

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

Part II of March 25, 2022

SUPPLEMENT

(Issued on 30.03.2022)



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

(Private Members' Bill)

A

BILL

**to incorporate the Institution of Building Services Engineering &
Technology of Sri Lanka**

*To be presented in Parliament by Hon. Uddika Premarathne, M. P.
for Anuradhapura District*

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*Institution of Building Services Engineering &
Technology of Sri Lanka (Incorporation)*

AN ACT TO INCORPORATE THE INSTITUTION OF BUILDING SERVICES
ENGINEERING & TECHNOLOGY OF SRI LANKA

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

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

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

1. This Act may be cited as the Institution of Building Short title
15 Services Engineering & Technology of Sri Lanka
(Incorporation) Act, No. of 2022.

2. From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the of the
“Institution of Building Services Engineering & Technology Institution of
20 of Sri Lanka” (hereinafter referred to as the “Institution”) or Building
shall hereafter be admitted as members shall be a body Services
corporate (hereinafter referred to as the “Corporation”) with Engineering
&
Technology
of Sri Lanka.
25 Sri Lanka” and by that name may sue and be sued in all
courts, with full power and authority to have and use a
common seal and alter the same at its pleasure.

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

General
objects of the
Corporation

- 5 (i) to foster and promote Building Services Engineering and Techonolgy as a profession in Sri Lanka;
- 10 (ii) to promote and safeguard the professional status, interests, rights, powers, welfare and privileges of Building Services Engineers and Technologists to improve the standards of Building Services Engineering and Technology in Sri Lanka;
- 15 (iii) to enhance the standards of Building Services Engineering and Technology in Sri Lanka;
- 20 (iv) to offer the Government and its Agencies a forum to discuss and ascertain the views of Building Services Engineering and Technologists on matters directly or indirectly affecting the Profession;
- 25 (v) to discuss with and obtain views of Institutions, Associations, Manufacturers, Contractors and other persons engaged in Building Services Engineering and Technology on matters of common interest;
- 30 (vi) to introduce general standards of Professional Conduct and Practice for Buliding Services Engineers and Technologists and to ensure the maintenance of such standards in their professional activities;

- (vii) to determine scales of Professional Fees and conditions of engagement for Building Services Engineers and Technologists, within Sri Lanka;
- 5 (viii) to liaise with Institutions/Associations of Building Services Engineers and Technologists in other countries;
- (ix) to affiliate with the Chartered Institution of Building Services Engineers (CIBSE),
10 UK, and any other professional bodies;
- (x) to create a forum for Building Services Engineers and Technologists to express their opinion, share their knowledge, enhance presentation skills and to promote fellowship;
15
- (xi) to promote the general advancement of Building Services as a Science, and as a Profession;
- 20 (xii) to facilitate the exchange of information and ideas on subjects of Building Services, amongst the members of the Institution;
- 25 (xiii) to hold and to conduct, supervise and control the admission, professional education and training of persons desiring to qualify as Professional Building Services Engineers and Technologists;

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- (xiv) to prescribe or approve courses of study for qualifying examinations for membership of the Institution;
- 5 (xv) to prescribe the qualifications for membership of the Institution;
- (xvi) to set guidelines for those desiring to qualify as Building Services Engineers and Technologists;
- 10 (xvii) to establish a path for the professional growth of members through Continuous Professional Development programmes;
- (xviii) to educate and enlighten the public on Building Services Engineering and Technology and modes of obtaining of relevant professional services;
- 15 (xix) to establish and maintain libraries of books, standards and codes of practice, publications, manuscripts, catalogues;
- (xx) to establish and maintain a museum of equipment, apparatus and material related to Building Services Engineering and Technology on an on-going basis;
- 20 (xxi) to hold and promote exhibitions of allied materials, processes, instruments, equipments and apparatus, connected to Building Services Engineering and Technology;
- 25 (xxii) to provide and or facilitate assistance for promoting inventions and research, in Building Services Engineering and Technology;
- 30

- (xxiii) to award membership to personnel defined under Section 8;
- (xxiv) to award the status and maintaining a register of Chartered Building Services Engineers;
- (xxv) to maintain a Register of areas of specialisation for the Corporate Members;
- (xxvi) to prepare and promote standards and codes of practice for building services;
- (xxvii) to publish Technical Papers, Journals, Newsletters, Standards, Codes of Practice and other documents and material connected with Building Services Engineering and Technology;
- (xxviii) to perform all such acts and take measures as necessary, incidental, or conducive for the attainment of the above objectives.

4. Membership of Institution of Building Services Engineering and Technology of Sri Lanka (IBSE & TSL) Membership

shall be open to persons who are practicing in any discipline of Building Services Engineering and Technology, such as in the disciplines of design, installation, maintenance, manufacture or supply of products and services associated with a building. The members of the Institution shall be such persons as the Institution would admit to membership.

5. The administration and management of the affairs of the Institution shall be vested in the Council. Management of the affairs of the Corporation

The Council shall consist of five Honorary Office bearers (President, President Elect, Immediate Past President,

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Technology of Sri Lanka (Incorporation)*

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

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

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

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

General
powers of the
Corporation

20 (2) To enter into and perform or carry out, whether directly or indirectly, through and official agents authorized in that behalf by the institution all such contracts or agreements as may be necessary for the attainment of the objectives or the exercise of powers of the Institution.

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

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

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

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

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

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

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

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

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

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

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

- 25 7. (1) It shall be lawful for the Institution, from time to time, at any General Meeting of the members and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this

Rules of the Corporation

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

- 5 (a) classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable;
- (b) procedure to be observed for the summoning and holding of meetings of the Institution and of the Council, the quorum for such meetings and the exercise and performance of their powers and duties;
- 10 (c) the appointment, powers, duties and functions of the various officers, agents and servants of the Institution;
- (d) qualification required to become a member of the Institution and of the Council; and
- 15 (e) the administration and management of the property of the Institution.

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

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

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

Debts due by and payable to the Corporation

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

Fund of the Corporation

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

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

- 10 **10.** The institution shall be able and capable in law to acquire and hold any property, movable or immovable which may become vested in it by virtue of any purchase, grant, lease, gift, testamentary disposition or otherwise and all such property shall be held by the institution and all such property shall be held by the corporation for the purposes of this Act
15 and subject to the rules of the Corporation made under Section 7.
- Institution may hold property movable and immovable

- 20 **11.** If upon the dissolution of the institution there remains after the satisfaction of all its debts and liabilities any property whatsoever, such property shall not be distributed among the members of the institution, but shall be given or transferred to any other institution or institutions having objects similar to those of the institution and which, is or are by its or their rules prohibited from distributing any income or property among their members.
- Property remaining on dissolution

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

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

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

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13. The seal of the Corporation shall not be affixed to any instrument whatsoever expect in the presence of such number of persons as may be provided for in the rules in force for the time being of the Corporation, who shall sign
5 their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the
Corporation

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

Saving of the
Rights of the
Republic and
others

15. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall
15 prevail.

Sinhala text
to prevail in
case of
inconsistency

