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## The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2313/50 – 2023 ජනවාරි මස 05 වැනි බ්‍රහස්පතින්දා – 2023.01.05  
No. 2313/50 – THURSDAY, JANUARY 05, 2023

(Published by Authority)

## PART I: SECTION (I) – GENERAL

### Government Notifications

#### RULES FOR ELDERS ORGANIZATIONS

RULES commonly applicable for Rural Elders Societies, Regional Elders Organizations, District Elders Organizations and Provincial Elders Organizations established covering all the Grama Niladhari Divisions of the Island in accordance with Section 14 of Act, No. 09 of 2000, amended by Act, No. 05 of 2011 have been set as per the Section 35 (1) of General Provisions in Part VIII of the Act, No. 09 of 2000.

His excellency President's approval has been received to *gazette* and print following sets of rules prepared in three languages as per the Section 35 (2) of General Provisions in Part VIII of the Act, No. 09 of 2000.

- Rural Elders Societies
- Regional Elders Organizations
- District Elders Organizations
- Provincial Elders Organizations

K.G. LANEROL,  
Director.

National Secretariat for Elders,  
2nd Floor,  
Block D,  
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Baththaramulla.



**Rules for Rural Elders Societies, prepared in accordance with Sub-section (g)  
in Section 14 of Act, No. 09 of 2000, amended by Act No. 05 of 2011**

National Secretariats for Elders'

Registration Number :

Registration Date :

Name :- Name of this organization is cited as .....

1. It shall be referred as the society in Constitutions and all the written declarations hereinafter.
2. The address ..... shall be the address of the Secretary of the society or the other place, decided by the General Assembly. Changing the address is not a changing the rules and such a change shall be informed to Divisional Secretary / Director of National Elders Secretariat within 7 days.

3. Grama Niladhari Division :-
4. Divisional Secretariat :-
5. District :-
6. Date of inception :-
7. Goal of the organization :

Enhancement the living standards of the elders live in the area of the society and making them satisfied senior citizens, contributing to accomplish social, economic and cultural necessities, in accordance with Protection of the rights of the Elders Act and rules imposed thereunder.

8. Powers and Functions of the Society :

- i. Working for the promotion of mental, health, spiritual, economic, physical welfare of the elders living in rural area by protecting their freedom, independence, care, dignity and self-esteem.
- ii. Building the good morals and well-being of the society by identifying and implementing welfare programs through a Participatory Development Approach for elders live in the area and children, youth and disabled communities, responsible for them.
- iii. Development the economic status of the elders through identifying income generating projects and implementing those projects in coordinating with relevant persons and Institutes.
- iv. Identifying the innate skills of adults and developing and appreciating those skills.
- v. Identifying economically and socially disadvantaged elders and empowering them and providing them welfare services.
- vi. Introducing strategies and provide guidance in legal, health, mental assisting to avoid various problematic situations faced by the elders generally.
- vii. Directing elders to their social, economic, spiritual and cultural development, organizing, empowering and contributing to implement, providing leadership for various welfare projects granted under government and non-government organizations, Contributing to establish a humanistic social environment within its area through coordinating by gathering elders, who need services and live in rural and urban areas using Participatory Development Approach.

- viii. Identifying resource persons in the area, availing their services and evaluating them.
- ix. Identifying income generation programs of low income elderly persons live in the area and implementation those programs.
- x. Conducting health clinics, counseling, entertainment, religious and cultivation projects and programs.
- xi. Assisting to solve the common problems and issues faced by the elders living in the area of the rural Society at rural level.
- xii. Sharing the knowledge and experience of senior citizens who has expert knowledge.

9. Domain :-

..... Grama Niladhari Division bearing No.....located in ..... Divisional Secretariat area of .....District shall be the domain of this Society.

10. Membership of the Society

Members of the Society at the time of registration a Society under this constitution and the members who get membership after the registration of the Society, shall have following qualifications -

- i. Qualifications :
  - Should be permanent residents of the area
  - Should be over 60 years of age
  - Should be a person with good character and willing to comply all the provisions mentioned in these rules.
- ii. Enrolment :
  - Sign the pioneer member to the application to register
  - Complete and submit a data report and application comprising his information and get approval of the General Assembly and the Committee.

iii. Member Register :

A register of the members shall be maintained in accordance with the Schedule format. (It shall be in the custody of the secretary of the Society. The detail of member's name, address, date of birth, Identity card number, Elder's Identity card number and names, addresses and occupations of the children or guardians who are caring them shall be in accordance with the format supplied by Elders Secretariat)

iv. Duties, Responsibilities and Rights of the members

He / She will have member's rights after getting approval to membership by General Assembly. Franchise entitled as a member's right shall be used by himself / herself and members have duties, responsibilities and rights on to be elected to any post of the Society, to propose or ratify proposals for a member for that, to bring a motion of no confidence against it or vote for such a no confidence, if the office holders abuse their powers and violate these constitutions, to act transparently in connection with the transactions of the Society, to have benefits, to be partners in all the activities indicated in the constitution, if contributing to financial affairs such as deposits and loans.

**Termination of membership**

- Death
- Resignation
- Abolition the membership on the decisions of General Assembly due to violation of rules
- Conviction by a court in connection with an immoral act /financial fraud
- Withdrawal from the area of membership
- Taking a legal decision due to any dispute with the Society confirming that dispute
- Unannounced absence from 3 consecutive meetings

In termination the membership on any other reason except the natural causes or resignation from the above reasons, the Secretary of the Society should inform it to relevant member before a month after making a committee decision considering the facts to be caused for that and the member will have the opportunity to convince facts to General assembly. The General assembly has the power to take a final decision after considering those matters. However, such a member can submit an appeal to the Director / Divisional Secretary regarding the decision of the General Assembly and he can take a final decision after conducting an investigation by a special independent committee.

**Associate membership**

When any of member is unable to hold active membership due to insanity, infirmity and impotence, his /her membership can be persisted as an Associate Member of the Society and he /she is entitled to have welfare and other privileges of the Society.

**General Assembly****Meetings of General Assembly**

General Assembly meetings shall be held monthly. Apart from that, on the written request of its membership made in accordance of the rules or on the persistence of the Society, the Special General Meetings can be held on the decision of the committee. Except from that, Director of National Secretariat for Elders/ Divisional Secretary can call a General Assembly meeting by a written notice made by himself or a representative authorized by him within 7 of working days and presence of 10 members is considered as the quorum for those meetings.

General Assembly shall be called by the Secretary of the Society. Calling of meetings shall be made on a standard communication method or on the communication method prescribed by the committee and the committee shall satisfy whether the members have been duly informed.

Minutes of the General Assembly shall be taken in the same instance by Secretary of the Society and when he/she is absent, it shall be done by a person, who were authorized by the committee .

The chair of the General Assembly shall be held by the President of the Society, in his absence the Vice-President and in the absence of both of them, an officer belonging to the Committee may be temporarily appointed as the President, based on the proposal adopted by the General Assembly. But his presidency shall be effective only for that meeting. The chair of a meeting, called by Director of National Elders Secretariat/ Divisional Secretary or authorized representative, shall be held by the authorized President or Vice-President / Vice-Secretary.

**Powers and Functions**

General Assembly shall be held on the Agenda, passed by the committee and communicated to the members. However, if non-financial proposals are presented by the General Assembly, it can be considered during the meeting of General Assembly. Further, all the functions, enforced by these rules can be implemented in the General Assembly meeting. General Assembly can decide actions such as to grant new memberships, suspension or cancellation of the membership on formal inquiry, to

expulsion from membership, to consider the committee recommendations related to annual budget estimates, development plans and projects and making relevant decisions, to consider about annual audit report, to appoint the officers as per the rules, to make decisions to buy or sell and rent or lease the assets, considering about the reports of special investigations conducted by Director of National Elders Secretariat / Divisional Secretary or making decisions related to those reports, to integrate of Societies, division or liquidation of Societies and making decisions on no-faith incidents.

### **Composition, Operation, Powers and Functions of the General Assembly**

The general assembly of the Society consists of the founding members and the members approved after the first general assembly. As well, if the membership has been acquired, it can be represented the Annual General Meeting on the active contribution (participation and financial contribution) for the well-being of its members in accordance with these rules, and the relevant documents shall be submitted to the Committee by the Secretary. However, if any inactive member restores their membership in active participation after paying 03 months' arrears of his contribution, they shall be called for General Assembly after that.

### **Quorum**

Quorum of the General Assembly shall be consisted in whichever is less from 1/3 or 25 from number of the members.

### **Composition of the Committee**

A Committee composed 09 members including following posts shall be elected by General Assembly in accordance with the rules. It shall be appointed in a general assembly meeting called for that purpose. The Committee thus appointed shall be effective for two years from the date of appointment.

### **Qualifications for the Committee**

The members to be appointed for the Committee shall have following qualifications

1. Shall be an active member of the Society
2. Shall be a person who haven't got any dispute with the Society
3. Shall not be a defaulter of payment to be paid for Society
4. Shall have a good health condition
5. Shall not have faced for no faith situation or be a person who has not been removed from his post in last 5 years

### **Powers and functions of the Committee**

1. To prepare estimates and annual plans of the Society and submit them for the approval of the General Assembly.
2. To organize and maintain various projects, activities and other things leading to the welfare of the elders.
3. To collect and protect money and maintain a fund and disburse from it in productive investments approved by the General Assembly.
4. Accounting and decision making considering the monthly and annual budget.
5. To submit reports, observations and recommendations to be submitted to the General Assembly in accordance with this constitution and to carry out other legal activities.
6. To study audit reports, reports of special inspections and investigations and decision making.

**Forfeit of Committee membership**

Committee membership shall be forfeited on the one or more of the following reasons.

1. Expiry of the term of office
2. Resignation
3. Forfeit the Membership
4. Being committed to no-faith
5. Removal

In the General Assembly meeting on a fixed date, qualified members shall be appointed for following offices adopted by the consent of majority. On the disqualification of a person who are bearing the membership of a Provincial Elders Organization and appointed representing District Elders Organization, There should be no prejudice to the membership of the said Society or the membership of committee of that Society.

**Honorary President**

A member of the Society may be appointed as the President by a suggestion adopted in the General Assembly or a nominated Government Officer may temporarily hold the post on a decision taken by the Director of the National Elders Secretariat / Divisional Secretary after considering a certain enquiry. He/she is the Chief Executive of the Society.

**Honorary vice-President**

A vice president shall be appointed to act in the absence of the president of the Society. In the occasions that the President of the Society has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of President.

**Honorary Secretary**

A member appointed by the General Assembly shall be the Secretary of the Society. He /She should perform the duties of calling and reporting the meetings, functioning regarding the correspondence of the Society on the orders of the President, carrying out prescribed activities on the orders of the Protection of the Rights of Elders Act, this by-law and the Committee

**Honorary Vice-Secretary**

A Vice-Secretary shall be appointed to act in the absence of the Secretary of the Society. In the occasions that the Secretary of the Society has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of Secretary.

**Honorary Treasurer**

A member appointed by the General Assembly shall be the Treasurer of the Society. He should act regarding the finance of the Society in accordance with the constitution. He shall perform the duties on submission the detail of transactions of the Society to the Committee and General Assembly and Director or Authorized Officer or Auditors, financial administration affairs, Bank accounts affairs and maintaining and protecting all the accounts books and performing all types of legal activities effecting to this Society.

### **Anniversary Meetings of General Assembly**

Anniversary General Assembly Meetings of the Society shall be conducted annually. That Anniversary General Assembly should be held within 03 months of the end of the financial year. In this meeting, annual progress of the Society, Audit report of the Society, Action plan of next year and the Budget shall be presented.

In addition, If there are special proposals presented by the members, it should be considered at this annual meeting.

### **Capital**

#### **❖ Member fees**

Every member of the Society shall pay a minimum of Rs. 20/- or such an amount as may be decided by the Society as membership fee. It can be paid as installments or annual fee (in the first 3 months of the year). Those who are paid Rs.100/- shall be deemed to have paid the annual membership fee.

#### **❖ Donations**

This refers the loans, aids and donations given by the government or by the provincial council or by the local government bodies in relation to the welfare of the elders or related to the matters compiled in these rules.

#### **❖ Deposits**

There shall be a deposit fund on the deposits received by the Society. In that fund compulsory deposits, normal deposits and fixed deposits can be made from members and non-members as well and the rate of interest decided by the Society shall be paid annually.

#### **❖ External borrowings**

Loans can be obtained from the Government, the Provincial Council, the Local Government bodies or the Banks, Corporations, Boards and any other Institutions for the financial needs of the Society and a formal procedure should be followed in obtaining these loans. In obtaining these loans, there shall be a General Assembly approved limit for external loans and loans can be obtained subject to that limit. Decision making power on these loans is belonged to the Society.

#### **❖ Net Profit**

40% of the residual profit shown in the annual audit conducted by the Society shall be added to the working capital of the Society as a safety reserve on the decisions of General Assembly.

#### **❖ Income earned by other ways**

This refers the finance generating programs, income generating projects and contracts, businesses and money generated by building various funds to continue activities of the organization on the base of its functions.

When obtaining aids from various projects, especially in the case of contracts, it should be concerned to charge the relevant percentage in accordance with the instructions issued by the Treasury.

### **Financial year**

The financial year of the organization shall be from 01<sup>st</sup> of February of each year to 31<sup>st</sup> of January of the following year.

### **Handling money**

The money received by the Society under the above Articles shall be the common funds of the organization. Thus it consists membership funds and various government and non-government funds as well, It is subject to the provisions of the Public Property Act No. 12 of 1982. All the money handling and Bank accounts handling affairs of the Society should be done

by the Treasurer as per the orders of the President. However, signature sheets of the clients of rural elders Society must be approved by Director / Divisional Secretary and it will be possible to recruit employees for this purpose on the prior approval of the Director when the deals of Society is wider.

In the case of monetary transactions, the Society shall maintain the transactions through a current account of a Bank approved by the Divisional Secretary/Director, or through a savings account of a rural level Bank, and Treasurer of the Society should deposit money in the current account when the balance in his hand exceeds Rs.5,000/- and when the balance of current account exceeds Rs.50,000/- he should invest extra cash available in addition to financial requirements of the Society, in the fixed deposits.

All the receipts and payments of the Society should be made on receipts and vouchers and those should be recorded daily in the cash book as receipts and payments. All the personal accounts shown in the cash book should be recorded in the personal ledgers, and the creditor's and debtor's accounts should be recorded in the creditor's and debtor's ledgers. The Treasurer shall submit monthly financial report to the Society. Small amounts of daily expenses of the Society shall be maintained on a petty cash imprest method and expenditures made in petty cash should be in a maximum of Rs. 500/- and petty cash imprest shall be Rs. 5,000/-. A separate cash book should be maintained for petty cash and petty cash should be settled and balanced the account at the end of every month. All other expenses except expenses of the Society incurred in petty cash shall be made through Bank accounts. However, an advance may be granted for a certain matter and that advance shall be issued only to a member of the Committee or to a member who have bond with the agreement in connection with that matter. He shall make actions to settle the advance within a week of completion of the respective work.

### **Residual money**

The residual amount of money shall be determined after the annual audit of the Society. 40% from the residual amount shall be added to the working capital of the Society as a safety reserve and 10% contribution fee shall be paid for the contribution of Regional Organization Fund. The rest of money can be disbursed to :

1. Buy assets
2. Welfare affairs
3. Donations and special events identified by committees
4. Cultural, social and common welfare activities
5. Other expenses approved by the Committee and General Assembly

All the matters mentioned above shall be considered in a general assembly meeting held with the participation of Divisional Secretary or Social Services Officer / Elder's Right Promotion Officer/ Development Officer/ Provincial Social Services Officer nominated by the Divisional Secretary.

### **Welfare**

Welfare activities of the Society shall be carried out for members, for children with disabilities and as common welfare activities for non-members.

### **Welfare funds**

Welfare fund shall be maintained in the custody of the Treasurer of the Society. The expenses incurred by those funds shall be approved expenses by the Committee or the General Assembly. However, due to an emergency matter, expenses up to



Rs. 5000/= can be incurred on the orders of the President of the Society, related to the orders imposed under these rules and an amount not exceeding Rs. 10,000/= can be incurred on the approval of the committee.

1. Monthly contribution fees of its members
2. Allocations assigned as per this constitution after conducting the Audit.
3. Contributions to this fund by the surplus generated from various projects of the Society.
4. Miscellaneous donations
5. Dividend revenue or interest revenue received for welfare fund

When incurring expenses from this fund, necessities or the priority should be identified by the committee. The welfare of the members shall be the priority of the activities of this fund. In addition, committee can decide the contributions for above mentioned activities from welfare fund. Welfare expenses should not be made based on any other purpose but only related to welfare.

#### **Additional Contributions to welfare fund**

40% from surplus amount arisen after the annual audit of the Society shall be added to this fund. This allocations of contribution shall be credit to the welfare fund from working capital of the Society after presenting the audit report in General Assembly.

#### **Donations**

Donations to this fund can be received from members, non-members, state, provincial councils, local councils and various corporations, boards, institutions and organizations. It can be granted as financial and material with values. Financial donations shall be incurred for the matters proposed by those donors in compliance with these rules.

1. Financial expenses
2. Material expenses
3. Expenses through miscellaneous constructions
4. Expenses on illnesses or disorders
5. Expenditure on hygiene and health facilities
6. Expenditure on religious, cultural and common social welfare
7. Other expenses recommended by the Government, Provincial Council or Local Government or Divisional Secretary in compliance with these rules

#### **Loan relief affairs**

On an amount not exceeding 2/3 from working capital and using deposits, aids and loans obtained from the Bank on outside loan limits, every member can be granted loans on subsidized interests.

For the loans provided financing from external Institutions, terms and conditions of those Institutions shall be apply additionally. The Committee shall determine the interest rates on loans from time to time. Interest rates shall not exceed 4% from the rates paid for deposits.

#### **Interests**

Maximum amount of the loans shall be determined by the committee of the Society based on the financial information of each member and loans shall not be provided exceeding those limits. All the decisions should be made on the committee orders.

## **Guarantees**

Two guarantors should sign for loans and one member is eligible to sign for three guarantees. The guarantor should have obtained a complete membership and he should also have all the qualifications that should have to the loan applicant. If a guarantor's membership right is revoked, the agreement should be amended and another qualified member should be made as a guarantor. Guarantors and debtors should be equally accountable for a loan. In addition to membership loans, group loans can be available for special projects and such loans are not available for individuals. When providing loans from outside financial Institutions, terms and conditions of those Institutions shall apply additionally. When a member gets a loan, in addition to these guarantees, the spouse or children or a close relative, guardian, protector should be taken as additional guarantors and the committee has the authority to determine credit limits.

## **Functions of the Director/Authority**

The full authority of establishment / registration of these Societies is belonged to Director of National Elders Secretariat. The Director can delegate his powers to Additional, Deputy and Assistant Directors. In the field, the power of registration of the Rural Elders Societies under the Director of National Elders Secretariat is vested to Divisional Secretary. When registration of the Society on such powers, a one copy of registration should be forwarded to the Director of National Elders Secretariat. The Director of the National Elders Secretariat should act as to protect rights of the members in the registration of these Societies and he may act on taking legal actions for continuity of the functioning of the Societies, monitoring financial activities of the Societies, decision making on Societies and members and various disputes, reorganize the Societies on the collapse of possibilities of the Societies to reestablishment it as to protect rights of the senior citizens or liquidate and dissolve when it is difficult to do so and to conducting a special investigation in connection with any general allegation against a member of the Rural Elders Society and suspending his/her membership temporarily/permanently. The Director of the National Elders Secretariat or an officer authorized by him will have the power to audit the accounts of the organization and investigate the functioning and effectiveness of the Societies whenever deemed necessary.

## **Decision making**

All the decision makings should be done by the General Assembly on the recommendations of the Committee. However, The Committee has the power to take decisions on urgent matters and the President has the power to take decisions within the limits prescribed by the General Assembly to avoid prejudices arisen due to not taking some decision. But those decisions shall be submitted to the Committee and the General assembly to get approval subsequently. When the Societies cannot take a decision on certain matter, the Director of National Elders Secretariat / Divisional Secretary or his Officer has the power to be further considered on that. If the General Assembly / Committee hesitates to take that decision on the intervention of the Director, the Director of National Elders Secretariat can take a decision considering the harm that can be arisen on not taking that decision. That decision will be the final decision.

## **Intervention of the Government Officers**

The Society has the power of taking all the necessary decisions on administration affairs of the Society. However, if those decisions lead to any disputes or an issue related to a financial matter, Divisional Secretary or his authorized representative has the power to intervene on that matter. In addition, when a problem arises regarding the establishment and functioning of the Society, the Director of National Elders Secretariat can take a decision after i Societies and Director's decision will be the final decision.

### Internal and External Audits

#### 1. Audit Committees

An Internal Audit Committee consisted by three persons with ability of inquiring on accounts, financial status and functioning of the Society shall be activated. The committee shall be appointed by the General Assembly of the Society. This committee should check the monthly summaries and balance sheets on receipts and payments of the Society and submit a report to the committee in next month. In addition, loan deposit investments and projects carried out by the Society should be scrutinized by this committee.

#### 2. External Audit

Annual audit of the Society can be conducted by a person, whose name is in a list of the audit officers maintained by Director of the National Elders Secretariat / Divisional Secretary. This Audit shall be completed within 03 months after the end of financial year and the Audit Report shall be submitted to the General Assembly. The audit should consist of a balance sheet that reflects actual status of the assets and liabilities of the Rural Elders Societies and the Auditor or a Recognized Accounting Officer should certify that whether the activities done by Rural Elders Societies within the period of auditing are in compliance with these rules and legal provisions regarding the rights of elders. In this audit, the Auditor has powers entitled to General Auditor and the Society shall disburse the expenses of audit as prescribe by the Director of the National Elders Secretariat / Divisional Secretary.

### Special Inspections and Investigations

The Director or a person authorized by him can conduct an inspection or an investigation on establishment, functioning and financial status of the Society in relation to a certain function of the Society or in relation to certain definite time. The authorized person has powers on investigation of documents and properties, obtaining written statements, obtaining various reports and data and after submission the relevant report to the Director of National Elders Secretariat, explaining the faults and mistakes to the Society, taking explanations for not dismissing them from their posts, forwarding these information to General Assembly, conferring the authority to General Assembly to be taken actions for those officers, if the General Assembly does not take actions on that, he can remove the said committee within 2 weeks and appoint a Board consisted 03 persons to run the Society.

### General Seal

The Society should have a general seal containing the name of the Society, registration number, date and address and that seal should be in the custody of the Secretary of the Society. On the every legal document signed by the Society should be put the seal after signing the President or vice-president, secretary or vice-secretary.

### Agreements

The Society can enter into agreements with its membership, other registered organizations or external institutes and persons, Government institutes and Boards for its business affairs. Those agreements must comply with the Law of Contacts and when the Society signs as a one party, President / Secretary shall sign. In the absence of President / Secretary the authority can be conferred to vice-president / vice-Secretary.

### Amendment of rules

1. If a necessity arises to be amended these rules, that amendment can be considered and approved by the General Assembly on submission that amended rule in writing or if there is a fact identified by the committee, submission it to general assembly with the committee decision.

2. In case of the Director of National Elders Secretariat refers some amendment with prior approval, a decision should be taken by submission that amendment to the General Assembly. The amendments recommended by the committee, can be passed on 2/3 majority vote in a general assembly with quorum and those amendments should be submitted to the Director of National Elders Secretariat to get his approval. Those amendments can be activated after receiving the approval of the Director of National Elders Secretariat in writing.

### Disputes

The Director of the Elders Secretariat has the authority to appoint one or a Board consisting three persons whose names are mentioned in a list, maintained by the Director of National Elders Secretariat named as arbitrators to investigate the disputes to investigate financial or non-financial disputes arising between a member, a worker of the Society or other Societies and a contracted person or other party. Such Officer or Board appointed shall be a public servant defined in the Penal Code. He or the Board shall have the powers vested accordingly. The verdict given on the investigation should be accepted by both parties and if any party is dissatisfied, they can appeal to the Director of the National Elders Secretariat with an appeal fee set by the Director of the National Elders Secretariat. The decision given by the Director of the National Elders Secretariat for that appeal will be the final decision.

### Liquidation

The Society can be liquidized if a situation arises that the Society cannot be activated continuously or on the adoption of suggestions done by the General Assembly based on the decisions of the committee on accounts reports, special inspection reports, investigation reports *etc.* This liquidation is a responsible of the Director of the National Elders Secretariat and the Director of the National Elders Secretariat should investigate whether the Society can be re-organized and upheld continuously before liquidation. The Director of National Elders Secretariat should appoint a person or a Board whose name appears in a register of Liquidators maintained by The Director of National Elders Secretariat to liquidize these Societies. This Liquidator shall act to sell assets or convert them into cash using assets, liabilities, account balances, following the formal procedure in relation with properties and following procurement procedures and after incurring the liquidation expenses from the proceeds and respectively settling the balances of Government or Bank loans, settling the member's deposits and If there are additional expenses to be paid, settling those also and it should be handed over to the Director of National Elders Secretariat to publish the completion of liquidation through newspapers and gazette notices. If there is remaining amount of money in the liquidation, it should be credited to the account held in the name of the Director, National Elders Secretariat.

These rules have been adopted by ..... votes in favour /unanimously in the General Assembly held with participation of.....members out of ..... total members on.....of..... 20.....

.....  
President

.....  
Secretary

Date.....

These rules were registered by the Director or Authorized Officer at .....office on ..... of.....20.....

.....  
Director

National Elders Secretariat

Divisional Secretary/ Authorized Officer

On the date of .....

**Rules for Regional Elders Organizations, prepared in accordance with Sub-section (g)  
in Section 14 of Act No. 09 of 2000, amended by Act No, 05 of 2011**

National Secretariats for Elders'

Registration number :

Registration date :

Name :- Name of this Regional Elders Organization is cited as .....

1. It shall be referred as the Regional Elders Organization in Constitutions and all the written declarations hereinafter.
2. The address ..... shall be the address of the Secretary of the Regional Elders Organization or the other place, decided by the General Assembly. Changing the address is not a changing the rules and such a change shall be informed to Divisional Secretary / Director of National Elders Secretariat/ relevant parties in connection with member organizations and Boards within 7 days.
3. Divisional Secretariat :-
4. District :-
5. Date of inception :-
6. Goal of the Organization :

Enhancement the living standards of the elders of the member organizations and guiding and directing to make them satisfied senior citizens directly or otherwise, contributing to accomplish social, economic and cultural necessities of the member organizations activate in the Divisional Secretariat area, in accordance with Protection of the rights of the Elders Act and other legal provisions issued from time to time and in accordance with the rules and regulations made thereunder.

7. Powers and Functions of the Regional Elders Organization :

- i. Working for the promotion of mental, health, spiritual, economic, physical welfare of the elders living in relevant Divisional Secretariat area by protecting their freedom, independence, care, dignity and self-esteem.
- ii. Directing member organizations to building the good morals and well-being of the society by identifying and implementing welfare programs through a Participatory Development Approach for elders live in the Divisional Secretariat area and children, youth and disabled communities, responsible for them.
- iii. Development the economic status of the elders through identifying income generating projects and implementing those projects in coordinating with relevant persons and Institutes.
- iv. Identifying the innate skills of adults and developing and appreciating those skills.
- v. Identifying economically and socially disadvantaged elders and empowering them and providing them welfare services.

- vi. Introducing strategies and provide guidance in legal, health, mental assisting to avoid various problematic situations faced by the elders generally.
- vii. Directing elders to their social, economic, spiritual and cultural development, organizing, empowering and contributing to implement, providing leadership for various welfare projects granted under government and non-government organizations, Contributing to establish a humanistic social environment within its area through coordinating by gathering elders, who need services and live in rural and urban areas using Participatory Development Approach.
- viii. Identifying resource persons in the area, availing their services and evaluating them.
- ix. Identifying income generation programs of low income elderly persons live in the area and implementation those programs coordinating with rural organizations.
- x. Conducting health clinics, counseling, entertainment, religious and cultivation projects and programs.
- xi. Assisting to solve the common problems and issues faced by the elders living in the area of the rural organization at rural level.
- xii. Sharing the knowledge and experience of senior citizens who has expert knowledge

8. .... Divisional Secretariat area of .....District shall be the domain of this organization.

#### 9. Membership of the Regional Elders Organization

Rural member organization at the time of registration the Regional Elders Organization under these rules and all the members who get membership after the registration of the Regional Elders Organization, shall have following qualifications

- Should be a Rural Elders Organization established in the area
- Should be an organization willing to comply all the provisions mentioned in these rules.

#### Enrolment

- Sign the pioneer member to the application to register
- Complete and submit a data report and application comprising its information and get approval of the General Assembly and the Committee.

#### i. Member Register :

A register of the members of the Regional Elders Organization shall be maintained in accordance with the schedule format. ( It shall be in the custody of the secretary of the Regional Elders Organization and the detail of member's name, addresses, registration number and number of the members of organizations)

#### ii. Duties, Responsibilities and Rights of the members :

After getting approval the membership by General Assembly, the President, Secretary, Treasurer of the Organization or a person authorized by the Organization formally is entitle to the rights of the Organization. Franchise entitled as a member's right shall be used by the organization and any representative of the member organizations have duties,

responsibilities and rights on to be elected to any post of the Regional Elders Organization, to propose or ratify proposals for a member for that, to bring a motion of no confidence against it or vote for such a no confidence, if the office holders abuse their powers and violate these rules, to act transparently in connection with the transactions of the Society, to have benefits, to be partners in all the activities indicated in the rules, if contributing to financial affairs such as deposits and loans.

### **Termination of membership**

- Resignation after the formal approval of Divisional Secretary / Director on a 2/3 majority decision in the General Assembly
- Abolition the membership on the decisions of General Assembly due to violation of rules
- Abolition of membership due to judicial procedure
- Taking a legal decision due to any dispute with the organization confirming that dispute

In termination the membership on any other reason except the natural causes or resignation from the above reasons, the Secretary of the organization should inform it to relevant member before a month after making a committee decision considering the facts to be caused for that and the member organization will have the opportunity to convince facts to General assembly. The General assembly has the power to take a final decision after considering those matters. However, such a member organization can submit an appeal to the Director / Divisional Secretary regarding the decision of the General Assembly and he can take a final decision after conducting an investigation by a special independent committee.

### **General Assembly**

#### **Meetings of General Assembly**

General Assembly meetings of the Regional Elders Organization can be held once in three months. Apart from that, the Special General Assembly Meetings can be held on behalf of its membership as per the rules or on behalf of the persistence of the regional Elders Organization on the decision of the committee. Except from that, Director of National Secretariat for Elders/ Divisional Secretary can call a General Assembly meeting by a written notice made by himself or a representative authorized by him within 7 of working days and presence of 1/3 of members is considered as the quorum for those meetings.

General Assembly shall be called by the Secretary of the Regional Elders Organization. Calling of meetings shall be made on a standard communication method or on the communication method prescribed by the committee and the committee shall satisfy whether the members have been duly informed.

Minutes of the General Assembly shall be taken in the same instance by Secretary of the Regional Elders Organization and when he/she is absent, it shall be done by a person, who were authorized by the committee.

The chair of the General Assembly shall be held by the President of the Regional Elders Organization, in his absence the Vice-President and in the absence of both of them, an officer belonging to the Committee may be temporarily appointed as the President based on the proposal adopted by the General Assembly. But his presidency shall be effective only for that meeting. The chair of a meeting, called by Director of National Elders Secretariat/ Divisional Secretary or authorized representative, shall be held by the authorized persons.

#### **Powers and Functions**

General Assembly shall be held on the Agenda, passed by the committee and communicated to the members. However, if non-financial proposals are presented by the General Assembly, it can be considered during the meeting of General Assembly.

Further, all the functions, enforced by these rules can be implemented in the General Assembly meeting. General Assembly of the Regional Elders Organization can decide the actions such as to grant new memberships, suspension or cancellation of the membership on formal inquiry, to expulsion from membership, to consider the committee recommendations related to annual budget estimates, development plans and projects and making relevant decisions, to consider about annual audit report, to appoint the officers as per the rules, to make decisions to buy or sell and rent or lease the assets, and making decisions on no-faith incidents.

### **Composition and operation of the General Assembly**

The general assembly of the Regional Elders Organization consists of the founding member organizations and the members approved after the first general assembly. As well, if the membership has been acquired, it can be represented the Annual General Meeting on the active contribution (participation and financial contribution) for the well-being of its members in accordance with these rules, and the relevant documents shall be submitted to the Committee by the Secretary. However, if any inactive member organization restores its membership in active participation after paying 03 months' arrears of its contribution, they shall be called for General Assembly after that.

### **Quorum**

Quorum of the General Assembly shall be consisted in whichever is less from 2/3 or 25 from number of the members.

#### **1. Honorary President -**

A member of the organization may be appointed as the President by a suggestion adopted in the General Assembly or a nominated Government Officer may temporarily hold the post on a decision taken by the Director of the National Elders Secretariat /Divisional Secretary after considering a certain enquiry. He/she is the Chief Executive of the Organization.

#### **2. Honorary vice-President**

There is a vice-president to act in the absence of the president of the organization. He should be appointed in the Committee of the Regional Elders Organization. In the occasions that the President of the Organization has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of President.

#### **3. Honorary Secretary**

A member appointed by the General Assembly shall be the Secretary of the Regional Elders Organization. He /She should perform the duties of calling and reporting the meetings, functioning regarding the correspondence of the organization on the orders of the President, carrying out prescribed activities on the orders of the Protection of the Rights of Elders Act, these rules and the Committee.

#### **4. Honorary Vice-Secretary**

There is a Vice-Secretary to act in the absence of the Secretary of the Regional Elders Organization. He should be appointed in the Committee of the Regional Elders Organization. In the occasions that the Secretary of the Regional Elders Organization has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of Secretary.

#### **5. Honorary Treasurer**

The Treasurer appointed in the General Assembly shall be act regarding the finance of the Regional Elders Organization as per the constitution.. He shall perform the duties on submission the detail of transactions of the



organization to the Committee and General Assembly and Director or Authorized Officer or Auditors, financial administration affairs, Bank accounts affairs and maintaining and protecting all the accounts books and performing all types of legal activities effecting to this Organization.

When any complaint or allegation is submitted regarding the officers holding positions from above 01 to 05, the Director of National Elders Secretariat has the power to temporarily suspend that post and to run the Organization nominating a suitable government officer for that post after conducting an investigation in this regard.

***The Committee :-***

A Committee composed 09 members including the above offices or members taken as one committee member for 5 Rural Elders Organizations but made up of odd numbers shall be elected by General Assembly for the Regional Elders Organization in accordance with the rules. It shall be appointed in a General Assembly meeting of the Regional Elders Organization. The Committee thus appointed shall be effective for two years from the date of appointment. One person can be appointed for the positions mentioned therein only four times and that condition is not applicable to be appointed to the committee.

**Qualifications for the Committee**

The members to be appointed for the Committee shall have following qualifications

1. Shall be an active member Organization in the Regional Elders Organization
2. Shall not be an Organization that had any dispute with the Regional Elders Organization
3. Shall not be an Organization's Representative who has defaulted of payment to be paid for Regional Elders Organization
4. Shall have a good health condition
5. Shall not be a Organization that has faced for no faith situation or be a person who has not been removed from his post in last 5 years

**Powers and functions of the Committee**

1. To prepare estimates and annual plans of the organization and submit them for the approval of the General Assembly
2. To organize and maintain various projects, activities and other things leading to the welfare of the elders
3. To collect, protect and disburse money in productive investments.
4. Accounting and decision making considering the monthly and annual budget.
5. To submit reports, observations and recommendations to be submitted to the General Assembly in accordance with this constitution and to carry out other legal activities.
6. To study audit reports, reports of special inspections and investigations and decision making.

**Forfeit of Committee membership**

Committee membership shall be forfeited on the one or more of the following reasons.

1. Expiry of the term of office
2. Forfeit the Membership
3. Being committed to no-faith
4. Removal

On the disqualification of a person who are bearing the membership of a Provincial Elders Organization and appointed representing District Elders Organization, There should be no prejudice to the membership of the said organization or the membership of committee of that organization.

**Anniversary Meetings of General Assembly**

Anniversary General Assembly Meetings of the organization shall be conducted annually. That Anniversary General Assembly should be held within 03 months of the end of the financial year. In this meeting, annual progress of the organization, Audit report of the Organization, Action plan of next year and the Budget shall be presented.

In addition, If there are special proposals presented by the members, it should be considered at this annual meeting.

**Capital****❖ Member fees**

Every member organization of the Regional Organization shall pay Rs. 250/- annually as the membership fee.

**❖ State Donations**

This refers the loans, aids and donations given by the government or by the provincial council or by the local government bodies in relation to the welfare of the elders or related to the matters compiled in these rules.

**❖ Deposits**

There shall be a deposit fund on the deposits received by the Regional Elders Organization. In that fund compulsory deposits, normal deposits and fixed deposits can be made from members and the rate of interest decided by the committee shall be paid annually.

**❖ External borrowings**

Loans can be obtained from the Government, the Provincial Council, the Local Government bodies or the Banks, Corporations, Boards and any other Institutions for the financial needs of the Regional Elders Organization and a formal procedure should be followed in obtaining these loans. In obtaining these loans and deposits, there shall be a General Assembly approved limit for external loans and loans and deposits can be obtained subject to that limit. Decision making power on these loans and deposits is belonged to the Regional Elders Organization.

**❖ Net Profit**

40% of the residual profit shown in the annual audit conducted by the Regional Elders Organization shall be added to the working capital of the Regional Elders Organization as a safety reserve on the decisions of General Assembly.

**❖ Income earned by other ways**

This refers the finance generating programs, income generating projects and contracts, businesses and money generated by building various funds to continue activities of the Regional Elders Organization on the base of its functions.

**Financial year**

The financial year of the organization shall be from 01<sup>st</sup> of February of each year to 28<sup>th</sup> Or 29<sup>th</sup> of February of the following year.

**Handling money**

The money received by the Regional Elders Organization under the above Articles shall be the common funds of the organization. Thus it consists membership funds and various government and non-government funds as well, It is subject to the provisions of the Public Property Act, No. 12 of 1982. All the money handling and Bank accounts handling affairs of the Regional Elders Organization should be done by the Treasurer as per the orders of the President. However, signature sheets of the clients of Regional Elders Organization must be approved by Director / Divisional Secretary and it will be possible

to recruit employees for this purpose on the prior approval of the Director when the deals of Regional Elders Organization is wider.

In the case of monetary transactions, the Regional Elders Organization shall maintain the transactions through a current account or a savings account of a Bank approved by the Divisional Secretary/Director, and Treasurer of the Regional Elders Organization should deposit money in the current account when the balance in his hand exceeds Rs.5,000/- and when the balance of current account exceeds Rs.50,000/- he should invest extra cash available in addition to financial requirements of the Regional Elders Organization, in the fixed deposits.

All the receipts and payments of the Regional Elders Organization should be made on receipts and vouchers and those should be recorded daily in the cash book as receipts and payments. All the personal accounts shown in the cash book should be recorded in the personal ledgers, and the creditor's and debtor's accounts should be recorded in the creditor's and debtor's ledgers. The Treasurer shall submit monthly financial report to the Regional Elders Organization. Small amounts of daily expenses of the Regional Elders Organization shall be maintained on a petty cash imprest method and expenditures made in petty cash should be in a maximum of Rs. 1000/- and petty cash imprest shall be Rs. 5,000/-. A separate cash book should be maintained for petty cash and petty cash should be settled and balanced the account at the end of every month. All other expenses except expenses of the Regional Elders Organization incurred in petty cash shall be made through vouchers. However, an advance may be granted for a certain matter and that advance shall be issued only to a member of the Committee or to a member who have bond with the agreement in connection with that matter. He shall make actions to settle the advance within a week of completion of the respective work.

#### **Residual money**

The residual amount of money shall be determined after the annual audit of the Regional Elders Organization. 50% from the residual amount shall be added to the working capital of the organization as a safety reserve and 10% contribution fee shall be paid for the contribution of Regional Organization Fund. The rest of money can be disbursed to :

1. Buy assets
2. Welfare affairs
3. Donations and special events identified by committees
4. Cultural, social and common welfare activities
5. Other expenses approved by the Committee and General Assembly

#### **Welfare**

There is a Common Welfare Fund for the Regional Elders Organization. Welfare activities of Regional Elders Organization shall be carried out for members, for children of members and children with disabilities and as common welfare activities for non-members.

#### **Welfare funds**

Welfare fund shall be maintained in the custody of the Treasurer of the Regional Elders Organization. The expenses incurred by those funds shall be approved expenses by the Committee or the General Assembly. However, due to an emergency matter, expenses up to Rs. 10,000/= can be incurred on the orders of the President of the Regional Elders Organization, and an amount not exceeding Rs. 25,000/= can be incurred on the approval of the committee.

1. Monthly contribution fees of its members
2. Allocations assigned as per this constitution after conducting the Audit.
3. Contributions to this fund by the surplus generated from various projects of the Regional Elders Organization.

4. Miscellaneous donations
5. Dividend revenue or interest revenue received for welfare fund

When incurring expenses from this fund, necessities or the priority should be identified by the committee. The welfare of the members shall be the priority of the activities of this fund. In addition, committee can decide the contributions for above mentioned activities from welfare fund.

Welfare expenses should not be made based on any other purpose but only related to welfare.

#### **Additional Contributions to welfare fund**

50% from surplus amount arisen after the annual audit of the Regional Elders Organization shall be added to this fund. This allocations of contribution shall be credited to the welfare fund from working capital of the Regional Elders Organization after presenting the audit report in General Assembly.

#### **Donations**

Donations to this fund can be received from members, non-members, state, provincial councils, local councils and various corporations, boards, institutions and organizations. It can be granted as financial and material with values. Financial donations shall be incurred for the matters proposed by those donors in compliance with these rules.

Donations mentioned by above sentence can be spent for following matters.

1. Financial expenses
2. Material expenses
3. Expenses through miscellaneous constructions
4. Expenses on illnesses or disorders
5. Expenditure on hygiene and health facilities
6. Expenditure on religious, cultural and common social welfare
7. Other expenses recommended by the Government, Provincial Council or Local Government or Divisional Secretary in compliance with these rules

#### **Loan relief affairs**

On an amount not exceeding 2/3 from working capital of the Regional Elders Organization and using deposits, aids and loans obtained from the Bank on outside loan limits of the Regional Elders Organization, every member can be granted loans on subsidized interests. For the loans provided financing from external Institutions, terms and conditions of those Institutions shall be apply additionally. The Committee shall determine the interest rates on loans from time to time. Interest rates shall not exceed 4% from the rates paid for deposits.

#### **Interests**

Maximum amount of the membership loans shall be determined by the committee of the Regional Elders Organization subject to covering approval of the General Assembly based on the financial information of each member organization and loans shall not be provided exceeding those limits. All the decisions should be made on the committee orders.

#### **Guarantees**

Loans can be granted in the maximum limits adopted by the General Assembly on the base of economic feasibility of the member organization. However loans can be granted based on the feasibility of any project that is being run. In addition, special loan facilities can be granted. on the financial needs of any rural member organization, a loan can be granted by keeping the property owned by that rural organization as collateral, up to amount of 2/3 of the assessed value of the said property subject to a maximum limit of 05 lakhs.

### **Functions of the Director of the National Elders Secretariat/Authority**

The full authority of establishment / registration of this Regional Elders Organization is belonged to Director of National Elders Secretariat. The Director can delegate his powers to Additional, Deputy and Assistant Directors. In the field, the power of registration of Regional Elders Organizations under the Director of National Elders Secretariat is vested to Divisional Secretary. When registration of the organizations on such powers, a one copy of registration should be forwarded to the Director of National Elders Secretariat. The Director of the National Elders Secretariat should act as to protect rights of the members in the registration of these Regional Elders Organizations and he may act on taking legal actions for continuity of the functioning of the Regional Elders Organizations, monitoring the financial activities of the organizations, decision making on Regional Elders Organizations and members and various disputes, reorganize the organizations on the collapse of possibilities of the organizations to reestablishment it as to protect rights of the senior citizens or liquidate and dissolve when it is difficult to re-organize.

In addition, conducting special investigations in connection with allegations against the main office holders of the committee and suspending he/them from their posts and appointing suitable qualified government officials for that. Providing a decision in the case of a Rural Elders Organization requests to withdraw from the Regional Elders Organization and conducting a special investigation in connection with any general allegation against a member of the Rural Elders Organization and suspending his/her membership temporarily/permanently. The Director of the National Elders Secretariat or an officer authorized by him will have the power to audit the accounts of the organization and investigate the functioning and effectiveness of the organization whenever deemed necessary.

### **Decision making**

All the decision makings of the Regional Elders Organization should be done by the General Assembly on the recommendations of the Committee. However, The Committee has the power to take decisions on urgent matters and the President has the power to take decisions within the limits prescribed by the General Assembly to avoid prejudices arisen due to not taking some decision. But those decisions shall be submitted to the Committee and the General assembly to get approval subsequently. When the organization cannot take a decision on certain matter, the Director of National Elders Secretariat / Divisional Secretary or his Officer has the power to be further considered on that. If the General Assembly / Committee hesitates to take that decision on the intervention of the Director, the Director of National Elders Secretariat can take a decision considering the harm that can be arisen on not taking that decision. That decision will be the final decision.

### **Intervention of the Government Officers**

The Regional Elders Organization has the power of taking all the necessary decisions on administration affairs of the Regional Elders Organization. However, if those decisions lead to any disputes or an issue related to a financial matter, Divisional Secretary or his authorized representative has the power to intervene on that matter. In addition, when a problem arises regarding the establishment and functioning of the Regional Elders Organization, the Director of National Elders Secretariat can take a decision after investigation and Director's decision will be the final decision.

### **Audits**

#### **1. Audit Committees**

An Internal Audit Committee consisted by three persons with ability of inquiring on accounts, financial status and functioning of the organization shall be activated. The committee shall be appointed by the General Assembly of the Regional Elders Organization. This committee should check the monthly summaries and balance sheets on receipts and payments of the Regional Elders Organization and submit a report to the committee in next month. In addition, loan deposit investments and projects carried out by the Regional Elders Organization should be scrutinized by this committee.

**1. External Audit**

Annual audit of the Regional Elders Organization can be conducted by a person, whose name is in a list of the audit officers maintained by Director of the National Elders Secretariat / Divisional Secretary. This Audit shall be completed within 03 months after the end of financial year and the Audit Report shall be submitted to the General Assembly. The audit should consist of a balance sheet that reflects actual status of the assets and liabilities of the Regional Elders Organization and the Auditor or a Recognized Accounting Officer should certify that whether the activities done by Regional Elders Organization within the period of auditing are in compliance with these rules and legal provisions regarding the rights of elders. In this audit, the Auditor has powers entitled to General Auditor and the Regional Elders Organization shall disburse the expenses of audit as prescribe by the Director of the National Elders Secretariat / Divisional Secretary.

**Special Inspections and Investigations**

The Director or a person authorized by him can conduct an inspection or an investigation on establishment, functioning and financial status of the Regional Elders Organization in relation to a certain function or a certain definite time. The authorized person has powers on investigation of documents and properties, obtaining written statements, obtaining various reports and data and after the submission the relevant report to the Director of National Elders Secretariat, he can take actions to explaining the faults and mistakes to the Regional Elders Organization, taking explanations for not dismissing them from their posts, forwarding these information to General Assembly, conferring the authority to General Assembly to be taken actions for those officers, respectively and if the General Assembly does not take actions on that, he can remove the said committee within 2 weeks and appoint a Board consisted 03 persons to run the organization.

**General Seal**

The Regional Elders Organization should have a general seal containing the name of the organization, registration number, date and address and that seal should be in the custody of the Secretary of the Regional Elders Organization. On the every legal document signed by the organization should be put the seal after signing the President or vice-president, secretary or vice-secretary.

**Agreements**

The Regional Elders Organization can enter into agreements with its member organizations, other registered Regional Elders Organizations or external institutes and persons, Government institutes and Boards for its business affairs. Those agreements must comply with the Law of Contract and when the organization signs as a one party, President / Secretary shall sign. In the absence of President / Secretary the authority can be conferred to vice-president / vice-Secretary. The parties may take judicial action based on the provisions of the Law of Contract in relation to any prejudice or loss caused to any party due to the violation of these agreements.

**Amendment of the rules**

1. If a necessity arises to be amended these rules, that amendment can be considered and approved by the General Assembly on submission that amended rule in writing or if there is a fact identified by the committee, submission it to general assembly with the committee decision.
2. In case of the Director of National Elders Secretariat refers some amendment with prior approval, a decision should be taken by submission that amendment to the General Assembly. The amendments recommended by the committee, can be passed on 2/3 majority vote in a general assembly with quorum and those amendments should be submitted to the Director of National Elders Secretariat to get his approval. Those amendments can be activated after receiving the approval of the Director of National Elders Secretariat in writing.

### Disputes

The Director of the Elders Secretariat has the authority to appoint one or a Board consisting three persons whose names are mentioned in a list, maintained by the Director of National Elders Secretariat named as Arbitrators to investigate the disputes to investigate financial or non-financial disputes arising between a member, a worker of the Regional Elders Organizations or other Regional Elders Organizations and a contracted person or other party. Such Officer or Board appointed shall be a public servant defined in the Penal Code. He or the Board shall have the powers vested accordingly. The verdict given on the investigation should be accepted by both parties and if any party is dissatisfied, they can appeal to the Director of the National Elders Secretariat with an appeal fee set by the Director of the National Elders Secretariat. The decision given by the Director of the National Elders Secretariat for that appeal will be the final decision.

### Liquidation

The Regional Elders Organization can be liquidized if a situation arises that the Regional Elders Organization cannot be activated continuously or on the adoption of suggestions done by the General Assembly based on the decisions of the committee on accounts reports, special inspection reports, investigation reports etc. This liquidation is a responsible of the Director of the National Elders Secretariat and the Director of the National Elders Secretariat should investigate whether the Regional Elders Organization can be re-organized and upheld continuously before liquidation. The Director of National Elders Secretariat should appoint a person or a Board whose name appears in a register of liquidators maintained by The Director of National Elders Secretariat to liquidize this Regional Elders Organization. This Liquidator shall act to sell assets or convert them into cash using assets, liabilities, account balances of the Regional Elders Organizations following the formal procedure in relation with properties and following procurement procedures and after incurring the liquidation expenses from the proceeds and respectively settling the balances of Government or Bank loans, settling the member's deposits and If there are additional expenses to be paid, settling those also and it should be handed over to the Director of National Elders Secretariat to publish the completion of liquidation of the Regional Elders Organizations through newspapers and *gazette* notices. If there is remaining amount of money in the liquidation, it should be credited to the National Fund for Elders of the National Elders Secretariat.

These rules have been adopted by ..... votes in favor /unanimously in the General Assembly held with participation of.....members out of ..... total members of the Regional Elders Organization on.....of..... 20.....

.....  
President

.....  
Secretary

Date.....

These rules were registered by the Director or Authorized Officer at .....office on ..... of.....20.....

.....  
Director

National Elders Secretariat  
Divisional Secretary/ Authorized Officer  
On the date of .....

**Rules for District Elders Organizations, prepared in accordance with Sub-section (g) in Section 14 of Act, No. 09 of 2000, amended by Act, No. 05 of 2011**

National Secretariats for Elders'

Registration number :

Registration date :

Name :- Name of this District Elders Organization is cited as .....

1. It shall be referred as the District Elders Organization in Constitutions and all the written declarations hereinafter.
2. The address ..... shall be the address of the Secretary of the District Elders Organization or the other place, decided by the General Assembly.
3. Changing the address is not a changing the rules and such a change shall be informed to District Secretary / Director of National Elders Secretariat/ relevant parties in connection with member organizations and Boards within 7 days.
4. District :-
5. Date of inception :-
6. Goal of the District Elders Organization :  
Enhancement the living standards of the elders of the member organizations and guiding and directing to make them satisfied senior citizens directly or otherwise, contributing to accomplish social, economic and cultural necessities of the member organizations activate in the District Secretariat area, in accordance with Protection of the Rights of the Elders Act and other legal provisions issued from time to time and in accordance with the rules and regulations made thereunder.
7. Powers of the District Elders Organization :
  - I. Working for the promotion of mental, health, spiritual, economic, physical welfare of the elders living in relevant District Secretariat area by protecting their freedom, independence, care, dignity and self-esteem.
  - II. Directing member organizations to building the good morals and well-being of the society by identifying and implementing welfare programs through a Participatory Development Approach for elders live in the District Secretariat area and children, youth and disabled communities, responsible for them.
  - III. Development the economic status of the elders through identifying income generating projects and implementing those projects in coordinating with relevant persons and Institutes.
  - IV. Identifying the innate skills of adults and developing and appreciating those skills.
  - V. Identifying economically and socially disadvantaged elders and empowering them and providing them welfare services.
  - VI. Introducing strategies and provide guidance in legal, health, mental assisting to avoid various problematic situations faced by the elders generally.
  - VII. Directing elders to their social, economic, spiritual and cultural development, organizing, empowering and contributing to implement, providing leadership for various welfare projects granted under government and non-government organizations, Contributing to establish a humanistic social environment within its



- area through coordinating by gathering elders, who need services and live in rural and urban areas using Participatory Development Approach.
- VIII. Identifying resource persons in the area, availing their services and evaluating them.
- IX. Identifying income generation programmes of low income elderly persons live in the area and implementation of those programmes coordinating with Regional Elders Organizations.
- X. Conducting health clinics, counseling, entertainment, religious and cultivation projects and programmes.
- XI. XI. Assisting to solve the common problems and issues faced by the elders living in the area at regional level.
- XII. Sharing the knowledge and experience of senior citizens who has expert knowledge.
8. .... District Secretariat area of .....Province shall be the domain of this organization.
9. Membership of the District Elders Organization :
- Members of the organization at the time of registration the District Elders Organization under these rules and the members who get membership after the registration of the District Elders Organization, shall have following qualifications.
- i. Qualifications :
- Should be a District Elders Organization established in the area.
  - Should be an Organization willing to comply all the provisions mentioned in these rules.
  - Should be an Organization agreeing to submit a data report or income report for membership or any other information.
  - Should be agreed to act as an active member by paying financial contribution annually in accordance with these rules.
- ii. Enrolment :
- Sign the pioneer member to the application to register.
  - Complete and submit a data report and application comprising its information and get approval of the General Assembly and the Committee.
- iii. Member Register :
- A register of the members of the District Elders Organization shall be maintained. (It shall be in the custody of the secretary of the District Elders Organization and the detail of member's name, address, registration number and number of the members of organizations)
- iv. Duties, Responsibilities and Rights of the members :
- After getting approval the membership by General Assembly, the President, Secretary, Treasurer of the District Organization or a person authorized by the Organization formally is entitle to the rights of the Organization. Franchise entitled as a member's right shall be used by the Organization and any representative of the member organizations have duties, responsibilities and rights on to be elected to any post of the District Elders Organization, to propose or ratify proposals for a member for that, to bring a motion of no confidence against the office holders, if the office holders abuse their powers and violate these rules or vote for such a no confidence, to act transparently in connection with the transactions of the District Elders Organization, to have benefits if contributing to financial affairs such as deposits and loans, to be partners in all the activities indicated in the rules,.

**Termination of the membership**

- Resignation after the formal approval of District Secretary / Director on a 2/3 majority decision in the General Assembly of the District Elders Organization
- Abolition of the membership on the decisions of General Assembly due to violation of rules
- Abolition of membership due to judicial procedure
- Taking a legal decision due to any dispute with the organization confirming that dispute

In termination of the membership on any other reason except the natural causes or resignation by the above reasons, the Secretary of the District Elders Organization should inform it to relevant member before a month after making a committee decision considering the facts to be caused for that and the member organization will have the opportunity to convince facts to General Assembly and the General Assembly has the power to take a final decision on those facts. However, such a member organization can submit an appeal to the District Secretary / Director of National Elders Secretariat regarding the decision of the General Assembly and his decision will be the final decision.

**General Assembly****Meetings of General Assembly**

General Assembly meetings of the District Elders Organization can be held once in three months. Apart from that, the Special General Assembly Meetings can be held on behalf of its membership as per the rules or on behalf of the persistence of the District Elders Organization on the decision of the committee. Except from that, Director of National Secretariat for Elders/ Divisional Secretary can call a General Assembly meeting by a written notice made by himself or a representative authorized by him within 7 of working days and presence of 1/3 of members is considered as the quorum for those meetings.

General Assembly shall be called by the Secretary of the District Elders Organization. Calling of meetings shall be made on a standard communication method or on the communication method prescribed by the committee and the committee shall satisfy whether the members have been duly informed.

Minutes of the General Assembly shall be taken in the same instance by Secretary of the District Elders Organization and when he/she is absent, it shall be done by a person, who were authorized by the committee.

The chair of the General Assembly shall be held by the President of the District Elders Organization, in his absence the Vice-President and in the absence of both of them, an officer belonging to the Committee may be temporarily appointed as the President based on the proposal adopted by the General Assembly. But his presidency shall be effective only for that meeting. The chair of a meeting, called by Director of National Elders Secretariat/ Divisional Secretary or authorized representative, shall be held by him.

**Powers and Functions**

General Assembly shall be held on the Agenda, passed by the committee and communicated to the members. However, if non-financial proposals are presented by the General Assembly, it can be considered during the meeting of General Assembly. Further, all the functions, enforced by these rules can be implemented in the General Assembly meeting. General Assembly of the District Elders Organization can decide the actions such as to grant new memberships, suspension or cancellation of the membership on formal inquiry, to expulsion from membership, to consider the committee recommendations related to annual budget estimates, development plans and projects and making relevant decisions, to consider about annual audit report, to appoint the officers as per the rules, to make decisions to buy or sell and rent or lease the assets, and making decisions on no-faith incidents.

**Composition and operation of the General Assembly**

The General Assembly of the District Elders Organization consists of the founding member organizations and the members approved after the first General Assembly. As well, if the membership has been acquired, it can be represented the Annual

General Meeting on the active contribution (participation and financial contribution) for the well-being of its members in accordance with these rules, and the relevant documents shall be submitted to the Committee by the Secretary. However, if any inactive member organization restores its membership in active participation after paying 03 months' arrears of its contribution, they shall be called for General Assembly.

### **Quorum**

Quorum of the General Assembly of the District Elders Organization shall be consisted in whichever is less from 1/3 or 25 from number of the members.

In the Annual General Assembly meeting on a fixed date, qualified members shall be appointed for following offices adopted by the consent of majority.

#### **1. Honorary President**

A representative of any member organization of the District Elders Organization may be appointed as the President by a suggestion adopted in the General Assembly or a nominated Government Officer may temporarily hold the post on a decision taken by the Director of the National Elders Secretariat /Divisional Secretary after considering a certain enquiry. He/she is the Chief Executive of the Organization.

#### **2. Honorary Vice-President**

There is a vice-president to act in the absence of the President of the District Elders Organization. He should be appointed in the Committee of the District Elders Organization. In the occasions that the President of the District Elders Organization has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of President.

#### **3. Honorary Secretary**

A member appointed by the General Assembly shall be the Secretary of the District Elders Organization. He /She should perform the duties of calling and reporting the meetings, functioning regarding the correspondence of the District Elders Organization on the orders of the President, carrying out prescribed activities on the orders of the Protection of the Rights of Elders Act, these rules and the Committee.

#### **4. Honorary Vice-Secretary**

There is a Vice-Secretary to act in the absence of the Secretary of the District Elders Organization. He should be appointed in the Committee of the District Elders Organization. In the occasions that the Secretary of the District Elders Organization has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of Secretary.

#### **5. Honorary Treasurer**

The Treasurer appointed in the General Assembly shall be act in regarding the finance of the District Elders Organization as per the Rules. He shall perform the duties on submission the detail of transactions of the organization to the Committee and General Assembly and Director or Authorized Officer or Auditors, financial administration affairs, Bank accounts affairs and maintaining and protecting all the accounts books and performing all types of legal activities effecting to this Organization.

When any complaint or allegation is submitted regarding the officers holding positions from above 01 to 05, the Director of National Elders Secretariat has the power to temporarily suspend that post and to run the District Elders Organization nominating a suitable government officer for that post after conducting an investigation in this regard.

**The Committee :-**

A Committee composed 09 members including the above offices or members taken as one committee member for 5 Regional Elders Organizations but made up of odd numbers shall be elected by General Assembly for the District Elders Organization in accordance with the rules. It shall be appointed in a General Assembly meeting called for that purpose. The Committee thus appointed shall be effective for two years from the date of appointment. One person can be appointed for the positions mentioned therein only four times and that condition is not applicable to be appointed to the committee.

**Qualifications for the Committee**

The members to be appointed for the Committee shall have following qualifications

1. Shall be an active Regional Member Organization in the District Elders Organization
2. Shall not be a Regional Member Organization that had any dispute with the District Elders Organization
3. Shall not be a representative of a Regional Elders Organization who has defaulted of payment to be paid to District Elders Organization
4. Shall have a good health condition
5. Shall not be a Regional Elders Organization that has faced for no faith situation or be a person who has not been removed from his post in last 5 years

**Powers of the Committee**

1. To prepare estimates and annual plans of the District Elders Organization and submit them for the approval of the General Assembly
2. To organize and maintain various projects, activities and other things leading to the welfare of the elders
3. To collect, protect and disburse money in productive investments.
4. Accounting and decision making considering the monthly and annual budget.
5. To submit reports, observations and recommendations to be submitted to the General Assembly in accordance with this constitution and to carry out other legal activities.
6. To study audit reports, special inspection and investigation reports and making decisions.

**Forfeit of Committee Membership**

Committee membership shall be forfeited on the one or more of the following reasons.

1. Expiry of the term of office
2. Forfeit the Membership
3. Being committed to no-faith
4. Removal
5. On the disqualification of a person who are bearing the membership of a Provincial Elders Organization and appointed representing District Elders Organization, there should be no prejudice to the membership of the said organization or the membership of committee of that organization.

**Anniversary Meetings of General Assembly**

Anniversary General Assembly Meetings of the organization shall be conducted annually. That Anniversary General Assembly should be held within 03 months of the end of the financial year. In this meeting, annual progress of the organization, Audit report of the Organization, Action plan of next year and the Budget shall be presented.

In addition, If there are special proposals presented by the members, it should be considered at this annual meeting.

**Capital****❖ Member fees**

Every member organization of the District Organization shall pay Rs. 6000/- annually as the membership fee.

❖ **State Donations**

This refers the loans, aids and donations given by the government or by the provincial council or by the local government bodies in relation to the welfare of the elders or related to the matters compiled in these rules.

❖ **Deposits**

There shall be a deposit fund on the deposits received by the District Elders Organization. In that fund compulsory deposits, normal deposits and fixed deposits can be made from members and the rate of interest decided by the committee shall be paid annually.

❖ **External Borrowings**

Loans can be obtained from the Government, the Provincial Council, the Local Government bodies or the Banks, Corporations, Boards and any other Institutions for the financial needs of the District Elders Organization and a formal procedure should be followed in obtaining these loans. In obtaining these loans and deposits, there shall be a General Assembly approved limit for external loans and loans and deposits can be obtained subject to that limit. Decision making power on these loans and deposits is belonged to the District Elders Organization.

❖ **Net Profit**

40% of the residual profit shown in the annual audit conducted by the District Elders Organization shall be added to the working capital of the District Elders Organization as a safety reserve on the decisions of General Assembly.

❖ **Income earned by other ways**

This refers the finance generating programmes, income generating projects and contracts, businesses and money generated by building various funds to continue activities of the District Elders Organization on the base of its functions. When obtaining aids from various projects, especially in the case of contracts, it should be concerned to charge the relevant percentage in accordance with the instructions issued by the Treasury.

**Financial year**

The financial year of the organization shall be from 01<sup>st</sup> of April of each year to 31<sup>st</sup> of March of the following year.

**Handling money**

The money received by the District Elders Organization under the above Articles shall be the common funds of the organization. Thus it consists membership funds and various government and non-government funds as well, It is subject to the provisions of the Public Property Act No. 12 of 1982. All the money handling and Bank accounts handling affairs of the District Elders Organization should be done by the Treasurer as per the orders of the President. However, signature sheets of the clients of District Elders Organization must be approved by Director / District Secretary and it will be possible to recruit employees for this purpose on the prior approval of the Director when the deals of District Elders Organization is wider.

In the case of monetary transactions, the District Elders Organization shall maintain the transactions through a current account and a savings account of a Bank approved by the Director of National Elders Secretariat / District Secretary and the Treasurer of the District Elders Organization should deposit money in the current account when the balance in his hand exceeds Rs.5,000/- and when the balance of current account exceeds Rs.50,000/- he should invest extra cash available in addition to financial requirements of the District Elders Organization, in the fixed deposits.

All the receipts and payments of the District Elders Organization should be made on receipts and vouchers and those should be recorded daily in the cash book as receipts and payments. All the personal accounts shown in the cash book should be recorded in the personal ledgers, and the creditor's and debtor's accounts should be recorded in the creditor's and debtor's

ledgers. The Treasurer shall submit monthly financial report to the District Elders Organization. Small amounts of daily expenses of the District Elders Organization shall be maintained on a petty cash imprest method and expenditures made in petty cash should be in a maximum of Rs.500/- and petty cash imprest shall be Rs. 5,000/-. A separate cash book should be maintained for petty cash and petty cash should be settled and balanced the account at the end of every month. All other expenses except expenses of the District Elders Organization incurred in petty cash shall be made through vouchers. However, an advance may be granted for a certain matter and that advance shall be issued only to a member of the Committee or to a member who have bond with the agreement in connection with that matter. He shall make actions to settle the advance within a week of completion of the respective work.

### **Residual money**

The residual amount of money shall be determined after the annual audit of the District Elders Organization. 50% from the residual amount shall be added to the කාරක ප්‍රාග්ධනය of the organization as a safety reserve. The rest of money can be disbursed to :

1. Buy assets
2. Welfare affairs
3. Donations and special events identified by the committee
4. Cultural, social and common welfare activities
5. Other expenses approved by the Committee and General Assembly.

All the matters mentioned above shall be considered in a General Assembly meeting held with the participation of District Secretary or Social Services Officer/ Elder's Right Promotion Officer/ Development Officer/ Provincial Social Services Officer nominated by the District Secretary.

### **Welfare**

There is a Common Welfare Fund for the District Elders Organization. Welfare activities of District Elders Organization shall be carried out for members, for children of members and children with disabilities and as common welfare activities for non-members.

### **Welfare funds**

Welfare fund shall be maintained in the custody of the Treasurer of the District Elders Organization. The expenses incurred by those funds shall be approved expenses by the Committee or the General Assembly. However, due to an emergency matter, expenses up to Rs. 10,000/= can be incurred on the orders of the President of the District Elders Organization, and an amount not exceeding Rs. 25,000/= can be incurred on the approval of the committee.

1. Monthly contribution fees of its members
2. Allocations assigned as per these rules after conducting the Audit.
3. Contributions to this fund by the surplus generated from various projects of the District Elders Organization.
4. Miscellaneous donations
5. Dividend revenue or interest revenue received for welfare fund

When incurring expenses from this fund, necessities or the priority should be identified by the committee. The welfare of the members shall be the priority of the activities of this fund. In addition, committee can decide the contributions for above mentioned activities from welfare fund.

Welfare expenses should not be made based on any other purpose but only related to welfare.

### **Extra Contributions to welfare fund**

50% from surplus amount arisen after the annual audit of the District Elders Organization shall be added to this fund. This allocations shall be credited to the welfare fund from working capital of the District Elders Organization after presenting the Audit Report to the General Assembly.

### **Donations**

Donations to this fund can be received from members, non-members, state, provincial councils, local councils and various corporations, boards, institutions and organizations. It can be granted as financial and material with values. Financial donations shall be incurred for the matters proposed by those donors in compliance with this constitution.

Donations mentioned by above sentence can be spent for following matters.

1. Financial expenses
2. Material expenses
3. Expenses through miscellaneous constructions
4. Expenses on illnesses or disorders
5. Expenditure on hygiene and health facilities
6. Expenditure on religious, cultural and common social welfare
7. Other expenses recommended by the Government, Provincial Council or Local Government or Divisional Secretary

### **Loan relief affairs**

On an amount not exceeding 2/3 from working capital of the District Elders Organization and using deposits, aids and loans obtained from the Bank on outside loan limits of the District Elders Organization, every member can be granted loans on subsidized interests. For the loans provided financing from external Institutions, terms and conditions of those Institutions shall be apply additionally. The Committee shall determine the interest rates on loans from time to time. Interest rates shall not exceed 4% from the rates paid for deposits.

### **Interests**

Maximum amount of the membership loans shall be determined by the committee of the District Elders Organization on the financial information of each Regional Member Organization and loans shall not be provided exceeding those limits. All the decisions should be made on the committee orders.

### **Guarantees**

Loans can be granted in the maximum limits adopted by the General Assembly on the base of economic feasibility of the member organization. However loans can be granted based on the feasibility of any project that is being run. In addition, special loan facilities can be granted. On the financial needs of any Regional Elders Member Organization, a loan can be granted by keeping the property owned by that District Elders Organization as collateral, up to amount of 2/3 of the assessed value of the said property subject to a maximum limit of 05 lakhs.

### **Functions of the Director /Authority**

The full authority of establishment / registration of this District Elders Organization is belonged to Director of National Elders Secretariat. The Director can delegate his powers to Additional, Deputy and Assistant Directors. In the field, the power of registration District Elders Organizations under the Director of National Elders Secretariat is vested to District Secretary. When registration of the District Elders Organizations on such powers, a one copy of registration should be forwarded to the Director of National Elders Secretariat. The Director of the National Elders Secretariat should act as to protect rights of the members in the registration of these District Elders Organizations and he may act on taking legal actions for continuity of the functioning of the District Elders Organizations, monitoring the financial activities of the District Elders Organizations,

decision making on District Elders Organizations and members and various disputes, re-organize the organizations on the collapse of possibilities of the organizations to re-establishment it as to protect rights of the senior citizens or liquidate and dissolve when it is difficult to re-organize.

In addition, conducting special investigations in connection with allegations against the main office holders of the committee and suspending he/them from their posts and appointing suitable qualified government officials for that. Providing a decision in the case of a Regional Elders Organization requests to withdraw from the District Elders Organization and conducting a special investigation in connection with any general allegation against a member of the District Elders Organization and suspending his/her membership temporarily/permanently. The Director of the National Elders Secretariat or an officer authorized by him will have the power to audit the accounts of the District Elders Organization and investigate the functioning and effectiveness of the District Elders Organization on whenever deemed necessary.

All the decision makings of the District Elders Organization should be done by the General Assembly on the recommendations of the Committee. However, The Committee has the power to take decisions on urgent matters and the President has the power to take decisions within the limits prescribed by the General Assembly to avoid prejudices arisen due to not taking some decision. But those decisions shall be submitted to the Committee and the General assembly to get approval subsequently. When the District Elders Organizations cannot take a decision on certain matter, the Director of National Elders Secretariat / Divisional Secretary or his Officer has the power to be further considered on that. If the General Assembly / Committee hesitates to take that decision on the intervention of the Director, the Registrar can take a decision considering the harm that can be arisen on not taking that decision. That decision will be the final decision.

### **Intervention of the Government Officers**

The District Elders Organization has the power of taking all the necessary decisions on administration affairs of the District Elders Organization. However, if those decisions lead to any disputes or an issue related to a financial matter, District Secretary or his authorized representative has the power to intervene on that matter. In addition, when a problem arises regarding the establishment and functioning of the District Elders Organization, the Director of National Elders Secretariat can take a decision after investigation and Director's decision will be the final decision.

### **Auditing**

#### **Audit Committees**

An Internal Audit Committee consisted by three persons with ability of inquiring on accounts, financial status and functioning of the District Elders Organization shall be activated. The committee shall be appointed by the General Assembly of the District Elders Organization. This committee should check the monthly summaries and balance sheets on receipts and payments of the District Elders Organization and submit a report to the committee in next month. In addition, loan deposit investments and projects carried out by the District Elders Organization should be scrutinized by this committee.

#### **External Audit**

Annual audit of the District Elders Organization can be conducted by a person, whose name is in a list of the audit officers maintained by Director of the National Elders Secretariat / District Secretary. This Audit shall be completed within 03 months after the end of financial year and the Audit Report shall be submitted to the General Assembly. The audit should consist of a balance sheet that reflects actual status of the assets and liabilities of the District Elders Organization and the Auditor or a Recognized Accounting Officer should certify that whether the activities done by District Elders Organization within the period of auditing are in compliance with these rules and legal provisions regarding the rights of elders. In this audit, the Auditor has powers entitled to General Auditor and the District Elders Organization shall bear the expenses of audit as prescribe by the Director of the National Elders Secretariat / District Secretary.



### **Special Inspections and Investigations**

The Director or a person authorized by him can conduct an inspection or an investigation on establishment, functioning and financial status of the District Elders Organization in relation to a certain function or a certain definite time. The authorized person has powers on investigation of documents and properties, obtaining written statements, obtaining various reports and data and after the submission the relevant report to the Director of National Elders Secretariat, he can take actions to explaining the faults and mistakes to the District Elders Organization, taking explanations for not dismissing them from their posts, forwarding these information to General Assembly, conferring the authority to General Assembly to be taken actions for those officers, respectively and if the General Assembly does not take actions on that, he can remove the said committee within 2 weeks and appoint a Board consisted 03 persons to run the District Elders Organization. This Board has all the powers of the Committee of this District Elders Organization.

### **General Seal**

The District Elders Organization should have a general seal containing the name of the organization, registration number, date and address and that seal should be in the custody of the Secretary of the District Elders Organization. On the every legal document signed by the District Elders Organization should be put the seal after signing the President or vice-president, secretary or vice-secretary.

### **Agreements**

The District Elders Organization can enter into agreements with its member organizations, other registered District Elders Organizations or external institutes and persons, Government institutes and Boards for its business affairs. Those agreements must comply with the Law of Contract and when the District Elders Organization signs as a one party, President / Secretary shall sign. In the absence of President / Secretary the authority can be conferred to vice-president / vice-Secretary. The parties may take judicial action based on the provisions of the Law of Contracts in relation to any prejudice or loss caused to any party due to the violation of these agreements.

### **Amendment of the rules**

If a necessity arises to be amended these rules, that amendment can be considered and approved by the General Assembly on submission that amended rule in writing or if there is a fact identified by the committee, submission it to general assembly with the committee decision.

1. In case of the Director of National Elders Secretariat refers some amendment with prior approval, a decision should be taken by submission that amendment to the General Assembly. The amendments recommended by the committee, can be passed on 2/3 majority vote in a general assembly with quorum and those amendments should be submitted to the Director of National Elders Secretariat to get his approval. Those amendments can be activated after receiving the written approval of the Director of National Elders Secretariat.

### **Disputes**

The Director of the Elders Secretariat has the authority to appoint one or a Board consisting three persons whose names are mentioned in a list, maintained by the Director of National Elders Secretariat named as Arbitrators to investigate the disputes to investigate financial or non-financial disputes arising between a member, a worker of the District Elders Organizations or other District Elders Organizations and a contracted person or other party. Such Officer or Board appointed shall be a public servant defined in the Penal Code. He or the Board shall have the powers vested accordingly. The verdict given on the investigation should be accepted by both parties and if any party is dissatisfied, they can appeal to the Director of the National Elders Secretariat with an appeal fee set by the Director of the National Elders Secretariat. The decision given by the Director of the National Elders Secretariat for that appeal will be the final decision.

**Liquidation**

The District Elders Organization can be liquidized if a situation arises that the District Elders Organization cannot be activated continuously or on the adoption of suggestions done by the General Assembly based on the decisions of the committee on accounts reports, special inspection reports, investigation reports etc. This liquidation is a responsible of the Director of the National Elders Secretariat and the Director of the National Elders Secretariat should investigate whether the District Elders Organization can be re-organized and upheld continuously before liquidation. The Director of National Elders Secretariat should appoint a person or a Board whose name appears in a register of liquidators maintained by the Director of National Elders Secretariat to liquidize this District Elders Organization. This Liquidator shall act to sell assets or convert them into cash using assets, liabilities, account balances of the District Elders Organizations following the formal procedure in relation with properties and following procurement procedures and after incurring the liquidation expenses from the proceeds and respectively settling the balances of Government or Bank loans, settling the member's deposits and If there are additional expenses to be paid, settling those also and it should be handed over to the Director of National Elders Secretariat to publish the completion of liquidation of the District Elders Organizations through newspapers and gazette notices. If there is remaining amount of money in the liquidation, it should be credited to the National Fund for Elders of the National Elders Secretariat.

These rules have been adopted by ..... votes in favor /unanimously in the General Assembly held with participation of.....members out of ..... total members of the District Elders Organization on.....of..... 20.....

.....

President

.....

Secretary

Date.....

These rules were registered by the Director or Authorized Officer at .....office on ..... of.....20.....

.....

Director

On the date of .....

**Rules for Provincial Elders Organizations, prepared in accordance with Sub-section (g) in Section 14 of Act, No. 09 of 2000, amended by Act, No. 05 of 2011**

National Secretariats for Elders '

Registration number :

Registration date :

Name :- Name of this Provincial Elders Organization is cited as.....

1. It shall be referred as the Provincial Elders Organization in Constitutions and all the written declarations hereinafter.

2. The address ..... shall be the address of the Secretary of the Provincial Elders Organization or the other place, decided by the General Assembly. Changing the address is not a changing the rules and such a change shall be informed to Director of Provincial Social Services / Director of National Elders Secretariat/ relevant parties in connection with member organizations and District Elders Organizations within 7 days.
3. Province :-
4. Date of inception :-
5. Goal of the Provincial Elders Organization :  
 Enhancement the living standards of the elders of the member organizations and guiding and directing to make them satisfied senior citizens directly or otherwise, contributing to accomplish social, economic and cultural necessities of the member organizations activate in the area of the Province, in accordance with Protection of the rights of the Elders Act and other legal provisions issued from time to time and in accordance with the rules and regulations made thereunder.
6. Powers of the Provincial Elders Organization :
  - I. Directing the member organizations for the promotion of mental, health, spiritual, economic, physical welfare of the elders living in relevant provincial area by protecting their freedom, independence, care, dignity and self-esteem.
  - II. Directing member organizations to building the good morals and well-being of the society by identifying and implementing welfare programs through a Participatory Development Approach for elders live in the provincial area and children, youth and disabled communities, responsible for them.
  - III. Development the economic status of the elders through identifying income generating projects and implementing those projects in coordinating with relevant persons and Institutes
  - IV. Identifying the innate skills of adults and developing and appreciating those skills
  - V. Identifying economically and socially disadvantaged elders and empowering them and providing them welfare services.
  - VI. Introducing strategies and provide guidance in legal, health, mental assisting to avoid various problematic situations faced by the elders generally.
  - VII. Directing elders to their social, economic, spiritual and cultural development, organizing, empowering and contributing to implement, providing leadership for various welfare projects granted under government and non-government organizations, contributing to establish a humanistic social environment within its area through coordinating by gathering elders, who need services and live in rural and urban areas using Participatory Development Approach.
  - VIII. Identifying resource persons in the area, availing their services and evaluating them
  - IX. Identifying income generation programs of low income elderly persons live in the area and implementation those programs coordinating with Provincial Elders Organizations.
  - X. Conducting health clinics, counseling, entertainment, religious and cultivation projects and programs.
  - XI. Assisting to solve the common problems and issues faced by the elders living in the area at regional level.
  - XII. Sharing the knowledge and experience of senior citizens who has expert knowledge
7. Domain : ..... Provincial area of the .....Province shall be the domain of this organization.

## 8. Membership of the Provincial Elders Organization :

Members of the organization at the time of registration the Provincial Elders Organization under these rules and the members who get membership after the registration of the Provincial Elders Organization, shall have following qualifications

## i. Qualifications :

- Should be a Provincial Elders Organization willing to comply all the provisions mentioned in these rules.
- Should be an Organization agreeing to submit a data report or income report for membership or any other information
- Should be agreed to act as an active member by paying financial contribution annually in accordance with these rules.
- Should be a District Elders Organization that haven't got any dispute with the Provincial Elders Organization
- Shall not be a District Elders Organization defaulted the payment to be paid to Provincial Elders Organization
- Shall not have faced for no faith situation or be a person who has not been removed from his post in last 5 years

## ii. Enrolment :

- Sign the pioneer member to the application to register
- Complete and submit a data report and application comprising its information and get approval of the General Assembly and the Committee.

## iii. Member Register :

A register of the members of the Provincial Elders Organization shall be maintained. (It shall be in the custody of the secretary of the Provincial Elders Organization and the detail of member's name, address, registration number and number of the members of organizations)

## iv. Duties, Responsibilities and Rights of the members :

After getting approval the membership by General Assembly, the President, Secretary, Treasurer of the Provincial Organization or a person authorized by the Organization formally is entitle to the rights of the Organization. Franchise entitled as a member's right shall be used by the Organization and any of the member has duties, responsibilities and rights on to be elected to any post of the Provincial Elders Organization, to propose or ratify proposals for a member for that, to bring a motion of no confidence against the office holders, if the office holders abuse their powers and violate these rules or vote for such a no confidence, to act transparently in connection with the transactions of the Provincial Elders Organization, to have benefits if contributing to financial affairs such as deposits and loans, to be partners in all the activities indicated in the rules.

**Termination of the membership**

- Resignation after the formal approval of District Secretary / Director on a 2/3 majority decision in the General Assembly of the Provincial Elders Organization
- Abolition the membership on the decisions of General Assembly due to violation of rules
- Abolition of membership due to judicial procedure
- Taking a legal decision due to any dispute with the organization confirming that dispute

In termination the membership on any other reason except the natural causes or resignation from the above reasons, the Secretary of the Provincial Elders Organization should inform it to relevant member before a month after making a

committee decision considering the facts to be caused for that and the member organization will have the opportunity to convince facts to General assembly. The General assembly has the power to take a final decision on those facts. However, such a member organization can submit an appeal to the Director of the National Elders Secretariat / Director of Provincial Social Services regarding the decision of the General Assembly. That decision will be the final decision.

## **General Assembly**

### **Meetings of General Assembly**

General Assembly meetings of the Provincial Elders Organization can be held monthly or once in three months. Apart from that, the Special General Assembly Meetings can be held on the request of its membership or on behalf of the persistence of the Provincial Elders Organization on the decision of the committee. Except from that, Director of National Secretariat for Elders can call a General Assembly meeting by a written notice made by himself or a representative authorized by him within 7 of working days and presence of 1/3 of members is considered as the quorum for those meetings.

General Assembly shall be called by the Secretary of the Provincial Elders Organization. Calling of meetings shall be made on a standard communication method or on the communication method prescribed by the committee and the committee shall satisfy whether the members have been duly informed.

Minutes of the General Assembly shall be taken in the same instance by Secretary of the Provincial Elders Organization and when he/she is absent, it shall be done by a person, who were authorized by the committee.

The chair of the General Assembly shall be held by the President of the District Elders Organization, in his absence the Vice-President and in the absence of both of them, an officer belonging to the Committee may be temporarily appointed as the President based on the proposal adopted by the General Assembly. But his presidency shall be effective only for that meeting. The chair of a meeting, called by Director of National Elders Secretariat or Authorized Representative, shall be held by him.

### **Powers and Functions**

General Assembly shall be held on the Agenda, passed by the committee and communicated to the members. However, if non-financial proposals are presented by the General Assembly, it can be considered during the meeting of General Assembly. Further, all the functions, enforced by these rules can be implemented in the General Assembly meeting. General Assembly of the Provincial Elders Organization can decide the actions such as to grant new memberships, suspension or cancellation of the membership on formal inquiry, to expulsion from membership, to consider the committee recommendations related to annual budget estimates, development plans and projects and making relevant decisions, to consider about annual audit report, to appoint the officers as per the rules, to make decisions to buy or sell and rent or lease the assets, and making decisions on no-faith incidents.

### **Composition and operation of the General Assembly**

The General Assembly of the Provincial Elders Organization consists of the founding member organizations and the members approved after the first General Assembly. As well, if the membership has been acquired, it can be represented the Annual General Meeting on the active contribution (participation and financial contribution) for the well-being of its members in accordance with these rules, and the relevant documents shall be submitted to the Committee by the Secretary. However, if any inactive member organization restores its membership in active participation after paying 03 months' arrears of its contribution, they shall be called for General Assembly after that.

**Quorum**

Quorum of the General Assembly of the District Elders Organization shall be consisted in whichever is less from 2/3 or 25 from number of the members.

In the Annual General Assembly meeting on a fixed date, qualified members shall be appointed for following offices adopted by the consent of majority.

**1. Honorary President -**

A representative of any member organization of the Provincial Elders Organization may be appointed as the President by a suggestion adopted in the General Assembly or a nominated Government Officer may temporarily hold the post on a decision taken by the Director of the National Elders Secretariat /Provincial Director/ Provincial Commissioner, after considering a certain enquiry. He/she is the Chief Executive of the Organization.

**2. Honorary vice-President**

There is a vice-president to act in the absence of the president of the Provincial Elders Organization. He should be appointed in the Committee of the Provincial Elders Organization. In the occasions that the President of the Provincial Elders Organization has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of President.

**3. Honorary Secretary**

A member appointed by the General Assembly shall be the Secretary of the Provincial Elders Organization. He /She should perform the duties of calling and reporting the meetings, functioning regarding the correspondence of the Provincial Elders Organization on the orders of the President, carrying out prescribed activities on the Protection of the Rights of Elders Act, these rules and the Committee orders.

**4. Honorary Vice-Secretary**

There is a Vice-Secretary to act in the absence of the Secretary of the Provincial Elders Organization. He should be appointed in the Committee of the Provincial Elders Organization. In the occasions that the Secretary of the Provincial Elders Organization has gone abroad, has taken leave due to illness, has taken special leave requesting the committee in the occasion that he is unable to perform the duties of his position, he should perform the duties of the post of Secretary.

**5. Honorary Treasurer**

The Treasurer appointed in the General Assembly shall be act regarding the finance of the Provincial Elders Organization as per the Rules. He shall perform the duties on submission the detail of transactions of the Provincial Elders Organization to the Committee and General Assembly and Director of the National Elders Secretariat / Provincial Director/ Commissioner or Authorized Officer or Auditors, financial administration affair, Bank accounts affairs and maintaining and protecting all the accounts books and performing all types of legal activities effecting to this Provincial Elders Organization.

When any complaint or allegation is submitted regarding the officers holding positions from above 01 to 05, the Director of National Elders Secretariat has the power to temporarily suspend that post and to run the Provincial Elders Organization nominating a suitable government officer for that post after conducting an investigation in this regard.

**Composition of the Committee :**

A Committee consists 09 members including the above offices or members taken as one committee member from one District Elders Organization but made up of odd numbers shall be elected by General Assembly for the Provincial Elders

Organization in accordance with the rules. It shall be appointed in a General Assembly meeting called for that purpose. The Committee thus appointed shall be effective for two years from the date of appointment. One person can be appointed for the positions mentioned therein only four times and that condition is not applicable to be appointed to the committee.

#### **Qualifications for the Committee**

The members to be appointed for the Committee shall have following qualifications

1. Shall be an active District Member Organization of the Provincial Elders Organization
2. Shall not be a District Member Organization that had any dispute with the Provincial Elders Organization
3. Shall not be a representative of a District Elders Organization who has defaulted of payment to be paid to Provincial Elders Organization
4. Shall have a good health condition
5. Shall not be a District Elders Organization that has faced for no faith situation or be a person who has not been removed from his post in last 5 years.

#### **Powers of the Committee**

1. To prepare estimates and annual plans of the Provincial Elders Organization and submit them for the approval of the General Assembly.
2. To organize and maintain various projects, activities and other things leading to the welfare of the elders
3. To collect, protect and disburse money in productive investments.
4. Accounting and decision making considering the monthly and annual budgets.
5. To submit reports, observations and recommendations to be submitted to the General Assembly in accordance with these rules and to carry out other legal activities.
6. To study audit reports, special inspection reports and investigation reports and making decisions.

#### **Forfeit of Committee membership**

Committee membership shall be forfeited on the one or more of the following reasons.

1. Expiry of the term of office
2. Forfeit the Membership
3. Being committed to no-faith
4. Removal

On the disqualification of a person who are bearing the membership of a Provincial Elders Organization and appointed representing District Elders Organization, there should be no prejudice to the membership of the said organization or the membership of committee of that organization.

#### **Anniversary Meetings of General Assembly**

Anniversary General Assembly Meetings of the organization shall be conducted annually. That Anniversary General Assembly should be held within 03 months of the end of the financial year. In this meeting, annual progress of the organization, Audit report of the Organization, Action plan of next year and the Budget shall be presented.

In addition, If there are special proposals presented by the members, it should be considered at this annual meeting.

#### **Capital**

##### **❖ Member fees**

Every member organization of the Provincial Elders Organization shall pay Rs. 9000/- annually as the membership fee.

❖ **State Donations**

This refers the loans, aids and donations given by the Government or by the Provincial Council or by the Local Government bodies in relation to the welfare of the elders or related to the matters compiled in these rules.

❖ **Deposits**

There shall be a deposit fund on the deposits received by the Provincial Elders Organization. In that fund compulsory deposits, normal deposits and fixed deposits can be made from members and the rate of interest decided by the committee shall be paid annually.

❖ **External borrowings**

Loans can be obtained from the Government, the Provincial Council, the Local Government bodies or the Banks, Corporations, Boards and any other Institutions for the financial needs of the Provincial Elders Organization and a formal procedure should be followed in obtaining these loans. In obtaining these loans and deposits, there shall be a General Assembly approved limit for external loans and loans and deposits can be obtained subject to that limit. Decision making power on these loans and deposits is belonged to the Provincial Elders Organization.

❖ **Net Profit**

50% of the residual profit shown in the annual audit conducted by the Provincial Elders Organization shall be added to the working capital of the Provincial Elders Organization as a safety reserve on the decisions of General Assembly.

❖ **Income earned by other ways**

This refers the finance generating programs, income generating projects and contracts, businesses and money generated by building various funds to continue activities of the Provincial Elders Organization on the base of its functions.

When obtaining aids from various projects, especially in the case of contracts, it should be concerned to charge the relevant percentage in accordance with the instructions issued by the Treasury.

**Financial year**

The financial year of the organization shall be from 01<sup>st</sup> of May of each year to 30<sup>th</sup> of April of the following year.

**Handling money**

The money received by the Provincial Elders Organization under the above Articles shall be the common funds of the organization. Thus it consists membership funds and various government and non-government funds as well, It is subject to the provisions of the Public Property Act, No. 12 of 1982. All the money handling and Bank accounts handling affairs of the Provincial Elders Organization should be done by the Treasurer as per the orders of the President. However, signature sheets of the clients of Provincial Elders Organization must be approved by Director of the National Elders Secretariat / District Secretary and it will be possible to recruit employees for this purpose on the prior approval of the Director when the deals of Provincial Elders Organization is wider.

In transactions of money, the Provincial Elders Organization shall maintain the transactions through a current account or a savings account of a Bank approved by the Director of National Elders Secretariat / District Secretary and Treasurer of the District Elders Organization should deposit money in the current account when the balance in his hand exceeds Rs.5,000/- and when the balance of current account exceeds Rs.50,000/- he should invest extra cash available in addition to financial requirements of the Provincial Elders Organization, in the fixed or savings deposits.

All the receipts and payments of the Provincial Elders Organization should be made on receipts and vouchers and those should be recorded daily in the cash book as receipts and payments. All the personal accounts shown in the cash book should



be recorded in the personal ledgers, and the creditor's and debtor's accounts should be recorded in the creditor's and debtor's ledgers. The Treasurer shall submit monthly financial report to the Provincial Elders Organization. Small amounts of daily expenses of the Provincial Elders Organization shall be maintained on a petty cash imprest method and expenditures made in petty cash should be in a maximum of Rs.500/- and petty cash imprest shall be Rs. 5,000/-. A separate cash book should be maintained for petty cash and petty cash should be settled and balanced the account at the end of every month. All other expenses except expenses of the Provincial Elders Organization incurred in petty cash shall be made through Bank Accounts. However, an advance may be granted for a certain matter and that advance shall be issued only to a member of the Committee or to a member who have bond with the agreement in connection with that matter. He shall make actions to settle the advance within a week of completion of the respective work.

### **Residual money**

The residual amount of money shall be determined after the annual audit of the Provincial Elders Organization. 40% from the residual amount shall be added to the කාරක ප්‍රාග්ධනය of the organization as a safety reserve and 10% of contribution shall be paid to National Fund for Elders of National Elders Secretariat The rest of money can be disbursed to :

1. Buy assets
2. Welfare affairs
3. Donations and special events identified by the Committee
4. Cultural, social and common welfare activities
5. Other expenses approved by the Committee and General Assembly.

All the matters mentioned above shall be considered in a general assembly meeting held with the participation of Provincial Social Services Director/ Commissioner or Elder's Right Promotion Officer/ Development Officer/ Provincial Social Services Officer nominated by the Provincial Social Services Director/ Commissioner.

### **Welfare**

There is a Common Welfare Fund for the Provincial Elders Organization. Welfare activities of Provincial Elders Organization shall be carried out for members, for children of members and children with disabilities and as common welfare activities for non-members.

### **Welfare funds**

Welfare fund shall be maintained in the custody of the Treasurer of the Provincial Elders Organization. The expenses incurred by those funds shall be approved expenses by the Committee or the General Assembly. However, due to an emergency matter, expenses up to Rs. 5,000/= can be incurred on the orders of the President of the Provincial Elders Organization, and an amount not exceeding Rs. 10,000/= can be incurred on the approval of the committee.

1. Monthly contribution fees of its members
2. Allocations assigned as per these rules after conducting the Audit.
3. Contributions to this fund by the surplus generated from various projects of the Provincial Elders Organization.
4. Miscellaneous donations
5. Dividend revenue or interest revenue received for welfare fund

When incurring expenses from this fund, necessities or the priority should be identified by the Committee. The welfare of the members shall be the priority of the activities of this fund. In addition, committee can decide the contributions for above mentioned activities from welfare fund.

Welfare expenses should not be made based on any other purpose but only related to welfare.

**Extra Contributions to welfare fund**

50% from surplus amount arisen after the annual audit of the Provincial Elders Organization shall be added to this fund. This allocation shall be credited to the welfare fund from working capital of the Provincial Elders Organization after presenting the Audit report to the General Assembly.

**Donations**

Donations to this fund can be received from members, non-members, state, provincial councils, local councils and various corporations, boards, institutions and organizations. It can be granted as financial and material with values. Financial donations shall be incurred for the matters proposed by those donors in compliance with this constitution.

Donations mentioned by above sentence can be spent for following matters.

1. Financial expenses
2. Material expenses
3. Expenses through miscellaneous constructions
4. Expenses on illnesses or disorders
5. Expenditure on hygiene and health facilities
6. Expenditure on religious, cultural and common social welfare
7. Other expenses recommended by the Government, Provincial Council or Local Government or Divisional Secretary

**Loan relief affairs**

On an amount not exceeding 2/3 from working capital of the Provincial Elders Organization and using deposits, aids and loans obtained from the Bank on outside loan limits of the Provincial Elders Organization, every member can be granted loans on subsidized interests. For the loans provided financing from external Institutions, terms and conditions of those Institutions shall be apply additionally. The Committee shall determine the interest rates for loans from time to time subject to covering approval of the General Assembly. Interest rates shall not exceed 4% from the rates paid for deposits.

**Interests**

Maximum amount of the membership loans shall be determined by the committee of the Financial Elders Organization on the financial information of each District Member Organization and loans shall not be provided exceeding those limits. All the decisions should be made on the committee orders.

**Guarantees**

Loans can be granted in the maximum limits adopted by the General Assembly on the base of economic feasibility of the District Member Organization. However loans can be granted based on the feasibility of any project that is being run. In addition, special loan facilities can be granted. On the financial needs of any District Elders Member Organization, a loan can be granted by keeping the property owned by that Regional Elders Organization as collateral, up to amount of 2/3 of the assessed value of the said property subject to a maximum limit of 05 lakhs.

**Functions of the Director of the National Elders Secretariat /Authority**

The full authority of establishment / registration of this Provincial Elders Organization is belonged to Director of National Elders Secretariat. The Director can delegate his powers to Additional, Deputy and Assistant Directors. Accordingly, the power of registration Provincial Elders Organizations under the Director of National Elders Secretariat is vested to Provincial Director. When registration of the Provincial Elders Organizations on such powers, a one copy of registration should be forwarded to the Director of National Elders Secretariat. The Director of the National Elders Secretariat should act as to protect rights of the members in the registration of these Provincial Elders Organizations and he may act on taking legal actions for continuity of the functioning of the Provincial Elders Organizations, monitoring the financial activities of the

Provincial Elders Organizations, decision making on Provincial Elders Organizations and members and various disputes, re-organize the organizations on the collapse of possibilities of the organizations to re-establishment it as to protect rights of the senior citizens or liquidate and dissolve when it is difficult to re-organize.

In addition, conducting special investigations in connection with allegations against the main office holders of the Committee and suspending he/them from the post/posts and appointing suitable qualified government officials for that. Providing a decision in the case of a District Elders Organization requests to withdraw from the Provincial Elders Organization and conducting a special investigation in connection with any general allegation against a member of the Provincial Elders Organization and suspending his/her membership temporarily/permanently. The Director of the National Elders Secretariat or an officer authorized by him will have the power to audit the accounts of the Provincial Elders Organization and investigate the functioning and effectiveness of the Provincial Elders Organization on whenever deemed necessary.

### **Decision Making**

All the decision makings of the Provincial Elders Organization should be done by the General Assembly on the recommendations of the Committee. However, The Committee has the power to take decisions on urgent matters and the President has the power to take decisions within the limits prescribed by the General Assembly to avoid prejudice arisen due to not taking some decision. But those decisions shall be submitted to the Committee and the General assembly to get approval subsequently. When the Provincial Elders Organizations cannot take a decision on certain matter, the Director of National Elders Secretariat /Provincial Social Services Director/ Commissioner or his Officer has the power to be further considered on that. If the General Assembly / Committee hesitates to take that decision on the intervention of the Director, the Director of National Elders Secretariat can take a decision considering the harm that can be arisen on not taking that decision. That decision will be the final decision.

### **Intervention of the Government Officers**

The Provincial Elders Organization has the power of taking all the necessary decisions on administration affairs of the Provincial Elders Organization. However, if those decisions lead to any disputes or an issue related to a financial matter, Provincial Social Services Director or his Authorized Representative has the power to intervene on that matter. In addition, when a problem arises regarding the establishment and functioning of the Provincial Elders Organization, the Director of National Elders Secretariat can take a decision after investigation and the Director's decision will be the final decision.

### **Auditing**

#### **1. Audit Committees**

An Internal Audit Committee consisted by three persons with ability of inquiring on accounts, financial status and functioning of the Provincial Elders Organization shall be activated. The committee shall be appointed by the General Assembly of the Provincial Elders Organization. This committee should check the monthly summaries and balance sheets on receipts and payments of the District Elders Organization and submit a report to the committee in next month. In addition, loan deposit investments and projects carried out by the Provincial Elders Organization should be scrutinized by this committee.

#### **1. External Audit**

Annual audit of the Provincial Elders Organization can be conducted by a person, whose name is in a list of the audit officers maintained by Director of the National Elders Secretariat / Social Services Director/Commissioner. This Audit shall be completed within 03 months after the end of financial year and the Audit Report shall be submitted to the General Assembly. The audit should consist of a balance sheet that reflects actual status of the assets and liabilities of the Provincial Elders Organization and the Auditor or a Recognized Accounting Officer should certify that whether the activities done by Provincial Elders Organization within the period of auditing are in compliance with these rules and legal provisions

regarding the rights of elders. In this audit, the Auditor has powers entitled to General Auditor and the Provincial Elders Organization shall bear the expenses of audit as prescribe by the Director of the National Elders Secretariat / Provincial Director/Commissioner.

### **Special Inspections and Investigations**

The Director or a person authorized by him can conduct an inspection or an investigation on establishment, functioning and financial status of the Provincial Elders Organization in relation to a certain function or a certain definite time. The authorized person has powers on investigation of documents and properties, obtaining written statements, obtaining various reports and data and after the submission the relevant report to the Director, he can take actions to explaining the faults and mistakes to the Provincial Elders Organization, taking explanations for not dismissing them from their posts, forwarding these information to General Assembly, conferring the authority to General Assembly to be taken actions for those officers, respectively and if the General Assembly does not take actions on that, he can remove the said committee within 2 weeks and appoint a Board consisted 03 persons to run the Provincial Elders Organization. This Board has all the powers of the Committee of this Provincial Elders Organization.

### **General Seal**

The Provincial Elders Organization should have a general seal containing the name of the organization, registration number, date and address and that seal should be in the custody of the Secretary of the Provincial Elders Organization. On the every legal document signed by the Provincial Elders Organization should be put the seal after signing the President or vice-president, secretary or vice-secretary.

### **Agreements**

The Provincial Elders Organization can enter into agreements with its member organizations, other registered Provincial Elders Organizations or external institutes and persons, Government institutes and Boards for its business affairs. Those agreements must comply with the Law of Contract and when the Provincial Elders Organization signs as a one party, President / Secretary shall sign. In the absence of President / Secretary the authority can be conferred to vice-president / vice-Secretary.

### **Amendment of the rules**

1. If a necessity arises to be amended these rules, that amendment can be considered and approved by the General Assembly on submission that amended rule in writing or if there is a fact identified by the committee, submission it to general assembly with the committee decision.
2. In case of the Director of National Elders Secretariat refers some amendment to the Provincial Elders Organization with prior approval, a decision should be taken by submission that amendment to the General Assembly. The amendments recommended by the committee, can be passed on 2/3 majority vote in a general assembly with quorum and those amendments should be submitted to the Director of National Elders Secretariat to get his approval. Those amendments can be activated after receiving the written approval of the Director of National Elders Secretariat.

### **Disputes**

The Director of the Elders Secretariat has the authority to appoint one or a Board consisting three persons whose names are mentioned in a list, maintained by the Director of National Elders Secretariat named as Arbitrators to investigate the disputes to investigate financial or non-financial disputes arising between a member, a worker of the Provincial Elders Organizations or other Provincial Elders Organization and a contracted person or other party. Such Officer or Board appointed shall be a public servant defined in the Penal Code. He or the Board shall have the powers vested accordingly. The verdict given on

the investigation should be accepted by both parties and if any party is dissatisfied, they can appeal to the Director of the National Elders Secretariat with an appeal fee set by the Director of the National Elders Secretariat. The decision given by the Director of the National Elders Secretariat for that appeal will be the final decision.

### Liquidation

The Provincial Elders Organization can be liquidized if a situation arises that the Provincial Elders Organization cannot be activated continuously or on the adoption of suggestions done by the General Assembly based on the decisions of the committee on accounts reports, special inspection reports, investigation reports etc. This liquidation is a responsible of the Director of the National Elders Secretariat and the Director of the National Elders Secretariat should investigate whether the Provincial Elders Organization can be re-organized and upheld continuously before liquidation. The Director of National Elders Secretariat should appoint a person or a Board whose name appears in a register of Liquidators maintained by the Director of National Elders Secretariat to liquidize this Provincial Elders Organization. This Liquidator shall act to sell assets or convert them into cash using assets, liabilities, account balances of the Provincial Elders Organizations following the formal procedure in relation with properties and following procurement procedures and after incurring the liquidation expenses from the proceeds and respectively settling the balances of Government or Bank loans, settling the member's deposits and If there are additional expenses to be paid, settling those also and it should be handed over to the Director of National Elders Secretariat to publish the completion of liquidation of the Provincial Elders Organizations through newspapers and gazette notices. If there is remaining amount of money in the liquidation, it should be credited to the National Fund for Elders of the National Elders Secretariat.

These rules have been adopted by ..... votes in favor /unanimously in the General Assembly held with participation of.....members out of ..... total members of the Provincial Elders Organization on.....of..... 20.....

.....  
President

.....  
Secretary

Date.....

These rules were registered by the Director or Authorized Officer at .....office on ..... of.....20.....

.....  
Director

On the date of .....

EOG 01-0029