

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

Part II of February 03, 2023

SUPPLEMENT

(Issued on 06.02.2023)



**SRI LANKA INSTITUTE OF TRAINING AND
DEVELOPMENT (INCORPORATION)**

(Private Members' Bill)

**A
BILL**

to incorporate the Sri Lanka Institute of Training and Development

*To be presented in Parliament by Hon. (Mrs.) Kokila Gunawardene, M. P.
for Gampaha District*

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 20.00

Postage : Rs. 50.00

This Gazette Supplement can be downloaded from www.documents.gov.lk



*Sri Lanka Institute of Training and Development
(Incorporation)*

AN ACT TO INCORPORATE THE SRI LANKA INSTITUTE OF
TRAINING AND DEVELOPMENT

WHEREAS an Institute called and known as the “Sri Lanka
Institute of Training and Development” has heretofore been
established for the purpose of effectually carrying out and
transacting all objects and matters connected with the said
5 Institute according to the rules agreed to by its members:

Preamble

AND WHEREAS the said Institute has heretofore
successfully carried out and transacted the several objects
and matters for which it was established, and has applied to
be incorporated and it will be for the public advantage to
10 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 Sri Lanka Institute of
Training and Development (Incorporation) Act, No. 2023.

Short title

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

Incorporation
of the Sri
Lanka
Institute of
Training and
Development

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

General
objects of the
Corporation

(a) to grant professional recognition to the members of
the institute in the various grades of membership;

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- (b) to raise and uphold the interest, dignity, welfare, rights and professional status, of those engaged in the field of training and development;
- 5 (c) to maintain links with similar professional bodies both local and foreign;
- (d) to intervene with the appropriate authorities when issues arise that, may threaten the well-being of the profession in general;
- 10 (e) to enhance professional togetherness by promoting social activities among the membership;
- (f) to establish, encourage and foster ethical and professional standards of work and conduct for members of the profession and to take necessary and expedient steps in this connection;
- 15 (g) to provide and promote maintenance of a representative body for the training profession and to collect, collate, co-ordinate and distribute information, ideas, methods and techniques for the benefit and improvement of the training profession;
- 20 (h) to foster, promote, encourage and facilitate discussion study and research and to disseminate information on matters and problems connected with training;
- 25 (i) to encourage, foster and promote the creation of a learning culture within Sri Lankan Organizations;
- (j) to actively promote Human Resource Development initiatives at the organizational level with a view to the enhancement of the level of managerial competencies in organizations;

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(k) to be actively involved with, and explore the frontiers of, knowledge management to help members and their organizations to harness their potential as a source of competitive advantage; and

5 (l) generally to do all such acts and things as are necessary for, or incidental or conducive to, the carrying out or the attainment of the objects of the Institute;

4. (1) The affairs of the Corporation shall, subject to the Management of the Affairs of the Corporation
10 rules in force for the time being of the Corporation, be administered by an Executive Council consisting of the office-bearers and such other persons as may be provided for in such rules and elected in accordance therewith.

(2) The first Executive Council of the Corporation shall
15 be the members of the Executive Council of the Institute holding office on the day preceding the date of commencement of this Act.

5. (1) It shall be lawful for the Corporation, from time to Rules of the Corporation
time, at any general meeting of the members and by a majority
20 of not less than two-thirds of the members present and entitled to vote, to make rules, not inconsistent with the provisions of this Act or any other written law, for the admission, expulsion or withdrawal of members, for the election of members of the Executive Council, for the conduct of the
25 duties of the Executive Council and of the various officers, agents and servants of the Corporation, for the procedure to be followed in the transation of business at meetings of the Corporation and the Executive Council and otherwise generally, for the management of the affairs of corporation
30 and the attainment of its objects.

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(2) The rules of the Institute in force on the day preceding the date of commencement of this Act shall, insofar as they are not inconsistent with the provisions of this Act or other written law, be deemed to be the rules of the Corporation made under this section and may be altered, added to, amended, rescinded or replaced by rules made under this Act.

(3) No rules of the Corporation for the time being in force nor any rules which may hereafter be passed, shall be altered, added to, amended or rescinded except by the votes of two-thirds of the members present and voting at a general meeting of the Corporation:

Provided however, that no such alteration, addition, amendment or rescission shall have effect unless approved by the Executive Council of the Corporation.

6. (1) The Executive Council of the Corporation shall cause proper books of account to be kept of the income and expenditure of the Corporation.

Accounts of
the
Corporation

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

(3) 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,

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

Powers of the Corporation to acquire property and raise money

(2) The Corporation shall have the power to borrow or raise money necessary for the furtherance of its objects on any security and to secure the discharge of any debt or obligation of the Corporation in such manner as may be deemed fit.

(3) The Corporation may raise funds and receive subscriptions, grants, donations, and gifts in cash or kind.

(4) All property movable and immovable, acquired or held by the Corporation and all moneys paid to or received by the Corporation under this Act or rules made there under shall be held, used and applied by the Corporation in accordance with its rules, for the furtherance of its objects.

8. The seal of the Corporation shall be kept in the custody of the Secretary of the Corporation and shall not be affixed to any instrument whatsoever, except in the presence of the President or any officer of the Corporation authorized in that behalf in accordance with the rules in force for the time being of the Corporation, 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

9. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter received by way of gifts, bequest, donations, subscriptions, contributions, fees or grants for and on account of the Corporation, shall be deposited to the credit of the Corporation in one or more banks as the Committee of Management of the Corporation shall determine.

Funds of the Corporation

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(2) There shall be paid out of the funds all sums of the money to any expenditure incurred by the Body Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

5 **10.** The income and property of the Corporation howsoever derived shall be applied solely, towards the promotion of the objects as set forth herein, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise by way of profit, to the
10 members of the Corporation.

Application
of income
and property,
of the
Corporation

11. All debts and liabilities of the Institute existing on the day preceding the date of commencement of this Act shall be paid and discharged by the Corporation and all debts due to, and subscriptions and contributions payable
15 to the Institute on that day shall be paid to the Corporation for the purpose of this Act.

Debts due by
and payable
to the
Institute

12. 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
20 towards discharging such debts and liabilities exceeding the amount of such annual subscriptions as may be due from him to the Corporation.

Limitation of
liability of
members of
the
Corporation

13. If upon the dissolution of the Corporation there remains after the satisfaction of all debts and liabilities, any
25 property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other institute or institutes having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any
30 income or property among its or their members. Such institute or institutions shall be determined by the members of the Corporation at or immediately before the dissolution of the Corporation.

Property
remaining on
dissolution

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

Saving of the
right 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 prevail.

Sinhala text
to prevail in
case of
inconsistency

