

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

*————————*

**INSTITUTION OF BUILDING SERVICES**   
**ENGINEERING & TECHNOLOGY OF SRI LANKA (INCORPORATION)**

**A**

**BILL**

**to incorporate theInstitution of Building Services**

**Engineering & Technology of Sri Lanka**

*——————*

*Presented by Hon. Uddika Premarathne, M. P. for*   
*Anuradhapura District on 22nd of April, 2022*

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*Ordered by Parliament to be printed*

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| *Institution of Building Services Engineering &* | 1 |

*Technology of Sri Lanka (Incorporation)*

AN ACTTOINCORPORATETHEINSTITUTIONOF BUILDING SERVICES   
ENGINEERING & TECHNOLOGYOF SRI LANKA

WHEREAS an Institution called and known as the Preamble “Institution of Building Services Engineering & Technology   
 of Sri Lanka” has heretofore been established in Sri Lanka   
 for the purpose of effectually carrying out and transacting   
5 all objects and matters connected with the said Institution   
 according to the rules agreed to by its members:

AND WHEREAS the said Institution has heretofore successfully carried out and transacted the objects and matters for which it was formed and has applied to be 10 incorporated and it will be for the public advantage to grant such application:

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

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| 15 | **1.** | This Act may be cited as the Institution of Building | Short title |
| Services Engineering & Technology of Sri Lanka | |

(Incorporation) Act, No. of 2022.

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| 20 | **2.** | From and after the date of commencement of this | Incorporation |
| of the |
| Act, such and so many persons as now are members of the | |
| Institution of |
| “Institution of Building Services Engineering & Technology | |
| Building |
| of Sri Lanka”(hereinafter referred to as the “Institution”)or | | Services |
| Engineering |
| shall hereafter be admitted as members shall be a body | |
| & |
| corporate (hereinafter referred to as the “Corporation”) with | | Technology |
| perpetual succession under the name and style of “Institution | | of Sri Lanka. |

of Building Services Engineering & Technology of 25 Sri Lanka” and by that name may sue and be sued in all courts, with full power and authority to have and use a common seal and alter the same at its pleasure.

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| **3.** | The general objects for which the Institution is | | General  objects of the Corporation |
| constituted are hereby declared to be— | | |
| (i) | | to foster and promote Building Services |

Engineering and Techonolgy as a

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| 5 | (ii) | profession in Sri Lanka; |
| to promote and safeguard the professional |

status, interests, rights, powers, welfare and privileges of Building Services Engineers and Technologists to improve 10 the standards of Building Services Engineering and Technology in Sri Lanka;

(iii) to enhance the standards of Building   
 Services Engineering and Technology in   
 Sri Lanka;

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| 15 | (iv) | to offer the Government and its Agencies |

a forum to discuss and ascertain the views   
of Building Services Engineering and   
Technologists on matters directly or   
indirectly affecting the Profession;

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| 20 | (v) | to discuss with and obtain views of |

Institutions, Associations, Manufacturers,   
Contractors and other persons engaged in   
Building Services Engineering and   
Technology on matters of common interest;

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| 25 | (vi) | to introduce general standards of |

Professional Conduct and Practice for Buliding Services Engineers and Technologists and to ensure the maintenance of such standards in their 30 professional activities;

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(vii) to determine scales of Professional Fees   
 and conditions of engagement for   
 Building Services Engineers and   
 Technologists, within Sri Lanka;

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| 5 | (viii) | to liaise with Institutions/Associations of |

Building Services Engineers and   
Technologists in other countries;

(ix) to affiliate with the Chartered Institution   
 of Building Services Engineers (CIBSE),

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| 10 | (x) | UK, and any other professional bodies; |
| to create a forum for Building Services |

Engineers and Technologists to express   
their opinion, share their knowledge,   
enhance presentation skills and to promote

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| 15 | (xi) | fellowship; |
| to promote the general advancement of |

Building Services as a Science, and as a   
Profession;

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| 20 | (xii) | to facilitate the exchange of information |
| and ideas on subjects of Building |

Services, amongst the members of the   
Institution;

(xiii) to hold and to conduct, supervise and control the admission, professional 25 education and training of persons desiring to qualify as Professional Building Services Engineers and Technologists;

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(xiv) to prescribe or approve courses of study   
 for qualifiying examinations for   
 membership of the Institution;

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| 5 | (xv) | to prescribe the qualifications for |
| (xvi) | membership of the Institution; |
| to set guidelines for those desiring to |

qualify as Building Services Engineers   
and Technologists;

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| 10 | (xvii) | to establish a path for the professional |
| growth of members through Continuous |

Professional Development programms;

(xviii) to educate and enlighten the public on   
 Building Services Engineering and

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| 15 | (xix) | Technology and modes of obtaining of |
| relevant professional services; |
| to establish and maintain libraries of books, |

standards and codes of practice,   
publications, manuscripts, catalogues;

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| 20 | (xx) | to establish and maintain a museum of |
| equipment, apparatus and material related |

to Building Services Engineering and   
Technology on an on-going basis;

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| 25 | (xxi) | to hold and promote exhibitions of allied |
| materials, processes, instruments, |
| equipments and apparatus, connected to |

Building Services Engineering and   
Technology;

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| 30 | (xxii) | to provide and or facilitate assistance for |
| promoting inventions and research, in |
| Building Services Engineering and |

Technology;

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(xxiii) to award membership to personnel defined   
 under Section 8;

(xxiv) to award the status and maintaining a   
 register of Chartered Building Services

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| 5 | (xxv) | Engineers; |
| to maintain a Register of areas of |

specialisation for the Corporate Members;

(xxvi) to prepare and promote standards and codes   
 of practice for building services;

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| 10 | (xxvii) | to publish Technical Papers, Journals, |

Newsletters, Standards, Codes of Practice   
and other documents and material   
connected with Building Services   
Engineering and Technology;

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| 15 | (xxviii) | to perform all such acts and take measures |

as necessary, incidental, or conducive for   
the attainment of the above objectives.

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| **4.** | Membership of Institution of Building Services | Membership |

Engineering and Technology of Sri Lanka (IBSE & TSL) 20 shall be open to persons who are practicing in any discipline of Building Services Engineering and Technology, such as in the disciplines of design, installation, maintenance, manufacture or supply of products and services associated with a building. The members of the Institution shall be such

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| 25 | persons as the Institution would admit to membership. | | Management |
| **5.** | The administration and management of the affairs of |
| the Institution shall be vested in the Council. | | of the affairs |
| of the |
| The Council shall consist of five Honorary Office bearers | | Corporation |

(President, President Elect, Immediate Past President,

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Secretary and a Treasurer) of the Institution and up to six (non-office bearing) members of whom two shall be Fellows; two shall be Members, one shall be an Associate Member and one Licentiate member elected by the Membership.

5 If a vacancy is created due to the death of a member, holding office the Council shall have the right to nominate a suitable member to fill the vacancy thus created. However, in the case of the President, the President Elect shall take over the office of President.

10 Members for the first Council of IBSE & TSL immediately after incorporation shall be nominated by the Council of “Lanka Association of Building Service Engineers” existing immediately prior to incorporation.

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| 15 | **6.** | (1) To acquire, hold, take or give on lease, hire, | General |
| mortgage, pledge, sell and exchange, or otherwise to alienate, | | powers of the |
| Corporation |
| encumber or dispose of any immovable or movable property | |

for the purpose of the Institution.

(2) To enter into and perform or carry out, whether directly

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| 20 | or indirectly, through and official agents authorized in that behalf by the institution all such contracts or agreements as |

may be necessary for the attainment of the objectives or the exercise of powers of the Institution.

(3) To invest its funds and to maintain Fixed/Term Deposits, Current and Savings Accounts in any bank or in 25 any recognised trust fund or funds.

(4) To advance or lend and to borrow money for the purpose of the Institution in such a manner and such security as the Institution may think fit.

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| 30 | (5) To levy fees, subscriptions and contributions in respect of membership, admission to membership and admission to |

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courses, examination, exhibitions etc. conducted by the Institution.

(6) To prescribe the terms and conditions of and to supervise, control and regulate the management, training, 5 conducting examinations to enable persons desiring to qualify as Building Services Engineers.

(7) To authorise a “Member” or a “Fellow” to practise as a Chartered Building Services Engineer.

(8) to appoint, employ, transfer dismiss and to take other 10 disciplinary action against officers and servants and to prescribe their terms and conditions of service.

(9) To carry out all such acts as necessary for, or incidental or conducive to the carrying out, or the attainment of the objectives of the Institution.

15 (10) To participate in Dispute Resolution, Arbitration, and Expert Witness Sevices on matters related to Building Services.

(11) To use the funds, resources and properties of the Institution solely for the official purposes of the Institution.

20 (12) To admit, reprimand, suspend, institute disciplinary action, disenroll, and accept the resignation of, any applicant or member and attend to all matters related to the membership of the Institution.

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| 25 | **7.** | (1) It shall be lawful for the Institution, from time to | Rules of the |
| time, at any General Meeting of the members and by a majority | | Corporation |

of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this

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Act, or any other written law, for all or any of the following matters:—

(*a*) classification of membership, admission,   
 withdrawal, expulsion or resignation of members

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| 5 | (*b*) | and fees payable; |
| procedure to be observed for the summoning and |

holding of meetings of the Institution and of the   
Council, the quorum for such meetings and the   
exercise and performance of their powers and duties;

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| 10 | (*c*) | the appointment, powers, duties and functions of |

the various officers, agents and servants of the   
Institution;

(*d*) qualification required to become a member of the   
 Institution and of the Council; and

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| 15 | (*e*) | the administration and management of the property |

of the Institution.

(2) Any rule made by the Institution may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under subsection (1).

20 (3) Every member of the Institution shall be subject to the rules of the Institution.

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| 25 | **8.** | All debts and liabilities of the institution existing on | Debts due by |
| the day preceding the date of commencement of this Act, | | and payable |
| to the |
| shall be paid by the Corporation hereby constituted and all | |
| Corporation |
| debts due to subscriptions and contributions payable to the | |

institution on that day shall be paid to the Corporation for the purposes of this Act.

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| **9.** | (1) The institution shall have its own fund and all | Fund of the  Corporation |
| moneys heretofore or hereafter to be received by way of | |

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gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the institution shall be deposited to the credit of the institution in one or more banks as the Board of Council shall determine.

5 (2) There shall be paid out of the fund, all sums of moneys required to defray any expenditure incurred by the institution in the exercise, performance and discharge of its powers, duties and function under this Act.

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| 10 | **10.** | The institution shall be able and capable in law to | Institution |
| acquire and hold any property, movable or immovable which | | may hold |
| property |
| may become vested in it by virtue of any purchase, grant, | |
| movable and |
| lease, gift, testamentary disposition or otherwise and all such | |
| immovable |
| property shall be held by the institution and all such property | |

shall be held by the corporation for the purposes of this Act 15 and subject to the rules of the Corporation made under Section 7.

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| 20 | **11.** | If upon the dissolution of the institution there | Property |
| remains after the satisfaction of all its debts and liabilities | | remaining on |
| dissolution |
| any property whatsoever, such property shall not be | |
| distributed among the members of the institution, but shall | |

be given or transferred to any other institution or institutions having objects similar to those of the institution and which, is or are by its or their rules prohibited from distributing any income or property among their members.

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| 25 | **12.** | (1) The Council of the Institute shall cause proper | Audit and |
| accounts to be kept of all moneys received and expended by | | accounts |

the institution.

(2) The financial year of the institution shall be the calendar year.

30 (3) The accounts of the institution shall be examined and audited at least once in every year by an auditor or auditors appointed by the Board of Council.

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| **13.** | The seal of the Corporation shall not be affixed to | Seal of the  Corporation |
| any instrument whatsoever expect in the presence of such | |

number of persons as may be provided for in the rules in force for the time being of the Corporation, who shall sign 5 their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

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| 10 | **14.** | Nothing contained in this Act shall prejudice or | Saving of the |
| affect the rights of the Republic or of any body politic, or | | Rights of the |
| Republic and |
| corporate or of any other persons expect such as are | |
| others |
| mentioned in this Act and those claiming by, from or under | |

them.

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| 15 | **15.** | In the event of any inconsistency between the | Sinhala text |
| Sinhala and Tamil texts of this Act, the Sinhala text shall | | to prevail in |
| case of |
| prevail. | |
| inconsistency |

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