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

**Part II of February 03, 2023**

**SUPPLEMENT**

*(Issued on 06.02.2023)*



**SRI LANKA INSTITUTE OF TRAINING AND DEVELOPMENT (INCORPORATION)**

*(Private Members’ Bill)*

**A**

**BILL**

**to incorporate the Sri Lanka Institute of Training and Development**

*To be presented in Parliament by Hon. (Mrs.) Kokila Gunawardene, M. P.*

*for Gampaha District*

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| *Sri Lanka Institute of Training and Development (Incorporation)* | 1 |

AN ACTTOINCORPORATETHE SRI LANKA INSTITUTEOF   
TRAININGAND DEVELOPMENT

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| 5 | WHEREAS an Institute called and known as the “Sri Lanka | Preamble |
| Institute of Training and Development” has heretofore been |
| established for the purpose of effectually carrying out and |
| transacting all objects and matters connected with the said |
| Institute according to the rules agreed to by its members: |
| 10 | AND WHEREAS the said Institute has heretofore |
| successfully carried out and transacted the several objects |
| and matters for which it was established, and has applied to |
| be incorporated and it will be for the public advantage to |
| grant the 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 Sri Lanka Institute of Training and Development (Incorporation) Act, No. 2023. | | Short title |
| **2**. From and after the date of commencement of this Act, such and so many persons, as now are members of the | | Incorporation of the Sri  Lanka  Institute of  Training and Development |
| Sri Lanka Institute of Training and Development (hereinafter | |
| referred to as “the Institute”) and shall hereafter be admitted | |
| as members of the Corporation hereby constituted, shall be a | |
| 20 | body corporate (hereinafter referred to as the “the | | General |
| Corporation”) with perpetual succsection under the name | |
| and style of the “Sri Lanka Institute of Training and | |
| 25 | Development”, and by that name may sue and be sued in all | |
| courts, with full power and authority to have and to use a | |
| common seal and alter the same act its pleasure. | |
| **3.** The general objects for which the Corporation is constituted are hereby declared to be — | |
| objects of the |
| Corporation |
| *(a)* | to grant professional recognition to the members of |
| the institute in the various grades of membership; | |

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| 5 | 2 | *Sri Lanka Institute of Training and Development* | |
| *(Incorporation)* | |
| *(b)* | to raise and uphold the interest, dignity, welfare, |
| rights and professional status, of those engaged in | |
| the field of training and development; | |
| *(c)* | to maitain links with similar professional bodies |
| both local and foreign; | |
| 10 | *(d)* | to intervene with the appropriate authorities when |
| issues arise that, may threaten the well-being of the | |
| profession in general; | |
| *(e)* | to enhance professional togetherness by promoting |
| social activities among the membership; | |
| 15 | *(f)* | to establish, encourage and foster ethical and |
| professional standards of work and conduct for | |
| members of the profession and to take necessary | |
| and expedient steps in this connection; | |
| *(g)* | to provide and promote maintenance of a |
| representive body for the training profession and | |
| 20 | to collect, collate, co-ordinate and distribute | |
| information, ideas, methods and techniques for the | |
| benefit and improvement of the training profession; | |
| *(h)* | to foster, promote, encourage and facilitate |
| discussion study and research and to disseminate | |
| 25 | information on matters and problems connected | |
| with training; | |
| *(i)* | to encourage, foster and promote the creation of a |
| learning culture within Sri Lankan Organizations; | |
| *(j)* | to actively promote Human Resource Development |
| initiatives at the organizational level with a view | |
| to the enhancement of the level of managerial | |
| competencies in organizations; | |

*Sri Lanka Institute of Training and Development*  3   
 *(Incorporation)*

*(k)*  to be actively involved with, and explore the   
 frontiers of, knowledge management to help   
 members and their organizations to harness their   
 potential as a source of competitive advantage; and

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| 5 | *(l)* | generally to do all such acts and things as are |
| necessary for, or incidental or conductive to, the |

carrying out or the attainment of the objects of the   
Institute;

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| 10 | **4.** (1) The affairs of the Corporation shall, subject to the | Management |
| of the Affairs |
| rules in force for the time being of the Corporation, be |
| of the |
| administered by an Executive Council consisting of the |
| Corporation |

office-bearers and such other persons as may be provided for in such rules and elected in accordance therewith.

(2) The first Executive Council of the Corporation shall 15 be the members of the Executive Council of the Institute holding office on the day preceding the date of commencement of this Act.

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| 20 | **5.** (1) It shall be lawful for the Corporation, from time to | Rules of the Corporation |
| time, at any general meeting of the members and by a majority |
| of not less than two-thirds of the members present and entitled |
| to vote, to make rules, not inconsistent with the provisions |

of this Act or any other written law, for the admission, expulsion or withdrawal of members, for the election of members of the Executive Council, for the conduct of the 25 duties of the Executive Council and of the various officers, agents and servants of the Corporation, for the procedure to be followed in the transation of business at meetings of the Corporation and the Executive Council and otherwise generally, for the management of the affairs of corporation 30 and the attainment of its objects.

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| 5 | 4 | *Sri Lanka Institute of Training and Development* | Accounts of |
| *(Incorporation)* | |
| (2) The rules of the Institute in force on the day preceding the date of commencement of this Act shall, insofar as they are not inconsistent with the provisions of this Act or other written law, be deemed to be the rules of the Corporation made under this section and may be altered, added to, amended, rescinded or replaced by rules made under this Act. | |
| 10 | (3) No rules of the Corporation for the time being in force nor any rules which may hereafter be passed, shall be altered, added to, amended or rescinded except by the votes of two-thirds of the members present and voting at a general meeting of the Corporation: | |
| 15 | Provided however, that no such alteration, addition, amendment or rescission shall have effect unless approved by the Executive Council of the Corporation. | |
| 20 | **6.** (1) The Executive Council of the Corporation shall cause proper books of account to be kept of the income and expenditure of the Corporation. | |
| the |
| Corporation |
| (2) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Executive Council of the Corporation. | |

(3) In this section, “qualified auditor” means-

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| 25 | *(a)* | an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute; or |
| 30 | *(b)* | a firm of Accountants each of the resident partners of which being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute, |

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| 5 | *Sri Lanka Institute of Training and Development* | 5 | Powers of the |
| *(Incorporation)* | |
| **7.** (1) The Corporation shall be able and capable in law to acquire by purchase, gift, bequest, grant, devise, | |
| Corporation |
| to acquire |
| disposition, exchange or in any other manner and to hold, | |
| property and |
| any movable or immovable property and to dispose of any | | raise money |
| such property acquired or held by the Corporation. | |
| 10 | (2) The Corporation shall have the power to borrow or | |
| raise money necessary for the furtherance of its objects on | |
| any security and to secure the discharge of any debt or | |
| obligation of the Corporation in such manner as may be | |
| deemed fit. | |

(3) The Corporation may raise funds and receive subscriptions, grants, donations, and gifts in cash or kind.

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| 15 | (4) All property movable and immovable, acquired or | Seal of the |
| held by the Corporation and all moneys paid to or received |
| by the Corporation under this Act or rules made there under |
| shall be held, used and applied by the Corporation in |
| accordance with it’s rules, for the furtherance of its objects. |
| **8.** The seal of the Corporation shall be kept in the custody |
| of the Secretary of the Corporation and shall nor be affixed | Corporation |
| 20 | to any instrument whatsoever, except in the presence of the | Funds of the Corporation |
| President or any officer of the Corporation authorized in |
| that behalf in accordance with the rules in force for the time |
| 25 | being of the Corporation, who shall sign 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. |
| **9.** (1) The Corporation shall have its own fund and all |
| 30 | moneys heretofore or hereafter received by way of gifts, |
| bequest, donations, subscriptions, contributions, fees or |
| grants for and on account of the Corporation, shall be |
| deposited to the credit of the Corporation in one or more |
| banks as the Committee of Management of the Corporation |
| shall determine. |

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| 6 | *Sri Lanka Institute of Training and Development (Incorporation)* |

(2) There shall be paid out of the funds all sums of the money to any expenditure incurred by the Body Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

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| 5 | **10.** The income and property of the Corporation | Application |
| howsoever derived shall be applied solely, towards the | of income |
| and property, |
| promotion of the objects as set forth herein, and no portion |
| of the |
| thereof shall be paid or transferred directly or indirectly, by |
| Corporation |
| 10 | way of dividend, bonus or otherwise by way of profit, to the | Debts due by |
| members of the Corporation. |
| **11.** All debts and liabilities of the Institute existing on the day preceding the date of commencement of this Act |
| and payable |
| to the |
| shall be paid and discharged by the Corporation and all |
| Institute |
| debts due to, and subscriptions and contributions payable |
| 15 | to the Institute on that day shall be paid to the Corporation | Limitation of liability of  members of the  Corporation |
| for the purpose of this Act. |
| **12.** No member of the Corporation shall, for the purpose |
| 20 | of discharging the debts and liabilities of the Corporation, |
| or for any other purpose, be liable to make any contribution |
| towards discharging such debts and liabilities exceeding |
| 25 | the amount of such annual subscriptions as may be due | Property  remaining on dissolution |
| from him to the Corporation. |
| **13.** If upon the dissolution of the Corporation there |
| remains after the satisfaction of all debts and liabilities, any |
| property whatsoever, such property shall not be distributed |
| among the members of the Corporation, but shall be given |
| or transferred to some other institute or institutes having |
| 30 | objects similar to those of the Corporation, and which is or |
| are by the rules thereof prohibited from distributing any |
| income or property among its or their members. Such institute |
| or institutions shall be determined by the members of the |
| Corporation at or immediately before the dissolution of the |
| Corporation. |

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| 5 | *Sri Lanka Institute of Training and Development* | 7 | Saving of the |
| *(Incorporation)* | |
| **14.** Nothing in this Act contained shall prejudice or affect, the rights of the Republic, or of any body politic or | |
| right of the |
| Republic and |
| corporate or of any other persons, except such as are | |
| others |
| mentioned in this Act and those claiming by, from, or under, | |
| them. | | Sinhala text  to prevail in case of  inconsistency |
| **15.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | |

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| 8 | *Sri Lanka Institute of Training and Development (Incorporation)* |

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