

SRI LANKA EX-SERVICEMEN'S ASSOCIATION [Cap. 636

CHAPTER 636

SRI LANKA EX-SERVICEMEN'S ASSOCIATION

Law
No. 8 of 1976.

A LAW TO INCORPORATE THE SRI LANKA EX-SERVICEMEN'S ASSOCIATION.

[9th April, 1976.]

Short title. **1.** This Law may be cited as the Sri Lanka Ex-Servicemen's Association Law.

Incorporation of the Sri Lanka Ex-Servicemen's Association.

2. From and after the date of commencement of this Law, the persons who are for the time being members of the Sri Lanka Ex-Servicemen's Association (hereinafter referred to as the "Association") shall be a body corporate (hereinafter referred to as "the Corporation") with perpetual succession, a common seal, and the name "The Sri Lanka Ex-Servicemen's Association". The Corporation may sue and be sued in such name.

Objects of the Corporation.

3. The objects of the Corporation shall be-

(a) to foster a spirit of comradeship and *esprit-de-corps* among all ranks of Sri Lanka Ex-Servicemen who served in the 1914-1918 and 1939-1945 Wars or in the period between, in any Unit of the Ceylon Defence Force or in the Ceylon Royal Artillery or in the Ceylon Naval Volunteer Force or in the Ceylon Naval Volunteer Reserve thereafter, and all those who served in any Unit of the Sri Lanka Army, Sri Lanka Navy or Sri Lanka Air Force, or in any Unit of the Forces of the Commonwealth;

(b) to promote the welfare of such Ex-Servicemen;

(c) to make such representations as are necessary to the State and other employers in regard to resettlement of Ex-Servicemen and to assist in the placing of individual Ex-Servicemen in employment;

(d) to grant financial assistance to Ex-Servicemen and their dependants who are, in the opinion of the Executive Committee, in need of financial assistance ;

(e) to foster and encourage the formation of Corps and Regimental Associations by persons who have retired from the Sri Lanka Army, Sri Lanka Navy or Sri Lanka Air Force, to be affiliated to the Association; and

(f) to maintain, conduct and manage the War Charities Fund (Sri Lanka) in accordance with such regulations as may be framed for that purpose.

4. (1) The affairs of the Corporation shall, subject to the rules in force for the time being as hereinafter provided, be administered by the office-bearers of the Association, the Executive Committee and the General Council to be elected, or nominated, as the case may be, in accordance with the rules in force for the time being of the Corporation.

Management of the affairs of the Corporation.

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

5. (1) The Corporation may, by a vote of the majority of the members present and voting at a general meeting of the Corporation, make rules for the admission to, and the removal from, membership of the Corporation, for the performance of the duties of the office-bearers and the members of the General Council and the Executive Committee of the Corporation, for the procedure in the transaction of business,

Power to make rules.

Cap. 636] SRI LANKA EX-SERVICEMEN'S ASSOCIATION

and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule of the Corporation may be altered, amended or rescinded by a vote of two-thirds of the members present and voting at a general meeting of the Corporation.

(3) Subject to the provisions of subsections (1) and (2) of this section, the rules set out in the First Schedule to this Law shall be the rules of the Corporation.

Liabilities and debts, &c.

6. All the 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 fees, subscriptions, contributions and grants payable to, the Association shall be paid to the Corporation.

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

7. The Corporation—

(a) may acquire and hold property, movable or immovable, 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;

(c) may subject to any trust attaching to such property and to the law regulating such trusts, sell, mortgage, lease, exchange or otherwise dispose of any of its properties; and

(d) may borrow money, for the purposes of the Corporation,

8. 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 office-bearers 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.

9. The Honorary Secretary of the Corporation shall have the custody of the seal of the Corporation.

Custody of the seal.

10. The Corporation shall hold and administer the War Charities Fund (Sri Lanka) in accordance with the Regulations of the War Charities Fund (Sri Lanka) set out in the Second Schedule to this Law.

War Charities Fund (Sri Lanka).

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.

[Section 5 (3).]

FIRST SCHEDULE

Rules of the Sri Lanka Ex-Servicemen's Association

NAME

1. The Association shall be called " The Sri Lanka Ex-Servicemen's Association

OBJECTS

2. The objects of the Association shall be—

(a) to foster a spirit of comradeship and *esprit-de-corps* among all ranks of Sri Lanka Ex-Servicemen who served in the 1914-1918 and 1939-1945 Wars. or in the period in between, in any Unit of the Ceylon Defence Force or in the Ceylon Royal Artillery or in the Ceylon Naval Volunteer Force or in the Ceylon Naval Volunteer Reserve thereafter, and all those who served in any Unit of the Sri Lanka Army, Sri Lanka Navy or Sri Lanka Air Force, or in any Unit of the Forces of the Commonwealth ;

(b) to promote the welfare of such Ex-Servicemen ;

(c) to make such representations as are necessary to State and other employers in regard to resettlement of Ex-Servicemen and to assist in the placing of individual Ex-Servicemen in employment;

SRI LANKA EX-SERVICEMEN'S ASSOCIATION [Cap. 636

- (d) to grant financial assistance to Ex-Servicemen and their dependants who are, in the opinion of the Executive Committee, in need of financial assistance. {Note : The decision of the Executive Committee in such cases shall be final, and there shall be no appeal therefrom) ;
- (e) to foster and encourage the formation of Corps and Regimental Associations by persons who have retired from the Sri Lanka Army, Sri Lanka Navy or Sri Lanka Air Force, to be affiliated to the Association; and
- (f) to maintain, conduct and manage the War Charities Fund (Sri Lanka) in accordance with such regulations as may be framed for that purpose.

MEMBERSHIP

3. All citizens of Sri Lanka who served in any Unit of the Forces of the Commonwealth in or from Sri Lanka for any period in the 1914-1918 and 1939-1945 Wars or in the period in between, all citizens of Sri Lanka who served in any Unit of the Ceylon Defence Force or in the Ceylon Royal Artillery or in the Ceylon Naval Volunteer Force or in the Ceylon Royal Naval Volunteer Reserve thereafter, and all citizens of Sri Lanka who served in any Unit of the Ceylon Army (now known as Sri Lanka Army), the Royal Ceylon Navy (now known as Sri Lanka Navy) or the Royal Ceylon Air Force (now known as Sri Lanka Air Force), shall be eligible for membership :

Provided, however, that all non citizens of Sri Lanka who were members of the Association on 31.12.67 shall continue to be members and to enjoy all the privileges and benefits of membership.

The Executive Committee may, in its discretion, admit to honorary membership any non citizen of Sri Lanka who is otherwise eligible for membership under the terms of Rule 3.

4. (a) Ex-Servicemen eligible under Rule 3 may obtain membership either by virtue of membership in an affiliated Association or by direct application.

(b) Members of an affiliated Association shall, on making an application in that behalf, be admitted to membership of the Association, subject to the provisions contained in paragraph (d) of this Rule.

(c) Applications for membership from Ex-Servicemen who are not members of an affiliated Association shall be considered by the Executive Committee who may admit such Ex-Servicemen to membership on payment of the Life Subscription.

(d) The Executive Committee may, in its discretion, reject any application. An applicant so rejected may appeal to the General Council for reconsideration.

AFFILIATED ASSOCIATIONS

5. The following Associations shall be affiliated to the Association :—

The Ceylon Artillery Association,
The Ceylon Engineers Association,
The Signals Association of Ceylon,
The C.L.I. Association,
The C.A.S.C. Association,
The C.A.M.C. Association,
The C.R.N.V.R. Association,
The Uva Ex-Servicemen's Association,

and such other Service or Regimental Association as may apply for affiliation from time to time. The Executive Committee shall have the power to reject such application. Any Service or Regimental Association so rejected may appeal to the General Council for reconsideration.

SUBSCRIPTIONS

6. (a) Affiliated Associations shall pay an affiliation fee computed at the rate of Re. 1 per person admitted to membership of the Association.

(b) Persons admitted under Rule 4 (c) shall pay a Life Subscription of Rs. 5 payable with the application for membership which shall be on such form as may be prescribed by the Executive Committee.

PATRONAGE

7. A Patron and not more than three Vice-Patrons may be appointed by the General Council at its Annual Meeting. Such Patron and Vice-Patrons shall hold office for one year but shall be eligible for reappointment.

Cap. 636] **SRI LANKA EX-SERVICEMEN'S ASSOCIATION**

MANAGEMENT

8. (a) The affairs of the Association shall be managed by—

- (i) a President;
- (ii) three Vice-Presidents;
- (iii) an Honorary Secretary ;
- (iv) an Honorary Assistant Secretary ;
- (v) an Honorary Treasurer ; and
- (vi) an Honorary Assistant Treasurer;

all of whom shall be known as the office-bearers of the Association :

Provided, however, that no person who has not been nominated by an affiliated Association as a delegate to the General Council shall be eligible to stand for election as an office-bearer.

(b) The General Council shall have the power to and shall be responsible for—

- (i) electing the office-bearers of the Association, excepting the Honorary Assistant Secretary and the Honorary Assistant Treasurer;
- (ii) electing to the Executive Committee the elected member referred to in Rule 10 (a) (iii);
- (iii) reviewing, and if necessary, altering or amending any decision taken by the Executive Committee; and
- (iv) formulating the general policy of the Association.

(c) The Executive Committee shall be responsible for executive control of the affairs of the Association in conformity with the general policy laid down by the General Council.

9. The General Council shall consist of—

- (a) the office-bearers of the Association ;
- (b) the delegates nominated by the affiliated Associations as follows :—

Associations with a membership of 100 and below—5 delegates ;
Associations with a membership of 101 to 250—10 delegates ;
Associations with a membership of 251 to 1,000—15 delegates ;
Associations with a membership of 1,001 to 2,000—20 delegates; and
Associations with a membership of over 2,000—25 delegates; *aad*

(c) two delegates nominated by the Executive Committee to represent members admitted under Rule 4 (c). (These nominations shall be, unless the Executive Committee has good cause to the contrary, from among the members admitted under that Rule).

10. (a) The Executive Committee shall consist of—

- (i) the office-bearers of the Association ;
- (ii) the representatives annually nominated by affiliated Associations, such nominations being from those nominated to the General Council under Rule 9 (b). (Such representatives shall be designated " nominated members "); and
- (iii) one elected member to represent members admitted under Rule 4 (c).

This member shall be elected, unless it appears to the General Council to be impracticable, from among members admitted under the above-mentioned Rule.

(This member shall be designated " elected member ").

(b) Affiliated Associations shall be entitled to nominate members as follows ;—

Associations with a membership of 250 or below—I member;
Associations with a membership of 251 to 1,500—2 members ; and
Associations with a membership of over 1,500—3 members.

SRI LANKA EX-SERVICEMEN'S ASSOCIATION [Cap. 636

(c) The office-bearers of the Association shall hold office from the day of their election until the following Annual Meeting.

(d) All nominated members and the elected member shall hold office from the day after the Annual Meeting of the General Council next after their nomination until the following Annual Meeting.

11. Vacancies in the General Council and Executive Committee shall be filled until the next Annual Meeting of the General Council as follows :—

(d) in the case of nominated members by nomination by the affiliated Associations concerned ; and

(b) in the case of other vacancies by election by the Executive Committee.

12. The Executive Committee shall have the power to appoint such sub-Committees as may be required from time to time. Such sub-Committees shall have the power to co-opt any person or persons as they deem fit-

MEETINGS

13. The General Council shall meet once a year. Such Annual Meeting shall be held as soon as possible after 1st December in each year, but in any event not later than 31st March.

14. At least twenty-eight days' notice of such Annual Meeting shall be given to affiliated Associations and in the Press.

15. (a) The Report of the Executive Committee and the Audited Accounts of the preceding financial year shall be submitted for adoption at such Annual Meeting of the General Council. All nominations (except those referred to in Rule 11) to the General Council and the Executive Committee shall also be tabled at the Annual Meeting of the General Council.

(b) The financial year of the Association shall commence on 1st October of each year and shall terminate on 30th September of the following year.

16. The office-bearers of the Association (except the Honorary Assistant Secretary and the Honorary Assistant Treasurer, who shall be appointed by the Executive Committee) shall be elected at the Annual Meeting of the General Council.

17. (a) At least fourteen days' notice in writing shall be given by any member of the Association to the Honorary Secretary of any motion required to be brought up at the Annual Meeting of the General Council.

(b) Any member who is not a member of the General Council giving notice of a motion referred to in paragraph (a) above shall be permitted to be present and move such motion at the Annual Meeting of the General Council but shall not be permitted to vote on such motion.

(c) The agenda of the Annual Meeting of the General Council shall be notified in writing to all members of the Council at least seven days before such meeting. Such notification shall be issued to members through the affiliated Associations of which they are members.

18. The quorum at the Annual Meeting of the General Council shall be forty.

19. (a) The Executive Committee may call a Special Meeting of the General Council at any time to deal with urgent matters.

(b) The Honorary Secretary shall be bound to convene a Special Meeting of the General Council within twenty-eight days of receiving a request therefor from three affiliated Associations or from thirty-five members of the General Council. Such request shall be in writing and shall specify the matters to be brought up at such Special Meeting.

(c) The agenda of such a Special Meeting of the General Council shall be notified in writing to all members of the General Council at least seven days before such Meeting. Such notification shall be issued to members through the affiliated Associations of which they are members.

20. No business other than that specified in the notice summoning a Special Meeting of the General Council shall be transacted at such Meeting.

Cap. 636] *SRI LANKA EX-SERVICEMEN'S ASSOCIATION*

21. At least fourteen days' notice of a Special Meeting of the General Council shall be given to affiliated Associations and in the Press.

22. The quorum at a Special Meeting of the General Council shall be forty.

23. The Executive Committee shall meet at least once in every two months.

24. The quorum at a meeting of the Executive Committee shall be eight.

FINANCE

25. (a) All moneys shall be paid into a banking account in the name of the Association, except moneys belonging to the War Charities Fund (Sri Lanka) which shall be paid into a banking account in the name of that Fund.

(b) All payments must be approved by the Executive Committee and all cheques must be signed by the Honorary Treasurer and any one of the following :—

- (i) the President,
- (ii) one of the Vice-Presidents,
- (iii) the Honorary Secretary.

26. The accounts of the Association shall be audited prior to submission to the Annual Meeting of the General Council by the auditors appointed by the previous Annual Meeting of the General Council.

GENERAL

27. No alteration or amendment of the Rules shall be valid unless approved by at least two-thirds of the members present and voting at an Annual or Special Meeting of the General Council.

28. (a) Notice of any motion to alter or amend the Rules shall be given by any member of the Association in writing to the Honorary Secretary at least fourteen days before the Annual or Special Meeting of the General Council. The Honorary Secretary shall give notice of such motion in the Press at least seven days before the date of the Meeting.

(b) Any member who is not a member of the General Council giving notice of a motion referred to in paragraph (a) above shall be permitted to be present and move such motion at the Annual Meeting, but shall have no powers of voting.

29. Any subject not provided for by the above Rules shall be dealt with by the Executive Committee, whose decision in all such matters shall be final, provided, however, that the General Council, may if it deems fit, review, alter or amend any such decision.

30. Regulations for carrying out the provisions of this Constitution and for the conduct and management of the Association may be drafted, from time to time, by the Executive Committee and shall be submitted to General Council for adoption.

31. The Association may, in the discretion of the Executive Committee, be affiliated with organisations abroad, which have similar aims and objects (e.g. The World Veterans' Federation, The British Commonwealth Ex-Services League).

32. Where Associations are represented in the Executive Committee by one nominated member and in the event of such nominated member not being able to attend an Executive Committee Meeting, a substitute duly authorized by the Chairman of such Association will be permitted to represent the nominated member at such Executive Committee Meeting and he shall have all the powers held by such nominated member of the Executive Committee.

33. For the purpose of and in these Rules:

(a) " Ex-Servicemen " shall mean persons to whom the description contained in Rule 3 applies ; and

(b) " Association " shall mean the Sri Lanka Ex-Servicemen's Association.

War Charities Fund (Sri Lanka)

REGULATIONS

1. The War Charities Fund (Sri Lanka) shall be responsible for the custody, collection, and disbursement of Poppy Day collections, and all moneys received as donations or contributions to the Fund.
2. The War Charities Fund (Sri Lanka) shall be held and administered by the Sri Lanka Ex-Servicemen's Association, who shall be responsible and have the authority necessary for making all arrangements connected with Poppy Day and Remembrance Day.
3. All disbursements from the War Charities Fund (Sri Lanka) shall be authorised by the Executive Committee of the Sri Lanka Ex-Servicemen's Association.
4. All moneys belonging to the War Charities Fund (Sri Lanka) shall be lodged to the account of the Fund in the Chartered Bank, Colombo.
5. The President, Vice-Presidents, Honorary Secretary and Honorary Treasurer are authorized to sign cheques drawn on the War Charities Fund (Sri Lanka) and the signatures of the Honorary Treasurer and of any one of the above-mentioned office-bearers will suffice.
6. The general object of the War Charities Fund (Sri Lanka) shall be to provide financial assistance, medical aid and nourishment, and in general to ensure the welfare of needy, ageing, infirm, incurable and destitute Ex-Servicemen or their dependants.