



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

**SRI LANKA SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS
(INCORPORATION) ACT, No. 52 OF 2009**

[Certified on 25th September, 2009]

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*Sri Lanka Society for the Prevention of Cruelty
to Animals (Incorporation) Act, No. 52 of 2009*

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L.D.—O. (INC.) 26/2007.

AN ACT TO INCORPORATE THE SRI LANKA SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS

WHEREAS a Society called and known as the “Sri Lanka Society for the Prevention of Cruelty to Animals” has heretofore been established in Sri Lanka for the purpose of effectually carrying out and transacting all objects and matters connected with the said Society:

Preamble.

AND WHEREAS the said Society has heretofore successfully carried out and transacted the 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 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 Society for the Prevention of Cruelty to Animals (Incorporation) Act, No. 52 of 2009.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Sri Lanka Society for the Prevention of Cruelty to Animals (hereinafter referred to as the “Society”) and such other persons as shall hereafter be admitted 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 “Sri Lanka Society for the Prevention of Cruelty to Animals” 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
Sri Lanka
Society for the
Prevention of
Cruelty to
Animals.

2 *Sri Lanka Society for the Prevention of Cruelty to Animals (Incorporation) Act, No. 52 of 2009*

General objects of the Corporation.

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

- (a) to create awareness among people on the need to protect animals;
- (b) to educate people on the need to refrain from neglecting or inflicting unnecessary pain or suffering to animals;
- (c) to take steps to preserve the fauna and create an awareness among the people of the importance of preserving the same;
- (d) to create better environments for domestic animals and to provide them with security;
- (e) to provide indoor and outdoor medical treatment for sick animals; and
- (f) to persuade the public to show love and kindness to animals.

General powers of the Corporation.

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

- (a) to receive grants, gifts or donations in cash or kind whether from local or foreign sources;
- (b) to open, maintain, operate and close bank accounts and to borrow or raise money with or without security;
- (c) to invest moneys belonging to the Corporation in such securities as may be determined by the Executive Committee;
- (d) to appoint, employ, remunerate, exercise disciplinary control over and dismiss, such officers and servants as may be necessary for the purpose of carrying out the objects of the Corporation;

- (e) to co-operate and associate with other associations, societies or organizations having objects similar to those of the Corporation;
- (f) to promote, organize and hold exhibitions, lectures, seminars, workshops, conferences and tours for the furtherance of the objects of the Corporation; and
- (g) to do all such other acts and things as are incidental or conducive to the carrying out of the objects of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the rules made under section 7, be administered by an Executive Committee consisting of the Patrons, President, two Vice Presidents, General Secretary, Assistant Secretary, Treasurer, Members of the Board of Trustees and not less than twelve other members as may be provided for in such rules and elected in accordance therewith.

Management of the affairs of the Corporation.

(2) The first Executive Committee of the Corporation shall be the Executive Committee of the Society holding office on the day preceding the date of commencement of this Act who shall hold the office until a new Executive Committee is appointed under the rules of the Corporation.

6. (1) There shall be a Board of Trustees who shall be entrusted with the management of the property of the Corporation.

Board of Trustees.

(2) The first Board of Trustees of the Corporation shall be the Board of Trustees of the Society holding office on the day preceding the date of commencement of this Act who shall hold the office until a new Board of Trustees is appointed under the rules of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by a majority of not less than two-thirds of the members present and voting, to make

Rules of the Corporation.

4 *Sri Lanka Society for the Prevention of Cruelty to Animals (Incorporation) Act, No. 52 of 2009*

rules, not inconsistent with the provisions of this Act or other written law, for all or any of the following matters:—

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

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

(3) The members of the Corporation shall be subject to the rules of the Corporation.

Sri Lanka Society for the Prevention of Cruelty to Animals (Incorporation) Act, No. 52 of 2009 5

8. (1) The Corporation shall have its own fund and all moneys received by way of gifts, testamentary dispositions, transfers, donations, contributions of fees shall be deposited in the name of the Corporation in one or more banks as may be decided by the Executive Committee. Fund of the Corporation.

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

(3) All expenses incurred by the Corporation in the exercise of the powers of the Corporation shall be paid out of the fund.

9. All debts and liabilities of the Society existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation hereby constituted and all debts due to, subscriptions and contributions payable to the Society on that day shall be paid to the Corporation for the purposes of this Act. Debts due by and payable to the Society.

10. (1) The financial year of the Corporation shall be the calendar year. Audit and accounts.

(2) The Executive Committee 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.

(4) 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 such institute ; or
- (ii) a firm of Accountants each of the resident partners of which being a member of the Institute of

6 *Sri Lanka Society for the Prevention of Cruelty to Animals (Incorporation) Act, No. 52 of 2009*

Chartered Accountants of Sri Lanka or of any other institute established by law, possesses a certificate to practice as an Accountant issued by any one of such institutes.

Corporation may hold property movable or immovable.

11. The Corporation shall be able and capable in law, to acquire and hold 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 7 and it shall have full powers to sell, mortgage, lease, exchange or otherwise dispose of the same.

Seal of the Corporation.

12. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the President and the General Secretary or the Treasurer, 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.

Property remaining on dissolution.

13. 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 any other Institute or Institutes having objects similar to those 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 Institute or Institutes shall be determined by the members of the Corporation at or immediately before the dissolution of the Corporation.

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

15. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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