

PARLIAMENT OF CEYLON

1st Session 1956-57



Ceylon National Association for the Prevention of Tuberculosis (Incorporation) Act, No. 11 of 1957

Date of Assent : March 18, 1957

*Printed on the Orders of Government
and published as a Supplement to Ceylon Government
Gazette Part II of March 22, 1957*

Printed at the GOVERNMENT PRESS, CEYLON. To be
purchased at the GOVERNMENT PUBLICATIONS BUREAU, COLOMBO
Annual Subscription (including Bills) Rs. 25, payable in
advance to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS
BUREAU, Post Office Box 500, Secretariat, Colombo 1

Ceylon National Association for the Prevention of Tuberculosis (Incorporation) Act, No. 11 of 1957 3

L. D.—O. 22/56.

ACT TO INCORPORATE THE CEYLON NATIONAL ASSOCIATION FOR THE PREVENTION OF TUBERCULOSIS.

[Date of Assent: March 18, 1957]

WHEREAS an association called and known as "The Ceylon National Association for the Prevention of Tuberculosis" has heretofore been established in Colombo for the purpose of carrying out the object of that association according to the rules agreed to by its members:

AND whereas the said association has heretofore been successfully carrying out its object and it is now desirable that the said association should be incorporated:

BE it 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 National Association for the Prevention of Tuberculosis (Incorporation) Act, No. 11 of 1957.

Short title.

2. The persons who, at the time of the coming into operation of this Act, are members of The Ceylon National Association for the Prevention of Tuberculosis (hereinafter referred to as "the Association") and such other persons as are hereafter enrolled as members of the Association shall be a body corporate (hereinafter referred to as "the Corporation") with perpetual succession, a common seal and the name "The Ceylon National Association for the Prevention of Tuberculosis". The Corporation may sue and be sued by that name.

Incorporation of the Ceylon National Association for the Prevention of Tuberculosis.

3. The object of the Corporation shall be to assist in every possible way in the prevention and control of tuberculosis in Ceylon.

Object of the Corporation.

4. The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation, be administered by the Council elected in accordance with such rules.

The Council of the Corporation.

4. *Ceylon National Association for the Prevention of Tuberculosis (Incorporation) Act, No. 11 of 1957*

The Corporation may acquire, hold, and dispose of property.

5. The Corporation—

- (a) may acquire and hold any movable or immovable property by right of purchase, grant, gift, testamentary disposition or otherwise,
- (b) shall hold any property subject to the rules for the time being of the Corporation, and
- (c) may sell, mortgage, lease, exchange or otherwise dispose of any of its properties.

Sums payable by or to the Association to be paid by or to the Corporation.

6. All debts and liabilities of the Association existing at the time of the coming into operation of this Act shall be paid and discharged by the Corporation, and all debts due to and subscriptions and contributions payable to the Association shall be paid to the Corporation.

Seal of the Corporation.

7. The seal of the Corporation may be altered at the pleasure of the Corporation. It shall not be affixed to any instrument whatsoever except in the presence of two of the elected 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.

Rules.

8. (1) The Corporation may from time to time, at a special general meeting of the members of which not less than twenty-eight days' notice shall be given to the members and by a majority of votes which shall be not less than two-thirds of the members voting at the meeting, make rules relating to the admission, suspension or expulsion of members, the duties of the officers of the Corporation, the procedure in the transaction of business and generally the management of the affairs of the Corporation and the accomplishment of its object.

(2) Subject to the provisions of sub-section (3), the rules set out in the Schedule to this Act shall be the rules of the Corporation.

(3) Any rule of the Corporation may be amended or rescinded in like manner as a rule may be made under sub-section (1).

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

Saving of
the rights
of the Crown
and its
heirs.

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

Schedule

CEYLON NATIONAL ASSOCIATION FOR THE
PREVENTION OF TUBERCULOSIS

RULES OF THE CEYLON NATIONAL ASSOCIATION FOR THE PREVEN-
TION OF TUBERCULOSIS

1. *NAME* : The Association shall be called the Ceylon National Association for the Prevention of Tuberculosis.

2. *NATURE* : The Association shall consist of persons who take an active interest in the prevention and control of Tuberculosis and/or assist financially or by service or in any other way towards that aim.

3. *AIMS AND OBJECTS* : To assist in every possible way in the prevention and control of Tuberculosis in the Island of Ceylon and, without prejudice to the generality of this aim.

(a) to collaborate with the Government or with any Local Government Authority or any Association in Ceylon or elsewhere in any project or undertaking with the same aim and object.

(b) to disseminate information concerning the causes, symptoms and signs, prevention and treatment of such disease.

(c) to inform the public of measures undertaken to combat such disease, and to foster their interest and enlist their co-operation in such measures.

(d) to provide facilities for and assistance to patients and/or their dependents for continued care and rehabilitation.

(e) to raise and collect funds for the expenses of furthering the said aim.

4. *MEMBERSHIP* : The Association shall consist (a) of all those persons whose names appear in the register of the Association as carried on up to this date whether as Life Members or Ordinary Members and (b) all persons who may become members as hereinafter provided.

(a) *Honorary Life Members*. Any person, who is rendering or has rendered exceptional service in the prevention and control of Tuberculosis may be elected an Honorary Life Member by the Council.

(b) *Honorary Members*. The Council may at its discretion decide to invite any person to become an Honorary Member for his or her services in furthering the objects of the Association. Such membership shall be for a period to be determined by the Council.

(c) *Life Members*. Any person who makes a contribution of Rs. 100 or over may on his or her request be registered as a Life Member of the Association by the Council.

6 Ceylon National Association for the Prevention
of Tuberculosis (Incorporation) Act, No. 11 of 1957

(d) *Ordinary Members.* Any person who makes a minimum contribution of Rs. 10 per annum towards the Association funds may upon his or her request be registered as an Ordinary Member by the Council and continue as such on payment of a minimum contribution of Rs. 10 per annum.

(e) *Corporate Members.* Any organisation which contributes Rs. 100 or over may on request have one representative of such organisation registered as a Corporate Member for a period of one year by the Council.

5. *PATRONS AND VICE-PATRONS :*

(a) Subject to his consent, His Excellency the Governor-General shall be Patron of the Association.

(b) Subject to their consent, the Hon'ble the Prime Minister and the Hon'ble the Minister of Health shall be Vice-Patrons of the Association.

6. *OFFICE-BEARERS :*

(A) All office-bearers must be Members of the Association and shall be elected at the Annual General Meeting. They shall automatically retire each year but shall be eligible for re-election.

(B) The Office-bearers of the Association shall be:

(a) The President.

(b) Vice-Presidents—not more than twenty-five.

(c) Chairman of the Council.

(d) Vice-Chairman of the Council.

(e) Honorary Secretary.

(f) Honorary Treasurer.

7. *COUNCIL :* (i). The Association shall be governed by a Council, which shall consist of

(A) Ex-officio Members.

(B) Elected Members.

(C) Nominated Members.

(A) *Ex-officio Members.* The Chairman of Council, Vice-Chairman of Council, Honorary Secretary and Honorary Treasurer elected at the Annual General Meeting shall be ex-officio members of the Council.

(B) *Elected Members.* There shall be fifteen members of the Association elected to the Council at each Annual General Meeting. Elected members shall automatically retire each year but shall be eligible for re-election.

(C) *Nominated Members.* The following public officers may, with the sanction of their respective Ministers, be nominated to serve on the Council:—

(a) The Director of Health Services.

(b) The Medical Officer in charge of T. B. Services.

(c) The Director of Social Services.

(d) The Director of Education.

(e) The Public Trustee.

*Ceylon National Association for the Prevention
of Tuberculosis (Incorporation) Act, No. 11 of 1957*

- (f) Representatives of other Departments as determined by the Council. In the event of any Nominated Member being unable or unwilling to serve he may, in writing nominate another officer from the same Department to serve in his place.

The Council shall have power to invite to its meetings, representatives of:—

- (a) Branch and Affiliated Associations.
- (b) Organisations engaged in the prevention or control of Tuberculosis.
- (c) Other Social Welfare Organisations, and
- (d) Persons interested in the cause of the Association.

(ii) The Council shall meet at least once in two months and shall be empowered to take all or any such steps as it may deem necessary or desirable to carry out the aims and objects of the Association. The Chairman may convene meetings of the Council at his discretion, and shall convene a meeting within 21 days of the receipt of a requisition in writing addressed to him and signed by not less than five members of the Council, and stating the business to be dealt with at such meeting. The quorum for a meeting of the Council shall be eight members. The Council shall have power to fill any casual vacancy amongst the office-bearers and the elected members arising from any cause whatsoever during the period between one Annual General Meeting and the next following Annual General Meeting. Office-bearers or members of the Council elected to fill casual vacancies shall hold office until the next Annual General Meeting following their election.

(iii) The Council shall have power to appoint or engage or discontinue such officers and servants as it may deem necessary for the carrying out of the aims and objects of the Association and shall fix their remuneration and terms and conditions of service.

8. **EXECUTIVE COMMITTEE** : There shall be constituted an Executive Committee consisting of the Chairman, the Vice-Chairman, the Honorary Secretary, the Honorary Treasurer, and four elected members of the Council.

The four elected members of the Council to serve on the Executive Committee shall be elected thereto at the first meeting of the Council following an Annual General Meeting.

The Executive Committee shall perform such functions and carry out such duties as may be delegated to it by the Council and in carrying out such functions or performing such duties it shall have the same powers as are vested in the Council.

The quorum for meetings of the Executive Committee shall be four provided however that at all meetings at least one elected member shall be present.

9. **OTHER COMMITTEES** : The Council may appoint one or more Committees for such special purposes as it may from time to time deem necessary and shall assign to each such Committee its functions and duties; and the Council may delegate to each or any such Committee such powers as may be necessary for it to carry out the purpose for which it was appointed.

8 *Ceylon National Association for the Prevention
of Tuberculosis (Incorporation) Act, No. 11 of 1957*

The Council may appoint the Chairman of any Committee or may, at its discretion leave the choice of a Chairman to the members of the Committee. Membership of any Committee appointed by the Council, other than a Finance Committee, need not be restricted to members of the Council. Membership of the Finance Committee however shall be restricted to members of the Council. The Council may delegate to any Committee other than the Finance Committee the power to co-opt further members to that Committee and may, at its discretion, limit the number of members that may be so co-opted.

Subject to any directions that may be given to it by the Council each Committee shall regulate its own procedure.

10. *HONORARY SECRETARY* : The duties of the Honorary Secretary shall be to conduct all correspondence on behalf of the Association; to keep Minutes of all meetings of the Association of the Council and of the Executive Committee; to send out notices of meetings or cause them to be advertised in the newspapers as the case may be; and to prepare the Annual Report of the Council for submission to the Annual General Meeting; keep a register of members and to perform such other duties as may be assigned by the Council.

11. *HONORARY TREASURER* : The duties of the Honorary Treasurer shall be to receive and use as directed by the Council all monies and other property of the Association; to keep proper accounts and records thereof; to prepare a monthly statement to the Council on the financial position of the Association; to prepare an annual statement of accounts for the Council.

12. *ANNUAL GENERAL MEETING* : The Annual General Meeting of the Association, of which at least two weeks' notice shall be given in two daily newspapers shall be held not later than the 30th June in each year at which :

- (a) The Council's Report and Audited Accounts for the preceding financial year shall be submitted.
- (b) the office-bearers and Council Members shall be elected, and
- (c) any other business as may be determined by the Council shall be transacted.

At all Annual General Meetings the Patron, if willing, shall preside and failing him either one of the Vice-Patrons. Failing them the President or one of the Vice-Presidents shall preside. In the absence of these members the meeting shall elect its own Chairman.

13. *SPECIAL GENERAL MEETING* : The Council may at its discretion convene Special General Meetings of the Association for the transaction of urgent business; and shall convene such meeting within one month of the receipt of a request addressed to the Honorary Secretary and signed by not less than fifteen members of the Association. Such request shall state the nature of the business to be transacted at the meeting and notice of the meeting shall be published in two daily newspapers not less than fifteen days before the date of the meeting.

In the event of the Honorary Secretary failing to call a meeting within the time specified above, the members who made the request shall be entitled to call a meeting and transact the business of which they had given due notice.

*Ceylon National Association for the Prevention
of Tuberculosis (Incorporation) Act, No. 11 of 1957*

At all Special General Meetings the President shall preside and failing him one of the Vice-Presidents. If these fail the Chairman or Vice-Chairman shall preside. In the absence of all these office-bearers the meeting shall elect its own Chairman.

14. **QUORUM AT GENERAL MEETINGS** : The quorum for all General Meetings of the Association shall be 25 members present in person.

15. **FINANCIAL YEAR** : The financial year of the Association shall commence on January 1st and terminate on December 31st of each year.

16. **AUDITORS** : An Auditor or Auditors shall be elected annually at the Annual General Meeting at such fee as may be fixed by the Council. The Auditor shall audit the accounts of the Association as soon as possible after the close of the financial year and shall present audited accounts to the Council.

17. **TRUSTEES** : A Board of Trustees consisting of three members shall be appointed at a General Meeting and each Trustee so appointed shall continue to hold office as Trustee until it becomes vacant by resignation or death.

If a trustee leaves Ceylon for good, or be absent from Ceylon for a continuous period of three months or more or if in the opinion of the Council any trustee by reason of ill-health is unable to carry out his duties, or if the Council considers that it is in the interests of the Association that any trustee should be relieved of his office the Council may declare the office of such trustee as vacant.

All property movable and immovable and all money, investments and other assets of the Association shall vest and continue to be vested in the Board of Trustees whether composed of the trustees originally appointed and/or substituted in trust for the Association subject to the directions of the Council.

18. **BRANCH ASSOCIATIONS** :

- (a) The Association shall encourage and foster the Branches already formed and which are functioning in certain places in Ceylon outside Colombo with the same aims and objects as those of this Association and also the establishment hereafter of similar branches in other places in Ceylon. Each Branch shall be called "The Branch of the Ceylon National Association for the prevention of Tuberculosis" preceded by the name of the place wherein the branch is functioning.
- (b) This Association may assist such branches financially and/or in any other manner.
- (c) Such branches shall be managed and administered according to their respective constitutions.
- (d) Each Branch shall furnish to the Council once a year a report regarding its work together with an audited statement of accounts.
- (e) Each Branch shall remain independent in the administration of its funds and any financial liability of a Branch shall not be a liability on the Association.

10 *Ceylon National Association for the Prevention
of Tuberculosis (Incorporation) Act, No. 11 of 1957*

19. *AFFILIATED ASSOCIATIONS* : The Council shall have power to affiliate organisations having the same objects as the Ceylon National Association for the Prevention of Tuberculosis and shall prescribe from time to time the fees to be paid for affiliation and other conditions of affiliation.

20. *MATTERS NOT PROVIDED FOR* : In the event of any question or matter arising which is not provided for by these Rules or in the event of any ambiguity or uncertainty in their interpretation, the Council's decision shall be final.

21. *AMENDMENT OF CONSTITUTION* : No addition to, deletion or amendment of this constitution shall be made except on a special resolution of which not less than twenty-eight clear days' notice shall have been given, and which resolution shall have been passed by a majority of not less than two-thirds of the members present and voting at a Special General Meeting of the Association duly convened for the purpose.