PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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RETIRED SENIOR POLICE OFFICERS’

ASSOCIATION (INCORPORATION)

ACT, No. 3 OF 2009

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[Certified on 05th February, 2009]

Printed on the Order of Government

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Retired Senior Police Officers’ Association 1

(Incorporation) Act, No. 3 of 2009

[Certified on 05th February, 2009]

L.D.—O. (Inc) 29/2007.

ANACT TO INCORPORATE THE RETIRED SENIOR POLICE OFFICERS’

ASSOCIATION

WHEREAS an Association called and known as the “Retired Preamble.

Senior Police officers’ Association” has heretofore been

established in Sri Lanka, for the purpose of effectually

carrying out and transacting all objects and matters connected

with the said Association :

AND WHEREAS the said Association has heretofore

successfully carried out and transacted several objects and

matters for which it was established and has applied to be

incorporated and it will be for the public advantage to grant

the application:

BE it therefore enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Retired Senior Police Short title.

Officers’ Association (Incorporation) Act, No. 3 of 2009.

2. From and after the date of commencement of this Act, Incorporation

such and so many persons as presently are members of the of the Retired

Senior Police

Retired Senior Police Officers’ Association (hereinafter

Officers’

referred to as the “Association” or “R.S.P.O.A”) or shall Association.

hereafter be admitted as members of the Corporation hereby

constituted shall be a body corporate (hereinafter referred to

as the “Corporation”) with perpetual succession under the

name and style of the “Retired Senior Police Officers’

Association”, and by that name may sue and be sued with

full power and authority to have and use a common seal and

to alter the same at its pleasure.

3. The general objects for which the Corporation is General

constituted are hereby declared to be — objects of the

Corporation.

(a) to foster a spirit of camaraderie and Esprit-de-Corps;

2 Retired Senior Police Officers’ Association

(Incorporation) Act, No. 3 of 2009

(b) to afford Members an opportunity to meet together;

(c) to promote the welfare of its members, their families

and that of other retired Police Officers and their

families, who are non-members of the Association;

(d) to assist the spouse of members, in organising the

“Ladies Wing” of the R. S. P. O. A.;

(e) to grant financial and other assistance where

possible, to its members and any other retired Police

Officers;

(f) to render to the country any service consistent with

the object of the Association;

(g) to help and assist the members when they are in

need of medical assistance;

(h) to collaborate with any other institution or

organization, whether foreign or local having

objects similar to those of the Corporation; and

(i) to do any act or thing generally essential to achieve

the above objectives.

Management of 4. (1) The management of the affairs of the Corporation

the affairs of the shall subject to the other provisions of this Act and the rules

Corporation.

of the Corporation, be administered by an Executive

Committee consisting of the President, two vice Presidents,

Secretary, Assistant Secretary, Treasurer, Assistant Treasurer,

not less than five committee members and two immediate

Past Presidents elected in accordance with such rules made

under section 6.

(2) The first Executive Committee of the Corporation

shall consist of the members of the Executive Committee of

the Association holding office on the day immediatly

preceding the date of commencement of this Act.

Retired Senior Police Officers’ Association 3

(Incorporation) Act, No. 3 of 2009

5. Subject to the provisions of this Act and any other General powers

of the

written law, the Corporation shall have the power—

Corporation.

(a) to purchase, acquire, rent, construct and otherwise

obtain lands or buildings which may be required for

the purposes of the Corporation;

(b) to borrow or raise money for the purposes of the

Corporation;

(c) to make, draw, accept, discount, endorse, negotiate,

buy, sell and issue bills of exchange, cheques,

promissory notes and other negotiable instruments;

(d) to invest any funds not immediately required for the

purposes of the Corporation, in such a manner as

the Executive Committee may think fit;

(e) to enter into agreements or contracts with any person,

company or body of persons;

(f) to appoint, employ, dismiss or terminate the services

of officers and servants of the Corporation and to

pay them such salaries, allowances and gratuities as

may be determined by the Corporation to execute

disciplinary action on them;

(g) to seek, receive or collect subscriptions, grants,

donations and gifts whether in cash or kind from

any person locally or foreign sources;

(h) to operate, open and close bank accounts and to

borrow or raise money with or without security; and

(i) to do all such other acts or things as may be necessary

or conducive to the carrying out of the objects of

the Corporation.

4 Retired Senior Police Officers’ Association

(Incorporation) Act, No. 3 of 2009

Rules of the 6. (1) It shall be lawful for the Corporation from time to

Corporation.

time at any General Meeting of the Corporation and by a

majority of not less than two-thirds of the members present

and voting to make rules not inconsistent with the provisions

of this Act or any other written law, for the following

matters:—

(a) the classification of membership and the admission,

withdrawal or expulsion of members;

(b) the election of the members of the Executive

Committee, the resignation from or vacation of or

removal from office and their powers, conduct and

duties;

(c) the powers, conduct and duties and functions of the

various officers, agents, servants of the Corporation,

their appointments, the resignation from or vacation

of and removal from office;

(d) the procedure to be observed at the summoning and

holding of meeting of the Executive Committee,

the times, places, notices and agenda of such

meetings and the quorum thereof and the conduct

of business thereat;

(e) the administration and management of the property

of the Corporation the custody of its funds; and

maintenance and audit of its accounts; and

(f) generally for the management of the affairs of the

Corporation and the accomplishment of its objects.

(2) Any rule made by the Corporation may be amended,

altered, added to or rescinded in like manner, as a rule at a

like meeting and in like manner as a rule made under

subsection (1).

Retired Senior Police Officers’ Association 5

(Incorporation) Act, No. 3 of 2009

(3) The members of the Corporation shall at all times be

subject to the rules of the Corporation, made under this

section.

7. (1) The Corporation shall have its own fund and all Fund of the

moneys heretofore or hereafter to be received by way of Corporation.

testamentary disposition, donations, subscriptions,

contributions and fees shall be deposited in the name of the

Corporation in one or more State Banks as may be decided

by the Executive Committee.

(2) The Corporation may create any depreciation fund,

reserve or sinking fund for the purpose of rehabilitation,

development and improvement of the property of the

Corporation.

(3) There shall be paid out of the fund, all sums of moneys

to defray any expenditure incurred by the Corporation in the

exercise, performance and discharge of its powers, duties and

functions under this Act.

(4) The moneys and property of the Corporation, however

derived shall be applied solely towards the promotion of the

objects set-forth herein and no portion thereof shall be paid

or transferred, directly or indirectly, by way of dividend, bonus

or otherwise however to the members of the Corporation.

8. The Corporation shall be able and capable in law to Corporation may

acquire and hold subject to any express trust or otherwise, hold property

any property movable or immovable which may become movable and

immovable.

vested in it by virture of any purchase, grant, gift, testamentary

disposition or otherwise and all such property shall be held

by the Corporation for the purposes of this Act and subject to

the rules of the Corporation made under section 6 with full

power to sell, mortgage, lease, exchange, grant, convey,

devise, assign or otherwise dispose of the same.

9. (1) The Corporation shall cause proper accounts to be Accounts and

kept of all money received and expended by the Corporation. Auditing.

6 Retired Senior Police Officers’ Association

(Incorporation) Act, No. 3 of 2009

(2) The accounts of the Corporation shall be examined

and audited at least once in every year and the correctness of

income, expenditure and the balance sheet shall be certified

by a qualified auditor or auditors appointed by the

Corporation.

(3) In this section, “qualified auditor” means—

(i) an individual who being a member of the Institute

of Chartered Accountants of Sri Lanka or of any

other Institute established by law, possesses a

certificate to practice as an accountant issued by

the Council of such Institute; or

(ii) a firm of Chartered Accountants each of the resident

partners of which, being a member of the Institute of

Chartered Accountants of Sri Lanka or of any other

Institute established by law, possesses a certificate

to practice as an Accountant issued by the Council

of such Institute.

Debts due by 10. All debts and liabilities of the Association on the

and payable to day preceding the date of commencement of this Act shall be

the Association.

paid to the Corporation hereby constituted and all debts due

to, subscriptions and contributions payable to the Association

on the day shall be paid to the Corporation for the purpose of

this Act.

Remains on 11. If upon the dissolution of the Corporation there

dissolution of the

remains after the satisfaction of all its debts and liabilities,

Corporation.

any property whatsoever, such property shall not be

distributed among the members of the Corporation but shall

be given or transferred to institution or institutions having

objects similar to the objects of the Corporation and which is

or are by the rules thereof prohibited from distributing any

income or property, among the members of the such

institution or institutions and at the discretion of the

Executive Committee of the Corporation.

Retired Senior Police Officers’ Association 7

(Incorporation) Act, No. 3 of 2009

12. The seal of the Corporation shall not be affixed to Seal of the

Corporation.

any instrument whatsoever, except in the presence of

President and the Secretary or such other person duly

authorized by the Executive Committee who shall sign their

names to the instrument in token of their presence and such

signing shall be independent of the signing of any person as

a witness.

13. Nothing in this Act contained shall prejudice or affect Saving of the

the rights of the Republic or any body corporate. rights of the

Republic and

others.

14. In the event of any inconsistency between the Sinhala Sinhala text

and Tamil texts of this Act, the Sinhala text shall prevail. to prevail in

case of

inconsistency.

8 Retired Senior Police Officers’ Association

(Incorporation) Act, No. 3 of 2009

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