

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

INSTITUTE OF GEOLOGY, SRI LANKA

(INCORPORATION) ACT, No. 3 OF 2014

[Certified on 04th March, 2014]

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(Incorporation) Act, No. 3 of 2014

[Certified on 04th March, 2014]

L.D.—O. (Inc.) 12/2011.

ANACT TO INCORPORATE THE INSTITUTE OF GEOLOGY, SRI LANKA

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

of Geology, Sri Lanka” has heretofore being established in

Sri Lanka for the purpose of effectually carrying out its

objects and transacting all 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 said 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 Institute of Geology, Short title.

Sri Lanka (Incorporation) Act, No. 3 of 2014.

2. (1) From and after the date of commencement of this Incorporation of

Act such and so many persons as now are members of the the Institute of

Geology, Sri

‘Institute of Geology, Sri Lanka’(hereinafter referred to as

Lanka.

the “Institute”) and 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 Geology, 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 use a

common seal and to alter the same at its pleasure.

(2) The Corporation shall be deemed to be a Voluntary

Social Service Organization within the meaning, and for

the purpose of the Voluntary Social Services Organizations

(Registration and Supervision) Act, No. 31 of 1980 and the

provisions of that Act shll apply to and in relation to the

management of the affairs of the Corporation.

2—PL 005352—2900 (11/2010)

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Objects of the 3. (1) The general objects for which the corporation is

Corporation. constituted are hereby declared to be:—

(a) to promote the acquisition, dissemination and

exchange of knowledge relating to Geology;

(b) to encourage research activities into Geological

matters;

(c) to assess the eligibility of candidates for admission

to various grades of membership;

(d) to regulate its professional activities and to assist

in maintaining high standards in the general

conduct of its activities;

(e) to promote, maintain and uphold professional and

ethical principles and standards in all matters

connected with the practice of Geology;

(f) to enhance and promote the interests and status of

the professionals of Geology;

(g) to provide services to public and private institutions

in matters connected with the application of

Geology to activities relating to the development

and progress of the country; and

(h) to foster co-ordination with similar professional

Institutes in Sri Lanka and other countries in

furthering the objects of the Corporation.

(2) In the implementation of the objects specified in

subsection (1) the Corporation shall ensure that such

implementation shall be carried out without any distinction

based on race, religion, language, caste, sex, political

opinion, place of birth or any of such grounds.

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4. The objects of the Corporation shall be carried out in Corporation to

ensure no

such manner so as not to create any conflict between the conflict with

work of the Corporation and any work being carried out work of

Ministry or

simultaneously by any Ministry or Department of the Department of

Government or of any Provincial Council. the Government

or Province.

5. (1) Subject to the provisions of this Act the Management of

management and administration of the affairs of the the affairs of the

Corporation.

Corporation shall be carried out by a Council (hereinafter

referred to as the “Council”) consisting of such number of

office bearers as may be specifid by the rules made under

section 7.

(2) (a) The Council of the Institute holding office on the

day immediately preceding the date of commencement of

this Act, shall function as the Council of the Corporation

until the first Council is appointed or elected in the manner

provided for by rules made under section 7.

(b) The first Council of the Corporation shall be appointed

or elected within one year of the date of commencement of

this Act.

(3) (a) Every office bearer of the Council including the

patrons and advisors, shall be appointed or elected for a

period of three years and any such office bearer, patron or

advisor shall be eligible for re-appointment or re-election

after the lapse of the said period of three years.

(b) In the event of a vacancy occourring due to the death,

resignation, incapacity or removal from office of and office

bearer, the Council shall having regard to the rules of the

Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b)

shall holde office only for the unexpired portion of the term

of office the member whom he succeeds.

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Powers of the 6. Subject to the provisions of this Act and any

Corporation.

other written law, the Corporation shall have the power to

do, perform and execute all such acts and matters as are

necessary or desirable for the promotion or furtherance of the

objects of the Corporation or any one of them, including

the power—

(a) to purchase, rent, construct, renovate lands or

buildings which may be required for the purposes

of the Corporation and to deal with or dispose of the

same as may be deemed expedient with a view to

promoting the objects of the Corporation;

(b) to borrow or raise funds with or without securities,

and to receive grants, gifts or donations in cash or

kind:

Provided that, the Council shall obtain the prior

written approval of the Department of External

Resources of the Ministry of the Minister assigned

the subject of Finance, in respect of all foreign

grants, gifts or donations made to the Corporation;

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

buy, sell and issue bills of exchang, cheques,

promissory notes and other negotiable instruments

and to open, operate, maintain and close accounts

in any bank;

(d) to invest any funds that are not immediately required

for the purposes of the Corporation, in such manner

as the Council may determine;

(e) to undertake, accept, execute, perform and

administer any lawful trust or any real or personal

property with a view to promoting the objects of

the Corporation;

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

services of officers and servants of the Corporation

and exercise disciplinary control over them and to

pay them such salaries, allowances and gratuities

as may be determined by the Corporation;

(g) to organize lectures, seminars and conferences with

a view to promoting the objects of the Corporation;

(h) to liaise and co-ordinate with other local and foreign

institutions having similar objects to that of the

Corporation;

(i) to train personnel in Sri Lanka or abroad for the

purposes of the Corporation, and

(j) to do all other things as are necessary or expedient

for the proper and effective carrying out of the

objects of the Corporation.

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

time, at any general meeting of the Corporation and by a Corporation.

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 all or any

of the following matters:—

(a) the classification of membership, admission,

withdrawal, expulsion or resignation of members

and fees payable by the members;

(b) the election of office bearers of the Council or

vacation of or removal from office of office bearers

and the powers, duties and functions of the office

bearers;

(c) the terms and conditions of appointment, powers,

functions and duties of various officers, agents and

servants of the Corporation;

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(d) the procedure to be followed for the summoning

and holding of meetings of the Board or any

sub-committee thereof, notices and agenda of such

meetings, the quorum and the conduct of business

thereat;

(e) the qualifications and disqualifications to be a

member of the Council and the Corporation;

(f) the administration and management of the property

of the Corporation; and

(g) generally the management of the affairs of the

Corporation and the accomplishment of its objects

and dissolution 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 made under subsection (1) of this section.

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

subject to the rules of the Corporation.

(4) The rules made under this section shall be published

in the government Gazette.

Register of 8. The Council shall maintain a register of members in

members. which name, address and other essential details of the

members shall be inscribed.

Fund of the 9. (1) The Corporation shall have its own Fund.

Corporation.

(2) All moneys received by way of gift, bequest, donation,

subscription, contribution, fees or grant for and on account

of the Corporation shall be deposited in one or more banks

approved by the Council to the credit of the Corporation.

(3) There shall be paid out of the Fund, all sums of money

as are required to defray any expenditure incurred by the

Corporation in the exercise, performance and discharge of its

powers, duties and functions under the Act.

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

the calendar year. Auditing.

(2) The Corporation 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

annually by the Auditor General or a qualified auditor

appointed by Auditor General.

(4) 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 practise 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 Institute establisehd by law, possesses a

certificate to practise as an Accountant, issued

by the Council of such Institute.

11. (1) The Council shall prepare a report of the activities Annual Report.

of the Corporation for each financial year and submit such

report together with the audited statement of accounts to the

Secretary of the Ministry of the Minister assigned the subject

of Environment and to the Registrar of Voluntary Social

Services Organizations appointed under the Voluntary Social

Services Organization (Registration and Supervision) Act,

No. 31 of 1980 before the expiration of six months of the

year succeeding the year to which such report relates.

(2) A seperate Account relating to the foreign and

local moneys received by the Corporation during the

financial year shall be attached to the report referred to in

subsection (1).

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Debts due by 12. 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 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 for the purposes of this Act.

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

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

property

movable and movable or immovable, which may become vested in it by

immovable. virtue of any purchase, grant, gift, testamentary disposition

or otherwise, and all such property shall be held by the

Corporation for the purpose of this Act and subject to the

rules of the Corporation made under section 7, with power to

sell, mortgage, lease, exchange, or otherwise dispose of the

same.

Application of 14. The moneys and property of the Corporation

moneys and however derived shall be applied solely towards the

property.

promotion of the objects of the Corporation and no portion

thereof shall be paid or transferred directly or indirectly by

way of dividend, bonus or profit to the members of the

Corporation.

Seal of the 15. (1) The seal of the Corporation shall not be affixed

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

members of the Council 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.

(2) The seal of the Corporation shall be in the custody of

an office bearer of the Council as may be decided by such

Council.

Property 16. (1) 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 institution having objects

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similar to those of the Corporation, and which is by the rules

thereof, prohibited from distributing any income or property

among its members.

(2) For the purposes of subsection (1) the appropriate

institution shall be determined by the members of the

Corporation immediately before the dissolution at a general

meeting by the majority of votes of the members present.

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

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

corporate. Republic and

others.

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

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

of inconsistency.

prevail.

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