

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

SRI LANKA SOCIETY FOR THE

PREVENTION OF CRUELTY TO ANIMALS

(INCORPORATION) ACT, No. 52 OF 2009

[Certified on 25th September, 2009]

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Sri Lanka Society for the Prevention of Cruelty 1

to Animals (Incorporation) Act, No. 52 of 2009

[Certified on 25th September, 2009]

L.D.—O. (INC.) 26/2007.

ANACT TO INCORPORATE THE SRI LANKA SOCIETY FOR THE

PREVENTION OF CRUELTYTO ANIMALS

WHEREAS a Society called and known as the “Sri Lanka Preamble.

Society for the Prevention of Cruelty to Animals” has

heretofore been established in Sri Lanka for the purpose of

effectually carrying out and transacting all objects and matters

connected with the said Society:

AND WHEREAS the said Society has heretofore successfully

carried out and transacted the several objects and matters for

which it was established and has applied to be incorporated

and it will be for the public advantage to grant such

application:

BE it, therefore enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Sri Lanka Society for Short title.

the Prevention of Cruelty to Animals (Incorporation) Act,

No. 52 of 2009.

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

Sri Lanka

Act, such and so many persons as now are members of

Society for the

the Sri Lanka Society for the Prevention of Cruelty to Prevention of

Animals (hereinafter referred to as the “Society”) and such Cruelty to

other persons as shall hereafter be admitted members of the Animals.

Corporation hereby constituted, shall be a body corporate

( hereinafter referred to as the “Corporation”) with perpetual

succession, under the name and style of the “Sri Lanka

Society for the Prevention of Cruelty to Animals” 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.

2—PL 003825—3,090 (2009/04)

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General objects 3. The general objects for which the Corporation is

of the

established are declared to be—

Corporation.

(a) to create awareness among people on the need to

protect animals;

(b) to educate people on the need to refrain from

neglecting or inflicting unnecessary pain or suffering

to animals;

(c) to take steps to preserve the fauna and create an

awareness among the people of the importance of

preserving the same;

(d) to create better environments for domestic animals

and to provide them with security;

(e) to provide indoor and outdoor medical treatment

for sick animals; and

(f) to pursuade the public to show love and kindness to

animals.

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

of the

written law, the Corporation shall have the power—

Corporation.

(a) to recive grants, gifts or donations in cash or kind

whether from local or foreign sources;

(b) to open, maintain, operate and close bank accounts

and to borrow or raise money with or without

security;

(c) to invest moneys belonging to the Corporation in

such securities as may be determined by the

Executive Committee;

(d) to appoint, employ, remunerate, exercise

disciplinary control over and dismiss, such officers

and servants as may be necessary for the purpose of

carrying out the objects of the Corporation;

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(e) to co-operate and associate with other associations,

societies or organizations having objects similar to

those of the Corporation;

(f) to promote, organize and hold exhibitions, lectures,

seminars, workshops, conferences and tours for the

furtherance of the objects of the Corporation; and

(g) to do all such other acts and things as are incidental

or conducive to the carrying out of the objects of

the Corporation.

5. (1) The affairs of the Corporation shall, subject to the Management of

rules made under section 7, be administered by an Executive the affairs of the

Corporation.

Committee consisting of the Patrons, President, two Vice

Presidents, General Secretary, Assistant Secretary, Treasurer,

Members of the Board of Trustees and not less than twelve

other members as may be provided for in such rules and

elected in accordance therewith.

(2) The first Executive Committee of the Corporation

shall be the Executive Committee of the Society holding

office on the day preceding the date of commencement of

this Act who shall hold the office until a new Executive

Committee is appointed under the rules of the Corporation.

6. (1) There shall be a Board of Trustees who shall be Board of

entrusted with the management of the property of the Trustees.

Corporation.

(2) The first Board of Trustees of the Corporation shall be

the Board of Trustees of the Society holding office on the

day preceding the date of commencement of this Act who

shall hold the office until a new Board of Trustees is appointed

under the rules of the Corporation.

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

Corporation.

time, at any general meeting and by a majority of not less

than two- thirds of the members present and voting, to make

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rules, not inconsistent with the provisions of this Act or other

written law, for all or any of the following matters:—

(a) the classification of membership and the admission,

withdrawal or expulsion of members;

(b) the election of the office-bearers, the resignation

from or vacation of or removal from, office of office-

bearers and their powers, conduct and duties ;

(c) the election of the members of the Executive

Committee and its powers, conduct and duties and

the terms of office of such members;

(d) the election of the trustees of the Board of Trustees

and its powers, conduct and duties and the terms of

office of such trustees;

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

various officers, agents and servants of the

Corporation;

(f) the procedure to be observed for the summoning

and holding of meetings of the Executive

Committee and the Board of Trustees, the times,

places, notices and agenda of such meetings, the

quorum therefore and the conduct of business

thereat;

(g) the custody of the funds of the Corporation and the

maintenance and audit of its accounts; and

(h) generally, for the management of the affairs of the

Corporation.

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

altered, added to or rescinded at a like meeting and in like

manner as a rule may be made under subsection (1).

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

the rules of the Corporation.

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

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

transfers, donations, contributions of fees shall be deposited

in the name of the Corporation in one or more banks as may

be decided by the Executive Committee.

(2) The Corporation may establish a depreciation fund or

a sinking fund for the purpose of rehabilitation, development

or improvement of the property of the Corporation.

(3) All expenses incurred by the Corporation in the

exercise of the powers of the Corporation shall be paid out of

the fund.

9. All debts and liabilities of the Society existing on the Debts due by

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

the Society.

be paid and discharged by the Corporation hereby constituted

and all debts due to, subscriptions and contributions payable

to the Society on that day shall be paid to the Corporation for

the purposes of this Act.

10. (1) The financial year of the Corporation shall be Audit and

the calendar year. accounts.

(2) The Executive Committee shall cause proper accounts

to be kept of its income and expenditure, assets and liabilities

and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a

qualified auditor.

(4) 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

such institute ; or

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

of which being a member of the Institute of

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Chartered Accountants of Sri Lanka or of any other

institute established by law, possesses a certificate

to practice as an Accountant issued by any one of

such institutes.

Corporation may 11. The Corporation shall be able and capable in law, to

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

movable or

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

gift, testamentary disposition or otherwise and all such

property shall be held by the Corporation for the purposes of

this Act, and subject to the rules of the Corporation made

under section 7 and it shall have full powers to sell, mortgage,

lease, exchange or otherwise dispose of the same.

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

Corporation. any instrument whatsoever except in the presence of the

President and the General Secretary or the Treasurer, 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.

Property 13. If upon the dissolution of the Corporation there

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

dissolution.

any property whatsoever, such property shall not be

distributed among the members of the Corporation, but shall

be given or transferred to any other Institute or Institutes

having objects similar to those of the Corporation and which

is or are by the rules thereof prohibited from distributing any

income or property among its or their members. Such Institute

or Institutes shall be determined by the members of the

Corporation at or immediately before the dissolution of the

Corporation.

Saving of the 14. Nothing in this Act contained shall prejudice or

rights of the affect the rights of the Republic or of any body, politic or

Republic and

others. corporate.

Sinhala text to 15. In the event of any inconsistency between the

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

inconsistency.

prevail.

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