

CHAPTER 115

COLLEGE OF GENERAL PRACTITIONERS

*Law* A LAW TO INCORPORATE THE COLLEGE OF GENERAL PRACTITIONERS OF SRI LANKA.

No. 26 of 1974,

*Act*

No. 51 of 1980.

[19th August, 1974.]

Short title. **1.** This Law may be cited as the College of General Practitioners of Sri Lanka (Incorporation) Law.

medical practice in any field and to undertake or assist others in undertaking such research;

Incorporation of the College of General Practitioners of Sri Lanka. **2.** On and after the 19th day of August, 1974, such and so many persons as now are members of the College of General Practitioners of Sri Lanka (hereinafter referred to as "the College") or shall hereafter be admitted members of the Corporation hereby constituted, (including the founder members whose names and addresses are set out in the Second Schedule to this Law), shall be, and become a Corporation with perpetual succession under the name of "The College of General Practitioners of Sri Lanka" (hereinafter referred to as "the Corporation") and by that name shall and may sue and be sued in all courts, with full power and authority to have and to use a common seal and to change and alter the same at its will and pleasure.

(d) to encourage the publication by general medical practitioners of original work on medical or scientific subjects connected with general practice;

(e) to establish, maintain, manage and administer any institution for the purpose of providing or promoting courses of study and facilities for the education, instruction and training of medical practitioners, students preparing to qualify as medical practitioners, or persons employed or qualifying to be employed as ancillary personnel in hospitals, dispensaries, clinics, laboratories or similar institutions which have been established to assist medical practitioners in providing medical, surgical and health services; [§2,51 of 1980.]

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

(f) to construct, equip and maintain libraries and other buildings for the administrative, instructional, residential or any other purposes of the Corporation; [§2,51 of 1980.]

(a) to establish and maintain an academic and educational headquarters for general medical practitioners;

(g) 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;

(b) to undertake or assist others in undertaking training courses or other educational activities designed to enhance the medical knowledge and skill of general medical practitioners in Sri Lanka;

(c) to encourage the carrying on by general medical practitioners of research into medical matters with a view to the improvement of general

(h) 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 connexion with general medical practice; and

[§2.51 of 1980.]

- (i) to do all such other acts and things as may be necessary for or conducive to the attainment and promotion of the objects of the Corporation:

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.

Council of the Corporation.

**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.

(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

\* Repealed by Act No. 16 of 1978. First Schedule is omitted.

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.

(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 19th day of August, 1974, 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— Power to acquire property, invest funds, raise loans, &c.

(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.

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.

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.

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.

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

**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.

Saving of the rights of the Republic and others.

[Section 2.]

\*SECOND SCHEDULE

FOUNDER MEMBERS

1. Dr. Mannemarakkalage Philip Michel Cooray. L.R-C.P. (Lend.) ; M.R.C.S. (Eng.) ; M.B.B.S. (Lend.) ; 14, Selbburne Road, Colombo 3.  
Date of Enrolment as a Practitioner—28th July, 1938.
2. Dr. Bentarawadumeslige 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.

\* First Schedule is omitted.

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.
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.), 50/5B, Siripa Road, Colombo 5.  
Date of Enrolment as a Practitioner—April, 1951.