



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**COMMUNITY ASSOCIATION OF
PROFESSIONALS (INCORPORATION)**

A

BILL

to incorporate the Community Association of Professionals

*Presented by Hon. S. M. M. Muszhaaraff, M. P.
for Digamadulla District on 07th of April, 2022*

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*Community Association of Professionals
(Incorporation)*

AN ACT TO INCORPORATE THE COMMUNITY ASSOCIATION OF
PROFESSIONALS

WHEREAS an Association called and known as the “Community Association of Professionals” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association according to the rules agreed to by the members:

Preamble

AND WHEREAS the said Association 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 Community Association of Professionals (Incorporation) Act, No. of 2022.

Short title

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Community Association of Professionals” (hereinafter referred to as the “Association”) or shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate (hereinafter referred to as the “body corporate”) with perpetual succession, under the name and style of the “Community Association of Professionals” and by that name may sue and be sued and in all courts, with full power and authority to have and use a common seal and alter the same at its pleasure.

Incorporation of the Community Association of Professionals

3. The general objects for which the body Corporate is constituted are hereby declared to be—

General objects of the body Corporate

(a) to carry out national and body community level socio- economic research in unique areas;

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(b) to disseminate findings of research study through academic journals, report and books which would help to formulate evidence - based policies to the community and the nation;

5 (c) to establish nexus between interfaith and intercultural harmony among people of the country, connecting academic and professionals of various disciplines.

10 4. (1) The affairs of the body corporate shall, subject to Management of the Affairs of the body corporate the other provisions of this Act and the rules in force for the time being of the body corporate be managed by a Board of Management consisting of President (Chairman), Treasurer, and thirteen Committee Members elected in accordance with such rules.

15 (2) The first Board of Management shall consist of the members of Board of Management holding office on the day immediately preceding the date of commencement of this Act.

20 (3) Quorum for an executive committee meeting would be one third of the committee membership.

25 (4) Subject to the provisions of this Act and may other written law, the body corporate shall have the power to do, perform and execute all such acts, matters and things whatsoever as are necessary or desirable for the promotion or
30 futherance of the objects of the body corporate or any one of them, including the powers to open, operate or close bank accounts to borrow or raise moneys with or without security to receive or collect or accept grants and donations to invest its funds to the body corporate and to engage employ and dismiss officers and servants required for the carrying out of the objects of the body corporate.

5 **5.** (1) It shall be lawful for the body corporate, from time to time, at any general meeting of the members and by a majority of not less than two - thirds of the members present to make rules, not inconsistent with the provisions of this Act or any other written law, on all or any of the following matters:-

Rules of the
body
Corporate

- (a) the classification of members and the admission, withdrawal or expulsion of members;
- 10 (b) the election of the office-bearers, the resignation from, vacation of or removal from the office of office-bearers and their powers, conduct and duties;
- (c) the election of the members of the Committee of the Management and its powers, conduct and duties;
- 15 (d) the procedure to be observed at and the summoning and holding of meetings of the Board of Management, or Sub Committee and of the times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereof;
- 20 (e) the powers, conduct, duties and functions of the various officers, agents and servants of the body corporate;
- (f) the administration and management of the property of the body corporate; and
- 25 (g) the management of the affairs of the body corporate, and the accomplishment of its objects.

(2) Any rule made by the body corporate may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under subsection (1)

30 (3) Every member of the body corporate shall be subject to the rules of the body corporate.

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6. All debts and liabilities of the Association on the day preceding the date of commencement of this Act, shall be paid and discharge by the body corporate hereby constituted and all debts due to, subscriptions and contributions payable to the Association on that day shall be paid to the body corporate for the purposes of this Act.

Debts due by
and payable
to the
Association

7. (1) The body corporate shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, contribution, fees or grants for and on account of the body corporate shall be deposited in one or more banks as the body corporate shall decide.

Fund of the
body
corporate

(2) There shall be paid out of the fund. All sums of money required to defray any expenditure incurred by the body corporate in the exercise, performance and discharge of its powers, duties and functions under this Act.

8. (1) The financial year of the Corporation shall be the calendar year.

Audit and
Accounts of
the body
corporate

(2) The body corporate shall cause proper accounts to be kept of all moneys received and expended by the Association.

(3) The accounts of the body corporate shall be examined and audited at least once in every year and the correctness of the income and expenditure account and balance sheet certified by a qualified auditor appointed by the Board of Management.

(4) In this section 'qualified auditor' means—

(a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or any other possesses a certificate to practice as an Accountant, issued by the Council of such institute; or

5 (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 any other institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such institute.

15 **9.** The body corporate shall be able and capable in law to acquire and hold any property, movable, which may become vested in it by virtue of any purchase, grant, lease, gift, testamentary disposition or otherwise and all such property shall be held by the body corporate for the purpose of this Act and subject to the rules in force for the time being of the body corporate, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Body corporate may hold property movable and immovable

20 **10.** If upon the dissolution of the body corporate, there remains after the satisfaction of all its debts and liabilities any property whatsoever, such property shall not be distributed among the members of the body corporate, but shall be given or transferred to some other institution or institutions having objects similar to those of the body corporate, and which, is or are by its or their rules prohibited from distributing any income or property among its members.

Property remaining on dissolution

25 **11.** The seal of the body corporate shall not be affixed to any instrument whatsoever except in the presence of two members of the body corporate, 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.

Seal of the body corporate

30 **12.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any other persons except such as are mentioned in this Act those claiming by, form or under them.

Savings of the rights of the Republic and others

35 **13.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency

