



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

**COMPUTER SOCIETY OF SRI LANKA
(INCORPORATION)**

A

BILL

to incorporate the Computer Society of Sri Lanka

Presented by Hon. (Prof.) Ashu Marasinghe M.P. on 26th January, 2016

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Computer Society of Sri Lanka
(Incorporation)

AN ACT TO INCORPORATE THE COMPUTER SOCIETY OF SRI LANKA

WHEREAS a Society called and known as the "Computer Society of Sri Lanka" has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all 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 the several objects and matters for which it was formed and has applied to be incorporated and it will be expedient to grant the said 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 Computer Society of Sri Lanka (Incorporation) Act, No. of 2016.

Short title.

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

Incorporation of Computer Society of Sri Lanka.

3. (1) The general objects for which the Corporation is constituted are hereby declared to be—
(a) to provide an organization for professionals engaged in information and communication technology, supervise and monitor its professional activities and

General objects of the Corporation.

- (i) to liaise with similar professional institutions in Sri Lanka or abroad in furtherance of the objects of the Corporation;

5 (2) In the implementation of the objects specified in subsection (1) of this section the Corporation shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion or place of birth.

10 **4.** (1) The affairs of the Corporation shall, subject to the rules of the Corporation made under section 6, be administered by an Executive Council (in this Act referred to as the "Council") consisting of the President, Vice President, Secretary and other office bearers elected or appointed in accordance with the rules of the Corporation
15 made under section 6.

Management
of the affairs
of the
Corporation.

(2) The first Council shall consist of the members of the Executive Council of the Society holding office on the day immediately preceding the date of commencement of this Act.

20 **5.** Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things whatsoever, as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one
25 of them including the power to:-

General
powers of the
Corporation.

- (a) acquire, hold, take or give on lease or hire, mortgage, pledge, sell, exchange, or otherwise alienate, encumber or dispose of any immovable property for the purpose of the Corporation;

30 (b) enter into and perform or carry out, wither directly or through any officer or agent authorized in that behalf by the Corporation, all such contracts or agreements as may be necessary for the attainment

- (d) the powers, duties and functions of the various officers, agents and servants of the Corporation;
- (e) the procedure to be observed at the summoning and holding of meetings of the Corporation and the Council, the times places, notices and agenda of such meetings and the quorum thereof and the conduct of business thereat;
- (f) the administration and management of the property of the Corporation and the custody of its funds;
- (g) establishing committees for the proper execution of the objects of the Corporation; and
- (h) qualifications and disqualifications of members of the Corporation and the Council;

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

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

7. (1) The Corporation shall have its own fund and moneys heretofore or hereafter received by way of gifts, testamentary dispositions, transfers, investment shall be deposited to the credit of the fund of the Corporation (in one or more banks as may be determined by the Council.

Fund of the Corporation.

(2) All expenses incurred by the Corporation in exercising and discharging its powers and functions shall be paid out of the fund.

8. (1) The financial year of the Corporation shall be the calendar year.

Accounts and Audit.

(2) The Corporation shall cause proper accounts to be

(3) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Council.

5 (4) In 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.

9. the seal of the Corporation shall be in the custody of the Secretary and shall not be affixed to any instrument whatsoever except in the presence of the Chairman or the vice Chairman and one other member duly authorized by the Council 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.

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

30 **11.** No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or

for any others purspoes, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

- 5 **12.** the moneys and property of the Corporation however derived shall be applied solely towards the promotion of its objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, profit or otherwise howsoever to the members of the Corporation.
- 10 **13.** Subject to the provisions of this Act, the Corporation shall be able and cabable in law to acquire and hold any property, movable or immovable which may become vested in it by virtue of any purchase, grant, gift testamentary disposition or otherwise, and all such property shall be held
15 by the Corporation for the pruposes of the Act and subject to the rules of the Corporation made under section 6, with full power to sell, mortgagege, lease, exchange or otherwise dispose of Corporation the same.
- 20 **14.** If upon the dissolution of the Corporation there remains after the satisfaction of all debts and liabilities, any property whatsoever, such property, shall not be distributed among the members of the Corporation but shall be given or
25 transferred to some other Corporation or institutions having objects similar to the objects of the Corporation and which is or are by the rules thereof prohibited from distributing any income or profit among its or their members. Such institution or institutions shall be determind by the members of the Corporation or immediately before the time of dissolution of the Corporation.
- 30 **15.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate.
- 35 **16.** In the event of any inconsistency between the Sinhala and the Tamil texts of this Act, the Sinhala text shall prevail.

Application
of moneys
and property.

Corporation
may hold
property
movable and
immovable..

Property
remaining on
dissolution.

Saving of the
right of the
Republic and
others

Sinhala text
to prevail in
case of
inconsistency.

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