



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

**RETIRED SENIOR POLICE OFFICERS'
ASSOCIATION (INCORPORATION)
ACT, No. 3 OF 2009**

[Certified on 05th February, 2009]

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*Retired Senior Police Officers' Association
(Incorporation) Act, No. 3 of 2009*

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L.D.—O. (Inc) 29/2007.

AN ACT TO INCORPORATE THE RETIRED SENIOR POLICE OFFICERS'
ASSOCIATION

WHEREAS an Association called and known as the “Retired Senior Police officers’ Association” has heretofore been established in Sri Lanka, for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association :

Preamble.

AND WHEREAS the said Association has heretofore successfully carried out and transacted 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 therefore enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Retired Senior Police Officers’ Association (Incorporation) Act, No. 3 of 2009.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the Retired Senior Police Officers’ Association (hereinafter referred to as the “Association” or “R.S.P.O.A”) or shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “Retired Senior Police Officers’ Association”, 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.

Incorporation of the Retired Senior Police Officers’ Association.

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

General objects of the Corporation.

(a) to foster a spirit of camaraderie and Esprit-de-Corps;

2 *Retired Senior Police Officers' Association
(Incorporation) Act, No. 3 of 2009*

- (b) to afford Members an opportunity to meet together;
- (c) to promote the welfare of its members, their families and that of other retired Police Officers and their families, who are non-members of the Association;
- (d) to assist the spouse of members, in organising the "Ladies Wing" of the R. S. P. O. A.;
- (e) to grant financial and other assistance where possible, to its members and any other retired Police Officers;
- (f) to render to the country any service consistent with the object of the Association;
- (g) to help and assist the members when they are in need of medical assistance;
- (h) to collaborate with any other institution or organization, whether foreign or local having objects similar to those of the Corporation; and
- (i) to do any act or thing generally essential to achieve the above objectives.

Management of
the affairs of the
Corporation.

4. (1) The management of the affairs of the Corporation shall subject to the other provisions of this Act and the rules of the Corporation, be administered by an Executive Committee consisting of the President, two vice Presidents, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, not less than five committee members and two immediate Past Presidents elected in accordance with such rules made under section 6.

(2) The first Executive Committee of the Corporation shall consist of the members of the Executive Committee of the Association holding office on the day immediately preceding the date of commencement of this Act.

5. Subject to the provisions of this Act and any other written law, the Corporation shall have the power— General powers of the Corporation.

- (a) to purchase, acquire, rent, construct and otherwise obtain lands or buildings which may be required for the purposes of the Corporation;
- (b) to borrow or raise money for the purposes of the Corporation;
- (c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments;
- (d) to invest any funds not immediately required for the purposes of the Corporation, in such a manner as the Executive Committee may think fit;
- (e) to enter into agreements or contracts with any person, company or body of persons;
- (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation to execute disciplinary action on them;
- (g) to seek, receive or collect subscriptions, grants, donations and gifts whether in cash or kind from any person locally or foreign sources;
- (h) to operate, open and close bank accounts and to borrow or raise money with or without security; and
- (i) to do all such other acts or things as may be necessary or conducive to the carrying out of the objects of the Corporation.

4 *Retired Senior Police Officers' Association
(Incorporation) Act, No. 3 of 2009*

Rules of the
Corporation.

6. (1) It shall be lawful for the Corporation from time 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 the following matters :—

- (a) the classification of membership and the admission, withdrawal or expulsion of members;
- (b) the election of the members of the Executive Committee, the resignation from or vacation of or removal from office and their powers, conduct and duties;
- (c) the powers, conduct and duties and functions of the various officers, agents, servants of the Corporation, their appointments, the resignation from or vacation of and removal from office;
- (d) the procedure to be observed at the summoning and holding of meeting of the Executive Committee, the times, places, notices and agenda of such meetings and the quorum thereof and the conduct of business thereat;
- (e) the administration and management of the property of the Corporation the custody of its funds; and maintenance and audit of its accounts; and
- (f) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

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

(3) The members of the Corporation shall at all times be subject to the rules of the Corporation, made under this section.

7. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of testamentary disposition, donations, subscriptions, contributions and fees shall be deposited in the name of the Corporation in one or more State Banks as may be decided by the Executive Committee. Fund of the Corporation.

(2) The Corporation may create any depreciation fund, reserve or sinking fund for the purpose of rehabilitation, development and improvement of the property of the Corporation.

(3) There shall be paid out of the fund, all sums of moneys to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

(4) The moneys and property of the Corporation, however derived shall be applied solely towards the promotion of the objects set-forth herein and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise however to the members of the Corporation.

8. The Corporation shall be able and capable in law to acquire and hold subject to any express trust or otherwise, any property 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, grant, convey, devise, assign or otherwise dispose of the same. Corporation may hold property movable and immovable.

9. (1) The Corporation shall cause proper accounts to be kept of all money received and expended by the Corporation. Accounts and Auditing.

6 *Retired Senior Police Officers' Association
(Incorporation) Act, No. 3 of 2009*

(2) The accounts of the Corporation shall be examined and audited at least once in every year and the correctness of income, expenditure and the balance sheet shall be certified by a qualified auditor or auditors appointed by the Corporation.

(3) 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 the Council of such Institute; or
- (ii) a firm of Chartered 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 established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute.

Debts due by
and payable to
the Association.

10. All debts and liabilities of the Association on the day preceding the date of commencement of this Act shall be paid to the Corporation hereby constituted and all debts due to, subscriptions and contributions payable to the Association on the day shall be paid to the Corporation for the purpose of this Act.

Remains on
dissolution of the
Corporation.

11. If upon the dissolution of the Corporation 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 Corporation but shall be given or transferred to 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 the members of the such institution or institutions and at the discretion of the Executive Committee of the Corporation.

Retired Senior Police Officers' Association 7
(Incorporation) Act, No. 3 of 2009

12. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of President and the Secretary or such other person duly authorized by the Executive 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.

Seal of the Corporation.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or any body corporate.

Saving of the rights of the Republic and others.

14. 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.

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