

## INTRODUCTION

Whereas representatives and certain eminent members of the leading professions of Sri Lanka consisting of Dr S A Cabraal, President, and Dr K Maheswaran, Secretary, Lanka Medical Association, Mr B R P Gunewardena, President, and Mr T P Seneratne, Acting Secretary, Institution of Engineers, Dr Nath Amarakone, President L T Wijesooriya, Secretary, Messrs, W B A Jayasekera, N Madurapperuma, G A Jawardena, V W Kularatne, D H Sumanasena, RA S Perera, Committee Members, Association of Scientific and Technical Workers of Sri Lanka, Mr M Manoharan Vice president, Institute of Chartered Accountants of Ceylon, Mr Desmond Fernando, Bar Association of Sri Lanka, Mr L P Jayawardena President and Mr T Anver Doole, Secretary Institute of Chemistry, Mr M T A Furkhan President, Institute of Work Study and Institute of Chartered Secretaries, Prof. K Kularatnam, President Gemologists Association of Sri Lanka: Mr Albert Edirisinghe President, Ceylon Optometric Association, Mr S T Arulampalam Vice President, Institute of Rubber Industry, Dr M A Latiff President Dr D Waidyasekera, Secretary Ceylon Homeopathic Medical Association: Dr A R AbeysinLhe President Ceylon Dental Association; Dr M P M Cooray President, Dr G M Heennilame Secretary, Independent Medical Practitioners Association, Dr Sirilal A Silva Independent Dental Surgeons Association, Mr S T Arulampalam, Productivity Association of Ceylon, Mr D S Bandarage Association of Professional Consultants: Dr N Mylvaganam, Secretary Dr K Sayavetaparam. Vice President, Association of Government Medical Practitioners; Mr K. Sunderamoorthy Secretary, Mr D G C Ranatunge, Mr T Wijesinghe, Public Service Engineers Union; Dr M C T Waas President, Dr C N A Rajapakse Vice President, Government Medical Officers Association, Dr S Kumaraswamy Veterinary Graduates Association; Mr S C Amarasinghe, Mr C Ratnayake, Ceylon Electricity Board Engineers Union, Dr C Patuwatavitharana President, Mr Neil Karunaratne Secretary, Katubedde Campus, Sri Lanka University Teachers' Union; Mr K Satchithanandan Secretary, Fisheries Department Scientific Officers Association; Mr W Kumarasinghe, Survey Department Scientific Officers Association; Dr Rienzie Peiris, President Association of Medical Specialists; Mr L Sumananadasa Vice Chancellor University of Sri Lanka; Prof. M W C Dharmawardena President Vidyodaya Campus, Sri Lanka University; Dr V K Samaranayake, Senior Lecturer, Colombo Campus; Dr A R T de Silva Senior Lecturer,

Katubedde Campus; K Jayasekera Lawyer/Journalist; Mr K Thuraisingham, Engineer, Director of Buildings; Mr T Sri Ramanathan, Lawyer, Mr John Diandas, Accountant; Mr H de S Mannamperi, Engineer, Chairman, Mahaweli Development Board; Mr Lalith Godamune, Management Consultant; Mr G V Mahadevan, Engineer, General Manager, Central Controlling Bureau; Mr Justin Samarasekera Architect; Mr Leon Monk Architect; Dr M C Chandrasena, Ayurvedic Physician, assembled at the Public Service Engineers Union Headquarters. 533/3 Galle Road Colombo on 5<sup>th</sup> Day of December

1974, at the invitation of the Association of Scientific and Technical Workers of Sri Lanka and resolved to form an Organisation of the Professional Associations of Sri Lanka and appointed a Steering Committee consisting of representatives of the Association of Scientific & Technical Workers of Sri Lanka, The Bar Association of Sri Lanka, The Ceylon Medical Association, The Government Medical officers' Association, The Institute of Chartered Accountants of Ceylon; The Institution of Engineers of Sri Lanka; The Public Service Engineers Union; The University Teachers Association, to draft a Constitution and to take such other steps necessary for the formation of the organization Whereas on the 10<sup>th</sup> day of March 1975, the Steering Committee consisting of Dr Nath Amarakone and

Mr V W Kularatne and Mr L T Wijesooriya (A.S.T.W) Mr Jayatissa Herath, Mr W P Gunatileke, Mr Desmond Fernando, Mr D H Balachandra, Mr U L M Farook and Mr P M Paul Pillai (Bar Association), Dr M C T Waas, Dr C N A Rajapakse (GMOA), Mr C Rasiah and Mr C T Pereira, Institution of Engineers), Messrs L A W de Alwis, L N L Perera (Institute of Chartered Accountants) together with Prof. K Kularatnam (Gemologists Association), Dr Sirilal A Silva (Independent Dental Surgeons Association) Mr Nihal Perera (Association of Chartered Accountants) Dr N J Walloppillai (Medical Specialists Association), Dr M Kopalasuntharam (Veterinary Graduates Association) Mr Sumith Kalutantri (Survey Department Staff Officers' Association) Mr Neil G Karunaratne (University of Sri Lanka) Mr D S Bandarage (Ceylon Institute of Management) Dr S A Cabraal, (SLMA) and Dr Ranjan Abeysinghe (Dental Surgeon's Association), met at the ASTW Headquarters and decided on the basic principles which should be embodied in the proposed Constitution and appointed a Constitution Drafting Committee consisting of Dr Nath Amarakone (ASTW) Mr W P Gunatilaka (Bar Association of Sri Lanka) Dr C N A Rajapakse (Government Medical Officers Association) Mr M Manoharan (Institute of Chartered Accountants) Mr C T Pereira (Institute of Engineers) and Mr L T Wijesooriya (ASTW) and

Whereas on the 14<sup>th</sup> day of April 1975 the said Drafting Committee sent out copies of the draft Constitution to the said members of the Steering Committee and to professional

associations not represented in the Steering Committee requesting them to consider the draft Constitution and to send in their observations and suggestions on or before the 21<sup>st</sup> day of April 1975- Thereafter the said Drafting Committee met and considered the observations and suggestions received and accordingly made necessary amendments to the said Constitution.

Whereas on the 29th day of April 1975 the representatives of professional associations met at the ASTW Headquarters and adopted the Constitution hereinafter set out, and further empowered the Drafting Committee to convene the inaugural meeting of the General Forum and to take steps to elect the first office bearers and the first Executive Council of the Organisation of the said inaugural meeting.

**THE CONSTITUTION OF THE ORGANISATION OF  
PROFESSIONAL ASSOCIATIONS OF SRI LANKA**

**CHAPTER 1**

**The Organisation of Professional Association of Sri Lanka**

There shall be an Organisation called the Organisation of Professional Association of Sri Lanka, hereinafter referred to as the "Organisation".

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*The following section was modified and shifted to Chapter 2g at the SGM on 20<sup>th</sup> Oct 1992 The Organisation shall be responsible for the establishment of a professional Centre and its maintenance".*

## **CHAPTER 2**

### **Objectives of the Organisation**

The objectives the Organisation of Professional Associations of Sri Lanka shall include:

- (a) the providing of a Forum for discussion of matters of professional interest and for consideration of all matters requiring multi disciplinary study;
- (b) the promotion of the interests of the professions and the safeguarding of the common interests of the professions;
- (c) the fostering of the participation by the professions in all matters of national and regional interest and promoting such interest by co-operation with both Governmental and non-Governmental Organisations;
- (d) furthering the development of existing and new professions in the country;
- (e) the promotion of the establishment of a National Council of Professionals:
- (f) the provision of such facilities and services as are conducive to the functioning and development of the various constituent bodies;
- (g) the setting up of a Professional Centre for the promotion of the aims and objects of the organization and the conduct of its business and activities;
- (h) the Promotion of establishment of Professional Centers in the Provinces and fostering of professional activities through such Centers;
- (i) the structuring and implementation of programmes:
  - (i) to promote multi-disciplinary study and the welfare of young Professionals;
  - (ii) to inculcate a proper understanding among students about the activity of professional and the role of professionals in society.

### **CHAPTER 3**

#### **The Principles of the Organisation**

The Organisation and its members, in pursuing the objectives in Chapter 2 shall act in accordance with the following principles:

- (a) Principle of Mutual Respect. There should be mutual respect for the dignity and independence of each profession;
- (b) Principle of Self-reliance and Professionalism. Each constituent body shall guide its activities to enable individual members to master the professions and make every effort to achieve self-reliance in regard to knowledge, experience, techniques and such other accomplishment as are required for the practice of the professions and, to assist, promote and foster professional activities in order to achieve the highest levels of professionalism in the country;
- (c) Principle of Priorities. Each member shall always attempt to foster, promote and respect the interests of the nation, his profession and his fellow members;
- (d) Principle of Group Discipline. Any conflict or dispute between members of the respective professions shall be resolved without detriment to the professions in general;
- (e) The independence of the constituent associations shall not be violated in pursuing the objects of this Organisation as described in Chapter 2.

## CHAPTER 4

### Membership

- 4.1 The Founder Member Associations of the Organisation shall be the Professional Associations, Institutions and Unions which have participated in the inaugural meeting of the Organisation and have conformed to the conditions laid down on Ch.4.2 of this Chapter.
- 4.2 \* (a) Membership of the Organisation is open to professional bodies qualifying under Ch..16.6 which
- i) accept the objectives and principles of the Organisation, and
  - ii) passes a resolution to this effect at a general meeting Membership will be granted after a certified copy of the resolution aforesaid is deposited with the General Secretary of the Organisation.
- *Deleted two Provisos* -
- (b) The Executive Council may from time to time add professions to the existing schedule of Professions as defined under Article 16.6 subject to ratification by the General Forum
- 4.3 Admission to membership of the Organisation will be granted by the decision of the Executive Council on an application by the member association seeking membership subject to the payment of subscriptions referred to in Ch.5. The decision of the Executive Council is subject to ratification by the General Forum.
- 4.4 The Organisation shall maintain a register of member associations giving
- (a) the Name, the Registered Office or Principal Place of Business and the Professional Group of each Member Association;
  - (b) the date on which the name of the member association was inscribed in the register;
  - (c) the paid up Membership of the Association as at the date on which the name was inscribed in register.

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\* 4.2 (a) *Approved the Deletion of two Provisos at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

- 4.5 Any member association may be suspended from membership by the Executive Council upon being found to have violated the principles laid down in Ch.3; provided however that the period of suspension shall not extend beyond the next meeting of the General Forum at which the suspension shall be ratified, extended or revoked unless such suspension is previously revoked by the Executive Council.
- 4.6 A Member Association which has consistently violated the principles of the Organisation may be removed from membership of the Organisation by a two third majority of those present and voting at a General meeting of the Forum upon the recommendation of the Executive Council.
- 4.7 (a) The Executive Council may upon the recommendation of the appropriate Committee enrol any member of a Member Association duly sponsored by such Association as Life Member of the Professional Centre.
- (b) A Life Member shall pay such subscription and be entitled to such facilities as may be determined by the Executive Council. Every person who has been enrolled as a Life Member at the time of coming into force of this Chapter shall be deemed to be a Life Member enrolled under the chapter.
- (c) The Executive Council may upon recommendation of the appropriate Committee enrol any qualified person as a Life Member of the professional Centre provided that such Life Member has no National Body to represent his profession.
- 4.8 (a) The Executive Council upon recommendation of the appropriate committee enrol any member of a member association duly sponsored by such Association as an Annual Member of the Professional Centre.
- (b) Annual Member shall pay such periodic subscription and be entitled to such facilities as may be determined by the Executive Council.
- (c) Any person who fails to pay his subscription on or before as specified date shall forthwith cease to have the status of Annual Member.



## CHAPTER 5

### Subscriptions

- \*5.1 Every Member Association of the Organisation shall pay an annual Subscription as determined by the General Forum from time to time as per recommendation of the Executive Council.
- 5.2 The subscription referred to in 5:1 shall be paid upon admission and thereafter on or before the 10th Day of September in each subsequent year to the Treasurer of the Organisation and such payment shall be accompanied by a declaration of the Secretary of the Member Association stating the Membership of the Association as at 31st day of December in the preceding year of those members of the Association qualified under Chapter 16.5
- 5 . 3 No Member Association shall be entitled to representation in the General Forum or the Executive Council until the -annual subscription for the year is paid.
- \*5.4

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*\* 5.1 Approved the amendments and deletion of Table at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

*\*Approved the deletion at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

## CHAPTER 6

### The General Forum

- 6.1 (a) There shall be a Forum called the General Forum of the Organisation of Professional Associations. The General Forum shall consist of representatives of the Member Associations nominated on the basis of one representative for the first one hundred (100) members or any part thereof and one representative for the next one hundred (100) members or part thereof and one additional representative for every additional two hundred (200) members up to a maximum of eleven (11) representatives. Membership of the Member Associations shall be determined in accordance with the declaration made under Ch. 5.2. Members of the Executive Council shall be members of the General Forum.
- (b) *\*The members of the General Forum will hold office until the conclusion of the next Annual General Meeting.*
- 6.2 (a) The General Secretary shall prepare a register of the members of the Forum who are eligible to vote at the Annual General Meeting and such register shall be kept open for inspection after the 15<sup>th</sup> day of September each year.
- (b) The General Secretary shall consult the Member Associations to ascertain the names of the representatives of the Member Associations and may make necessary alterations in the register. Every such alteration shall be initialed and dated by the General Secretary. No alteration shall be made after the date of the Notice of the Annual General Meeting till the conclusion of such meeting and such register shall be the only evidence of eligibility to vote at the Annual General Meeting.
- (c) The General Secretary shall make necessary alterations in the register from time to time after the conclusion of the Annual General Meeting to reflect changes in the Membership of the General Forum and every such alteration shall be initialed and dated by the General Secretary.
- (d) The General Secretary shall on a written application by any Forum Member or by any candidate seeking election under Ch.9 issue a certified copy of the Register of Forum Members eligible to vote at any forthcoming Annual General Meeting on receipt of any prescribed.

6.3 Powers and functions of the General Forum shall be:

- (a) to hold Elections of Office Bearers as hereinafter provided:
- (b) to discuss and consider any matters or questions within the scope of the objects and principles of the Organisation or any matters duly raised at the specific instance of any of the Member Associations; the Forum shall be the primary policy making body of the Organisation:
- (c) to initiate studies and investigations on any matters relating to the activities of the Organisation and to set up any subsidiary organ as may be necessary to pursue such interest;
- (d) to suspend or remove any member Association from the Organisation or take any such other disciplinary action as it may consider necessary against a Member Association reported to it by the Executive Council.
- (e) to meet annually in or about the month of October and in such other general or special session as occasion may require. A special Session shall be convened by the General Secretary at the request of the President, the Executive Council or by not less than ten of the members of the General Forum;
- (f) to ratify the addition of Professions to the Schedule of Profession in terms of Ch.4.2 (b) and the admission of Professional bodies seeking Membership in terms of Ch.4.3.
- (g) to consider and adopt the audited accounts or other reports or accounts of the Organisation;
- (h) to appoint auditors of the Organisation.

6.4 The General Forum shall be summoned to meet at least three times in each year

## **CHAPTER 7**

### **Executive Council**

- 7.1 There shall be a Council called the Executive Council of the Organisation, which shall consist of
- (a) Ex-officio Members as specified in Chapter 7.5
  - (b) Association Members as specified in Chapter 7.2
  - (c) Representative Members as specified in Chapter 7.3
- 7.2 Each Member Association shall be entitled to nominate one member to the Executive Council from among its representatives in the Forum and such nominated member shall be referred to as “Association Members”.
- 7.3 The Representative Members are those elected to the Executive Council by the General Forum at its Annual General Meeting.
- Such members shall represent the professions specified in Schedule I on the basis of one member for each profession.
- 7.4 Members of the Executive Council shall hold office till the conclusion of the next Annual General Meeting.
- 7.5 Ex-Officio Members shall be:**
- a. President**
  - b. President-Elect**
  - c. General Secretary**
  - d. Treasurer**
  - e. Vice Presidents**
  - f. Immediate Past Presidents**
  - g. Past Presidents**
  - h. Editor**
  - i. Assistant Secretaries**
  - j. Assistant Treasurer**

7.6 Functions of the Executive Council shall be:

- (a) to carry out the objectives of the Organisation:
- (b) To prepare the annual budget of the Organisation to be presented to the General Forum for approval
- (c) to admit members to the Organisation subject to ratification by the General Forum;
- (d) to make Rules and Regulations with regard to the functioning of the Organisation; provided such Rules and Regulations shall be tabled at the next General Meeting of the Forum for its consideration and in the event of the General Forum failing to ratify such Rules and Regulations they shall cease to be valid and effective from the date of such decision; such Rules and Regulations should be circulated among the Member Associations.
- (e) to take steps for election of Office Bearers under Chapter 9 of the Constitution;
- (f) to decide all matters incidental to or necessary for the fulfillment of the objects of the Organisation;
- (g) to appoint Standing Committees and to lay down Standing Orders for the functioning of such Committees; the President, the President Elect, the Immediate Past President and the General Secretary shall be Ex-officio Members of every such Standing Committees.

## CHAPTER 8 Office Bearers

The Office Bearers of the Organisation shall be:-

President  
President Elect  
**\*Immediate Past President**  
Twelve Vice Presidents  
General Secretary  
Three Assistant Secretaries  
Treasurer  
Editor  
Assistant Treasurer

- 8.1 (a) The President shall preside at the meetings of the General Forum and the Executive Council.
- (b) The President shall implement the decisions of the Executive Council.
- \*\* (c) Any statement issued by the President for and on behalf of the Organisation shall be in accordance with the decisions and directions of the Executive council

**Provided that in the case of an urgent issue, the President may issue a statement with the concurrence of the President-Elect and General Secretary which needs to be followed with an explanation, made at the subsequent Executive Council.**

- (d) The person holding the Office of the President Elect in any, year shall at the conclusion of the next Annual General Meeting of the General Forum assume the Office of the President provided that if the President Elect is unable to assume Office of President as aforesaid due to illness, absence from the Island or any other cause, the President for such year shall be elected at the Annual General Forum and the provisions of article 9.2 (b), (c), (d), (e), (f) and (g) shall mutatis mutandis apply.

The President shall be inducted to office within one month of the Annual General Meeting of the General Forum.

- 8.2 The President Elect and Vice Presidents shall carry out such functions as assigned under the Constitution, or by a decision of the Executive Council, or upon delegation by the President.

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*\*Cl 8.0 Approved the inclusion at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

*\*\*8.1 (c) Approved the addition at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

- 8.3 The General Secretary shall:
- (a) Carry out such functions as assigned under the constitution or by a decision of the Executive Council or upon delegation by the President.
  - (b) Take appropriate action to give effect to the decision of the Executive Council and the General Forum or any other urgent matter placed before him as he may consider necessary in the interest of the Organisation and its Constituent Member Associations, and shall report such action to the Executive Council at a Special Meeting or at the next meeting.
  - (c) Summon all meetings of the Executive Council
  - (d) Summon all meetings of the General Forum.
- 8.4 The General Secretary may delegate any of his functions to the Assistant Secretaries with the approval of the Executive Council.
- 8.5 The Treasurer shall:
- (a) be responsible for the maintenance of all account books and the custody of cheque books, accounts books, receipt and disbursement of moneys belong to the Organisation.
  - (b) give direction from time to time to the officers and servants of the Organisation in regard to the maintenance of books;
  - (c) Act in all matters in accordance with directions given from time to time by the Executive Council.
- 8.6 The Editor shall endeavour to publish the Journal of the Organisation at least once a year.
- 8.7 No member of the Executive Council shall be entitled to any allowance or remuneration except reimbursement of expenses incurred for the purposes of the Organisation.

## CHAPTER 9 Election Procedure

- 9.1 The Executive Council shall appoint a Panel of three Officers for the purpose of election of Office Bearers. The majority decision of this panel shall be final. The General Secretary or in his absence the Acting General Secretary shall furnish all necessary information to the Election Panel.
- 9.2 (a) the President Elect shall be elected according to the procedure laid down hereinafter at the Annual General Meeting of the General Forum and shall continue in office until the conclusion of the next Annual General Meeting.
- \* (b) The candidate shall be professionally qualified person holding Membership of a Member Association entitled to representation in the General Forum **and –**
- i) Has been a Member of the Executive Council and/or General Forum for a period of not less than (2) years at the time nominations are received by the Panel of Election Officers;**
  - ii) Has attended fifty percent (50%) of the meetings of the Executive Council or the General Forum each year of which such candidate was a member of the Executive Council or General Forum;**
- \* (c) Each candidate for the post of President-Elect shall be nominated by means of a nomination paper signed by two persons who are Members of the General Forum eligible to vote at the Annual General Meeting at which the Election is due to take place, as proposer and seconder respectively.

The nomination paper shall also bear the written endorsement of the President or the **Secretary of the Member Association to which the candidate belongs to and also written consent of the candidate.**

- (d) such nomination paper should be received on or before a day fixed for the acceptance of nomination at the Head Office of the Organisation or any other place named by the Panel. Upon tender of such nomination paper the Panel shall accept the nomination paper unless it is rejected with reasons for so doing within 48 hours of the receipt of the nomination paper.
- (e) Where only one candidate is duly nominated for the post, the Panel of Election Officers shall declare such candidate duly elected to such post



- \* (f) If there is more than one candidate seeking election, the Panel of Election Officers shall post their names as being candidates for the said office on the Notice Board of the Organisation and shall inform Constituent Member Association of the Organisation, at least two weeks prior to the Annual General Meeting at which the election shall take place and  
**In the event that there is more than one candidate for the Post of President Elect each candidate shall be called upon to address the General Forum before the voting at the Annual General Meeting. The period allocated to each candidate shall not be more than 10 minutes.**
- (g) The election shall take place at the Annual General Meeting of the General Forum by a majority of votes of the members attending such meeting and shall be by secret ballot. The panel may decide to permit voting by post if requested by any member of the General Forum, who is entitled to vote and lay down the procedure for such postal voting. If the Panel is not satisfied that such procedure has not been followed, the Panel may at its discretion reject any such vote. The decision of the Panel shall be final and conclusive.
- \*9.2 (h) **No candidate by himself or by any other person campaign or solicit support for his/her candidature. However, a Member Association may solicit support for any of its candidates through any written communication.**
- 9.3 (a) Vice Presidents who are professionally qualified persons holding membership of a Member Association entitled to representation in the General Forum and who have served in the Executive Council for at least two years which may include the current year shall be elected according to the procedure laid down hereinafter.
- (b) Three Vice Presidents shall be re-elected by the Executive Council from amongst the Vice Presidents, serving in the current year. The Vice Presidents to be re-elected should have attended not less than 50 percentum of the meetings of the Executive Council held up to the time of nominations for that year. The Executive Council may elect such Vice Presidents by secret ballot.
- (c) Three Vice Presidents shall be elected at the Annual General Meeting of the General Forum and the procedure laid down in paragraphs (c), (d), (e), (f), and (g) of Article 9.2 shall mutatis mutandis apply.
- (d) Six Vice Presidents shall be elected at the Annual General Meeting of the General Forum from persons nominated for this purpose according to the procedure laid down hereinafter, by the respective Member Associations.

- (e) In the month of June each year, the Executive Council shall decide on the six Member Associations that will be eligible to nominate persons for election as Vice Presidents. These Associations shall be selected in rotation to ensure that Member Associations have an equal opportunity to make such nominations
- (f) That upon being selecting the respective Member Associations as provided in (e) above the General Secretary shall inform the respective Member Associations to submit their nominations, of persons eligible for election as Vice Presidents in terms of Paragraph (a) above, to be received not less than one week before the date of the Annual General Meeting of the General Forum. The nominations received from the respective Member Associations shall be posted on the notice board.
- (g) In the event of any Member Association nominating more than one candidate for the Post of Vice President an election shall take place by secret ballot at the Annual General Meeting to elect the Vice President to represent that Member Association.
- (g) The General Forum may, by a majority of votes, decide not to accept any of the nominations made by a Member Association according to the procedure laid down above. Any post of Vice President in respect of which the nomination is rejected as aforesaid, and any post of Vice Presidents of which nominations is not received within the period stipulated in (f) above, will be filled at the Annual General Meeting from persons who are eligible for election as Vice President in terms of Paragraph (b) above.

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*\*9.2(b), 9.2( c), 9.2 (f), 9.2 (h). Approved the Additions at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

9.4 (a) The Representative Members of the Executive Council shall be so elected by the General Forum.

(b) Nominations for the posts of Representative Members for the Executive Council shall be received by the Panel of Election Officers on or before a date fixed by the Panel.

(c) Each nomination paper should be signed by two members of the General Forum eligible to vote at the Annual General Meeting at which the Election will take place who shall be the proposer and the seconder. It shall also bear the consent of the candidate in writing under his signature.

(d) If the number of such nominations is equal to or less than the vacancies in the Executive Council the Election Officers shall declare them elected. If the number of such nominations exceeds the number of vacancies, the Panel of Election Officers shall post their names as being candidates for the Executive Council on the notice board of the Organisation and shall also inform the Constituent Member Associations at least two weeks prior to the Annual General Meeting at which the election will be held.

9.5 (a) The General Secretary, Treasurer, Three Assistant Secretaries, Assistant Treasurer and Editor shall be elected by the General Forum at its Annual General Meeting.

(c) Nominations for the posts in Ch 9.5 (a) above shall be received by the Panel of Election Officers on or before the date fixed by the Panel from amongst Members of Member Associations, provided such members are qualified under Ch.16.5.

(d) In the case of the General Secretary the candidates nominated shall be from among members of the Forum who have served in the Forum at least for a period of two (2) years at the time of nomination.

**\*(d) No candidate for the posts of General Secretary and Treasurer shall be eligible for nomination if he has held such office for two (2) consecutive years immediately preceding the year for which the nominations are made**

(e) Provision under Ch.9.4 (c ) and Ch. 9.4 (d) shall apply mutatis mutandis to the election of the above office bearers.

- 9.6 (a) Any vacancies in the Executive Council or in the posts of office bearers arising during the year prior to the Annual General Meeting shall be filled by the Executive Council.
- (b) The Executive Council shall have the power to make any acting appointment for any office bearer who is unable to function on account of illness or any other cause.
- (c) If not nominations have been received for any post, such post may be filled by the Forum at the Annual General Meeting or at any subsequent meeting.
- 9.7 Subject to the above provisions, the Executive Council may from time to time frame Rules and Regulations and decide on the procedure to be adopted for the purpose of the foregoing elections.
- 9.8 (a) Every Office Bearer or Member of the Executive Council shall attend the meetings of the Executive Council. If any such person cannot attend a meeting of the Council he shall tender an excuse to be received by the General Secretary before the commencement of the meeting. If such excuse is accepted by the Council such member is deemed to have attended the meeting for the purpose of Ch. (b) hereof.
- (b) Any Office Bearer or Member or Member of the Executive Council who fails to attend three consecutive meetings of the Council without being excused as aforesaid shall cease to be an Office Bearer or Member of the Council as the case may be and the General Secretary shall at the conclusion of each meeting announce the vacancies that may arise by the operation of this Chapter. Every such vacancy shall be filled in accordance with the provisions of Ch.9.6 (a) at the next meeting of the Executive Council . Provided that this provision shall not apply in the case of past Presidents.

## CHAPTER 10

### Meetings

- 10.1 (a) The Annual General Meeting of the General Forum shall be convened in or about the month of October each year.
- (b) Notice of such meeting shall be given in writing by the General Secretary to all members of the forum at least fourteen days prior to the meeting. The membership card of the member and a list of Forum Members eligible to vote for that year shall be sent with such notice and the production of such card shall be prima facie evidence of membership of the Forum
- (c) A notification of such meeting shall be published in a newspaper, posted in the notice board at the Office of the Organisation and posted to the Offices of Member Association at least fourteen days prior to the date of such meeting.
- (d) The business of the Annual General Meeting shall include the election of members of the Executive Council and its Office Bearers, the appointment of Auditors and Trustees, if necessary and the adoption of Audited Accounts and Reports and the consideration of any other matter of which due notice has been given.
- 10.2 An Ordinary General Meeting of the Forum shall be convened by the General Secretary on the direction of the Executive Council as and when necessary, after giving notice to all Forum members fourteen days prior to the meeting.
- 10.3 (a) A Special General Meeting of the Forum shall be convened on the directions of the Executive Council or on the written request of ten members of the General Forum after giving notice as specified in Chapter 10.2. the meeting shall not consider any business of which due notice has not been given.
- (b) The General Secretary shall convene all meetings of the General Forum provided where the General Secretary fails to convene a meeting requisitioned under Chapter 10.3 (a) within one month of being so required it shall be lawful for the requisitioners to convene the meeting with due notice
- 10.4 (a) The meeting of the Executive Council shall ordinarily be held at least once a month as may be decided by the Council
- (b) Notice of such meeting shall be sent by the General Secretary to each member of the Council at least seven clear days before the date fixed for such meeting.
- (c) Such notice shall specify the business to be transacted there at.
- (d) A Special General Meeting of the Council may at any time be convened by the President or on the written request of five members of the Council.
- (e) The President or in his absence the President Elect or any Vice President shall preside at meetings of the Executive Council.

- 10.5 The quorum of the General Forum shall be ten. The quorum of the Executive Council shall be five.
- 10.6 Register of attendance at all meetings shall be maintained by the General Secretary in accordance with the directions of the Council. The Register shall be conclusive evidence with regard to the attendance at a meeting.
- 10.7 (a) The President shall preside at all meetings of the Forum until the conclusion of the next Annual General Meeting.
- \* (b) In the absence of the President the President-Elect and in his absence **a Vice President** may preside
- (c) The President the President Elect or the Vice President presiding at a meeting shall be a casting vote in addition to his own in the event of a tie.
- 10.8(a) The General Secretary shall prepare an agenda for every meeting of the General Forum and the Executive Council and the Agenda shall be circulated fourteen days prior to the meeting of the General Forum or in the case of the Executive Council at least seven days prior to the meeting.
- (b) Any Member Association may request the inclusion of an item in the agenda of a General meeting of the forum provided such application is received by the General Secretary at least twenty one days prior to the date of the meeting
- (c) Any five members of the executive Council may make an application to include an item in the agenda of the meeting of the Executive Council and the General Secretary shall include such item provided such application has reached him at least fourteen days prior to the meeting.
- \*10.9(a) The minutes of the proceedings of every meeting of the General Forum and the Executive Council shall **be kept by the General Secretary and of Committees and Sub-Committees by their respective Conveners.**
- (b) All minutes shall be confirmed at the next meeting of the General Forum or the Executive Council, as the case may be

- (c) Copies of the minutes of the meetings of the General Forum shall be circulated by the General Secretary to the members fourteen days prior to the next meeting at which the minutes are to be approved. Copies of minutes of the Executive Council shall be sent to all members of the Executive Council seven days prior to the next meeting at which the minutes are to be approved.

10.10(a) The President may with consent of majority of the representative present adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished from which the adjournment took place. When a meeting is adjourned for more than ten days due notice of the adjourned meetings shall be given as in the case of an original meeting.

- (b) If within half an hour from the time appointed for any meeting a Forum is not, present the meeting if convened on the requisition of members shall be dissolved and in any other case it shall stand adjourned to the same day in the next week at the same time and place and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.

10.11 The Executive Council shall, subject to the above provision, make rules with regard to meetings.

**CHAPTER IO A**

Professional Centre

- 10A .1      The Executive Council is vested with the control of the Professional Centre and the President or any Committee or person nominated by the Executive Council shall manage and supervise the affairs of the Centre.
- 2            The Executive Council shall determine from time to time the categories of Members/Persons entitled to use the facilities at the Professional Centre and shall determine the fees to be levied in respect of the use of any such facility, which fee shall be in addition to the Subscription if any that are payable.
- 3            The Executive Council may initiate projects or ventures at the Professional Centre mainly for the benefit of the Member Associations and members of Member Associations
- 4.(a)      All categories of Members attending the Professional centre or using any of the facilities shall conduct themselves in a manner befitting professional dignity and decorum with due respect to others
- (b)        The Executive Council shall formulate a code of conduct applicable to all categories of members and shall have the power to take disciplinary action against any member for the breach of such code.



## **C H A P T E R 11**

### **Appointment of Staff**

11. The Executive Council may from time to time appoint such officers, servants as the Council may consider necessary for the proper functioning of the Organisation and all persons so appointed shall hold office during the pleasure of and shall be entitled to such remuneration as shall be determined by the Council.

## **CHAPTER 12**

### **Audits**

- 12.1 The Executive Council shall cause accounts of the Organisation to be kept regularly and shall cause the accounts in respect of each year to be audited by the Auditors. The report of the Auditors shall be placed before the Annual General Meeting.
- 12.2 The Auditors of the Organization shall be entitled to attend any General meeting of the Organization at which any accounts which have been examined or reported on by them are to be laid before the Organization and to make any statement or explanation they desire with respect to the accounts.

## CHAPTER 13

### Trustees

- 13.1 The General Forum shall appoint on the recommendation of the Executive Council three persons as Trustees of the Organisation and all property of the Organisation movable and immovable shall be vested in such Trustees for the purposes of carrying out the objects of the Organisation. Such Trustees shall be called the Trustees of the Organisation of Professional Associations.
- \*13.2 The Trustees of the Organisation may in the name of the Organization acquire and hold any movable or immovable property by right of purchase, grant, gift testamentary disposition or otherwise and subject **to** the rules for the time being of the Organization, **shall construct**, sell, mortgage, lease, exchange or otherwise dispose of any movable or immovable property of the Organisation **and enter into Contracts and Agreements on the direction of the “Executive Council”**.
- 13.3 No person shall be appointed as a Trustee unless he is a professionally qualified Member of a Member Association entitled to representation in the Forum
- 13.4 Trustees shall always act in accordance with the directions given to them by the Executive Council from time to time.
- 13.5 The Trustees shall hold office for a period of three years from the date of their elections. any Vacancy shall be filled by a fresh appointment by the Executive Council and such appointee shall continue to hold office during the balance period until the appointment of trustees in accordance with this Chapter.

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\* *Approved the addition at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

## **CHAPTER 14**

### **Bank Accounts**

The Treasurer of the Organisation or in his absence the Assistant Treasurer shall be entitled to open bank accounts on behalf of the Organisation and the said accounts shall be operated by the Treasurer or in his absence the Assistant Treasurer with one of the following office bearers.

- 1 President**
- 2 General Secretary**
- 3 Assistant Secretary**

The Treasurer or in his absence the Assistant Treasurer with such other member may draw sign etc. or make on behalf of the Organisation cheques orders for payment bills of exchange promissory notes and authorise the bank with regard to any account whether in credit or overdrawn or any transaction of the Organisation subject to directions by the Executive Council.

## CHAPTER 15

### Amendments

- \*15.1 Any Amendment of this Constitution or of any Chapter or any part thereof shall be at a Special Meeting of the General Forum convened for that purpose by the General Secretary after due notice. **The quorum of such meeting shall not be less than one fourth (¼) of the Membership of the General Forum and not less than ten (10) Member Associations being represented.**
- 15.2 Such meetings may be convened by the General Secretary on a resolution passed by Executive Council or on a requisition of not less than ten of the members of the General Forum
- \*\*15.3 The Notice of such Special General Meeting shall state, it is for a proposed Amendment of the Constitution and shall contain the following particulars;
- (a) Chapter and/or part thereof to be amended
  - (b) Chapter and /or part thereof when amended as proposed
  - (c) **Reason for amending.**

**No amendment of the Constitution shall be made unless adopted by 2/3 of those present.**

- 15.4 The General Secretary shall summon the Special General Meeting referred to above within a period of six weeks from the date of the resolution or the date of receipt of the requisition.
- 15.5 The Annual General Meeting for the year 1978 shall be held as far as possible in accordance with the provisions of this Constitution as amended at the General Meeting of 61h April 1978.
- 15.6 In the event of any ambiguity becoming apparent or any unforeseen circumstances arising between the Special General Meeting held on 16.04.78 and the Annual General meeting for the year 1979 it shall be lawful for the Executive Council to make such temporary provision as the circumstances require

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\* *Approved the addition at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

\*\* *Approved the addition at the Special Meeting of the General Forum on 20<sup>th</sup> September 2013*

## CHAPTER 16

### Interpretation

In this Constitution unless the context otherwise requires

- 16.1 **“Organisation”** shall mean the Organisation of the Professional Associations of Sri Lanka.
- 16.2 **“Member Association”** means any Association in the register of members of the Organisation of Professional Associations of Sri Lanka.
- 16.3 **“Due notice”** means notice as specified in the Constitution.
- 16.4 **“Member of the General Forum”** shall mean a person whose name appears in the register kept under Ch.6.2 (a).
- 16.6 A **“Professional”** mean one who has undergone learning and training in a particular vocational discipline leading to a University Degree, or an equivalent qualification or recognition which entitles him to practice that discipline.
- 16.6 **“Profession”** means a vocation in which a professional knowledge of some department of Learning and training in a particular occupational discipline leading to a University degree or equivalent qualification or recognition, which is an entitlement to the practice of that discipline, is used in its application to the affairs of others, or in the practice of an art or science founded upon it

**SCHEDULE 1**  
Schedule of Professions

1. Accountancy
2. Architecture
3. Dentistry
4. Engineering
5. Gemology
6. Law
7. Medicine (Registered under Section 29 of the Medical Ordinance)
8. Librarianship
9. Pedagogy
10. Science
11. Supply Management
12. Surveying
13. Veterinary Science
14. Banking
15. Shipbroking
16. Economics
17. Pharmacy
18. Chemistry
19. Management
20. Town Planning
21. Computer Science
22. Defense Service
23. Quantity Surveying
24. Valuation
25. Marketing
26. Nursing
27. Agriculture
28. Hospitality
29. Statistics
30. Maritime
31. Archaeology
32. Human Resource Management

### Member Associations of the OPA

1	Association of Public Service Engineers	1975
2	Association of Scientific Technical Workers	1975
3	Bar Association of Sri Lanka	1975
4	Gemologists Association of Sri Lanka	1975
5	The Government Medical Officers' Association	1975
6	The Institute of Chartered Accountants of Sri Lanka	1975
7	Sri Lanka Institute of Architects	1975
8	Sri Lanka Library Association	1975
9	Sri Lanka Medical Association	1975
10	Surveyors' Institute of Sri Lanka	1975
11	Chartered Institute of Management Accountants	1976
12	Institute of Supply & Materials Management	1976
13	Sri Lanka Dental Association	1977
14	Independent Medical Practitioners Association	1977
15	Sri Lanka Society for Quality Control	1977
16	Sri Lanka Veterinary Association	1978
17	Government Dental Surgeons' Association	1978
18	Pharmaceutical Society of Sri Lanka	1979
19	General Dental Practitioners Association	1980
20	Institute of Chemistry, Ceylon	1980
21	Engineers' Guild of Sri Lanka	1981
22	Institute of Chartered Corporate Secretaries of Sri Lanka	1983
23	Institute of Town Planners Sri Lanka	1985
24	Institute of Personnel Management of Sri Lanka	1986
25	Sri Lanka Economic Association	1988
26	Computer Society of Sri Lanka	1988
27	The Institution of Engineers, Sri Lanka	1992
28	The Institute of Valuers, Sri Lanka	1992
29	The Textile Institute of Sri Lanka	1993
30	Association of Professional Bankers, Sri Lanka	1993
31	The Institute of Chartered Shipbrokers Sri Lanka Branch	1994
32	Sri Lanka Council of Archaeologists	1996
33	Association of Retired Flag Rank Officers	1998
34	The Institute of Quantity Surveyors	1998
35	Institute of Hospitality	2003
36	Company of Master Mariners Sri Lanka	2004
37	Sri Lanka Institute of Marketing	2005
38	Graduates Nurses, Foundation of Sri Lanka	2005
39	Sri Lanka Organisation of Agricultural Professionals	2006
40	Sri Lanka Institute of Taxation	2007
41	Association of Chartered Certified Accountants Sri Lanka	2007
42	Association of Retired Chief of Police	2007
43	Institute of Applied Statistics of Sri Lanka	2007
44	Sri Lanka Institute of Landscape Architects	2013



## **STANDING ORDERS**

**Approved at the special meeting of the Executive Council on 17<sup>th</sup> July 2013 and ratified by  
Forum in August**

### **1 Introduction**

These Standing Orders are applicable to all meetings of the General Forum, Executive Council and Committees set up by the Executive Council and Sub Committees...(A Glossary given below defines the meaning of selected terms used in these Standing Orders).

### **2 Guiding Principles of Standing Orders**

- 2.1 Meeting procedures shall be fair and contribute to open, transparent and informed decision-making.
- 2.2 Meeting procedures shall reflect levels of formality appropriate for the nature and scope of the responsibilities exercised at the meeting
- 2.3 Meeting procedures shall be sufficiently explicit to give the members confidence in the deliberations undertaken at the meeting.

### **3 Meetings**

- 3.1 Notice of meetings of the General Forum and the Executive Council shall be sent in writing to all members as provided for in the OPA Constitution.
- 3.2 Notice for meetings of Committees Standing Committees shall be sent in writing seven days prior to the date of the meeting.
- 3.3 Under the agenda item "any other business", at the meeting members can seek to have additional items addressed at the meeting with the permission of the Chairman, or be placed on the agenda to be dealt with at a later time.
- 3.4 Meetings shall, subject to the presence of a quorum, set out in Section 10.5 of the OPA Constitution, start at the time set out in the notice of the meeting, and shall continue until all business on the agenda is disposed of.
- 3.5 The quorum for a Committee or a Sub- Committee meeting shall be at least 3.
- 3.6 The Chairman of the meeting shall deal with the items of business set out for the meeting in the order in which they appear on the agenda unless otherwise determined by the Chair.
- 3.7 The minutes must contain a list of those present, apologies, outcomes of business in the order it was dealt with, copies of reports, and may state the date and time of the next meeting.
- 3.8 The minutes shall not be a verbatim record of the proceedings of the meeting but should be sufficient to set out issues raised and the decisions taken.

#### **4**     **Order**

- 4.1     a)     The President shall preside at all meetings of the General Forum and the Executive Council until the conclusion of the next Annual General Meeting.
- b)     In the absence of the President, the President Elect and in his absence a Vice President may preside over the meeting.
- 4.2     The Committees and Standing Committees shall be presided over by the Chairperson.
- 4.3     The Chair shall maintain order and conduct the meeting in accordance with these Standing Orders.

#### **5**     **Points of Order**

- 5.1     The Chair may call to order a member who is in breach of the Constitution or the Standing Orders.
- 5.2     A member may draw the attention of the Chair to an action that the member believes to be a breach of the Constitution or of the Standing orders, and must state briefly the nature of the alleged breach.
- 5.3     A point of order takes precedence over all other business until determined.
- 5.4     The Chair shall rule on the point of order'

#### **6**     **Interruption of Meetings by Members**

- 6.1     A member shall not, while at a meeting:
  - 6.1.1    behave in an improper or disorderly manner; or
  - 6.1.2    cause an interruption or interrupt another member who is speaking.
- 6.2     The Chair shall rule on any instances of interruptions by members. The Chair may seek an apology, or ask the member to leave the meeting or adjourn the meeting to convene later in the day or for another date. The ruling of the Chair shall be final.

#### **7**     **Debate**

- 7.1     Any person who wishes to speak shall seek the permission of the Chair to speak at the meeting.
- 7.2     Not exceeding 15 minutes shall be allowed for discussion on any subject unless time is extended by resolution of the meeting
- 7.3     If the Chair wishes to participate in the discussion, about a matter, then he should vacate (leave) the Chair temporarily to participate in the debate.

## **8. Motions ;**

- 8.1 A motion is required to have a proposer and a seconder, and it shall be put to the meeting of the General Forum or the Executive Council or the Committee as the case may be for consideration.
- 8.2 A motion shall lapse if there is no seconder.
- 8.3 No substantive motion or amendment may be proposed at a meeting which is in substance the same motion as has been previously proposed and dealt with.
- 8.4 A member of the General Forum and the Executive Council or the Committee as the case may be may move amendments to any substantive motion provided that, if the amendment is carried, the amended motion would not be contrary to the intention expressed in the original motion.

## **9.0 Voting**

- 9.1 The Chair shall read out the motion before a vote is taken, unless the motion has been circulated in writing.
- 9.2 A motion shall be decided on by a show of hands unless a secret ballot has been requested.
- 9.3 A decision on the motion shall be arrived at by those persons present and voting. Abstention by a member cannot be counted in relation to the total number of votes for or against the motion provided that a member abstaining may request that his abstention be recorded.

## **10.0 Appointing of Standing Committees**

- 10.1 The Executive Council shall determine which Committees shall be formed to assist the Council
- 10.2 Terms of Reference and membership of the Standing Committee shall be approved by the Executive Council and reviewed annually; any changes to the Terms of Reference and membership that are proposed during the year should receive the approval of the Executive Council before they are affected.
- 10.3 A Committee appointed by the Executive Council may constitute Sub Committees to study and report on specific matters which fall within its terms of reference.
- 10.4 Each Committee shall report to the monthly meetings of the Executive Council in regard to their activities.

## **11.0 Amendments to Standing Order**

- 11.1 Amendments to these Standing Orders shall be made by, the General Forum only upon a resolution for which not less than 14 days notice has been given
- 11.2 The resolution for the amendment of these Standing Orders shall be deemed to have been passed if a majority of those present and voting support such amendment.

## **GLOSSARY:**

<i>Abstain</i>	Where a member present but does not cast a vote for or against a motion.
<i>Agenda</i>	The list of items of business before a meeting and the order in which the meeting should deal with them.
<i>Casting Vote</i>	An extra vote given to the Chair of a meeting by the rules, exercisable only in the event of a tied vote, to decide on an issue.
Committee	A small group of members of the OPA appointed by the Executive Council in terms of Rule 7.6(g) of the OPA Constitution to carry out a specific task.
Constitution	The Constitution of the OPA
Deliberative vote	The vote that expresses an individual's opinion on a matter for decision. All members of the Forum or the Executive Council or a Committee as the case may be, entitled to a deliberative vote.
Executive Council	The Executive Council of the OPA as provided for in the OPA Constitution
Minutes	The formal brief summary of proceedings at meetings and especially of decisions
Motion	A proposal made for the purpose of obtaining a decision.
OPA	Organisation of Professional Associations.
Point of Order	Point of order is not a motion; it is an allowable interjection that directs the chair's attention to an apparent or alleged breach of order (eg. Absence of a quorum, violation of the constitution, breach of standing order or introduction of subject matter not relevant to the motion).
Proposer	Is the person who proposes the motion and explains the motion.
Quorum	The minimum number of persons who need to be present to constitute a valid formal meeting.
Secunder	Is the person who supports the motion and assists in discussion in relation to the motion.
Standing Orders	The Permanent rules for the regulation of the business and proceedings at meeting of the General Forum, the Executive Council or Committees.
Substantive motion	A self-contained motion; which is not dependent on any other motion. It is a motion ordering something to be done or authorized.
Sub Committee	Is small group of members appointed by a Committee to carry out a specific task.
Verbatim	Is exactly the same word for word





**CODE OF CONDUCT**  
**RELATING TO ACTS OF MISCONDUCT OF ITS MEMBERS**  
**And or at any meetings, event or function of the OPA held elsewhere**  
**Approved at the special meeting of the Executive Council on 17<sup>th</sup> July 2013 and ratified by Forum**  
**in August**

WHEREAS the Constitution of the Organisation of Professional Associations (OPA) provides that:

- a) All categories of Members attending the Professional Centre or using any of the facilities shall conduct themselves in a manner befitting professional dignity and decorum with due respect to others. AND
- b) The Executive Council shall formulate a Code of Conduct applicable to all categories of members and shall have the power to take disciplinary action against any member for the breach of such code, (see Article 10 A 4. (a) and b) of the Constitution).

AND WHEREAS the General Principles and Guidelines of Ethical Conduct for Professionals compiled and adopted by the Organisation of Professional Associations in 1995 states that :

- a) A professional in his conduct should conform to the requirements of the law both in his professional services and in his business or personal affairs (Principle 15).
- b) A professional shall be guided in his relationship with others by the highest standards of courtesy, integrity, honesty and all dealings shall be fair and truthful (Principle 38)
- c) A professional shall accept the right of another professional to hold views different from that of his own and shall act with respect for the views of other professionals (Principle 40)
- d) A professional shall treat with respect the views and work of members of other professions (Principle 42)

AND CONSIDERING the aforesaid powers vested in the Executive Council of the Organisation of Professional Associations and guided by the General Principles and Guidelines of Ethical Conduct for professionals stated above the Executive Council formulates the following Code of Conduct containing Rules relating to acts of misconduct by members of the OPA within the precincts of the OPA Centre and or at any meeting event or function of the OPA held elsewhere.

1, Any member of the OPA who acts and / or behaves in violation of the principles of ethical conduct aforementioned within the precincts of the OPA Professional Centre and/or at an event, meeting or function organized by the OPA or held under its aegis or with its participation shall be guilty of an act of misconduct that warrants a penalty or penalties the Executive Council may impose upon him after due inquiry.

2 The penalties the Executive Council may Impose on a member shall be: (i) warning such member or (ii) a temporary suspension of the rights of such member to use and /or enjoy the facilities available at the OPA Centre or (iii) a permanent suspension of the rights of such member to use and / or enjoy the facilities available at the OPA Centre or (iv) request the relevant Member Association of which such member holds membership to take appropriate disciplinary action in regard to the act of misconduct he has been found guilty of under these Rules.

3, At its first meeting held immediately after the Annual General Meeting of each year the Executive Council shall nominate

3.1 a panel of six members to enable it to select three members from among them from time to time and / or whenever it becomes necessary to constitute an Investigations Committee to investigate into allegations of misconduct of the nature set out hereinbefore against a member of the OPA; and

3.2 a second panel of six members to enable it to select three members from among them from time to time and / or whenever it becomes necessary to constitute a Disciplinary Committee to hold inquiries into allegations of misconduct of the nature set out hereinbefore.

4,1 Any member of the OPA may complain in writing to the Secretary of the OPA against another member alleging that he has committed an act of is conduct of the nature mentioned in Rule 1 hereof if he has sufficient grounds or reason for making such complaint.

4.2 The Secretary of the OPA shall on receipt of a complaint against a member as stated in Rule 4.1 hereof or on receipt of information from a person other than a member of the OPA alleging that a member of the OPA has committed an act of misconduct of the nature mentioned in Rule 1 hereof inform the Executive Council at its meeting held immediately thereafter of the receipt of such complaint or information

4.3 The Executive Council on being informed by the Secretary of receipt of a complaint or information alleging that a member of the OPA has committed an act of misconduct shall constitute an investigations Committee as provided for in Rule 3.1 hereof and direct that it investigates into the matter and submit a report of its findings to the Executive Committee before a specified date.

4.4 In the event that the Investigations Committee determines that there is a prima facie case against such member in regard to the allegations of misconduct it shall draw up and submit a Charge Sheet against such member together with its reports of the findings to the Executive Council.



**4.5** On receipt of the report of the Investigations Committee mentioned in Rule 4.4 hereof the Executive Council shall:

**4.5.1** terminate all proceedings against a member complained of having committed an act of misconduct if the Report of the Investigations Committee in regard to the complaint does not disclose a prima facie case against him or

**4.5.2** If the Report of the Investigations Committee discloses a prima facie case against a member against whom a complaint of misconduct has been made a Disciplinary Committee shall be constituted by the Executive Council in terms of Rule 3.2 hereof to hold an inquiry against such member on the basis of such report and the Charge Sheet against him accompanying the Report.

**5.1** The inquiry by the Disciplinary Committee shall commence with the serving of the Charge Sheet by registered post on the member against whom the inquiry is held and to require him to show cause within two weeks of the date on which the charge sheet was posted as to why he should not be found guilty of the charges of having committed the alleged act of misconduct.

**5.2** In the event that the member admits the charges the Disciplinary Committee shall submit a report to that effect together with its recommendations to the Executive Council

**5.3** In the event that the member concerned denies the charge or charges preferred against him or fails to respond to the Charge Sheet served on him by registered post the Disciplinary Committee shall proceed with its inquiry.

**5.3.1** The Disciplinary Committee shall be empowered

**5.3.1.1** to amend the charge sheet if necessary;

**5.3.1.2** to call witnesses and cause any documents in the custody of the Officials or employees of the Professional Centre to be produced and

**5.3.1.3** To hold an ex parte inquiry against a member who has failed to respond to the Charge Sheet served on him by registered post.

**5.3.2** The member against whom an inquiry is held

**5.3.2.1** shall be entitled to obtain a copy of the complaint made against him in terms of Rule 4.1 hereof and / or a copy of the information received by the Secretary in regard to, an act of misconduct in terms Rule 42 hereof and copies of statements made to the Investigations Committee and documents if any produced in the course of its investigation;

**5.3.2.2** may be represented by a nominee of his choice provided that the Disciplinary Committee consents to such representation;

**5.3.2.3** shall be entitled to call witnesses and /or produce documents if any

**5.3.2.4** shall be entitled to cross-examine witnesses called by the Disciplinary Committee and

5.3.2.5 to have submissions made on his behalf of at the conclusion of his case

5.3.3 At the conclusion of the inquiry or the *ex parte inquiry* as the case may be Disciplinary Committee shall prepare a report containing its findings together with its recommendations and submit them to the Executive Council.

- 6.** Upon the receipt of the Report containing the findings and the recommendations of the Disciplinary Committee the Executive Council shall:
    - 6.1** Exonerate a member against whom an inquiry was held if the-Disciplinary Committee has found him not guilty of the charge or charges of misconduct alleged against him and
    - 6.2** If the Disciplinary Committee has found a member guilty of an act of misconduct of his own admission in terms of Rule 5.2 hereof or after an inquiry into the charge / charges of misconduct against a member in terms of Rule 5.3 hereof the Executive Council shall confirm the said finding and proceed to impose any one of the penalties it is empowered to meet out as set out in Rule 2 hereof having given due consideration to the recommendations of the Disciplinary Committee in that regard.
-