



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

**SOCIETY OF STRUCTURAL ENGINEERS
OF SRI LANKA (INCORPORATION)
ACT, No. 40 OF 2009**

[Certified on 24th July, 2009]

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Society of Structural Engineers of Sri Lanka
(Incorporation) Act, No. 40 of 2009

[Certified on 24th July, 2009]

L. D.—O. INC. 32/2007.

AN ACT TO INCORPORATE THE SOCIETY OF STRUCTURAL
ENGINEERS OF SRI LANKA

WHEREAS a society called and known as the “Society of Structural Engineers of Sri Lanka” has heretofore been established in Sri Lanka, for the purpose of effectually carrying out and transacting all objects and matters connected with the said Society according to the rules agreed to by its members :

Preamble.

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

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

1. This Act may be cited as the Society of Structural Engineers of Sri Lanka (Incorporation) Act, No. 40 of 2009.

Short title.

2. From and after date of commencement of this Act, such and so many persons as now are members of the Society of Structural Engineers of Sri Lanka (hereinafter referred to to as the “Society”) or shall hereafter be admitted members of the Corporation hereby constituted shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “Society of Structural Engineers of Sri Lanka”, and by that name may sue and be sued and have full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation of
Society of
Structural
Engineers of Sri
Lanka.

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

General objects of
the Corporation.

- (a) to promote and advance the science and practice of Structural Engineering in specified areas such as buildings, bridges, towers, foundations and stadiums;

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- (b) to organize and arrange seminars, lectures, exhibitions, symposium and discussions in relation to Structural Engineering;
- (c) to maintain libraries and publishing of papers and books about Structural Engineering;
- (d) to encourage research with a view to promoting professional knowledge of Structural Engineering;
- (e) to formulate appropriate standards for qualifications of membership of Structural Engineers and to conduct examinations and interviews and to grant certificates in relation to Structural Engineering;
- (f) to regulate the professional activities of the members and to assist them in maintaining standards of professional conduct of Structural Engineers;
- (g) to encourage and assist in the settlement of disputes of Structural Engineering by arbitration and to nominate arbitrators.

General Powers of
the Corporation.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power—

- (a) to advance, borrow or raise money for the purposes of the Corporation in such manner and upon such security as the Corporation may think fit;
- (b) to draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, act, maintain and close bank accounts in Sri Lanka and elsewhere;
- (c) to enter into and perform or carry out all such agreements or contracts with any person or body of

persons in Sri Lanka or outside Sri Lanka as may be necessary for the attainment of the objects or the exercise of the powers of the Corporation;

- (d) to undertake, accept, execute, perform and administer any trusts which may directly or indirectly be conducive to the accomplishment of all or any of the objects of the Corporation;
- (e) to invest all moneys of the Corporation which are not immediately required for the purpose of carrying out the objects of the Corporation in securities of the Government of Sri Lanka or in any other form of investment;
- (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances, pensions and gratuities as may be determined by the Executive committee of the Corporation;
- (g) to affiliate with any Organization, Association or any other Institution in Sri Lanka or outside whose objects are similar to that of the Corporation;
- (h) to appoint sub committees.

5. The management, control and administration of the Corporation shall subject to the provisions of this Act and rules of the Corporation made under section 6, vest in an Executive Committee. The members of the Society holding office on the day immediately preceding the date of the coming into operation of this Act shall be the office bearers of the first Executive Committee until office bearers are chosen in accordance with rules made under this Act.

Management of the affairs of the Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any annual general meeting or at any general meeting and by a majority of not less than two-third of the

Rules of the Corporation.

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members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for all or any of the following matters:—

- (a) eligibility, qualifications and admission of members, classification of membership and fees payable by members, cessation of membership, expulsion or resignation;
- (b) election of the members to the Executive Committee of the Corporation, resignation from, vacation of or removal from office as office bearers and powers, duties and conduct of the Committee and the Executive Committee;
- (c) appointment, dismissal, powers, duties, functions and conduct of the various employees of the Corporation;
- (d) the procedure to be observed at and the summoning and holding of meetings of the Executive Committee of the Corporation or any disciplinary committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum therefor and the conduct of business thereat;
- (e) generally for the management of the affairs of the Corporation and the accomplishment of its objects and the dissolution of the Corporation; and
- (f) administration and management of the property of the Corporation.

(2) The rules made by the Corporation under subsection (1) shall be altered, added to, amended or rescinded at a like meeting and in like manner as a rule made under subsection (1).

(3) The members of the Corporation shall be subject to the rules of the Corporation.

7. (1) Every member of the Society who is qualified under the rules made under the Act shall have the right to use abbreviated designation “M.S.S.E. (S.L.)” after his name to indicate that he is a Member. Use of titles.

(2) Every member of the Society who is registered as a Fellow Member shall have the right to use the abbreviated designation “F.S.S.E. (S.L.)” after his name to indicate that he is a Fellow Member.

(3) Every member of the society who is registered as a Honorary Fellow shall have the right to use the abbreviated designation “Hon. F.S.S.E. (S.L.)” after his name to indicate that he is a Honorary Member.

8. (1) The Corporation shall have its own Fund and all moneys received by way of gifts, testamentary dispositions, transfers, donations or contributions shall be deposited to the credit of the Fund of the Corporation in one or more banks as may be decided by the Executive Committee of the Corporation. Funds of the Corporation.

(2) All expenses incurred by the Corporation in the exercise, performance and discharge of the powers, functions and duties of the Corporation shall be paid out of the fund of the Corporation.

9. The Corporation 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, gift, grant or testamentary disposition or otherwise and all such property shall be held by the Corporaiton for the purposes of this Act and subject to the rules of the Corporation made under section 6, with full power to sell, mortgage or lease, exchange or otherwise dispose of the same. Corporation may hold property movable or immovable.

10. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of annual subscription payable by him to the Corporation. Limitation of liability of members.

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Debts due by and payable to the Society.

11. All debts and liabilities of the Society existing on the day preceding the date of commencement of this Act shall be deemed to be debts and liabilities of the Corporation and shall be paid by the Corporation and all debts due to, and subscriptions and contributions payable to the Society on such day shall be paid to the Corporation.

Property remaining on dissolution of the Corporation.

12. If upon the dissolution of the Corporation 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 Corporation, but shall be given or transferred to some other institution or institutions having objects similar to those of the Corporation and which is or are by its or their rules prohibited from distributing any income or property among its or their members. Such institution or institutions may be determined by the Executive Committee of the Corporation on or before the dissolution of the Corporation.

Expenses incurred by any person to be paid by the Corporation.

13. Any expenses incurred by any person in any action or prosecution instituted against him in respect of any act which is done by him under this Act or on the direction of the Corporation shall be paid by the Corporation if the court holds that act was done in good faith.

Audits of accounts.

14. (1) The Executive Committee shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Corporation.

(2) The accounts of the Corporation shall be examined and audited at least once in every year by one or more qualified auditor or auditors.

(3) For the purposes of this section, “qualified auditor” means—

- (a) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute; or

- (b) a firm of Accountants, each of the resident partners of which, being a member of the institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute.

15. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the persons duly authorized by Executive Committee who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the Corporation.

16. The Corporation shall have power to appoint Disciplinary committees and to take such other steps as may be necessary from time to time for the control of professional standards and for the maintenance of discipline among the members of the Corporation.

Disciplinary committees.

17. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate.

Saving of the rights of the State and others.

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

Sinhala text to prevail in case of inconsistency.

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