

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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SOCIETY OF STRUCTURAL ENGINEERS

OF SRI LANKA (INCORPORATION)

ACT, NO. 40 OF 2009

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[Certified on 24th July, 2009]

Printed on the Order of Government

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Society of Structural Engineers of Sri Lanka 1

(Incorporation) Act, No. 40 of 2009

[Certified on 24th July, 2009]

L. D.—O. INC. 32/2007.

AN ACT TO INCORPORATE THE SOCIETY OF STRUCTURAL

ENGINEERS OF SRI LANKA

WHEREAS a society called and known as the “Society of Preamble.

Structural Engineers of Sri Lanka” has heretofore been

established in Sri Lanka, for the purpose of effectualy carrying

out and transacting all objects and matters connected with

the said Society according to the rules agreed to by its

members:

AND WHEREAS the said Society has heretofore successfully

carried out and transacted several objects and matters for

which it was formed 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 Society of Structural Short title.

Engineers of Sri Lanka (Incorporation) Act, No. 40 of 2009.

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

such and so many persons as now are members of the Society Society of

of Structural Engineers of Sri Lanka (hereinafter referred to Structural

Engineers of Sri

to as the “Society”) or shall hereafter be admitted members

Lanka.

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 “Society

of Structural Engeneers of Sri Lanka”, and by that name may

sue and be sued and have 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 objects of

constituted are hereby declared to be— the Corporation.

(a) to promote and advance the science and practice of

Structural Engineering in specified areas such as

buildings, bridges, towers, foundations and stadiums;

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(b) to organize and arrange seminars, lectures,

exhibitions, symposiam and discussions in relation

to Structural Engineering;

(c) to maintain libraries and publishing of papers and

books about Structural Engineering;

(d) to encourage research with a view to promoting

professional knowledge of Structural Engineering;

(e) to formulate appropriate standards for qualifications

of membership of Structural Engineers and to

conduct examinations and interviews and to grant

certificates in relation to Structural Engineering;

(f) to regulate the professional activities of the members

and to assist them in mainatining standards of

professional conduct of Structural Engineers;

(g) to encourage and assist in the settlement of disputes

of Structural Engineering by arbitration and to

nominate arbitrators.

General Powers of 4. Subject to the provisions of this Act and any other

the Corporation.

written law, the Corporation shall have the power—

(a) to advance, borrow or raise money for the purposes

of the Corporation in such manner and upon such

security as the Corporation may think fit;

(b) to draw, accept, discount, endorse, negotiate, buy,

sell and issue bills of exchange, cheques, promissory

notes and other negotiable instruments and to open,

act, maintain and close bank accounts in Sri Lanka

and elsewhere;

(c) to enter into and perfom or carry out all such

agreements or contracts with any person or body of

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persons in Sri Lanka or outside Sri Lanka as may be

necessary for the attainment of the objects or the

exercise of the powers of the Corporation;

(d) to undertake, accept, execute, perfom and administer

any trusts which may directly or indirectly be

conducive to the accomplishment of all or any of

the objects of the Corporation;

(e) to invest all moneys of the Corporation which are

not immediately required for the purpose of carrying

out the objects of the Corporation in securities of

the Government of Sri Lanka or in any other from

of investment;

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

of officers and servants of the Corporation and to

pay them such salaries, allowances, pensions and

gratuities as may be determined by the Executive

committee of the Corporation;

(g) to affiliate with any Organization, Associaiton or any

other Institution in Sri Lanka or outside whose

objects are similar to that of the Corporation;

(h) to appoint sub committees.

5. The management, control and administration of the Management of

Corporation shall subject to the provisions of this Act and the affairs of the

Corporation.

rules of the Corporation made under section 6, vest in an

Executive Committee. The members of the Society holding

office on the day immediately preceding the date of the coming

into operation of this Act shall be the office bearers of the

first Executive Committee until office bearers are chosen in

accordance with rules made under this Act.

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

to time, at any annual general meeting or at any general Corporation.

meeting and by a majority of not less than two-third of the

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members present and voting, to make rules, not inconsistent

with the provisions of this Act or any other written law, for

all or any of the following matters:—

(a) elegibility, qualifications and admission of members,

classification of membership and fees payable by

members, cessation of membership, expulsion or

resignation;

(b) election of the members to the Executive Committee

of the Corporation, resignation from, vacation of or

removal from office as office bearers and powers,

duties and conduct of the Committee and the

Executive Committee;

(c) appointment, dismissal, powers, duties, funcitons

and conduct of the various employees of the

Corporation;

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

and holding of meetings of the Executive Committee

of the Corporation or any disciplinary committee

thereof, filling of vacancies, notices and agenda of

such meetings, the quorum therefor and the conduct

of business thereat;

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

Corporation and the accomplishment of its objects

and the dissolution of the Corporation; and

(f) administration and management of the property of

the Corporation.

(2) The rules made by the Coporation under subsection

(1) shall be altered, added to, amended or rescinded at a like

meeting and in like manner as a rule made under

subsection(1).

(3) The members of the Corporation shall be subject to

the rules of the Corporation.

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7. (1) Every member of the Society who is qualified Use of titles.

under the rules made under the Act shall have the right to use

abbreviated designation “M.S.S.E. (S.L.)” after his name to

indicate that he is a Member.

(2) Every member of the Society who is registered as a

Fellow Member shall have the right to use the abbreviated

designation “F.S.S.E. (S.L.)” after his name to indicate that

he is a Fellow Member.

(3) Every member of the society who is registered as a

Honorary Fellow shall have the right to use the abbreviated

designation “Hon. F.S.S.E. (S.L.)” after his name to indicate

that he is a Honorary Member.

8. (1) The Corporation shall have its own Fund and all Funds of the

moneys received by way of gifts, testamentary dispositions, Corporation.

transfers, donations or contributions shall be deposited to the

credit of the Fund of the Corporation in one or more banks as

may be decided by the Executive Committee of the

Corporation.

(2) All expenses incurred by the Corporation in the

exercise, performance and discharge of the powers, functions

and duties of the Corporation shall be paid out of the fund of

the Corporation.

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

acquire and hold any property movable or immovable, which hold property

movable or

may become vested in it by virtue of any purchase, gift, grant

immovable.

or testamentary disposition or otherwise and all such property

shall be held by the Corporaiton for the purposes of this Act

and subject to the rules of the Corporation made under

section6, with full power to sell, mortgage or lease, exchange

or otherwise dispose of the same.

10. No member of the Corporation shall, for the purpose Limitation of

of discharging the debts and liabilities of the Corporation or liabiltiy of

members.

for any other purpose, be liable to make any contribution

exceeding the amount of annual subscription payable by him

to the Corporation.

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Debts due by and 11. All debts and liabilties of the Society existing on the

payable to the day precding the date of commencement of this Act shall be

Society.

deemed to be debts and liabilities of the Corporation and shall

be paid by the Corporation and all debts due to, and

subscriptions and contributions payable to the Society on such

day shall be paid to the Corporation.

Property 12. If upon the dissolution of the Corporation there

remaining on remains after the satisfaction of all its debts and liabilities,

dissolution of the any property whatsoever, such property shall not be distributed

Corporation.

among the members of the Corporation, but shall be given or

transferred to some other institution or institutions having

objects similar to those of the Corporation and which is or

are by its or their rules prohibited from distributing any income

or property among its or their members. Such institution or

institutions may be determined by the Executive Committee

of the Corporation on or before the dissolution of the

Corporation.

Expenses incurred 13. Any expenses incurred by any person in any action

by any person to or prosecution instituted against him in respect of any act

be paid by the which is done by him under this Act or on the direciton of the

Corporation.

Corporation shall be paid by the Corporation if the court holds

that act was done in good faith.

Audits of 14. (1) The Executive Committee shall cause proper

accounts. books of accounts to be kept of the income and expenditure,

assets and liabilities and all other transactions of the

Corporation.

(2) The accounts of the Corporation shall be examined

and audited at least once in every year by one or more qualified

autitor or auditors.

(3) For the purposes of this section, “qualified auditor”

means—

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

of Chartered Accountants of Sri Lanka or of any

other Institute established by law, possesses a

certificate to practice as an Accountant issued by

the Council of such Institute; or

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(b) a firm of Accountants, each of the resident partners

of which, being a member of the institute of

Chartered Accountants of Sri Lanka or of any other

Institute established by law, possesses a certificate

to practice as an Accountant issued by the Council

of such Institute.

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

any instrument whatsover, except in the presence of the Corporation.

persons duly authorized by 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.

16. The Corporation shall have power to appoint Disciplinary

Disciplinary committees and to take such other steps as may committees.

be necessary from time to time for the control of professional

standards and for the maintenance of discipline among the

members of the Corporation.

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

rights of the State

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

and others.

18. In the event of any inconsistency between the Sinhala Sinhala text to

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

inconsistency.

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