director of the Academy;
- (e) "Member" means a member of the Board;
- (f) "prescribed" means prescribed by regulations made under this Ordinance.

3. (1) As soon as may be after the commencement of this Ordinance, the Government may, by notification in the *official Gazette*, establish an Academy to be called the Bangladesh Shishu Academy. Establishment and incorporation of the Academy

(2) The Academy shall be a body corporate having perpetual succession and a common seal with power, among others, to acquire, hold, manage and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

(3) The headquarters of the Academy shall be at Dacca.

General
direction

4. (1) The general direction and administration of the affairs and business of the Academy shall vest in a Board of Management which may exercise all powers and do all acts and things which may be exercised or done by the Academy.

(2) The Board, in discharging its functions, shall be guided by such directions as the Government may, from time to time, give.

Board of
Management

¹[5. The Board of Management of the Academy shall consist of the following members, namely:-

- (a) the Chairman of the Academy who shall also be the Chairman of the Board;
- (b) the Principal, Institute of Fine Arts, *ex-officio*;
- (c) one representative from the Ministry of Youth and Sports to be nominated by that Ministry;
- (d) one representative from the Finance Division to be nominated by that Division;
- (e) one representative from the Education Division to be nominated by that Division;
- ²[(ee) one representative from the Ministry of Women and Children Affairs to be nominated by that Ministry;]
- (f) one representative from the Council of Child Welfare to be nominated by that Council;
- (g) the Director, Science Museum, *ex-officio*;
- (h) the Director or, if there are more than one Director, the most senior Director of the Academy, *ex-officio*;

¹ Section 5 was substituted by section 2 of the Bangladesh Shishu Academy (Amendment) Ordinance, 1985 (Ordinance No. XII of 1985).

² Clause (ee) was inserted by section 2 of the Bangladesh Shishu Academy (Amendment) Act, 1994 (Act No. XXV of 1994).

- (i) four persons, of whom two shall be women, interested in the promotion of children's activities to be nominated by the Government.]

6. (1) Subject to such limits as may be determined by the Government, the functions of the Academy shall be to make arrangements for production of children's literature, promotion of cultural, scientific and recreational activities for children and for paintings and dramas by children.

Functions of the Academy

(2) In particular and without prejudice to the generality of the foregoing provision, the Academy may-

- (a) establish, promote, organise or otherwise deal with any institution or organisation to further the object of the Ordinance;
- (b) receive moneys, securities and such other instruments and any other property, movable or immovable, for and on behalf of the Academy;
- (c) invest the moneys and fund of the Academy and vary the investments as and when it may deem fit;
- (d) purchase, sell, endorse, transfer, negotiate or otherwise deal in securities;
- (e) pledge, hypothecate, mortgage or otherwise charge the properties of the Academy with the prior approval of the Government ;
- (f) enter into contracts and agreements and execute necessary documents:

Provided that no such contract or agreement shall be made and documents executed with a foreign Government, foreign agency or an international organisation without the prior approval of the Government;

- (g) conduct research and arrange publication of research papers and materials;
- (h) do such other acts as are necessary for and conducive to further the object of this Ordinance.

7. The Government shall appoint the Chairman of the Academy on such terms and conditions as the Government may determine.

Appointment of the Chairman

Appointment of the Director, etc.

8. ¹[(1) The Government may appoint such number of Directors, Deputy Directors and Assistant Directors of the Academy as it considers necessary on such terms and conditions as it may determine.]

(2) The ²[Directors, Deputy Directors and Assistant Directors] shall be whole time officers of the Academy and shall exercise such powers and perform such functions as may be prescribed and, until so prescribed, as may be assigned to them by the Government or the Board.

Appointment of officers, etc.

9. The Board may, with the prior approval of the Government, appoint such officers, specialists, and other employees as it considers necessary for the efficient performance of its functions on such terms and conditions as it may determine.

Meetings of the Board.

10. (1) The meetings of the Board shall be held at such times and places as may be prescribed:

Provided that a meeting may also be otherwise convened by the Chairman when he so thinks fit.

(2) The meetings of the Board shall be conducted in accordance with such procedure as may be prescribed and, until such regulations are made, in such manner as the Chairman may direct.

(3) To constitute a quorum at a meeting of the Board not less than three members shall be present.

(4) All meetings of the Board shall be presided over by the Chairman or, in his absence, by a member elected for that purpose by the members present.

(5) At a meeting of the Board, each member shall have one vote, and, in the event of an equality of votes, the Chairman shall have a second or casting vote.

¹ Sub-section (1) was substituted by section 3 of the Bangladesh Shishu Academy (Amendment) Ordinance, 1985 (Ordinance No. XII of 1985).

² The words and comma "Directors, Deputy Directors and Assistant Directors" were substituted for the words "Director and the Assistant Directors" by section 3 of the Bangladesh Shishu Academy (Amendment) Ordinance, 1985 (Ordinance No. XII of 1985).

(6) No act or proceeding of the Board shall be invalid merely on the ground of existence of any vacancy in, or any defect in the constitution of, the Board.

11. The Academy may have such Divisions as the Board may consider necessary to set up for efficient discharge of the functions of the Academy.

Divisions of the Academy

12. (1) There shall be a fund of the Academy to which shall be credited-

Fund of the Academy

- (a) grants and loans from the Government;
- (b) loans raised in Bangladesh;
- (c) aids and grants received from foreign countries or organisations with the prior approval of the Government;
- (d) donations and endowments;
- (e) income from investments and properties; and
- (f) all other receipts of the Academy.

(2) The fund shall be utilised by the Academy to meet charges in connection with the functions under this Ordinance and all payments of the Academy shall be made out of that fund.

(3) All moneys of the Academy shall be deposited with any bank.

13. The Academy may, with the previous approval of the Government, borrow money in Bangladesh.

Powers to borrow

14. The Academy shall maintain its accounts in such manner and form as the Government may direct.

Accounts of Academy

15. The Academy shall, by such date as may be fixed by the Government, submit to the Government for approval a budget in such form as the Government may specify for each financial year showing the estimated receipts and expenditure during that year.

Budget

16. (1) The accounts of the Academy shall be audited by the Comptroller and Auditor-General of Bangladesh (hereinafter in this section referred to as the Auditor-General) in such manner as he deems fit.

Audit

(2) For the purpose of audit under sub-section (1), the Auditor-General or any person authorised by him in this behalf shall have access to all records, books, documents, cash, securities, stores and other property of the Academy and may examine the Chairman, members, Director, Assistant Directors or any other officer or employee of the Academy.

(3) The Auditor-General shall submit his audit report to the Government and shall forward a copy thereof to the Academy.

Reports, etc.

17. The Academy shall furnish to the Government such reports and statements as the Government may, from time to time, require.

Power to make regulations

18. (1) The Academy may, with the previous approval of the Government, make regulations for carrying out the purposes of this Ordinance.

(2) All regulations made under sub-section (1) shall be published in the *official Gazette*.