



**COLLEGE OF GENERAL PRACTITIONERS
OF SRI LANKA (INCORPORATION) LAW,**

No. 26 OF 1974

OF

THE NATIONAL STATE ASSEMBLY

[Certified on 19th August, 1974]

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- (c) to encourage the carrying on by general medical practitioners of research into medical matters with a view to the improvement of general medical practice in any field and to undertake or assist others in undertaking such research;
- (d) to encourage the publication by general medical practitioners of original work on medical or scientific subjects connected with general practice;
- (e) to co-operate with other bodies not formed for profit in all matters relating to or connected with the attainment of the objects for which the Corporation is established; and
- (f) to collaborate with the Post-Graduate Medical Education Institute (established in affiliation with the University of Ceylon in accordance with the provisions of the University of Ceylon Act, No. 1 of 1972) in the granting of post-graduate diplomas as a whole or in any subject required to be covered in general practice, whether upon theses or upon outstanding work in or in connection with general medical practice:

Provided, however, that the objects for which the Corporation is established and the powers incidental thereto shall be subject to the following provisions, namely:—

- (i) the Corporation shall not support with its funds any object or endeavour to impose on or procure to be observed by its members or others any regulation, restriction or condition, which if it were an object of the Corporation would make it a trade union,
- (ii) the Corporation shall not attempt directly or indirectly to secure the passing of legislation to the effect that the passing of any examination under the aegis of the Corporation, or the holding of any diploma or other certificate issued by the Corporation, shall be a qualification to act as a registered medical practitioner.

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4. (1) The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation made as hereinafter provided, be administered by a Council of the Corporation consisting of such office-bearers and other members as may be provided for in such rules and elected in accordance therewith.

Council of the Corporation.

(2) The founder members of the College whose names are set out in the Second Schedule to this Law shall be deemed to be the members of the first Council of the Corporation and shall hold office until the first annual general meeting of the Corporation held after the coming into operation of this Law.

5. (1) The Council of the Corporation shall cause to be kept a register in which every person who at the date of the passing of this Law is a member of the Corporation, and every person thereafter duly admitted a member of the Corporation hereby constituted, shall have his name inscribed.

Register of members.

(2) The register shall contain the following particulars:—

- (a) the name and address of each member;
- (b) the date on which the member was enrolled as a practitioner;
- (c) the professional qualifications of, and the degrees conferred on, the member;
- (d) the date on which the name of any person was inscribed in the register as a member; and
- (e) the date on which any person ceased to be a member.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the members and by the votes of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Law, and pass resolutions, for the admission, withdrawal or expulsion of members, for the conduct of the duties of the Council of the Corporation and of the various officers, agents, and servants of the Corporation, and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects. Such rules and resolutions when made and passed may, at a like meeting and in like manner, be altered, added to, amended or rescinded.

Power to make rules.

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(2) Subject to the provisions of subsection (1), the rules set out in the First Schedule to this Law shall be deemed to be the rules of the Corporation made under this section and may be altered, added to, amended, rescinded or replaced by rules made under this Law.

(3) All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

Accounts of
the Corporation.

7. The Council of the Corporation shall cause proper accounts to be kept of all sums of money received and expended by the Corporation, and the accounts of the Corporation shall be examined and audited once at least every year, and the correctness of the Income and Expenditure Account and Balance Sheet certified, by one or more duly qualified auditor or auditors.

Debts due by,
and payable to
the College.

8. All debts and liabilities of the College existing on the date of commencement of this Law shall be paid by the Corporation hereby constituted, and all debts due to, and subscriptions and contributions payable to, the College on the said date shall be paid to the Corporation.

Application of
moneys and
property.

9. The moneys and property of the Corporation, whencesoever derived, shall be applied solely towards the promotion of its objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus, or otherwise howsoever by way of profit, to the members of the Corporation.

Power of
Corporation to
hold property.

10. The Corporation shall be able and capable in law to acquire and hold either as beneficial owner or trustee or otherwise any property, movable or immovable, upon or by virtue of any instrument of purchase, grant, gift, or lease, or upon or by virtue of any testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of this Law and subject to the rules for the time being of the Corporation, or otherwise for the purposes of and upon the trusts and subject to the conditions in the relative instrument or disposition contained, with full power (subject always to the

provisions of any written law relating to trusts and of the relative instrument or disposition) to sell, mortgage, lease, exchange or otherwise dispose of, encumber or charge the same.

11. It shall be lawful for the Corporation—

- (a) to purchase, acquire, rent, construct and otherwise obtain lands or buildings which may be required for the purposes of the Corporation and may lawfully be acquired for those purposes, 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 invest any funds not immediately required for the purposes of the Corporation in such manner as the Corporation may think fit and from time to time to vary and transpose any such investments;
- (c) to raise or borrow money for the purposes of the Corporation on any security and to secure or discharge any debt or obligation of the Corporation in such manner as may be thought fit;
- (d) to accept grants intended for the pursuance of the objects of the Corporation;
- (e) to subscribe or guarantee money for any charitable purpose; and
- (f) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any real or personal property held or owned or to be held or owned in trust for the Corporation or any other charitable association, institution, society or body and any other charitable trusts.

Power to acquire property, invest funds, raise loans, &c.

12. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of two members of the Council of the Corporation who shall sign their names on 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.

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Limitation of liability of members.

13. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation, or for any other purpose, be liable to make any contribution exceeding the amount of such annual membership fees as may be due from him to the Corporation.

Property remaining on dissolution.

14. 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 some other 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 its or their members. Such institution or institutions shall be determined by the members of the Corporation at or immediately before the time of the dissolution of the Corporation. If such property or any part thereof cannot be disposed of in accordance with the provisions of this section, such property or part shall be applied to some charitable object which shall be determined by the members of the Corporation.

Saving of the rights of the Republic and others.

15. Nothing in this Law contained shall affect or be deemed to affect the rights of the Republic or of any body politic or corporate or of any other persons except such as are mentioned in this Law and those claiming by, from or under them.

FIRST SCHEDULE

RULES

Membership.

1. (a) A medical practitioner shall be eligible to be a founder member if—

(i) at least ten years have elapsed after he has obtained the qualification of M.B.B.S. or L.M.S. or after he has become a Licentiate of a Medical College of the United Kingdom; and

(ii) he has been in active practice as a general medical practitioner for at least ten years.

(b) A duly qualified medical practitioner may apply for membership of the Corporation provided that—

(i) he has been in active practice as a general medical practitioner for at least ten years, and

(ii) he applies for membership of the Corporation not later than six months from the date of commencement of the Law.

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(c) No person shall be admitted or elected to membership of the Corporation or elected as a Fellow of the Corporation after six months have elapsed from the date of commencement of the Law unless—

- (i) he has been in active practice as a general medical practitioner for at least ten years;
- (ii) he has successfully completed any training programmes and passed any examination prescribed by the Council of the Post-Graduate Medical Education Institute; and
- (iii) the Post-Graduate Medical Education Institute has certified that such person is eligible to be admitted or elected as a member or Fellow of the Corporation.

(d) The decision of the Council in regard to the admission or election of members or Fellows of the Corporation shall be final, and it shall not be bound to assign any reason for its decision:

Provided, however, that where the Council decides not to admit or elect as a member or Fellow of the Corporation any person certified in that behalf by the Post-Graduate Medical Education Institute in terms of paragraph (c) (iii) of Rule I, the Council shall communicate to the said Institute the reason for its decision, and shall on request being made therefor by the said Institute reconsider the said decision of the Council and the decision upon such reconsideration shall be final, and shall be communicated to the said Institute.

(e) The founder members of the Corporation shall be the persons whose names are set out in the Second Schedule to the Law.

2. (a) An annual general meeting shall be held at least once every year, at such time and place as may be determined by the Council and specified in the notice calling the meeting.

General meetings.

(b) A general meeting where members may present papers on original observations or on research shall be held at least twice every year. If such papers are published, reprints thereof shall be kept by the Secretary.

(c) The Council may, whenever it thinks necessary, proceed to convene an extraordinary general meeting of which at least two weeks' notice shall be given to every member.

(d) The Council may invite persons who are not members of the Corporation to give talks on medical subjects.

(e) The Council shall be responsible for organizing all meetings.

3. (a) An annual general meeting or any general meeting at which it is proposed to pass a special resolution shall be called after at least twenty-one days' notice in writing, and any other general meeting after at least fourteen days' notice in writing, (exclusive in either case of the day for which the meeting is summoned) and such notice shall be given in manner hereinafter mentioned to the auditors and to all members:

Notice of general meetings.

Provided that the accidental omission to give notice to, or the non-receipt of notice by, any person entitled to receive the same shall not invalidate the proceedings at any general meeting.

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(b) Every notice calling a general meeting shall be sent by post to every member, and shall specify the place and day and hour of the meeting. In the case of any general meeting at which business other than of a routine nature is to be transacted, the notice shall specify the general nature of the business, and if any resolution is to be proposed as a special resolution, the notice shall contain a statement to that effect, and the text of the special resolution.

Proceedings at
general
meetings.

4. (a) No business shall be transacted at any general meeting unless a quorum is present. Seven members present in person shall be a quorum for all purposes.

(b) If within half an hour from the time appointed for a meeting, a quorum is not present, the meeting, if convened on the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next following week, at the same time and place, or to such other day and at such other time and place as the Council may determine, and if at such adjourned meeting a quorum is not present within fifteen minutes from the time appointed for holding the meeting, the members present shall be deemed to be a quorum.

(c) The President shall preside as chairman at any general meeting; in the absence of the President, the Vice-President shall preside; but if at any meeting neither of them be present within fifteen minutes of the time fixed for the commencement of the meeting and be willing to act, and all the members of the Council present decline to take the chair, the members present shall choose one of their number to be the chairman.

(d) At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands.

(e) A declaration by the chairman that a resolution has been carried or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority, and an entry to that effect in the Minute Book, shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded for or against such resolution.

(f) In the case of an equality of votes, the chairman of the meeting shall have a casting vote, in addition to his own vote as a member.

Votes of
members.

5. (a) No member shall, unless the Council otherwise determines, be entitled to vote at a general meeting or to exercise any privilege as a member, unless all moneys payable by him to the Corporation have been paid. Subject as aforesaid every member shall have one vote.

(b) No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is given or tendered, and every vote not disallowed at such meeting shall be valid for all purposes. Any such objection made in due time shall be referred to the chairman of the meeting whose decision thereon shall be final and conclusive.

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6. (a) The annual general meeting shall be held in the month of January of each year.

Annual general meeting.

(b) The agenda for the annual general meeting shall include the election of office-bearers and the presentation of the Annual Report and the Statement of Accounts as on the preceding thirtieth day of September. The agenda shall be circulated to members at least two weeks before the date of the meeting.

(c) Notice of any resolution which is intended to be moved at any general meeting must reach the Secretary at least three weeks before the date of such meeting.

7. An extraordinary general meeting shall be convened by the Secretary on the receipt of a written request therefor signed by at least one-third of the total number of registered members of the Corporation. Notice of such meeting together with its agenda shall be circulated to members at least two weeks before the date of the proposed meeting.

Extraordinary general meetings.

8. The membership fee shall be twenty-five rupees per annum.

Membership fees.

9. (1) The Council shall consist of the following:—

Members of the Council and their duties.

- (i) a President,
- (ii) a Vice-President,
- (iii) a Secretary,
- (iv) a Treasurer, and
- (v) a Committee of seven.

(2) The President shall be elected annually. A President shall not hold office for more than three consecutive years. The President shall preside at all meetings; in the absence of the President, the Vice-President, and in his absence a member of the Council, shall take the chair. The person presiding shall have a casting vote at all meetings.

(3) (a) The Secretary shall be elected for a period of one year and shall be eligible for re-election.

(b) It shall be the duty of the Secretary to—

- (i) convene meetings ;
- (ii) circulate notices of meetings and the agenda of each meeting ;
- (iii) keep minutes of meetings ; and
- (iv) be responsible for the records of the Corporation.

(4) (a) The Treasurer shall be elected for a period of one year and shall be eligible for re-election.

(b) It shall be the duty of the Treasurer to—

- (i) collect membership fees,
- (ii) keep an account of income and expenditure and present a Statement of Accounts at the annual general meeting, and

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(ii) sign cheques together with the President on behalf of the Corporation.

(c) Every other member of the Council shall be elected for a term of one year and shall be eligible for re-election, but shall not hold office as such for more than three consecutive years.

Meetings of the Council.

10. The Council shall meet at least once every two months. The quorum for a meeting of the Council shall be six.

Power to co-opt.

11. The Council shall be responsible for the drawing of the scientific programme of the Corporation and shall have the power to form sub-committees as and when necessary and to co-opt the services of any member for such purpose.

Grants.

12. The Council shall have the power to accept on behalf of the Corporation grants intended for the pursuance of the objects of the Corporation.

Bank account and books of accounts.

13. (a) All moneys of the Corporation shall be deposited in the name of the Corporation in a bank chosen by the Council and shall be operated by the Treasurer and the President.

(b) The Council shall cause to be kept proper books of accounts with respect to—

(i) all sums of money received and expended by the Corporation, and the matters in respect of which receipt and expenditure take place, and

(ii) the assets and liabilities of the Corporation.

(c) The books of accounts shall be kept at the office of the Corporation or at such other place as the Council thinks fit, and shall be open to inspection by any member of the Council during office hours.

Council may act despite vacancies.

14. The Council shall be competent to act notwithstanding any vacancy in their body.

Matters not provided for.

15. On any matter not provided for in these Rules, the decision of the Council shall be final and binding on all members.

Interpretation.

16. In these Rules, unless the context otherwise requires—

“ Law ” means the College of General Practitioners of Sri Lanka (Incorporation) Law ;

“ Corporation ” means the College of General Practitioners of Sri Lanka;

“ Council ” means the Council of the Corporation;

“ member ” includes a founder member; and

“ Post-Graduate Medical Education Institute ” means the Post-Graduate Medical Education Institute established in affiliation with the University of Ceylon in accordance with the provisions of the University of Ceylon Act, No. 1 of 1972.

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SECOND SCHEDULE

Founder Members

1. Dr. Mannemarakkalage Philip Michel Cooray, L. R. C. P. (Lond.); M. R. C. S. (Eng.); M. B. B. S. (Lond.); 14, Selbourne Road, Colombo 3.

Date of Enrolment as a Practitioner—28th July, 1938.

2. Dr. Bentarawadumestige Don Jayaratne de Silva, M. B. B. S. (Cey.); Central Dispensary & Surgery, Maharagama.

Date of Enrolment as a Practitioner—1949.

3. Dr. Kumarasinghe Aratchige Don Reginald James Daniel Peiris, Diploma of Licence of the Ceylon Medical College; L. M. & S. (Cey.); 757, Bloemendhal Road, Colombo 15.

Date of Enrolment as a Practitioner—28th March, 1942.

4. Dr. Gankande Muhandiramege Heennilame, M. B. B. S. (Cey.); 3, 2nd Galpotta Lane, Nawala.

Date of Enrolment as a Practitioner—26th August, 1949.

5. Dr. Leslie Sumanasinghe Kotagama, M. B. B. S. (Cey.); M. R. C. P. (Glas.); D. C. H. (Eng.); 7, Race Course Avenue, Colombo 7.

Date of Enrolment as a Practitioner—April, 1954.

6. Dr. Theagarajah Nagendra, L. M. S. (Cey.); 106/3, Rosmead Place, Colombo 7.

Date of Enrolment as a Practitioner—March, 1935.

7. Dr. Mohamed Sheriff Mohamed Refai, M. B. B. S. (Cey.); D. L. O. R. C. S. (Eng.); R. C. P. (Lond.); "Alcazar", 116, Horton Place, Colombo 7.

Date of Enrolment as a Practitioner—August, 1943.

8. Dr. A. H. Hazari, M. B. B. S. (Cey.); 10, Asoka Gardens, Colombo 4.

Date of Enrolment as a Practitioner—February, 1956.

9. Dr. Athukorala Mudianselage Karunaratne, M. B. B. S., D. T. M. & H.; 14/2, Park Street, Colombo 2.

Date of Enrolment as a Practitioner—January, 1951.

10. Dr. Austin Maurice Fernando, L. M. S. (Cey.); 108, Galle Road, Dehiwela.

Date of Enrolment as a Practitioner—4th August, 1933.

11. Dr. Mylvaganam Sivasuriam, M. B. B. S. (Cey.); 47A, Waraluppe Main Road, Ratnapura.

Date of Enrolment as a Practitioner—March, 1956.

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12. Dr. Richard Perera Wijeratne, M. D., L. M. S., 152,
Kynsey Road, Colombo 8.

Date of Enrolment as a Practitioner—March, 1934.

13. Dr. Hector Jayalath, M. B. B. S. (Cey.), D. C. H. (Lond.);
412, Main Street, Negombo.

Date of Enrolment as a Practitioner—December, 1952.

14. Dr. Riley Michael Lytton Fernando, M. B. B. S. (Cey.),
44, Colombo Road, Kurunegala.

Date of Enrolment as a Practitioner—September, 1951.

15. Dr. Jayasumana Warusavitarana, M. B. B. S. (Cey.),
451/2, Havelock Road, Colombo 6.

Date of Enrolment as a Practitioner—20th November, 1951.

16. Dr. Don Peter Kannangara, L. M. S., 115, Main Road,
Kegalle.

Date of Enrolment as a Practitioner—1937.

17. Dr. Athukorallage Don Peter Albert Wijegoonewardene,
L. M. S. (Cey.), D. C. H., R. C. P. & R. C. S. (Eire.),
7, Borella Cross Road, Borella.

Date of Enrolment as a Practitioner—June, 1932.

18. Dr. Don Hector Perera Rajapaksa Senanayake, M. B. B. S.
(Cey.), 50/5, B, Siripa Road, Colombo 5.

Date of Enrolment as a Practitioner—April, 1951.

7. No rule in the Schedule hereto nor any rule which may hereafter be passed shall be altered, added to, amended or cancelled, except by a vote of two-thirds of the members present and voting at a general meeting of the Corporation and unless such alteration, addition, amendment or cancellation shall have been previously approved by the Board of Governors.

Procedure
for amendment
of rules.

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

Debts due
by and pay-
able to the
Corporation.

9. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of two of the members of the Board of Governors 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.

Procedure
for affixing
the seal of the
Corporation.

10. The Corporation shall be able and capable in law to take and hold any property, movable and 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 Law and subject to the rules for the time being of the said Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation
may hold
property,
movable
and
immovable.

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

Saving of
the rights
of the
Republic
and
others.

SCHEDULE

RULES OF THE YOUNG MEN'S MUSLIM ASSOCIATION,
MALIGAWATTA, COLOMBO

CHAPTER I

NAME, SCOPE AND OBJECTS:

Article 1: Designation.

The name of the Association shall be "The Young Men's Muslim Association, Maligawatta, Colombo" hereinafter called "the Association".