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**SUPPLEMENT**

*(Issued on 23.11.2020)*



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

*(Private Member's Bill)*

**A**

**BILL**

**to incorporate the Sri Lanka Society of Physiotherapy**

*To be presented in Parliament by Hon. S. M. Marikkar, M.P. for  
Colombo District*

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*Sri Lanka Society of Physiotherapy  
(Incorporation)*

AN ACT TO INCORPORATE THE SRI LANKA SOCIETY OF PHYSIOTHERAPY

WHERE a Society called and known as the “Sri Lanka Society of Physiotherapy” 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:

AND WHEREAS the said Society 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 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 Sri Lanka Society of Physiotherapy (Incorporation) Act, No.      of 2020.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Sri Lanka Society of Physiotherapy” (hereinafter referred to as the “Society”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the “Sri Lanka Society of Physiotherapy” (hereinafter referred to as the “Corporation”) 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 to alter the same at its pleasure.

(2) The Corporation shall be the only professional, academic and regulatory body for all the physiotherapists practicing in Sri Lanka.

10 (a) promotion of physiotherapy and allied sciences and the maintenance of the honor and interest of the physiotherapy profession, whilst maintaining good relations with the Government of Sri Lanka, and more particularly the Minister in charge of the Health in order to achieve the objects of the Society;

15      (b) to promote physiotherapy profession in the republic  
of Sri Lanka in its all aspects and requirements;

(c) to provide a focal point for its members to meet, discuss and resolve common problems;

20 (d) to grant of sums of money out of the funds of the Society for the promotion of the physiotherapy and allied sciences in such manner as may from time to time be determined by the society;

(e) to establish a physiotherapy benevolent fund, for the relief of decayed or necessitous members of the physiotherapy profession;

(f) to spouse, establish further and promote international relationships, in furtherance of the objects of the society with international physiotherapy organizations for the purpose of deriving benefits and assistance for securing expert help or advice for promoting the cause of the Society;

- (g) to educate its members of the physiotherapy profession and keep them informed of the latest developments and advancement in physiotherapy, locally and internationally;
  - 5        (h) to establish a forum which enables the members to exchange their knowledge and skills in the fields of physiotherapy;
  - 10        (i) to improve the standard of professional conduct of members in order to promote and achieve efficiency and effectiveness of the physiotherapy professionals
- and further;
- (j) to establish a code of professional conduct of persons registered with the Society;
  - 15        (k) to publish a periodical journal, this shall be the journal of the Society;
  - 20        (l) to conduct periodical meetings of the members of the Society;
  - 20        (m) to purchase, lease, rent, hold and dispose of any land and premises for use as halls, libraries, lecture rooms or any other purpose of the Society;
  - 25        (n) to provide instruction and training to members of the Society;
  - 25        (o) to conduct research into issues in the field of physiotherapy;
  - 25        (p) to make grants to universities, other educational institutions of individuals of high professional standard, for promotions of the study of subjects relevant to physiotherapy;

(g) to run, operate, undertake and maintain training and in-service training centers and, or programmes and to employ skilled personnel for the purpose of furthering the objects of the Society;

5 (r) to avail the services of foreign and local consultants, experts, volunteers with or without remuneration in the field of the work of the Society;

10 (s) to train or cause to be trained in Sri Lanka or abroad at the cost and expense of the society any person whomsoever approved by the Society for the furtherance of the objects of the Society;

15 (t) to accept and raise money required for the purpose of the association by way of subscriptions, gifts, donations, endowments, benefactions in cash or in kind or in movable or immovable property, whether subject or not to any special trust or conditions in favour of furtherance of any for the objects of the Society;

20 (u) to enter into hire purchase contracts with banks and other lending institutions for the purchase of vehicles, plant, machinery or any other matters or things that may be required by the Society from time to time;

25 (v) to buy, sell, mortgage, lease, dispose of or otherwise deal with any property and assets of the Society in whole or in part;

30 (w) to collaborate with foreign organizations, either through a person or body corporate or otherwise for the purpose of furthering the interest of the Society and to carry on any or all of the objects of the Society;

(x) to invest and deal with the moneys of the Society not immediately required by the Society for the

purpose of its objects in or upon such investments or securities and in such manner as may from time to time be determined.

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

10 4. The objects of the Corporation shall be carried out in such manner, so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or any Provincial Council.

Corporation to ensure no conflict with work of Ministry or Department of the Central Government or Province.

15 5. (1) Subject to the provisions of this Act the Corporation shall be carried out by a Board of Management (hereinafter referred to as "the Board") consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the Corporation.

20 (2)(a) The Board of Management of the Society that holds office on the day immediately preceding the date of commencement of this Act, shall function as the Board of the Corporation until the first Board is appointed or elected in the manner provided for by rules made under section 7;

25 (b) The first Board of the Corporation shall be appointed or elected within one year of the date of commencement of this Act.

30 (3)(a) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years;

(b) In the event of a vacancy due to the death, resignation, incapacity or removal from office of an office bearer, the Board shall, having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy; and

5 (c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

6. 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 and matters as are necessary or desirable for the promotion or any one of them, including the power:—

15 (a) to purchase, acquire rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purpose of the Corporation and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects of the Corporation;

20 (b) to raise funds and receive grants, gifts or donations,  
in cash or kind with or without security:

25            Provided that, the Board shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations made to the Corporation;

(c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate and close accounts in any banks;

(d) to invest any funds that are not immediately required for the purposes of the Corporation in such manner as the Board may determine;

- (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- 5 (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- 10 (g) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any General Meeting and by the votes of not less  
15 than two thirds of the 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:—

Rules of the Corporation.

- 20 (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable by members;
- (b) the election of office bearers of the Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- 25 (c) the terms and conditions of appointment, powers, functions and duties of the various officers, agents and servants of the Corporation;
- 30 (b) the procedure to be followed at the summoning and holding of meetings of the Board, or any sub-committee thereof, notices and agenda of such meetings, the quorum and conduct of business thereat;





(4) The secretary, treasurer and one of the Council members will have the power to make, draw, and accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable or transferable instruments or securities and to open and maintain banking accounts for the Society.

**10.** (1) The financial year of the Corporation shall be the calendar year. Accounts and the Auditing.

(2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Auditor-General in terms of Article 154 of the Constitution.

(4) 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.

**11.** (1) The Board should prepare a report of the activities of the Corporation for each financial year and submit such report together with the audited statement of accounts to the Secretary of the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary Social Annual Report.

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

14. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application of money and property.

30      **15.** (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence two members of the Board 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

5       **16.** (1) 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 any other institution having objects similar to those of the Corporation and which, is by the rules thereof, prohibited from distributing any income or property among its members. Property remaining on dissolution.

15       (2) For the purpose of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

**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 Republic and others.

20       **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.

