

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

Part II of November 15, 2019

SUPPLEMENT

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**SRI LANKA PSYCHOLOGICAL
ASSOCIATION (INCORPORATION)**

A

BILL

to incorporate the Sri Lanka Psychological Association

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Indigenous Medicine*

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*Sri Lanka Psychological
Association (Incorporation)*

L.D.—O. Inc 30/2011

AN ACT TO INCORPORATE THE SRI LANKA
PSYCHOLOGICAL ASSOCIATION

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

AND WHEREAS the said Association has heretofore
successfully carried out and transacted the several objects
and matters for which it was established and has applied to
10 be incorporated and it will be for the public advantage 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 Psychological Short title.
15 Association (Incorporation) Act, No. of 2019.

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

(2) The body corporate shall be deemed to be a voluntary social service organization with the meaning, and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the body corporate.

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

General
objects of the
body
corporate.

- (a) to promote and disseminate knowledge of psychology and its application in Sri Lanka;
- (b) to encourage research into professional knowledge in psychology with a view to promoting professional knowledge of psychology;
- (c) to regulate the professional activities of the members and maintain proper standards in the development, standardization, use and evaluation of instruments and devices used in the practice of psychology in Sri Lanka;
- (d) to safeguard the professional interest of members and to render assistance to expand the knowledge and professional expertise;
- (e) to render assistance in doing experiments, and making publications on psychology and facilitate access to relevant material;
- (f) to establish a Code of Ethical Conduct in order to promote ethical practice and prevent malpractices of members and others involved in the field of psychology;
- (g) to organize conferences, workshops, lectures and provide networking opportunities in various areas of psychology;

(h) to maintain periodical containing publications related to psychology and its related disciplines; and

5 (i) to disseminate information on opportunities of professional work and to make recommendations to the members, of the desirable qualifications in psychology.

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

Body corporate to ensure no conflict with work of Ministry or Department of the Government or Province.

5. (1) Subject to the provisions of this Act, the management and administration of the affairs of the body
15 corporate shall be carried out by a Council of Management (hereinafter referred to as the "Council") consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the affairs of the body corporate.

20 (2) (a) The Council of the Association that holds office on the day immediately preceding the date of commencement of this Act shall function subject to the rules made under paragraph (b) of this section as an Interim Council of the body corporate until the first Council is appointed or elected in the manner provided for by rules made under section 7.

25 (b) Subject to the provisions of section 7, the Interim Council shall have the power to make rules for the interim administration of the body corporate and for election or appointment of the members of the first Council of the body corporate.

(c) Any decision of the Interim Council shall be taken by the majority of members present.

(d) The first Council of the body corporate shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Council including the patrons and advisers, 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 occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Council shall having regard to the rules of the body corporate, elect or appoint a person to fill such vacancy.

(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 body corporate shall have the power to do, perform and execute all such acts and matters as are necessary or desirable for the promotion or furtherance of the objects of the body corporate or any one of them, including the power—

Powers of the
body
corporate.

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

(b) enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the body corporate, all such contracts or

agreements as may be necessary for the attainment of the objects or the exercise of the powers of the body corporate;

- 5 (c) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind:

10 Provided that, the Council shall obtain the prior written approval of the Department of External Resources in respect of all foreign grants, gifts or donations made to the body corporate;

- 15 (d) 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, maintain and close accounts in any bank;

- (e) to invest any funds that are not immediately required for the purposes of the body corporate, in such manner as the Council may determine;

- 20 (f) 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 body corporate;

- 25 (g) to appoint, employ, dismiss or terminate the services of officers and servants of the body corporate and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the body corporate;

- 30 (h) to organize lectures, seminars and conferences with a view to promoting the objects of the body corporate;

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- (i) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the body corporate;
- (j) to train personnel in Sri Lanka or abroad for the purposes of the body corporate; and
- (k) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the body corporate.

7. (1) It shall be lawful for the body corporate, from time to time, at any general meeting of the body corporate 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 Act or any other written law, for all or any of the following matters:—

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

(f) the administration and management of the property of the body corporate; and

5 (g) generally the management of the affairs of the body corporate and the accomplishment of its' objects and dissolution of the body corporate.

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

10 (3) The rules made under subsection (1) shall be published in the *Gazette*.

(4) The members of the body corporate shall at all times be subject to the rules of the body corporate.

15 **8.** The Council shall maintain a register of members in which name, address and other essential details of the members shall be inscribed. Register of members.

9. (1) The body corporate shall have its own Fund. Fund of the body corporate.

20 (2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grant for and on account of the body corporate shall be deposited in one or more banks approved by the Council to the credit of the body corporate.

25 (3) There shall be paid out of the Fund, all such sums of money as are required to defray any expenditure incurred by the body corporate in the exercise, performance and discharge of its powers, duties and functions under this Act.

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

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

(3) The accounts of the body corporate shall be audited annually by the Auditor General or a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

5 (4) For the purposes of this section “qualified auditor” means—

10 (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

15 (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.

20 **11.** (1) The Council shall prepare a report of the activities of the body corporate 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 Health and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

Annual
Report.

(2) A separate account relating to the foreign and local moneys received by the body corporate during the financial year shall be attached to the report referred to in subsection (1).

5 **12.** All debts and liabilities of the Association existing on the day immediately preceding the date of commencement of this Act, shall be paid by the body corporate hereby constituted and all debts due to and subscriptions and contributions payable to the Association on that day shall
10 be paid to the body corporate for the purposes of this Act.

Debts due by and payable to the Association.

15 **13.** Subject to the provisions of this Act, the body corporate shall be able and capable in law to take 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
by the body corporate for the purpose of this Act and subject to the rules of the body corporate made under section 7, with power to sell, mortgage, lease, exchange, or otherwise dispose of the same.

Body corporate may hold property movable and immovable.

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

Application of moneys and property.

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

Seal of the body corporate.

(2) The seal of the body corporate shall be in the custody of an office bearer of the Council as may be decided by the Council.

16. (1) If upon the dissolution of the body corporate 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 body corporate,
 5 but shall be given or transferred to any other institution having objects similar to those of the body corporate, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property remaining on dissolution.

(2) For the purposes of subsection (1), the appropriate
 10 institution shall be determined by the members of the body corporate 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
 15 other body corporate.

Saving of the rights of the Republic.

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.

