

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

INSTITUTE OF PROJECT MANAGERS

SRI LANKA (INCORPORATION)

ACT, No. 73 OF 2009

[Certified on 23rd December, 2009]

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Institute of Project Managers Sri Lanka 1

(Incorporation) Act, No. 73 of 2009

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L.D.—O. INC. 1/2007.

ANACT TO INCORPORATE THE INSTITUTE OF PROJECT MANAGERS

SRI LANKA

WHEREAS an institute called and known as the “Institute Preamble.

of Project Managers Sri Lanka” has heretofore been

established in Colombo, for the purpose of effectually

carrying out and transacting all objects and matters connected

with the said institute according to the rules agreed to by its

members :

AND WHEREAS the said institute 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

the application:

BE it enacted by the Parliament of the Democratic Socialist

Republic of Sri Lanka as follows :—

1. This Act may be cited as the Institute of Project Short title.

Managers Sri Lanka (Incorporation) Act, No. 73 of 2009.

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

Act such and so many persons as now are or may hereafter the Institute of

Project Managers

be enrolled as corporate and non corporate members of the Sri Lanka.

Institute of Project Managers Sri Lanka, (hereinafter referred

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

of the Corporation hereby constituted shall be a body

corporate with perpetual succession, under the name and style

of the “Institute of Project Managers Sri Lanka” (hereinafter

referred to as the “Corporation”) and by that name may sue

and be sued with full power and authority to have and to use

a common seal and to alter the same at its pleasure.

2 Institute of Project Managers Sri Lanka

(Incorporation) Act, No. 73 of 2009

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

of the

constituted are hereby declared to be—

Corporation.

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

project management in Sri Lanka ;

(b) to foster professionalism in the management of

projects ;

(c) to help in obtaining and exchanging academic and

industrial research and technical knowledge in the

field of project management by introducing speedy

communication systems and discussions thereon,

by establishing and maintaining technical and

management libraries, publications on matters of

professional interest and any such other means ;

(d) to promote the study of project management,

to encourage original research and provide a

recognized forum for the free exchange of ideas,

applications and solutions with a view of facilitating

the scientific and economic development of

Sri Lanka ;

(e) to conduct examinations for the granting of

membership of the Corporation to test the competency

of persons engaged in project management and to

grant certificates of competence ;

(f) to determine the eligibility of candidates for

admission to various grades of membership;

(g) to maintain ethics, standards and accreditation in

the field of project management ;

(h) to regulate the professional activities and to assist

in maintaining high standards in the field of project

management ;

Institute of Project Managers Sri Lanka 3

(Incorporation) Act, No. 73 of 2009

(i) to collaborate with universities and other

educational institutes to encourage academic and

industrial research and for relevant areas of

education and career development at all levels in

project management ;

(j) to provide and maintain the necessary buildings

and material for the well being of its members and

the general public ;

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

by adjudicators, arbitrators and to maintain panels

of adjudicators and arbitrators ; and

(l) to establish relationships with other public and

private organizations, with regard to project

management, and to co-operate in matters of

common interest ;

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

written law, the Corporation shall have the power to do, of the

Corporation.

perform and execute all such acts, matters and thing

whatsoever, as are necessary or desirable for the promotion or

furtherance of the objects of the Corporation or any one of

them, including the power to open, operate or close bank

accounts, to borrow and raise money with or without security,

to receive or collect grants and donations, to invest its funds,

and to engage, employ and dismiss officers and servants

required for the purpose of carrying out of the objects of the

Corporation.

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

to the rules of Corporation, to be made under section 6 of the affairs of the

Corporation.

this Act, be administered by a Council consisting of

the President, the immediate Past President, the Vice

President, the General Secretary, the Treasurer, the Assitant

Secretary, the Editor, the Assistant Treasurer and such other

office-bearers as may be provided for by the rules and elected

in accordance therewith.

4 Institute of Project Managers Sri Lanka

(Incorporation) Act, No. 73 of 2009

(2) The members of the committee of the Institute

holding office on the day immediately preceding the date of

commencement of this Act, shall be deemed to be the members

of the first Council of the Corpration.

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

Corporation. time at any meeting by the votes of not less than two thirds of

the members present and voting, to make rules not

inconsistent with the provisions of this Act or any other

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

(a) the classification of membership and the admission,

withdrawal and expulsion of members and the

particulars to be incsribed in the register of members;

(b) the election of the members of the Council and its

powers , duties and functions and the term of office

of the members of the Council ;

(c) the powers, duties and functions of various officers,

agents and servants of the Corporation ;

(d) the procedure to be observed at meetings of the

Council ; the summoning and holding of meetings

of the Council, the times, places, notices and agenda

of such meetings ; the quorum therefore and the

conduct of business thereat ;

(e) the administration and management of the property

of the Corporation; and

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

Corporation.

(2) Such rules when made may, at a like meeting, and in

like manner, be altered, added to, amended or rescinded.

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

rules of the Corporation.

Institute of Project Managers Sri Lanka 5

(Incorporation) Act, No. 73 of 2009

7. The Council of the Corporation shall cause to be Register of

members.

maintained a register in which every person who, on the date

of commencement of this Act, is a member of the Corporation,

and every person thereafter duly admitted as a member of the

Corporation shall have inscribed in such register his name,

address and such other particulars as may be prescribed under

the rules of the Corporation.

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

moneys heretofore or hereafter received by way of gift, Corporation.

bequest, donation, subscription, contribution, fees or grants,

for and on account of the Corporation shall be deposited to

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

Council shall determine.

(2) There shall be paid out of the fund all sums of money

as are required to defray any expenditure incurred by the

Corporaton in the exercise, performance and discharge of its

powers, duties and functions under this Act.

9. (1) The Council of the Corporation shall cause proper Accounts and

audit..

books of accounts to be kept of the income and expenditure

of the Corporation.

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

qualified auditor, at least once in every year.

(3) In 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

(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

6 Institute of Project Managers Sri Lanka

(Incorporation) Act, No. 73 of 2009

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 Institute existing on

and payable to the day immediately preceding the date of commencement

the Institute.

of this Act, shall be paid and discharged by the Corporation

hereby constituted, and all debts due to, and subscriptions

and contributions payable to the Institute on that day shall

be paid to the Corporation hereby constituted, for the purposes

of this Act.

Application of 11. The moneys and property of the Corporation

moneys and howsoever derived shall be applied solely towards the

property.

promotion of its objects as setforth herein and no protion

thereof shall be paid, or transferred directly or indirectly by

way of dividend, bonus, profit or otherwise howsoever to the

members of the Corporation.

Power to charge 12. The Corporation shall be able and capable in law to

fees and

charge —

subscription.

(a) such fees, as the Corporation may deem reasonable,

for admission to any course or examination

conducted by the Corporation ;

(b) fees for the admission of persons to any class of

membership of the Corporation ; and

(c) such subscription and fees as the Corporation may

deem appropriate to charge.

Corporation may 13. Subject to the provisions of this Act, the Corporation

hold property,

shall be able and capable in law to take and hold any property,

movable and

immovable. movable or immovable which may become vested in it by

virtue of any purchase, grant, gift, testamentary disposition

or otherwise and all such property shall be held by the

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 or otherwise dispose of the

same.

Institute of Project Managers Sri Lanka 7

(Incorporation) Act, No. 73 of 2009

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

any instrument whatsoever, except in the presence of two Corporation.

members of the Council, one of whom shall be the President

of the Corporation 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.

15. The Corporation shall have the power to appoint Disciplinary

disciplinary committees and to make such other steps as may Committees.

be deemed appropriate from time to time, for the control of

professional standards and for the management of discipline

among persons practising or acting as project managers in

Sri Lanka.

16. If upon dissolution of the Corporation, there remains Dissolution.

after the satisfaction of all its debts and liabilities any

property whatsoever, such property shall not be distributed

among the members of the Corporation but such property

shall be given or transferred to such 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 its or their

members. The members of the Corporation shall determine

such institution or institutions at the time of dissolution of

the Corporation or prior to such dissolution.

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

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

Republic and

others.

18. 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 Institute of Project Managers Sri Lanka

(Incorporation) Act, No. 73 of 2009

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