

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

Part II of May 13, 2016

SUPPLEMENT

(Issued on 16. 05. 2016)



**SRI LANKA ASSOCIATION FOR CHILD
DEVELOPMENT (SLACD) (INCORPORATION)**

(Private Member's Bill)

A

BILL

**to incorporate the Sri Lanka Association for Child
Development (SLACD)**

*To be presented in Parliament by Hon. (Dr.) Mrs. Thusitha Wijemanne for
Kegalle District*

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*Sri Lanka Association for Child Development
(SLACD) (Incorporation)*

AN ACT TO INCORPORATE THE SRI LANKA ASSOCIATION FOR
CHILD DEVELOPMENT (SLACD)

WHEREAS a Association called and known as the Preamble.
“Sri Lanka Association for Child Development (SLACD)”
has heretofore being formed in Sri Lanka for the purpose of
effectually carrying out and transacting the objects and
5 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
10 be incorporated and it will be for the public advantage to
grant such 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.
15 for Child Development (SLACD) (Incorporation) Act,
No. of 2016.

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

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

- 5 (a) to promote, facilitate and support the advancement
 of professional knowledge and skills in child
 development;
- (b) to carry out, promote, facilitate and support research
 and interest in child development and development
 disorders in children;
- 10 (c) to strive for the development of children and welfare
 of children with development disorders;
- (d) to advocate to improve the quality of life of children
 with development disorders and children in general
 and their families;
- 15 (e) the purpose of the SLACD shall be to promote,
 facilitate and support advancement of knowledge
 and skills;
- (f) research and interest in child development and
 developmental disorders in children; and
- 20 (g) the SLACD will strive to apply these purposes for
 the welfare of children concerned, their families
 and the community through activities determined
 by the Council of the SLACD.

25 SLACD may receive, use and hold donations and gifts,
 financial and in other kind, in order to carry forward the
 above mentioned purposes.

SLACD shall always be operated solely for the aforesaid
purposes, without discrimination, provided that no part of
its resources are used for the benefit of or be distributable to
any member, or office bearer of the SLACD or any private

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individual, except that SLACD shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. Furthermore,
5 notwithstanding any other provision of these by-laws, SLACD shall not carry on any other activities not permitted to be carried on by a corporation exempt from income tax under the Department of Inland Revenue. Furthermore, this
10 SLACD shall not engage in any activities or exercise any powers that are not in furtherance of the purposes of SLACD.

Advocacy to improve the quality of life for those individuals and families served by SLACD and its members is in accordance with the purposes of SLACD. The SLACD shall not participate in, or intervene in (including the publishing
15 and distribution of statements) any political campaign on behalf of any candidate for public office. All such activities must not exceed limitations as described in Article 2, Section 2.

4. (1) There shall be 5 classes of members namely, Life Membership.
20 Members, Ordinary Members, Overseas Members, Honorary Members and Associate Members. All members shall have the right to attend meetings.

All members will have the right to vote except Associate Members. The right to hold office shall be confined to Life
25 Members and Ordinary Members of SLACD.

Annual membership fees for Ordinary Members, Associate Members and Foreign Members shall be amounts determined by the Council. One-time fee for Life Membership shall also be determined by the Council.

30 (2) The qualifications for Ordinary Members and Life Members are as follows:—

(a) should be a citizen of Sri Lanka;

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5 (b) doctors with postgraduate qualifications who
 manifest by their work a significant interest and
 competence in child development and
 developmental disorders and whose professional
 activity is inconsistent with the purposes of the
 SLACD;

10 (c) other individuals with appropriate postgraduate
 qualifications who manifest by their work a
 significant interest and competence in child
 development and developmental disorders and
 whose professional activity is consistent with the
 purposes of the SLACD;

15 (d) other individuals with a degree and licentiates
 who manifest by their work a significant interest
 and competence in child development and
 developmental disorders and whose professional
 activity is consistent with the purposes of the
 SLACD (based on the recommendation of the Head
 of the institution they are currently associated with).

20 *Honorary Members* - Honorary Members shall be
 members of the medical profession or related fields
 of science who have been selected for the distinction
 of Honorary Membership in the SLACD because of
 their special accomplishment or acknowledged pre-
25 eminence in work related to the study or treatment
 of child development and developmental disorders.

30 *Overseas Members* - Overseas Members shall be
 members of the medical profession or other fields of
 science at the doctoral level who shall manifest by
 their work a significant interest in child development
 and developmental disorders and reside outside
 Sri Lanka whose professional activity is consistent
 with the purposes of the SLACD and are non-citizens
 of Sri Lanka.

35 *Associate Members* - Associate Members shall be
 doctors who are in postgraduate training.

5 (3) All applications for Membership shall be on a SLACD application form approved by the Council and presented to the Secretary of the SLACD or his/her delegate. As indicated under Section 4 (3), the application should include a recommendation by relevant authority. The Secretary shall review each application for suitability to be admitted to SLACD and submit with recommendations to the Council. The Council shall take the final action.

10 (4) In the event that one or more Members of the SLACD shall object to admission of a Member recommended for submit admission by the Council, then shall forth in writing his/her (their) reasons for protesting admission of the Member. If such written response is not received within 30 days of the council's request, the objection(s) shall be
15 considered withdrawn. On receiving such written objection(s), the council shall consider it (them) in whatever reasonable manner is deemed appropriate by the President of SLACD. The objection(s) may be rejected by the council, or the member may be given an opportunity to respond to
20 the objection(s) in any appropriate manner. In any event, an application for membership shall be either approved or rejected within 120 days of its presentation to the Secretary or his/her delegate.

25 (5) The Annual Meeting of members shall be held at such time and place as shall be determined by the council of the SLACD. Such meetings shall be held for the transaction of such business as may properly come before the meeting. The Annual Meeting shall consist of scientific sessions whenever possible. Recognition of new members shall take
30 place at each Annual Meeting.

 (6) Special meetings may be called by the President of the SLACD by a majority of the council or upon petition of 15 or more of the Members of the SLACD.

35 (7) Written or printed notice of each meeting of Members of the SLACD, stating the place, day, and hour of the meeting and, in case of a special meeting, the purpose or purposes for

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which the meeting is called, shall be delivered not less than five (5) or more than sixty (60) days before the date of the meeting, either personally or by mail, to each Member. If mailed, such notice shall be deemed to be delivered when
5 deposited in the Sri Lanka Post, addressed to the Member at his most recent address as it appears on the register of the SLACD.

(8) A quorum for the transaction of business at any meeting of the Members of the SLACD shall be at least ten
10 percent (10%) of the voting members registered at the meeting, including a majority of the council. Every act or decision of a majority of Members present at a duly called and held meeting at which a quorum is present, made or done when assembled, shall be valid as the act of the
15 Members. The Members present at a duly called and held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the withdrawal of enough Members to leave less than the quorum.

(9) Any action required or permitted to be taken by the
20 Membership under any provision of law, the Articles of Incorporation, or these by-laws may be taken without a meeting if all Members shall individually or collectively consent in writing to such action. Such written consent or consents shall be filed with the minutes of the proceedings
25 of the Membership. Action by written consent shall have the same force and effect as a unanimous vote of such Membership.

(10) Names of all Members, Associate Members, Overseas Members and Honorary Members shall be
30 entered in a Register and shall be maintained by the Joint Secretaries. Members shall be responsible for keeping their corresponding addresses up to date by informing and changes to the Joint Secretaries.

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5 5. (1) Upon the recommendation of the Council, any Member of any class may be expelled by an affirmative vote of three-fourths of the Membership present at an Annual Meeting of the SLACD, provided that a copy of the charges against him/her with a written notice of the hearing thereon by the Council at a special time and place, shall have been delivered to him/her personally or mailed to his/her last known address, not less than 90 days before the date of such hearing, and further provided, that the Member charged shall have the right to appear before the Council in defense of the charges.

Cancellation
of
Membership.

15 (2) Any Member who has not paid his/her dues for the current year by 31 March shall have his/her Membership discontinued. Membership may be reinstated at any time thereafter by payment of one year's delinquent dues and the current dues.

20 (3) Any Member of the SLACD in good standing may request of the Council a leave of absence for a period of not more than two years. When a Member so requests, a waiver of dues during the leave of absence may be granted by the Council. Any further extension of the leave of absence shall be dependent on the Member submitting a request for further extension, and favourable action on the request by the Council.

25 6. (1) Except as otherwise provided by these by-laws, the powers of the SLACD shall be exercised, its property controlled, and its affairs conducted by the Council of SLACD.

Power of the
Corporation.

30 (2) The Council shall consist of fifteen (15) members: Seven (7) elected officers. The President, Vice-President, President-elect, two Secretaries, Treasurer, Assistant Treasurer, Two (2) most recently retired Presidents of the SLACD, Four (4) members from the General Membership, three (3) of whom shall represent Paediatrics, Child and Adolescent Psychiatry and Allied Health professionals, one each.

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Two non-voting members shall represent the Sri Lanka College of Paediatricians, College of Community Physicians.

5 (3) At the Annual Meeting of the Membership, the fifteen members of the Council shall be nominated from the floor and elected by a majority vote of the General Membership. Two *ex-officio* non-voting Members shall be nominated by the Sri Lanka College of Paediatricians and College of Community Physicians.

10 (4) Council Members shall be elected for a two (2) year term. At the end of the term in office, no person shall succeed themselves to the same office of the Council.

(5) Any candidate for office must have been a member of SLACD for at least two (2) years.

15 (6) Any of the Council Members may be removed from office by a majority vote of the Council at any meeting. In the event that any one or more of the elected Council Members may be so removed new Council Members may be elected at the same meeting to fill the unexpired terms of the Council Member so removed.

20 (7) Any vacancies of the Council Members may be filled by the remaining Council Members at an annual or special meeting of the Council as provided in these by-laws. A vacancy may be filled only for the unexpired portion of its term.

25 (8) The Council of the SLACD shall meet at least once every two months. Such meeting shall be held for the transaction of such business as may properly come before the meeting. Any other meeting of the Council shall be held at such time and place as may be designated by the President.
30 At least 14 days advance notice in writing of time and place of this meeting shall be given to each Member of the Council.

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5 (9) A quorum to transact business shall consist of a majority of the Council Members of the SLACD then in office. Every act or decision of a majority of the Council Members present at a duly held meeting at which a quorum is present, made or done when assembled, shall be valid as an act of the Council.

10 (10) The transactions of the Council Members at any meeting, however called or noticed or wherever held, shall be as valid as though duly held after regular call and notice if a quorum be present, and if, either before or after the meeting, each Council Member not present signs a written waiver of notice or a consent to the holding of such meeting, or an approval of the minutes thereof, all such waivers, consents, or approvals shall be filed with the corporate records and made a part of the minutes of the meeting.

15 (11) Any action required or permitted to be taken by the Council under any provision of law, or these by-laws may be taken without a meeting if all Council Members shall individually or collectively consent in writing to such action. Such written consent or consents, or approvals shall be filed
20 with the minutes of the proceedings of the Board. Action by written consent shall have the same force and effect as a unanimous vote of such Council Members.

25 (12) Special meetings of the Council may be called by the President or a majority of the Council Members. The person or persons calling the meeting shall specify the time and place of such meeting.

30 (13) Written notice of the time and place of meetings of the Council shall be delivered to each Council Member of the SLACD personally or by mail or other form of written communication, charges prepaid, addressed to him either at his address as it is shown on the Register of the SLACD, or if it is not shown on such records or is not readily ascertainable, to the place at which the meetings of the Council is regularly held. Such notice shall be delivered at least 72 hours
35 prior to the time of the holding of the meeting.

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(14) A Council Member of the SLACD who is present at a meeting of the Council at which action on any corporate matter is taken shall be conclusively presumed to have assented to the action taken, unless his dissent to such action
5 shall be entered in the minutes of the meeting, or unless he files his written dissent to such action with the Secretary of the meeting before the adjournment thereof. Such right to dissent shall not apply to a Council Member who voted in favour of such action.

10 (15) All officers shall be elected at the Annual General Meeting by a majority vote of the general membership of the SLACD.

(16) None of the SLACD officers are eligible for re-election to succeed themselves to the same office. The President elect
15 will succeed the President.

The SLACD President shall be the Chief Executive Officer and, subject to the supervisions of the Council of the SLACD, shall have general supervision and direction of the business and affairs. The President shall preside at all meetings of the
20 Council of the SLACD and shall have such other duties and responsibilities as may from time to time be determined by the Council. The President may permit any and all shares held by the SLACD in any other corporation. He or she shall be an *ex-officio* and a voting Member of all standing
25 committees and shall have the general powers and duties as may be specified by the Council, or by these by-laws. The President should possess and MD or PhD.

(17) In the absence of the President, or in the event of his or her inability to act, the Vice President shall perform the
30 duties of the President and, when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice President should possess and MD or PhD.

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The Secretary shall—

(a) keep the minutes and records of the meetings of the Council;

(b) see that all notices are duly given in accordance with
5 provisions of these by-laws or as required by-law; and

(c) in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President.

(18) The Treasurer of SLACD shall keep and maintain or
10 cause to be kept and maintained adequate and correct accounts of the properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses. The books of accounts shall at all time be opened to inspection by any Council Member.
15 The Treasurer shall deposit all moneys and other valuables in the name and to the credit of the SLACD in such depositories as may be designated by the Council Members. He shall disburse the funds of the SLACD as shall be ordered by the Council. The Treasurer shall render to the President,
20 and the Council, whenever any of them shall request, an accounting of all of his transactions and of the financial condition of the Council, shall take proper vouchers for disbursements of the funds of the Council. The Treasurer shall have such other powers and perform such othe duties as
25 may be prescribed by the President, or by the Council.

(19) Any officers may be removed from office for cause by two-thirds (2/3) vote of the Council. Any vacancies among the officers between the meetings, arising from any cause, shall be filled by vote of the Council.

30 7. The Executive Committee shall be composed of the 7 Committees.
elected officers and the 2 *ex-officio*, with the President as Chairperson. During the interim between the Council it will

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act on urgent matters or on matters referred to it by the Executive Committee are subject to ratification by the Council. The Standing Committees shall be elected or appointed by the Council as and when necessary to develop
5 and carry out the business of the SLACD.

All Committees of SLACD shall report directly to the Council, unless the Council otherwise directs.

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

(2) All moneys received by way of gifts, bequest,
10 donation, subscription, contribution, fees or grant for an on account of the Corporation shall be deposited in one or more banks approved by the Board to the credit of the Corporation.

(3) There shall be paid out of the fund, all sums of money
15 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.

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

20 (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 by a qualified auditor.

25 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
30 the Council of such Institute; or

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- 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 of any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute.
- 10 **10.** If upon the dissolution of the Corporation, there remains any property whatsoever, after the satisfaction of all debts and liabilities such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other institution having objects similar to those of the Corporation and which, is or are by its rules prohibited from distributing any income or property among its or their members. Such institution or institutions may be determined by the members of the Committee of Management on or before the dissolution of the Corporation. Property remaining on dissolution.
- 20 **11.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman/Managing Director or two other members of the Corporation as may be decided by the Committee of Management 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.
- 25 **12.** Nothing contained in this Act, shall prejudice or affect the rights of the Republic, any body politic or corporate. Saving of the rights of the Republic and others.
- 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.

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