

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

SRI LANKA ASSOCIATION OF

PROFESSIONAL SOCIAL WORKERS

(INCORPORATION) ACT, No. 46 OF 2014

[Certified on 24th November, 2014]

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Social Workers (Incorporation) Act, No. 46 of 2014

[Certified on 24th November, 2014]

L.D.—O. (Inc.) 34/2011.

ANACT TO INCORPORATE THE SRI LANKA ASSOCIATION OF

PROFESSIONAL SOCIAL WORKERS

WHEREAS an Association called and known as the Preamble.

“Sri Lanka Association of Professional Social Workers” has

heretofore been established in Sri Lanka for the purpose of

effectually carrying out its objects and transacting all matters

connected with the said Association according to the rules

agreed to by its members:

AND WHEREAS the said Association 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 Sri Lanka Association Short title.

of Professional Social Workers (Incorporation) Act,

No. 46 of 2014.

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

the Sri Lanka

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

Association of

Lanka Association of Professional Social Workers (hereinafter Professional

referred to as the “Association”) or shall hereafter be admitted Social Workers.

as members of the Corporation hereby constituted shall be a

body corporate with perpetual succession under the name

and style of the “Sri Lanka Association of Professional Social

Workers” (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

2—PL 006402—2,000 (10/2014)

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purpose of the Voluntary Social Services Organizations

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

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

management of the affairs of the Coporation.

General objects 3. (1) The general objects for which the Corporation is

of the constituted are hereby declared to be—

Corporation.

(a) to enhance and develop the concecpt of professional

social work;

(b) to create a link among person engaged in social

work; and

(c) to provide training on the conduct of the different

categories of social work to the persons are engaged

in carrying out social work.

(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, languge, caste, sex, political opinon,

place of birth or any of such grounds.

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

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.

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

the affairs of the

management and administration of the affairs of the

Corporation.

Corporation shall be carried out by a Committee of

Management (hereinafter referred to as the “Committee”)

consisting of such number of office bearers as may be

specified by the rules made under section 7.

(2) (a) The Committee of Management of the

Association that holds office on the day immediately

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preceding the date of commencement of this Act, shall

function as the Committee of the Corporation until the first

Committee is appointed or elected in the manner provided

for by rules made under section 7.

(b) The first Committee 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 Committee including

the patrons and advisers, shall be appointed or elected for a

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

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

after lapse of the said period of three years.

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

resignation, incapacity or removal from office of an office

bearer, the Committee 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 hold office only for the unexpired portion of the term

of office of the member whom he succeeds.

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

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

perform and execute all such acts and matters as are necessary

or desirable for the promotion or furtherence of the objects

of the Corporation or any one of them, including the

power:—

(a) to purchase, acquire, rent, construct, renovate

and otherwise obtain 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:

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Provided that, the Committee 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 exchange, 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 Committee may determine;

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

administer any lawful trust or any real or personal

property;

(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; and

(g) to do all other things as are necessary for expedeint

for the proper and effective carring out of the

objects of the Corporation.

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

Corporation. to 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 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;

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(b) the election of office bearers of the Committee 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, and

servants of the Corporation;

(d) The procedure to be followed for the summoning

and holding of meetings of the Committee or any

sub- Committee thereof, notices and agenda of such

meetings, the quorum the conduct of business

thereat;

(e) the qualifications and disqualifications to be a

member of the Committee 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 Gazette.

8. The Committee shall maintain a register of members Register of the

members.

in which name, address and other essential details of the

members shall be inscribed.

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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 grants for and on account

of the Corporation shall be deposited to the credit of the

Corporation in one or more banks approved by the Committee.

(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.

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

auditing. the calendar year.

(2) The Corporation shall cause proper accounts to be

kept of its income and expenditure, assets and libilities 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 in terms of Article 154 of the

Constitution.

(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 establishment 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 Institute establisehd by law, possesses a

certificate to practice as an Accountant, issued

by the Council of such Institute.

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

activities 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 Social Service 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 separate 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).

12. All debts and liabilities of the Association existing Debts due by

on the day immediately preceding the date of commencement and payable to

the Association.

of this Act, shall be paid by the Corporation hereby

constituted and all debts due to and subscriptions and

contributions payable to the Association on that day shall be

paid to the Corporation for the purposes of this Act.

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

Corporation shall be able and capable in law to take and may hold

propertey

hold any property movable or immovable, which may movable and

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

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

otherwise dispose of the same.

14. The moneys and property of the Corporation however Application of

moneys and

derived shall be applied solely towards the promotion of the

property.

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.

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

Corporation. to any instrument whatsoever, except in the presence

of two members of the 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.

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

office bearer of the Committee as may be decided by such

Committee.

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

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.

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

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

Republic.

or corporate.

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

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

of inconsistency. prevail.

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