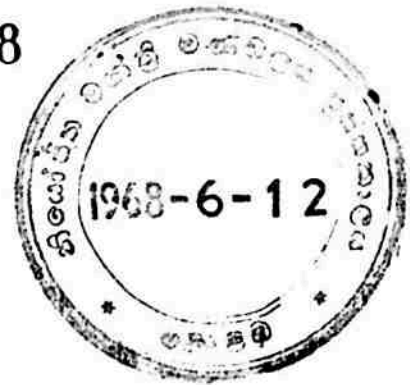


PARLIAMENT OF CEYLON

3rd Session 1967-68



Institute of Engineers, Ceylon, Act, No. 17 of 1968

Date of Assent : May 31, 1968

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L. D.—O. 14/63.

AN ACT TO INCORPORATE THE INSTITUTION OF
ENGINEERS, CEYLON.

[Date of Assent: May 31, 1968]

WHEREAS an institution called and known as “The Institution of Engineers, Ceylon”, was established in the year One Thousand Nine Hundred and Fifty-six (as successor to the Engineering Association of Ceylon, which was founded in the year One Thousand Nine Hundred and Six) for the general advancement of the science and practice of engineering in all its branches and for the purpose of effectively carrying out its objects according to the rules agreed to by its members:

AND whereas the said Institution has applied to be incorporated in order to enable it more effectively to carry out and fulfil the several purposes for which it was established, and it is for the public advantage to grant the application:

BE it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Institute of Engineers, Ceylon, Act, No. 17 of 1968. Short title.

2. From and after the passing of this Act such and so many persons as now are or may hereafter be enrolled as corporate members of the said Institute (so long as they continue to be corporate members) shall by virtue of these presents be members of and form a body corporate by the name of the “Institute of Engineers, Ceylon”, by which name they shall have perpetual succession and a common seal and with full power and authority to use, alter, vary, break and renew such seal from time to time at their discretion. And by the same name shall and may sue and be sued in all courts and in all manner of action and suits and shall have power to do all other matters and things incidental or appertaining to a body corporate. Incorporation
of the
Institute.

General
objects of the
Corporation.

3. The general objects for which the Corporation is constituted are hereby declared to be—

- (a) to promote and advance the science and practice of engineering in all its branches in Ceylon;
- (b) to help in the acquisition and interchange of technical knowledge by reading of original communications and discussions thereon, by establishing and maintaining technical libraries, publications on matters of professional interest and any such other means;
- (c) to promote the study of engineering and to encourage original research with a view to facilitate the scientific and economic development and the conservation of the resources of Ceylon;
- (d) to conduct examinations qualifying for membership of the Institute to test the competence of persons engaged in engineering and to grant certificates of competence;
- (e) to assess the eligibility of candidates for admission to the various grades of membership;
- (f) to regulate the professional activities and to assist in maintaining high standards in the general conduct of its members;
- (g) to give the Government and other public bodies and others the facilities for conference with and ascertaining the views of engineers as regards matters directly or indirectly affecting engineering;
- (h) to encourage and assist in the settlement of disputes by arbitration and to nominate arbitrators and umpires;
- (i) to foster co-ordination with similar institutes in Ceylon and other countries in furthering the objects of the Institute;
- (j) to do all such other acts and things as are incidental or conducive to the attainment of the above objects or any of them.

Council of the
Institute.

4. The affairs of the Institute shall, in accordance with the by-laws in force for the time being, be administered by the Council consisting of the President, the Vice-Presidents and other members elected by the Institute in accordance with the by-laws.

5. (1) It shall be lawful for the Institute from time to time in general meeting of the Institute and by the requisite majority of the members voting to make by-laws for the management of the affairs of the Institute and the accomplishment of its objects.

Power to
make by-laws.

(2) The by-laws set out in the Schedule to this Act shall be deemed to have been made under sub-section (1) and shall subject to the provisions of sub-section (3) be for all purposes the by-laws of the Institute.

(3) The by-laws in the Schedule or any of them, or any other by-laws made by the Institute under sub-section (1) may be altered, added to, amended or rescinded in general meeting of the Institute by the requisite majority of the members voting thereat.

6. (1) The Institute shall be able and capable in law to acquire by purchase, gift, devise, bequest, exchange or in any other manner and hold any movable or immovable property and to dispose of any such property acquired or held by the Institute.

Power to
acquire
property and
raise money.

(2) The Institute shall have the power to borrow or raise money for the purpose of the Institute and for the purpose of securing money to create, execute, grant or issue any mortgages, bonds or obligations and to pay off and re-borrow the money secured thereby or any part or parts thereof and to invest its funds in such manner as may be necessary or expedient for the furtherance of its objects.

7. All debts and liabilities of the Institute of Engineers, Ceylon, existing at the date of coming into operation of this Act shall be paid or discharged by the Corporation, and all debts due and subscriptions, contributions and fees payable to the said Institute of Engineers, Ceylon, shall be paid to the Corporation.

Debts due
from and
payable to the
Institute.

8. The Government may donate to the Institute annually an adequate grant to pursue its aims and objects.

Annual grant
by Government
to the
Institute.

9. All property movable and immovable acquired or held by the Institute and all moneys paid to or received by the Institute under this Act or the by-laws shall be held, used and applied by the Institute in accordance with the by-laws for the furtherance of its objects and subject to such by laws, the Institute shall have the power from time to time

Application
of property,
moneys, &c.

to buy, sell, grant, convey, devise, assign, exchange or otherwise dispose of or mortgage any such property and invest its funds in such manner as may be necessary or expedient for the furtherance of its objects.

Power to
charge fees and
subscriptions.

10. The Institute shall be able and capable in law to charge—

- (a) such fees, as the Institute may deem reasonable, for admission to any examination conducted by the Institute;
- (b) fees for the election of persons to any class of membership of the Institute; and
- (c) such subscriptions and fees from members of the Institute, as the Institute may deem reasonable, in respect of the services provided by the Institute.

Disciplinary
Committees.

11. The Institute shall have the power to appoint Disciplinary Committees and to take such other steps as may be found necessary from time to time for the control of professional standards and for the management of discipline among persons practising or acting as engineers in Ceylon.

Saving of
the rights
of the
Crown and
others.

12. Nothing in this Act contained shall prejudice or affect the rights of Her Majesty the Queen, Her Heirs and Successors, or of any body politic or corporate or any other persons except such as are mentioned in this Act and those claiming by, from or under them.

[Section 5]

SCHEDULE

BY-LAWS OF THE INSTITUTE OF ENGINEERS, CEYLON.

1. *Interpretation.*

In these by-laws, if not inconsistent with the context—

- (i) "The Institute" means the Institution of Engineers, Ceylon, established in 1956 as the successor to the Engineering Association of Ceylon which was founded in 1906.
- (ii) "The Council" means the Council of the Institute.
- (iii) "Engineering" means all or any of those branches of engineering science, the advancement of which is recognised by the Council as being within the objects of the Institute as set forth in the Act.
- (iv) "Engineer" means an individual who is engaged in the practice of engineering.

- (v) " Secretary " includes any deputy or assistant Secretary and any person appointed temporarily by the Council to perform the duties of the Secretary.
- (vi) " Month " means calendar month.
- (vii) Words importing the masculine gender include females.
- (viii) Words in the singular shall include the plural, and words in the plural shall include the singular.

CONSTITUTION.

2. (i) The Institute shall consist of Members and Associate Members all of whom are collectively referred to as Corporate Members. The Institute may also have attached to it Honorary Members, Associates, Graduates and Students, all of whom are collectively referred to as Non-Corporate Members.

(ii) The names of all Corporate and Non-Corporate Members shall be entered on the Roll of the Institute (hereinafter referred to as " the Roll "). A Member who changes his name shall thereupon inform the Secretary stating his former name and the Secretary shall amend the Roll accordingly.

(iii) Members of the Institute in the various grades shall be entitled to the exclusive use after their names the following abbreviated designations appropriated to their respective grades:

Honorary Members	... Hon. M.I.E. (Cey.)
Members	... M.I.E. (Cey.)
Associate Members	... A.M.I.E. (Cey.)
Associates	... Assoc. I.E. (Cey.)
Graduates	... Grad. I.E. (Cey.)

(iv) Non-Corporate Members shall not have the right to vote at Annual General or Special General Meetings or to requisition or to join in requisitioning any Special General Meeting of the Institute or to hold Office or to be appointed a member of any of the Committees of the Council.

3. *Members* shall comprise every person who has been elected or transferred into the class of Member as long as his name is in the Roll as such.

Every candidate for election or transfer to the class of Member shall satisfy the Council—

- (a) (i) that he is more than 35 years of age and
- (ii) that he is an Associate Member or has fulfilled the conditions necessary for Associate Membership and
- (iii) that he has had sufficient experience involving superior responsibility in engineering of a nature acceptable to the Council for at least five years, and
- (iv) that he is, disregarding temporary unemployment, engaged in or associated with any branch of engineering; or
- (b) (i) that he has such knowledge of engineering and has acquired such eminence in his profession that his admission as a Member would in the opinion of the Council conduce to the interests of the Institute, and
- (ii) that he is engaged in the practice of engineering.

4. *Associate Members* shall comprise every person who has been elected into the class of Associate Member as long as his name is in the Roll as such.

Every candidate for election or transfer to the class of Associate Member shall satisfy the Council—

- (i) that he is more than 25 years of age,
- (ii) that he has attained such a standard of general education as may be prescribed by the Council from time to time and has passed the Associate Membership Examination or has been exempted by the Council in whole or in part from passing the Associate Membership Examination of the Institute, and in the case of partial exemption has passed the subjects for which exemption has not been granted, and
- (iii) that he has had sufficient engineering training and practical experience as may be prescribed from time to time by the Council, and
- (iv) that he has held a post of professional responsibility as an engineer or has been engaged in the design or construction of works as are comprised within the professions of an engineer for a sufficient period as prescribed from time to time by the Council, and
- (v) that at the time of his application for election he is, disregarding temporary unemployment, engaged or associated with any branch of engineering.

The Council may require any Candidate to attend an interview conducted on their behalf in order that he may better satisfy them that he possesses the requisite qualifications.

5. *Associates* shall comprise every person who has been elected to the class of Associate so long as his name is on the Roll as such.

Every candidate for election or transfer to the class of Associate shall be of good education and shall satisfy the Council—

- (i) that he is not under 27 years of age, and
- (ii) that, disregarding temporary unemployment, he is engaged or associated with any branch of engineering, and
- (iii) that he has attained a position of responsibility as an engineer or, that by his connection with engineering science or the Arts or otherwise, is qualified to concur with engineers in the advancement of engineering science.

6. *Honorary Member* shall be a distinguished and eminent person who accepts election on the invitation of the Council. He shall not be required to pay any entrance fee or annual subscriptions.

7. *Graduates* shall comprise every person who has been admitted to the class of Graduate so long as his name is on the Roll as such. Every candidate for election or transfer to the class of Graduate shall satisfy the Council—

- (i) that he has attained the age of 21 years but not the age of 35 years, and
- (ii) that he has passed such sections of the Institute Examination as may be prescribed by the Council or such exempting examinations as it may from time to time approve, and *either*
- (iii) has followed a regular course of higher education approved by the Council for the purpose of this by-law, which, if a part time or sandwich course of higher education, was undertaken while he was concurrently engaged in apprenticeship or in other practical work in engineering approved by the Council, or
- (iv) has been a Student of the Institute for not less than 3 years.

8. *Students* shall comprise every person who has been admitted into the class of Students so long as his name is on the Roll as such. Every candidate for election to the class of Student shall have attained the age of 16 years but not the age of 26 years, and shall satisfy the Council—

- (i) that he has passed such qualifying examinations or sections of an examination as may from time to time be prescribed by the Council, and
- (ii) that he is undergoing a regular course of further education approved by the Council for the purpose of this by-law, or has indentured himself as an apprentice under the supervision of a Corporate Member of the Institute.

9. No person shall remain as a Student or Graduate on the Roll as such of the Institute at the end of the calendar year in which he attains the age of 30 years or 40 years respectively.

ELECTION OF HONORARY MEMBERS, AND ELECTION, TRANSFER AND EXPULSION OF MEMBERS, ASSOCIATE MEMBERS AND ASSOCIATES.

10. The election of an Honorary Member shall be effected, on the recommendation of the Council, by vote of the members present at an Annual General Meeting or Ordinary Meeting of the Institute, and the person so elected shall be informed thereof without delay.

11. Every proposal for election as Member, Associate Member or Associate shall be signed by at least four Corporate Members certifying that they recommend the election of the candidate from personal knowledge of him and are fully convinced that he possesses the requisite qualifications and is in every respect a proper person to belong to the Institute. Every such proposal shall contain such undertaking signed by the candidate and be in all other respects in such form as the Council may prescribe.

It shall be a condition of the election of every Member, Associate Member or Associate that his recommendation contains no untrue or misleading statement relating to himself; and the election of any such person may be set aside by a resolution of the Council expressing the belief that the particulars given in his recommendation were in some respect untrue or misleading and declaring such election to be annulled; so however that the person concerned shall be notified of the intention to propose any such resolution and the Council shall first consider any statement or explanation in regard to the matter in question, which such person may think fit to give, either orally or in writing at his option; and shall make such other investigation as they may think proper. Forthwith after passing of any such resolution the name of the person to whom it relates shall be removed from the Roll.

12. The proposal made in accordance with the first paragraph of By-law 11 shall be delivered to the Secretary and shall be submitted by him to the Council, who shall determine whether the candidate is eligible for election and the class for which he is eligible.

A list of those candidates whom the Council have decided are eligible shall as soon as possible after such meeting of the Council be published and issued to all Corporate Members. After the lapse of at least one month from the date of such publication, during which time the Secretary will be prepared to receive for report to the Council communications respecting the qualifications or character of any candidate, the Council if satisfied that he is a fit and proper person to become a Corporate Member, shall declare the candidate elected.

13. Every proposal for transferring an Associate Member to the class of Member shall be in such form as the Council may prescribe. This form having been subscribed by at least six Corporate Members, and delivered, duly completed, to the Secretary, shall be submitted to the Council, who, subject to the conditions hereinbefore set forth, may, if they think fit, make the proposed transfer.

14. Every person duly elected a Member, Associate Member or Associate, or transferred from one class to another, shall be informed thereof without delay. Every person so elected or transferred shall pay the entrance or transfer fee, if any, and annual subscription for the current year (or the increase thereof in case of transfer) within two months after the date of his election or transfer, which otherwise shall become void, but the Council may in particular cases extend the period.

15. Every Member, Associate Member or Associate who has been elected and has made the proper payments shall receive a Certificate of his election. This Certificate shall remain the property of the Institute, and in the event of the holder ceasing to be a Member otherwise than by death or voluntary retirement from Membership shall on request be returned to the Institute. At the first Ordinary meeting at which he is present, after having fulfilled the foregoing requirements he shall, if he so desires, be introduced to the meeting by the President or Chairman.

16. A Member of any class may by notice in writing to the Secretary resign his membership of the Institute after payment of all sums due from him in respect of subscriptions or otherwise.

ADMISSION OF GRADUATES AND STUDENTS.

17. The admission to the classes of Graduates and Students of persons qualified in accordance with By-laws 7 and 8 respectively shall be by the Council. The continuance of any person as a Graduate or as a Student shall be subject to the Regulations.

PRIVILEGES OF GRADUATES AND STUDENTS.

18. Graduates and Students shall be entitled to attend all meetings of the Institute other than the Annual General Meetings and Special General Meetings and to have the use of the Library and Reading Rooms (subject to the Rules). They shall be entitled to receive copies of such Institute publications as the Rules may provide. Graduates and Students, in common with other members shall be eligible to compete for the Scholarships, Premiums and Prizes.

19. Graduates and Students shall have such other privileges as the Rules may provide.

EXAMINATIONS.

20. The Council shall cause examinations to be held for approved candidates for admission as Graduates or for election as Associate Members. The times and place or places at which such examinations shall be held, the subjects which they shall comprise, the fees to be paid or deposited by candidates in respect of such examinations, and the conditions under which candidates may be admitted thereto shall be prescribed by the Rules.

21. The Examination for admission as Graduates or election as Associate Members is called the "Institute Examinations".

22. The Examinations shall be directed by the Council, who shall obtain such assistance as may be necessary from qualified persons to be appointed by them as examiners. The remuneration of such examiners shall be fixed by the Council. The Council

may in their discretion permit persons who are not at the time candidates for election to present themselves for examination, and if they pass such examination the Council may exempt them (wholly or partially) from further examination if they subsequently apply for election. After each examination held under their direction the Council shall receive the report of the examiner and shall determine which candidate shall be deemed to have passed.

23. The Council shall have the power to recognize such University degrees and collegiate or other certificates as after scrutiny they may deem to prove a sufficient standard of attainment in the subjects referred to; and may exempt such graduates or holders of such certificates from passing in whole or part the aforesaid examination.

PROFESSIONAL CONDUCT.

24. (a) Every Member and Associate Member who has been approved by the Council and whose name is in the list of Chartered Engineers maintained by the Institute is, and is entitled to describe himself as, a Chartered Engineer and in using that description after his name shall place it after the designation of the class in the Institute to which he belongs stated in accordance with the following abbreviated forms, namely M.I.E. (Cey.), A.M.I.E. (Cey.).

(b) A Member or Associate Member practising in partnership with any person who is not a Member or Associate Member of the Institute under the title of a firm shall not use or permit to be used after the title of such firm the designation Chartered Engineer, or describe or permit the description of such firm in any way as Chartered Engineers.

(c) A Member or Associate Member practising or acting in a professional capacity under the title of, or as a director, officer or employee of a company whether such company shall be authorized or not to carry on the profession or business of an Engineer in all or any of its branches, shall not use or permit to be used after the title of such company the designation of Chartered Engineer or Chartered Engineers, or describe or permit the description of such company in any way as Chartered Engineers.

25. No person who has ceased to be on the Roll is entitled to make use of any designation implying connexion with the Institute.

26. All Corporate and Non-Corporate Members are required to order their conduct so as to uphold the dignity, standing and reputation of the Institute.

27. Without prejudice to the generality of the last preceding By-law the Council may for the purpose of ensuring the fulfilment of this requirement, make, amend and rescind rules to be

observed by Corporate and Non-Corporate Members, with regard to their conduct in any respect which may be relevant to their position or intended position as Member of the Institute and may publish directions or pronouncements as to specific conduct which is to be regarded as proper or as improper (as the case may be).

EXPULSION OR OTHER DISCIPLINARY ACTION.

28. For the purposes of this and the next three succeeding by-laws "Member" shall include both a Corporate Member and a Non-Corporate Member and "improper conduct" shall mean—

- (a) any breach of these by-laws or regulations or professional conduct, rules or directions made or given thereunder, and
- (b) any other conduct which shall indicate unfitness to be a member or shall otherwise be unbefitting to a member as such.

For the said purposes any member who shall be convicted by a competent tribunal of a criminal offence which in the opinion of the disciplinary body approved by the Council hereinafter referred to and called "the disciplinary body" renders him unfit to be a member shall be deemed to have been guilty of improper conduct.

29. If a member shall have been guilty of improper conduct, the disciplinary body may make such order as it may consider appropriate. The orders which the disciplinary body shall have power to make shall be expulsion from membership, suspension for any period, reprimand or admonition. The disciplinary body shall also have power to direct that a member found guilty of improper conduct shall make a contribution towards the costs and expenses of the Institute as incidental to any hearing before the disciplinary body. A member shall not be expelled except by a majority of at least two-thirds of the members of the disciplinary body present and voting on the consideration of this case.

30. The Council may from time to time make, amend or rescind Regulations for the purpose of—

- (a) setting up (either temporarily or for a period or ad hoc) a disciplinary body or bodies to investigate any allegation of improper conduct on the part of a member;
- (b) setting up (either temporarily or for a period or ad hoc) a body or bodies to adjudicate upon any such complaint or allegation and (if the same shall be held to be justified) to make such order (if any) as it or they may consider appropriate;

- (c) providing for the publication of decisions of the last-mentioned body or bodies;
- (d) determining the constitution and membership and regulating the procedure of any body referred to in this by-law;
- (e) dealing with any other matter which may be relevant to any such body or its functions.

The said regulations shall be designed to secure that any allegation of improper conduct shall be properly investigated and (if sufficiently serious) be referred for adjudication by an impartial tribunal consisting either wholly or partly of members of the Council, that before being called on to deal with any complaint or allegation, and before being found guilty of such conduct, the member shall be given a full and fair opportunity of being heard or represented that in all other respects the investigation shall be made and the proceedings conducted and the decision reached in accordance with natural justice, and that any decision shall be made known to members and others so far as may be necessary or desirable with a view to the furtherance of the objects of the Institute.

31. Subject to any Regulations made under the last preceding by-law, any body set up hereunder shall regulate its own procedure.

SUBSCRIPTIONS, ETC.

32. (a) The annual subscriptions, transfer and entrance fees and life membership fees, payable by Members, Associate Members and Associates and the annual subscriptions and entrance fees payable by Graduates and Students shall be at rates fixed by the Council from time to time and confirmed by the votes of the Corporate Members at a General Meeting.

(b) For the present they will be as follows:—

<i>Class of Member</i>	<i>Annual Subscription</i>	<i>Entrance Fees</i>	<i>Transfer Fees</i>
	<i>Rs.</i>	<i>Rs.</i>	
Member	... 30	40	} Difference between the Grades.
Associate Member	25	30	
Associate	... 25	30	
Graduate	... 20	20	
Student	... 10	10	

(Honorary Members will not be required to pay entrance fees or subscriptions).

(c) *Life Compounding Fee.*—Members, Associate Members or Associates may on retirement or on leaving Ceylon continue membership on payment of a compounding fee of Rs. 100 or on payment at half rates for the respective class.

33. All annual subscriptions are due on the 1st of January, in each year for the year then commencing. The acceptance of an annual subscription from a person who has ceased to be a member shall not create any presumption as to membership of the Institute.

34. The first annual subscription of any Member or Associate Member elected between the first of September and the thirty-first of December in any year, or the increase thereof in the case of an Associate Member transferred to the class of Member, and the first annual subscription of any Graduate or Student admitted during that period, shall be in respect of the year commencing on the first of January next ensuing.

35. Every Member, Associate Member or Associate, or every Graduate or Student, shall be liable for the payment of his annual subscription until he has signified to the Secretary, in writing, his desire to resign, having previously paid all arrears, including the subscription for the year current at the date of his notice, or until he has forfeited his right to remain in, or be attached to, the Institute.

36. Any Member, Associate Member, Associate, Graduate or Student, whose subscription for the current year shall not have been paid before the first day of February shall be "in arrears of subscription" and shall not be entitled to receive the Institute publications until such subscription has been paid.

37. Every Associate Member on transfer to Membership and every Graduate or Student on election to Associate Membership, shall pay the full subscription for the current year as a Member or Associate Member, as the case may be, except as may be provided for in By-law 32, and the subscription he has already paid for that year shall be taken as in part payment thereof.

38. *Exclusion.*—

(Non-payment of dues).

If any Member, Associate Member, Associate, Graduate, Student or Subscriber shall leave his subscription in arrears for two years and shall fail to pay such arrears within three months after a written notice has been sent to him by the Secretary, his name shall be struck off the Roll unless the Council shall otherwise decide, and he shall thereupon cease to have any rights as Member, Associate Member, Associate, Graduate, Student or Subscriber, but he shall nevertheless continue to be liable to pay the arrears of subscription due at the time of his name being struck off the Roll. The Diploma or Certificate of every person so excluded shall be returned under Regulation 15 to the Secretary of the Institute immediately. The Council may, if they find good reason to do so, reinstate on such conditions as they may seem fit, any person who has been a Member or Associate Member and whose name has been removed from the Roll. These cases must be considered and reported upon to the Council by a Committee appointed by the Council for the purpose.

39. Where the Council in their discretion consider that the advanced age and long period of membership of a Corporate Member or Associate justify their doing so, the Council may

maintain his name on the Roll without payment of further subscriptions.

In the case of any Corporate Member or Associate whose earning capacity has been adversely affected by ill health, advanced age, or otherwise, the Council may, at their discretion, remit the annual subscription or the arrears of annual subscription which are due from such an individual.

REINSTATEMENT OF FORMER MEMBERS, ASSOCIATE MEMBERS AND ASSOCIATES.

40. The Council may, if they find good reason to do so, reinstate, under such conditions as they may see fit, any person who has been a Member, Associate Member or Associate, and whose name has been removed from the Roll.

THE OFFICERS.

41. The Officers of the Institute shall be the President, the four Vice-Presidents, the Honorary Secretary and the Honorary Treasurer who shall be elected annually by the outgoing Council from among the Corporate Members in the manner hereinafter directed.

CONSTITUTION OF THE COUNCIL.

42. The Council shall consist of the following Corporate Members:—

The President

The Past-Presidents

The four Vice-Presidents

The Honorary Secretary

The Honorary Treasurer

Six Members as representative of the class of Members
and six Associate Members as representative of the class of
Associate Members.

43. The Council shall hold office from one Annual General Meeting to the next following Annual General Meeting.

44. The President shall be elected by the out-going Council from among the Vice-Presidents.

45. In the absence of the President the Senior Vice-President shall officiate as President. The order or seniority of the Vice-Presidents shall be in accord with the duration of their occupancy of that Office, and in the case of equality of such duration shall be the order decided by the Council at the time of their first nomination, and failing such decision shall be determined by lot.

46. The Vice-Presidents shall be elected by the out-going Council from among the class of Members and no Member shall be eligible for election to the office of Vice-President who at the end of the session in which the election is to be held will have held the office of Vice-President for five consecutive years.

47. The Past Presidents resident in Ceylon and continuing as Members shall be Members of Council.

48. The twelve other Members of Council shall be elected by means of voting papers. The Secretary shall issue to Corporate Members at least two months before the Annual General Meeting a notification giving the names of the six Members and the six Associate Members nominated by the Council and calling for further nominations within twenty-one days.

49. No Corporate Member shall be eligible for re-election to the Council otherwise than as an officer in terms of By-law 41 who at the end of the session in which the election is to be held will have served on the Council for the immediately preceding three consecutive years as one of the twelve other members of Council.

50. Any four Corporate Members but not more than four may nominate any other Corporate Member, who is eligible in terms of By-law 49 for inclusion in the voting paper, by sending by the date fixed such nomination in writing to the Secretary together with the written consent of the candidate, but no Corporate Member shall be permitted to sign more than one nomination paper. If no nominations are received by the date fixed no voting papers shall be prepared and the persons nominated by the Council shall be declared duly elected.

51. A voting paper shall be sent to each Corporate Member at least fourteen days before the Annual General Meeting and shall contain all the names of the Members and of the Associate Members nominated for election with those nominated by the Council marked with an asterisk. The names of the four Corporate Members signing a candidate's nomination paper shall be given on a separate sheet accompanying a voting paper.

52. At an ordinary meeting of the Institute before the Annual General Meeting the Corporate Members shall choose two or more Corporate Members as Scrutineers for the purpose of the ballot. The Scrutineers shall open the voting papers received by the Secretary by the date indicated and shall count the votes and report the result at the Annual General Meeting. The Scrutineers shall reject any voting paper on which a Member has voted for a number either more or less than the number prescribed on the voting paper.

53. In the event of a candidate named on the voting paper ceasing to be eligible for election before or after the voting papers have been prepared the voting paper shall not be invalidated and the election shall proceed with respect to the remaining candidates.

54. In the event of the Scrutineers being unable to report the election or the prescribed number of other members of the Council owing to an equality of votes, the Chairman of the Annual General Meeting shall decide with his casting vote which of the persons who have received equal votes shall be deemed to be elected.

55. An Associate Member elected as representative of the class of Associate Members shall continue to be a Member of the Council notwithstanding his transfer to the class of Members during the session.

56. The office of a member of Council shall be vacated if he gives notice in writing to the Council of his wish to resign and the Council accepts his resignation, or if he ceases to be a Corporate Member of the Institute; it shall also be vacated

if he becomes bankrupt or of unsound mind and the Council resolves that it be vacated. Any such resolution shall be conclusive as to the fact and grounds of vacation stated in the notice.

57. The Council shall be competent to act notwithstanding any vacancy in their body and may at any time during their year of office fill any vacancy by appointing a Corporate Member who is qualified for election to the office in which the vacancy has occurred.

POWERS AND PROCEEDINGS OF THE COUNCIL.

58. The direction and management of the concerns of the Institute are vested in the Council, subject to the provisions of the by-laws and of all resolutions of Special General Meetings of Corporate Members which have been duly summoned and held in accordance with the by-laws when such resolutions have been duly entered on the Minutes and signed by the Chairman of the meetings.

59. The decision of the Council on all matters dealt with by them in accordance with the provisions of the by-laws and Regulations and such resolutions as aforesaid, shall be final and binding on all Members, Associate Members, Associates, Graduates and Students.

60. The Council shall meet as often as the business of the Institute may require; and at every meeting seven shall constitute a quorum.

61. The Council may appoint Committees which may consist of Members of Council or Members of Council and other persons. All Committees shall conform to any directions that may be given to them by the Council and subject to such directions, may regulate their procedure as they think fit.

62. In the event of the absence of the President and of all the Vice-Presidents, the meeting may elect any member of the Council to take the Chair at the meeting.

63. All questions shall be decided in the Council by a majority of those present and having a right to vote. In the case of equality, the Chairman shall have second or casting vote.

64. A statement of the funds of the Institute, and of the receipts and payments during the past financial year, terminating on the 31st March, shall be made under the direction of the Council, and, after having been verified and signed by the Auditor, shall be laid before the Annual General Meeting.

65. The Council shall draw up a yearly report on the state of the Institute, which shall be presented at the Annual General Meeting.

66. The Council may make, amend and rescind Regulations for the purposes specified in the By-laws, but so that the same be not repugnant to those By-laws and provided that no such Regulation, amendment or rescission shall come into operation until the same has been approved by a Special General Meeting of the Institute, whether before or after the same has been made, amended or rescinded by the Council.

67. The Council may make, amend and rescind Rules for the better ordering of any matter referred to in the By-laws, other than matters to be governed by Regulations, or otherwise

for the better government of the Institute and its affairs, but so that the same be not repugnant to these By-laws or the Regulations.

THE SECRETARY.

68. The Honorary Secretary shall be elected annually by the retiring Council from among the Corporate Members.

69. It shall be the duty of the Secretary, under the general direction of the Council, to conduct the correspondence of the Institute; to attend the meetings of the Institute, and of the Council, and of the Committees, to take minutes of proceedings of such meetings; to circulate or read the minutes of the preceding meeting and such communications as may be required to be circulated or read; to superintend the holding of examinations; to be responsible for all persons employed under him; and to conduct all other ordinary business of the Institute.

THE TREASURER.

70. The Honorary Treasurer shall be elected annually by the retiring Council from among the Corporate Members

71. It shall be the duty of the Treasurer under the general direction of the Council to arrange for the collection of subscriptions, fees, grants and donations; to direct the keeping of accounts of all receipts and of the expenditure of the funds; to present annually the Statement of Accounts for the financial year, and to superintend the presenting of such papers and transactions as the Council may direct.

THE LIBRARIAN.

72. The Honorary Librarian shall be elected annually by the Council at its first meeting after the Annual General Meeting.

It shall be the duty of the Librarian under the general direction of the Council to issue books for reference to members, to recommend purchases of books, to obtain periodicals of other engineering bodies in this and other countries by reciprocal and other arrangements, to maintain appropriate registers and to have charge of the Library and be responsible for its proper and efficient functioning.

THE AUDITORS.

73. The Auditor shall be elected by the Corporate Members at each Annual General Meeting. The Auditor shall retire at the next following Annual General Meeting but shall be eligible for re-election. A nomination for the office of Auditor shall be submitted by the Council to the Annual General Meeting when members may make a further nomination or nominations.

The Auditor shall be a person or firm qualified to practise as Auditors in Ceylon. In the event of an elected Auditor being unable to act the Council shall appoint another qualified Auditor in his place to act till the next Annual General Meeting. A Member of the Council shall not be eligible for election as Auditor.

FINANCE.

74. The Council shall cause true and up-to-date accounts to be kept of all sums of money received and expended by the Institute and of matters in respect of which such receipt or expenditure takes place and of all the property, credits and liabilities of the Institute.

75. All monies received by or on behalf of the Institute shall be paid into the account of the Institute at a bank approved by the Council. The Institute receipts signed by the Treasurer or by a Corporate Member nominated by him shall be issued in respect of all such monies received.

76. All payments from the funds of the Institute shall be effected by order of the Council by means of cheques signed by the President or in his absence by a Corporate Member nominated by him and approved by the Council for the purpose. The Treasurer shall obtain receipts in respect of all such payments.

77. The Council shall from time to time determine what portion (if any) of the composition, transfer and entrance fee be invested. The remainder of the fee, together with the income for the time being arising from the investments which the Council have made, or may make, out of moneys received in respect of composition, transfer or entrance fees, shall be appropriated to the current expenditure of the Institute. The Council may also, at any time, sell the whole or any part of such investments and appropriate the proceeds of such sales to such current expenditure.

78. All the monies of the Institute not required to meet the current expenditure of the Institute may be invested in the purchase, or on the security, of any stocks, shares, debentures, debenture stock, land, buildings or other property of any nature as the Council may determine, and the Council shall have power from time to time to vary such investments.

79. The Auditor shall have access at reasonable times to the books of account and all relevant documents of the Institute and shall be entitled to receive such information and explanations as may be required from the officers of the Institute.

80. The Auditor shall forthwith bring to the notice of the Council if in his opinion any of the books, documents or records which the Institute should maintain are not being properly kept or if he is unable to obtain any information or explanation required from any officer.

81. The Auditor shall make a report to the Council on the accounts examined by him and the report shall state whether in his opinion the balance sheet for the financial year is properly drawn up so as to exhibit a true and correct view of the state of the Institute's affairs according to the best of his information and the explanations given to him and as shown by the books of the Institute.

82. The financial year of the Institute shall close on the thirty-first day of March in each year until otherwise determined by the Council.

THE SEAL.

83. The Council shall provide a common seal of the Institute and shall be responsible for the safe custody thereof. The seal shall be affixed to such certificate, deeds and documents as are authorized by the Council to be sealed, only in the presence of the President and the Secretary, or such other person as they may respectively appoint for the purpose; and the President and the Secretary or such other persons as aforesaid shall sign every instrument to which the seal of the Institute is so affixed in their presence.

THE ANNUAL GENERAL MEETING.

84. The Annual General Meeting shall be held in the month of October or at such other convenient time as may be fixed by the Council, at such place and at such hour as may be appointed by the Council, to receive and deliberate upon the Report of the Council on the state of the Institute with the Annual Statement of the Accounts and the report of the Auditor thereon, to receive a report on the election of the Council and to appoint an Auditor. Notice of the Annual General Meeting shall be given not less than twenty-eight clear days before the date fixed for the meeting, and shall be sent to each Corporate and Non-Corporate member. Twenty Corporate Members shall be a quorum at an Annual General Meeting.

SPECIAL GENERAL MEETING.

85. A Special General Meeting of the Corporate Members only may be convened by the Council at any time for the purpose of confirming any resolution duly passed by the Council for any new By-laws or Regulations or for the alteration or recession of any existing By-laws or Regulations or to alter the annual subscriptions, transfer, entrance and life composition fees, or for any other specific purpose or purposes relative to the direction and management of the concerns of the Institute. At least fourteen clear days' notice shall be given of special General Meetings and thirty Corporate Members shall be a quorum.

86. The Council shall at all times call a Special General Meeting on a requisition in writing of twenty Corporate Members. Such requisition shall state the matters to be brought before and the Resolutions, if any, to be moved at such Special General Meeting. Notice of such Special General Meeting shall be given to each Corporate Member within twelve days of receipt of the requisition by the Secretary.

ORDINARY MEETINGS.

87. Ordinary meetings shall be held on such days and at such hours as may be appointed by the Council for the reading and discussion of original communications and for such other purposes as, in the opinion of the Council will, further the objects of the Institute. At least 21 clear days' notice shall be given to each Corporate Member and Non-Corporate Member of ordinary meetings and ten members shall be a quorum.

88. Each member of whatever class (except students) shall have the privilege of introducing one visitor to be present at every ordinary meeting of the Institute. The Council shall have the power on special occasions to suspend this privilege.

89. No question shall be discussed or motion be made at any ordinary Meeting relative to the direction and management of the concerns of the Institute.

PROCEEDINGS AT MEETINGS.

90. Subject to the provisions of the By-laws the meetings of the Institute shall be conducted as prescribed by the Council from time to time. The Chairman shall regulate the proceedings and his ruling shall be final on all matters not specifically dealt with in the By-laws.

91. In the absence of the President and of all the Vice-Presidents, the Chair shall be taken by a member of the Council; but if no member of the Council is present and willing to act, the meeting shall elect a Chairman from the Corporate Members present.

92. The accidental omission to give notice of a meeting of the Institute to, or the non-receipt of notice of such a meeting by, any member entitled to receive notice shall not invalidate the proceedings of that meeting.

93. No business shall be transacted at any meeting of the Institute unless a quorum is present when the meeting proceeds to business. If within 20 minutes after the time appointed for a meeting, the requisite quorum is not present, the meeting shall be dissolved.

94. At all meetings of the Institute questions shall be decided according to the majority of votes properly given there at and in the case of a tie the President or other person presiding shall have a second or casting vote.

95. The Chairman, may with the consent of the meeting (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. Notice of adjournment and of the business to be transacted at the adjourned meeting shall be given as in the case of an original meeting.

INFORMAL MEETINGS AND VISITS TO WORKS.

96. The Council may convene informal meetings and arrange such visits as in their opinion will further the objects of the Institute. Unless otherwise decided by the Council all visits shall be open to all Corporate and non-Corporate Members. Arrangements for a member to visit an engineering or any other works are made by the Council as agent for such member and the Council will not be liable for any injury, loss or inconvenience caused to any member in consequence of his visit.

NOTICE.

97. Any notice may be served or any communication may be sent by the Council or by the Secretary of the Institute upon or to any member of any class either personally or by sending it prepaid through the post addressed to such person at his address as registered in the books of the Institute.

98. Any notice or communication, if served or sent by post, shall be deemed to have been served or delivered on the day following that on which the same is posted; and in proving such service or sending it shall be sufficient to prove that the notice or communication was properly addressed and posted.

99. No member of any class, whose registered address is abroad, shall be entitled to any notice; and all proceedings may be had and taken without notice to such person in the same manner as if he had had due notice.

REFERENDUM BY POSTAL VOTE.

100. Upon a resolution of the Council of which due notice has been given to every member of the Council and which has been carried by a two-thirds majority of those present and voting at a meeting of the Council it shall be competent for the Council to refer any question which the Council are of opinion is of sufficient importance to take a poll of all the members resident in the Island and who have a right to vote on the matters in question, and thereupon a postal vote shall be taken by sending a copy of the proposed Resolution and a voting paper by post to each member resident in the Island. The voting paper shall be returned to the Secretary not later than fourteen days after it has been posted. Scrutineers appointed by the Council shall count the votes and their decision on any matter relating thereto shall be final, and if the Resolution so submitted to a general poll be supported by the requisite majority of the votes polled, it shall be declared carried and shall be the resolution of the Institute.

MISCELLANEOUS.

Inspection of Record and Accounts.

101. The minutes of all General Meetings of the Institute shall be open to all Members, Associate Members, Associates, and Honorary Members at all reasonable times on previous notice to the Secretary in writing. The minutes of any meeting of the Council shall be open to the inspection of any member of the Council at all reasonable times. The Accounts of the Institute shall be open to any member of the Council and, on previous notice in writing to the Secretary to any Member, Associate Member, and (with the previous consent of the Council) to any other person elected or attached to the Institute at all reasonable times.

ACCESS TO PROPERTY OF THE INSTITUTE.

102. All books, drawings, communications, etc., the property of the Institute not being on loan, with the consent of the Council, shall be accessible to Members, Associate Members, Associates, Honorary Members, Graduates, Students and

Subscribers at all reasonable times. None of the property of the Institute shall be taken out of the premises of the Institute without the consent of the Council.

ENACTMENT OF BY-LAWS.

103. The Council when they may consider it expedient or when that may be directed by resolution of a Special General Meeting to make a recommendation to the member for a new By-law or the alteration or recession of an existing one, shall frame the new or altered clause and shall submit the proposed addition, alteration or recession to the Corporate Members to be voted upon by them at a Special General Meeting or by means of a postal vote; and no such addition, alteration or recession shall come into operation until the same has been approved by a two-thirds majority of those voting.