

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

*————————*

**INSTITUTE OF FACILITIES MANAGEMENT SRI LANKA (INCORPORATION)**

**A**

**BILL**

**to incorporate the Institute of Facilities Management Sri Lanka**

*——————*

*Presented by the Hon. D. Weerasingha, M.P. for*   
*Digamadulla Districton 21st of March, 2024*

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*Ordered by Parliament to be printed*

*————————*

**[Bill No. 248]**

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| *Institute of Facilities Management Sri Lanka* | 1 |

*(Incorporation)*

AN ACTTOINCORPORATETHE INSTITUTEOF FACILITIES   
MANAGEMENT SRI LANKA

Be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

**l.** This Act may be cited as the Institute of Facilities Short title Management Sri Lanka (Incorporation) Act, No. of 2024.

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| 5 | **2.** (1) From and after the date of commencement of this | Incorporation |
| Act, such and so many persons as now are enrolled as | of the |
| Institute of |
| members of the Institute of Facilities Management Sri |
| Facilities |
| 10 | Lanka(hereinafter referred to as the “Institute”)and shall |
| Management |
| hereafter be admitted as members of the body corporate | Sri Lanka |
| hereby constituted shall have perpetual succession under |

the name and style of the “Institute of Facilities Management Sri Lanka” (hereinafter referred to as the “body corporate”) 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 15 alter the same at its discretion and shall have power todo all other matters and things incidental or appertaining to a body corporate.

(2) The body corporate shall represent the majority interests of the membership of the Institute in the manner provided in 20 this Act and in the rules and shall uphold the professional standards of the Facilities Management profession.

(3) The official abbreviation for the body corporate shall be IFMSL.

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| 25 | **3.** The general objectives for which the body corporate is | | General |
| constituted are hereby declared to be - | | Objectives of |
| the body |
| (*a*) | to protect and promote the interests, status, welfare, | corporate |

rightsand privileges of the profession and interest of   
the public in relation to the profession of Facilities   
Management;

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(*b*) to advise and communicate with public authorities   
on matters relating to Facilities Management;

(*c*) to arbitrate any dispute on Facilities Management   
 whichmay be referred to the body corporate;

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| 5 | (*d*) | to organize lectures and discussions and to publish |

booksand other materials in order to disseminate the   
knowledge on Facilities Management and related   
subjects;

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| 10 | (*e*) | to encourage the study of law and practice relating |
| (*f*) | to Facilities Management; |
| to create and offer awards and prizes for achievements |

in the field of Facilities Management;

(*g*) to organize, supervise and control the admission tomembership of the body corporate, to undertake 15 andregulate the professional education and training of persons desiring to do Facilities Management, to prescribe andapprove courses of studies and qualifying examinationsfor membership of the body corporate, to conduct orprovide for the 20 conducting of such courses andexaminations and to collaborate with recognizededucational institutions for the furtherance of education inthe field of Facilities Management;

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| 25 | (*h*) | to prescribe the qualifications and disqualifications |
| formembership of the body corporate and the |

standards ofprofessional conduct for members of the   
Institute and to secure adherence thereto.

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| 5 | **4.** Subject to the provisions of this Act and any other | | Powers and |
| written law, the body corporate shall have the power to do, | | duties ot the |
| body |
| perform and exercute all such acts as are necessary to achieve | |
| corporate |
| the objectives of the body corporate including the power - | |
| (*a*) | to acquire, hold, take or give on lease or hire, |

mortgage,pledge, sell, exchange, or otherwise   
alienate, encumber ordispose of any immovable   
property for the purpose of thebody corporate;

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| 10 | (*b*) | to publish journals, monographs, books, |
| periodicals,newspaper articles and to release |

appropriate informationthrough media for   
disseminating information on Facilities   
Management;

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| 15 | (*c*) | to collaborate with, assist, receive assistance from, |
| anddevelop links with, other persons, agencies |

andorganizations in Sri Lanka or abroad, having   
objectssimilar to those of the body corporate;

(*d*) to accept any gift, endowment or bequest and to carry   
 outany trusts attached to any such gift, endowment

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| 20 | (*e*) | orbequest; |
| to appoint, employ, transfer, exercise disciplinary |

controlover and dismiss, officers and servants   
required forcarrying out of the objects of the body   
corporate and to prescribe their terms and conditions

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| 25 | (*f*) | of services; |
| to borrow any moneys required for the purposes of the |

body corporate upon such terms and on such securities   
as the body corporate may think fit;

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| 30 | (*g*) | to charge fees for admission of persons to any grade of |
| membership and for renewal of such membership; |

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(*h*) to charge fees for the admission of persons to the   
qualifying examinations and the courses of study   
conducted by the body corporate;

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| 5 | (*i*) | to invest such moneys of the body corporate as are |
| notimmediately required for the purposes of the |

bodycorporate in such manner as it deems fit, to   
create andadminister trusts and to maintain current,   
deposit andsavings accounts in any Bank;

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| 10 | (*j*) | to appoint Disciplinary Committees to inquire |
| intocomplaints of professional misconduct against |

membersof the body corporate;

(*k*) to adopt a professional plan for the body corporate   
 andarrangements for implementing the same;

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| 15 | (*l*) | to ensure proper management and constitutional |
| (*m*) | propriety of the body corporate; |
| to adopt rules from time to time at a general meeting |

ofthe body corporate and by the requisite majority   
of themembers voting and to make rules for the   
management ofthe affairs of thebody corporate

|  |  |  |
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| 20 | (*n*) | and for theaccomplishment of its objects; and |
| to do all such lawful things as are incidental or |

conducive to the attainment of the objectives of the   
body corporate.

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| 25 | **5.** The management, control and administration of the affairs | General |
| of the body corporate shall, subject to the provisions of this Act | Council of |
| the body |
| and the rules made under the Act, be vested in the General |
| corporate |
| Council (hereinafter referred to as “the Council”) consisting of |

office bearers and such other members as may be elected or appointed in accordance with the rules of the body corporate,

30 made under section 21 of this Act.

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| **6.** (1) The first Council of the body corporate shall consist of the members of the Council of the Institute holding office on the day preceding the date of commencement of this Act. | First Council of the body corporate |

(2) The Council shall consist of the President, the Vice 5 President, the immediate Past President in case of a successive council, the Secretary, the Treasurer, the Assistant Secretary, the Assistant Treasurer and suchother number of members consisting of not less than nine Professional Members elected or appointed in accordance with the rules of the body

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| 10 | corporate. | Register of |
| **7.** (1) The Council shall maintain a Register of Members in |
| Members |
| which shall be recorded the names of every person who on the |

day preceding the date of commencement of this Act had been a member of the Institute and every person who thereafter shall 15 beduly admitted as a member of the body corporate

(2) The Council shall meet and function in accordance with the rules of the body corporate

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| 20 | **8.** The Council may set up Boards and Committees as it may | Setting up |
| think desirable and, subject to the defined powers of such Board | Boards and |
| Committees |
| and Committees, may delegate to them powers as it may think |

fit.

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| 25 | **9.** (1) Subject to the provisions of this Act, eligibility for | Membership |
| each grade of membership shall be specified in the rules | of the |
| Institute |
| made under this Act |
| (2) The membership shall be comprised of the following |

grades:-

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| --- | --- | --- | --- |
| 5 | (*a*) | Student; | Professional |
| (*b*) | Associate; |
| (*c*) | Member; |
| (*d*) | Fellow; and |
| (*e*) | Honorary Member or Honorary Follow. |
| **10.** (1) The grades of membership mentioned under sub | |
| paragraphs (*c*), (*d*) and (*e*) of subsection 9(2) shall be referred | | Members |

to as “Professional Members”

(2) Every Professional Member shall be eligible to be

10 elected to the Council or any Board of the body corporate and shall be entitled to all the rights and privileges.

(3) All members are entitled to receive notices of general meetings of the body corporate. However, only Professional Members shall have the right to vote.

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| 15 | **11.** The body corporate, on the advice of the Council, | Honorary |
| may grant membership as an Honorary Member or Honorary | Membership |

Fellow to any person, who is not a member of the Institute, who in the opinion of the Council has given significant and distinguished service to the Facilities Management

|  |  |  |
| --- | --- | --- |
| 20 | profession. | Abbreviated |
| **12.** (1) Every member of the Institute, who is registered |
| as a Fellow shall be entitled to use the abbreviated | Titles |

designation “F.IFMSL” after his name.

(2) Every member of the Institute, who is registered as a 25 Member shall be entitled to use the abbreviated designation“M.IFMSL” after his name.

(3) Every member of the Institute who is registered as Associate of the Institute shall be entitled to use the abbreviated

designation “A.IFMSL” after his name

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**13.** From time to time, the body corporate as Membership recommended by its Council, shall decide on relevant criteria membership criteria and membership fees for members in   
accordance with its rules.

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| 5 | **14.** All Professional Members shall be entitled to take | Chartered |
| and use the title “Chartered Facility Manager” subject to | Facility |
| Manager |
| being duly registered as a Chartered Facility Manager in |

accordance with the provisions of this Act.

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| 10 | **15.** (1) A person who is not registered under this Act as a | Use of the |
| Chartered Facility Manager shall not be entitled to use the | Title |
| Chartered |
| said title, nor maintain any action in a court of law for the |
| Facility |
| recovery of any fees for professional services rendered by |
| Manager |

him as a Chartered Facility Manager.

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| 15 | (2) Subject to the provisions of this Act, all Chartered Facility Managers shall be entitled to use the abbreviation of |

“C.FM.”, after his name to indicate that he or she is a Chartered Facility Manager.

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| 20 | **16.** The Council shall prescribe the application forms | Application |
| for registration as a Chartered Facility Manager and the fees | fee for |
| registration |
| payable, in respect of such registration, and the renewal of |
| of a |
| such registration. |
| Chartered |

Facility   
Manager

|  |  |
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| **17.** (1) No person shall be registered as a Chartered Facility Manager unless he or she is a Professional Member of the Institute. | General  Disqualifications of a  Chartered |

Facility

|  |  |  |
| --- | --- | --- |
| 25 | (2) No person shall be entitled to be registered as a Chartered | Manager |

Facility Manager -  
(*a*) if he has not attained the age of twenty one years;

(*b*) if he is not a citizen of Sri Lanka;

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(*c*) if the has been adjudged by a competent court to be   
 of unsound mind ;

(*d*) if having been adjudged an insolvent or bankrupt   
 by acompetent court; or

|  |  |  |
| --- | --- | --- |
| 5 | (*e*) | if he has been convicted by a competent court, |

whetherin Sri Lanka or elsewhere for any offence   
involvingmoral turpitude punishable with   
imprisonment or similarpunishment and has not been   
granted a pardon.

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| 10 | **18.** (1) Subject to the provisions of section 8, there shall | Membership |
| be established a “Membership Affairs Board” for the purpose | Affairs Board |
| and its |
| of the body corporate. |
| constitution |

(2) The Membership Affairs Board shall consist of -

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| 15 | (*a*) | a past President of the Institute elected at anAnnual |
| General Meeting or at an ExtraordinaryGeneral |

Meeting of the body incorporate, whoshall be the   
Chairman of the Board; and

(*b*) three senior Professional members of theInstitute;   
nominated by the Council.

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| 20 | **19.** The Chairman and the members nominated or elected, | Term of |
| as the case may be, shall hold office for a term of one (01) | office of the |
| Membership |
| year and shall be eligible for re-election or re-nomination |
| Affairs Board |

after the expiration of one year when such Chairman or member, as the case may be, has ceased to hold office on the

|  |  |  |
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| 25 | Membership Affairs Board. | Meetings of |
| **20.** The Chairman of the Membership Affairs Board shall |
| preside at every meeting of such Board at which he is present, | the |
| Membership |
| whereas in the absence of the Chairman at any meeting of the |
| Affairs Board |

Board, any member elected by the members present shall preside 30 at such meeting.

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| 5 | **2l.** (l) The Council shall appoint a Registrar of the | Registrar / |
| Membership Affairs Board who shall also be the Secretary | Secretary of |
| the |
| to the Board. |
| Membership |
| (2) The Registrar shall keep minutes of the proceedings of | Affairs Board |
| meetings of the Board. | Vacation of |
| **22.** (l) A member of the Membership Affairs Board shall |
| vacate ofhce by reason of absence from three consecutive | office from |
| Membership |
| meetings of the Board or by absence from Sri Lanka for a period |
| Affairs Board |

exceeding six months or by resignation tendered to the Registrar

10 (2) In the event of death or vacation of office by a member of the Board, whether elected or nominated, as the case may be, another person shall be elected or nominated, in place of such member, and shall hold office for the unexpired part of the term of office of such member.

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| 15 | **23.** (1) The Council shall decide on r disqualifications | Disqulifications |
| of members of the Membership Affairs Board. | of members |
| from |
| (2) The Council shall have the power to remove any | Membership |
| Affairs Board |
| member from the Membership Affairs Board. |

(3) Subject to the provisions herein contained, the 20 Membership Affairs Board may regulate its own procedure with respect to its meetings and the transaction of business at such meetings.

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| 25 | **24.** The functions of the Membership Affairs Board shall be | | Functions of |
| to: - | | the |
| Membership |
| (*a*) | register as Chartered Facility Managers such | Affairs Board |

ProfessionalMembers qualified under this Act-to be   
so registered;

(*b*) to suspend, cancel or restore such registration, in   
 accordance with the provisions of this Act;

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(*c*) to maintain and publish a register of Chartered   
 FacilityManagers.

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| 5 | **25.** (l) The Registrar shall, subject to the directions of the | Register of |
| Chartered |
| Membership Affairs Board prepare, not later than six months |
| Facility |
| from the date of the first meeting of the Board, a Register of |
| Manager |

Chartered Facility Managers.

(2)The Board shall cause copies of the register so prepared to be published in the Gazette not later than one year after the first meeting of the Board, and annually thereafter.

10 (3) In any legal proceedings, whether criminal or civil -

(*a*) any extract from, or a copy of a register stating whether   
or not the name of any person has been registered as a   
Chartered Facility Manager as the case may be; or

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| 15 | (*b*) | a certificate issued under the hand of the Registrar |
| stating whether or not the name of any person has |

beenregistered as a Chartered Facility Manager,

shall constitute *prima facie* evidence of the facts set outtherein and shall be admissible as evidence withoutfurther proof.

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| 20 | **26.** (1) The Council shall prescribe the application forms | Registration |
| for registration as a Chartered Facility Manager and the fees | of Chartered |
| Facility |
| payable, in respect of such registration, and the renewal of such |
| Managers |

registration.

(2) Every fee prescribed under the preceding provisions shall be payable to the body corporate. All sums of money required 25 to defray any expenditure incurred by the Membership Affairs Board in the exercise, discharge and performance of its powers, functions and duties under this Act shall be subject to the approval of the Council.

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(3) The Membership Affairs Board shall take a decision on any application for registration within a period of not more than one month of the receipt of such application and shall within one month of its decision notify the applicant of its

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| 5 | decision and reasons therefore. | | Powers to |
| **27.** Subject to the approval of the Council, the | |
| 10 | Membership Affairs Board shall have power to remove the | | remove |
| names from |
| name of any person from the appropriate register- | |
| the register |
| (*a*) | if such person ceases to possess the qualification which |
| entitled him for registration; or | |
| (*b*) | if such person become subject to any |

disqualificationmentioned in subsection 17(2); or

(*c*) if the registration of such person has been procured   
byfraud or misrepresentation; or

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| --- | --- | --- |
| 15 | (*d*) | if such person, being a member of the body corporate, |

has been removed from membership under the   
provisionsof the rules of the body corporate.

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| 20 | **28.** (1) It shall be lawful for the body corporate, from time | Power to |
| to time, at any general meeting and by the votes of not less than | make rules |
| two- thirds of the Professional Members present and voting, to |

make rules, not inconsistent with the provisions of this Act, and any other written law for all or any of the following matters:-

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| 25 | (*a*) | classification of membership, fees payable by each |
| gradeof members and procedure to be followed |
| in theadmission, withdrawal, expulsion or |

resignation ofmembers;

(*b*) constitution and election of the Council, terms of office,resignation or removal from office or vacation of office ofthe office bearers, and powers, duties 30 and functions of the Council;

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(*c*) powers, duties and functions of the officers, agents   
 andemployees of the body corporate and their   
 appointment,remuneration, dismissal and   
 termination of office;

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| 5 | (*d*) | the procedure to be observed for the summoning |

andholding meetings of the Institute and the Council   
and anysub-committee thereof, including the   
quorum thereforeand the conduct of business thereat;

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| 10 | (*e*) | qualification and disqualification for membership |
| (*f*) | in thebody corporate and in the Council; |
| Code of Professional Conduct for the members of |

thebody corporate;

(*g*) administration and management of the property of   
the body corporate and generally for management

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| 15 | (*h*) | of theaffairs of the body corporate; |
| enter into any contract or agreement and negotiate |

anybusiness with individual or organization;

(*i*) borrow money, mortgage or charge the undertaking   
 andproperty of the body corporate.

20 (2) Every member of the body corporate shall, upon the coming into operation of this Act, be subject to the rules to be made from time to time by the body corporate.

(3) The rules adopted at a General Meeting, immediately after coming into operation of this Act, shall be deemed to have 25 been made under subsection (1) and shall, subject to subsection (4), be for all purposes the rules of the body corporate.

(4) The rules may be altered, added to, amended or rescinded at a general meeting of the body corporate by the requisite majority of the members voting in accordance with 30 subsection (1).

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(5) The rules made under subsection (l)shall be published in the *Gazette* within three months upon making such rules and shall come into effect on the date thereof.

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| 5 | **29.** All property, movable and immovable, acquired or held | Property of |
| by the body corporate and all moneys paid to or received by | the body |
| corporate |
| the body corporate under this Act shall be held, used and applied |

by the body corporate hereby constituted in accordance with the rules of the body corporate.

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| 10 | **30.** (1) The body corporate shall have its own fund. | Funds of the |
| (2) All moneys received hitherto or hereafter by way of | body |
| corporate |

gifts, bequests, donations, subscriptions and contributions, by and on account of the body corporate shall be deposited to the credit of the body corporate in one or more banks as the Council shall determine to the credit of the body 15 corporate.

(3) There shall be paid out of the fund all such sums of money as are required to defray any expenditure incurred by the body corporate in the exercise, performance and discharge of its powers duties and functions,

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| 20 | **31.** (1) The financial year of the body corporate shall be | Accounts and |
| the calendar year. | auditing |

(2) The body corporate shall cause proper books of account to be kept of the income and expenditure, assets and liabilities and other transactions of the body corporate.

25 (3) The accounts of the body corporate shall be examined and audited by a qualified auditor.

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

(*a*) an individual who being a member of the Institute ofChartered Accountants of Sri Lanka, Act No 23 30 of 1959or of any other Institute established by law, possesses acertificate to practice as an Accountant issued by the Council of such Institute; or

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(*b*) a firm of Accountants, of which each of the resident   
partners’ is a member of the institute of Chartered   
Accountants of Sri Lanka or of any other institute   
established by law, and possesses a certificate to

5 practiceas an Accountant issued by the Council of such Institute.

**32.** The Annual Report of the Council shall include the Annual Financial statements and accounts, the balance sheet and Report

the auditor’s report prepared for a period of twelve (12) 10 months commencing on the first day of April each year and ending on the thirty first day of March of the following year.

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| 15 | **33.** All debts and liabilities of the Institute existing on the | Debts due by |
| day preceding the date of commencement of this Act, shall be | and payable |
| to the body |
| paid or discharged by the body corporate hereby constituted | corporate |
| and all debts due to, and subscriptions and fees payable to the |

Institute on that day, shall be paid to the body corporate for the purposes of this Act.

|  |  |  |
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| 20 | **34** .The Seal of the body corporate shall not be affixed to | Seal of the |
| any instrument whatsoever except in the presence of the | body |
| corporate |
| Secretary or a member of the council who may be duly |

authorized by the council and another member of the council and who shall sign their names on 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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| 25 | **35.** (1) No civil or criminal proceedings shall be instituted- | Protection |

for acts done

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| (*a*) | against the body corporate for any lawful act whichin | under this |
| Act or under |
| good faith is done or purported to be done by the |
| the direction |
| body corporate under this Act; or | of the body |
| corporate |

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(*b*) against any member, officer, servant or agent body   
 corporate for any act which in good faith is doneor   
 purported to be done by such member, officer,servant

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| 5 | or agent under this Act or on the directionsof the Council,as the case may be. |

(2) Any expenses incurred by any person specified in subsection (1) in any suit or prosecution brought against such person before any Court for any act done under this Act or on the direction of the body corporate shall if the Court determines 10 that such act was done in good faith be paid out of the funds of the body corporate.

**36.** In this Act - Interpretation

“IFMSL” means, The Institute of Facilities Management of Sri Lanka, a professional 15 Body established in Sri Lanka;

“Membership” means, Members of IFMSL in   
different categories in accordance with the   
criteria specified in this Act;

“General Meeting” means, a meeting of Members 20 of the body corporate convened and held in accordance with the rules of the body corporate;

“rules” means, the rules of IFMSL made from time

|  |  |
| --- | --- |
| 25 | to time by the body corporate in accordance with subsection 28(l) of this Act; |

“Professional Member” means, the person for the   
time being having membership of the Institute   
as a Fellow or Member who also shall be referred   
to as a Chartered;

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“Facility Manager” upon being registered in   
accordance with the provisions of section 9 of   
the Act;

“General Council” also known as the “Council”5 means, the body of office bearers elected or the management, control and administration of the body corporate subject to the provisions of this Act and the rules made there under; and

“Registrar” means the Professional Member 10 appointed by the Council as the Registrar / Secretary of the Membership Affairs Board.

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| 15 | **37.** Nothing in this Act contained shall prejudice or affect | Savings of |
| the rights of the Republic or of any body politic orcorporate. | the rights of |
| the Republic |
| **38.** In the event of any inconsistency between the Sinhala | Sinhala text  to prevail in case of  inconsistency |
| and the Tamil texts of this Act, the Sinhala text shall prevail. |

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*(Incorporation)*

Department of Government Printing