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The Ceylon Association for the Mentally Retarded (Incorporation) Act, No. 10 of 1971

Date of Assent : February 27, 1971

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*The Ceylon Association for the Mentally
Retarded (Incorporation)
Act, No. 10 of 1971*

L. D.—O. 23/70.

AN ACT TO INCORPORATE THE CEYLON ASSOCIATION
FOR THE MENTALLY RETARDED.

[Date of Assent: February 27, 1971]

WHEREAS a Society called and known as The Ceylon Association for the Mentally Retarded has heretofore been established in Ceylon for the purpose of fostering and promoting Medical, Educational, Vocational and Spiritual Service for Mentally Retarded children and adults:

Preamble.

And whereas the purposes aforesaid would be more effectually prosecuted and attained by the incorporation of the said Association:

And whereas the said Association has applied to be incorporated and it will be for the public advantage to grant such application:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as The Ceylon Association for the Mentally Retarded (Incorporation) Act, No. 10 of 1971.

Short title.

2. (1) From and after the date of the commencement of this Act, the members for the time being of The Ceylon Association for the Mentally Retarded (hereinafter referred to as the "Association") and such and so many persons as shall after that date be admitted members of the said Association shall be and are hereby constituted a body politic and corporate (hereinafter referred to as the "Corporation") with the name of The Ceylon Association for the Mentally Retarded.

Incorporation of
The Ceylon
Association for
the Mentally
Retarded.

(2) The Corporation shall, in the said name and for the purpose hereinafter mentioned have perpetual succession, and may by the said name sue and be sued in all courts, and shall have full power and authority to use a common seal and to alter the same at its discretion.

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General Objects
of the
Corporation.

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

- (a) To foster and promote medical, educational, vocational and spiritual service for the mentally retarded children and adults.
- (b) To provide training and employment for the mentally retarded.
- (c) To foster interest in mentally retarded children having physical disabilities as well.
- (d) To educate parents and the public in the care of the mentally retarded.
- (e) To establish and maintain additional homes for the mentally retarded.
- (f) To establish a counselling service where parents and others engaged in work with mentally retarded could meet and discuss problems and obtain advice.
- (g) To promote the training of personnel involved in the care and education of the mentally retarded.
- (h) To act as a national advisory body for the promotion of services for the mentally retarded.
- (i) To encourage and foster research in the field of the mentally handicapped.
- (j) To co-operate and co-ordinate with other agencies local and international dealing with the mentally retarded.

The Executive
Committee.

4. The affairs of the Corporation shall be administered by an executive body called the Executive Committee composed of the office-bearers of the Association as are eligible under the rules of the Corporation and it shall consist of such number of members with such qualifications exercising such powers and for such periods as the said rules shall direct.

Debts due and
payable to
Corporation.

5. All debts and liabilities of the Association existing at the time of coming into operation of this Act shall be paid by the Corporation hereby constituted, and all debts due to and subscriptions payable to the Association shall be paid to the Corporation for the purposes of this Act.

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6. The Corporation shall be able and capable in law to receive and to hold property both movable and immovable, which may be 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 for the time being of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Power of the Corporation to hold property.

7. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the General Secretary and a member of the Executive Committee of the Association duly authorised for the purpose under the rules thereof, 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 Corporation.

8. It shall be lawful for the Corporation from time to time at any general meeting of the members and by a majority of the members present and voting, to make, subject to the provisions of sections 9 and 10, rules for the admission, withdrawal or expulsion of members, for the conduct of the duties of the Executive Committee and of the various officers, agents and servants of the Association, for the procedure to be observed at meetings, for the transaction of the business of the Association, for the administration and management of the property of the Association, for the determination of the subscription payable by members and the collection of such subscriptions, and otherwise generally for the management of the affairs and the accomplishment of the objects of the Association and such rules may at such a meeting be amended, added to or repealed.

Power to make rules.

9. The rules set out in the Schedule to this Act shall for all purposes be the rules of the Corporation:

Rules in the Schedule to be the rules of the Corporation.

Provided however that nothing in this section contained shall be held or be construed to prevent the Corporation at all times hereafter from making fresh rules or from altering, amending or adding to the existing rules or to rules which are hereafter made by the Corporation.

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Amendment,
Ac., of rules.

10. No rule in the Schedule to this Act nor any rule which may hereafter be passed at a meeting shall be altered, added to, amended or rescinded, except by a vote of the majority of the members present and voting at a Special General Meeting of the members of the Association.

Savings of
rights of the
Crown.

11. Nothing in this Act contained shall prejudice or affect the rights of Her Majesty the Queen, Her Heirs and Successors or of any body politic or corporate or of any other persons, except such as are mentioned in this Act, and those claiming by, from or under them.

SCHEDULE

THE CONSTITUTION AND RULES OF THE CEYLON ASSOCIATION FOR
THE MENTALLY RETARDED

Name.

1. The name of the Association shall be The Ceylon Association for the Mentally Retarded.

Aims and
objects.

2. The aims and objects of the Association shall be:—

- (1) To foster and promote medical, educational, vocational and spiritual service for mentally retarded children and adults.
- (2) To provide training and employment for the mentally retarded.
- (3) To foster interest in mentally retarded children having physical disabilities as well.
- (4) To educate parents and the public in the care of the mentally retarded.
- (5) To establish and maintain additional homes for the mentally retarded.
- (6) To establish a counselling service where parents and others engaged in work with mentally retarded could meet and discuss problems and obtain advice.
- (7) To promote the training of personnel involved in the care and education of the mentally retarded.
- (8) To act as a national advisory body for the promotion of services for the mentally retarded.

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- (9) To encourage and foster research in the field of the mentally retarded.
- (10) To co-operate and co-ordinate with other agencies local and international in dealing with the mentally retarded.

3. *Membership* :—

Membership

- (a) All those interested in the aims of the Association shall be eligible for membership. They shall be elected at any meeting of the Executive Committee appointed as stipulated below. The members of the first Executive Committee shall be deemed to be the founder members.
- (b) Every member shall pay an annual subscription of Rs. 5 which shall be regarded as due on the 31st July of each year, the financial year ending on 31st July.
- (c) Any member whose subscription shall fall into arrears for two years shall be regarded as having resigned if his subscription remains unpaid on the 31st July following the date on which his second unpaid subscription becomes due.
- (d) Any society or association with similar objectives shall be eligible for membership as an affiliated member on a minimum subscription of Rs. 10 per annum. They shall have the right to exercise one vote at any meeting.

Annual
Subscription.
Financial
Year.

Termination
of
Membership.

Affiliations.

4. *Patronage* :—

Patronage.

- (a) One Patron and two Vice-Patrons shall be elected at the Annual General Meeting.
- (b) Office Bearers.

Office
Bearers.

The following office bearers shall be elected at the Annual General Meeting:—

- (i) President.
(ii) Three Vice-Presidents.
(iii) Secretary.
(iv) Treasurer.

5. (1) The Executive Committee shall consist of the following:—

The Executive
Committee.

- (a) Office bearers elected at the Annual General Meeting.
- (b) Representatives appointed by Government Departments of Social Services, Health, Education, Probation and The World Health Foundation of Ceylon.
- (c) Seven members elected from the general body, two of whom should be parents of mentally retarded children.

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- Quorum. (2) The Quorum for the Executive Committee shall be five.
- Filling of vacancies. (3) The Executive Committee shall have the power to fill any vacancy that may occur.
- Annual General Meeting. 6. The Annual General Meeting shall be held before the 31st October each year; Two weeks notice of such a meeting shall be given and members provided with an Agenda.
- General Meetings. *General Meetings :—*
Apart from the Annual General Meeting which shall be held to present the Annual Report, Statement of Accounts and elect office bearers and the auditors, there shall be at least two meetings a year. Any such meeting may be open to the public at the discretion of the Executive Committee.
- Special General Meetings. 7. *Special General Meetings :—*
A Special General Meeting shall be summoned either by the Executive Committee or at the written request of any 15 members who shall give the reasons for holding such a meeting.
The Secretary shall summon such a meeting within three weeks of receiving such a request. Quorum for such meeting shall be 20.
- Funds. 8. *Funds :—*
The Association shall accept gifts, grants and donations from any public or private institution or from individuals and shall collect such funds as may be needed for its work.
- Custody of Funds. These together with membership subscriptions shall be in the custody of the Treasurer.
- Control of Funds. The Executive Committee shall control all these funds.
- Bank Account. A Bank Account shall be maintained in the name of the Association.
- Signing of Cheques. Any draft or cheque issued by the Association shall be valid only if it bears the signature of the Treasurer and President or Secretary.
- Change of Constitution. 9. *Change of Constitution :—*
Any change of Constitution shall be made only at a Special General Meeting by the majority vote of two thirds of members present and eligible to vote. Notice of such a change shall be given as a motion to the Secretary in such time as shall permit him to give the Executive Committee at least three weeks notice.
- Liquidation of the Association. 10. In the event of the liquidation of the Association all the assets of the Association shall be transferred to an organisation having similar objectives.