

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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SRI KALYANODAYA SOCIETY - KANDY

(INCORPORATION) ACT, NO. 62 OF 2009

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[Certified on 30th October, 2009]

Printed on the Order of Government

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Sri Kalyanodaya Society-Kandy 1

(Incorporation) Act, No. 62 of 2009

[Certified on 30th October 2009]

L. D.—O. (Inc.) 15/2007.

ANACT TO INCORPORATE THE SRI KALYANODAYA SOCIETY - KANDY

WHEREAS a Society called and known as the “Sri Preamble.

Kalyanodaya Society-Kandy” has been established in Kandy,

for the purpose of effectually carrying out and transacting all

objects and matters connected with the said Society

according to the rules agreed to by its members :

AND WHEREAS the said Society has heretofore successfully

carried out and transacted the several objects and matters for

which it was formed and has applied to be incorporated and

it will be for the public advantage to grant the application :

BE it therefore enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Sri Kalyanodaya Society- Short title.

Kandy (Incorporation) Act, No. 62 of 2009.

2. From and after the date of commencement of this Act, Incorporation

such and so many persons as presently are members of the of Sri

Kalyanodaya

“Sri Kalyanodaya Society-Kandy” (hereinafter referred to as

Society-

the “Society”) or shall hereafter be admitted as members of the Kandy.

Society hereby constituted shall be a body corporate

(hereinafter referred to as “the Corporation”) with perpetual

succession under the name and style of the “Sri Kalyanodaya

Society-Kandy” and by that name may sue and be sued and

have full power and authority to have and use a common

seal and alter the same at its pleasure.

3. The general objects for which the Corporation is General

constituted are hereby declared to be— objects of the

Corporation.

(a) to nurture the Buddha Sasana among Buddhists by

taking steps for its expansion and for the stability ;

(b) to work in collaboration with all Buddhist Societies

to improve peace, harmony and co-operation among

Buddhists;

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(c) to organize religious preachings in Dhamma

Schools and mediation centres, with a view to

inculcating Buddhist Principles among Buddhists;

(d) to launch a welfare scheme for Buddhists;

(e) to maintain and manage the properties belonging

to the Corporation for the benefit of Buddhists;

(f) to engage in educational and cultural activities for

Buddhists; and

(g) to organize religious and educational excursions

for Buddhists.

Advisory Board 4. There shall be an Advisory Board of the Corporation

of Corporation. consisting of not more than seven members including laymen

and clergy, for the purpose of advising the Committee of

Management.

Management of 5. (1) The management and administration of the

the affairs of the Corporation shall subject to the provisions of this Act and

Corporation.

the rules of the Corporation made under section 8, vest in a

Committee of Management consisting of the President, four

Vice Presidents, Chief Secretary, Assistant-Secretary,

Treasurer, Audit Officer, Organizer and seven other members.

(2) The Corporation shall also have a sub-committee for

the welfare and when necessary for the purposes of the

Corporation, the Corporation shall establish special sub-

committee.

(3) The members of the first Committee of Management

of the Corporation shall be the Committee of Management

of the Society holding office on the day immediately

preceding the date of commencement of this Act.

Membership 6. The Board shall cause to be maintained a register of

Register. members in which every person who on the day preceding

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the date of commencement of this Act is a member of the

society and every person duly admitted as a member of the

Corporation shall have his name inscribed.

7. Subject to the provisions of this Act and any other Powers of the

written law, the Corporation shall have the power to— Corporation.

(a) rent out lands and buildings belonging to the

Corporation in order to achieve the objects of the

Corporation;

(b) raise funds and accept donations and gifts either in

cash or materials;

(c) construct or cause to construct buildings on any

land belonging to the Corporation ;

(d) make, write, accept, discount, counter sign,

negotiate, purchase, sell and issue Bills of Exchange,

Cheques, Promissory notes and any other negotiable

instrument and to open, operate and maintain Current

and Savings Bank account in any Bank ;

(e) invest the funds of the Corporation which are not

immediately required for the purposes of the

Corporation;

(f) accept, operate, fulfil and manage any lawful trust

and conditions with regard to movable and

immovable properties ;

(g) appoint, remunerate, employ and dismiss officers

and servants of the Corporation required for the

carrying out of the objects of the Corporation; and

(h) train persons required for the achievement of the

objects of the Corporation.

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Rules of the 8. (1) It shall be lawful for the Corporation, from time to

Corporation.

time, at any meeting and by a majority of not less than two-

third of the members present and voting to make rules not

inconsistent with the provisions of this Act or any other law

for the following matters:—

(a) the admission and classification of membership and

withdrawal or expulsion of members;

(b) the election of the members of the Committee and

the powers, duties and conduct of the members of

the Committee;

(c) the election of office bearers, their term of office,

resignation from or vacation of or removal from

office, their powers, conduct and duties;

(d) the procedure to be followed at meetings, and the

quorum therefor and the conduct of business thereat;

(e) to determine the qualifications of the members of

the Corporation;

(f) the administration and management of the property

of the Corporation;

(g) the management of the affairs of the Corporation

and the attainment of its objects.

(2) Any rule made by the Corporation under subsection

(1), may be amended, altered, added to or rescinded at a like

meeting and in like manner.

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

the rules of the Corporation.

The Fund of the 9. (1) The Corporation shall have its own Fund and all

Corporation. moneys received by way of gift, bequest, donations,

subscription, contribution, fees or grants for and on account

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of the Corporation shall be deposited to the credit of the

Fund of the Corporation in one or more banks as the

Committee may determine.

(2) The Corporation may establish any depreciation or

reserve fund for the purpose of rehabilitation, improvement

and development of the properties belonging to the

Corporation.

(3) There shall be paid out of the Fund, all sums of money

required to defray any expenditure incurred by the

Corporation in the exercise, performance and discharge of its

powers, duties and functions under this Act.

(4) All moneys and properties received for the Fund shall

be utilized solely for the purposes of the Corporation and in

any event they shall not be alienated to the members.

10. (1) The Corporation shall maintain proper accounts Account and

of its income and expenditure, assets and liabilities and all Audit.

other transaction of the Corporation.

(2) The accounts of the Corporation shall be audited at

least once a year, by a qualified auditor appointed by the

Corporation.

(3) For the purpose of the section “qualified auditor” shall

means—

(i) an individual who, being a member of the Institute

of Chartered Accountants of Sri Lanka or of any

other Institute established by law, possesses a

certificate to practice as an Accountant issued by

the Council of such Institute; or

(ii) a firm of Accountants each of the resident partners

of which, being a member of the Institute of Chartered

Accountants of Sri Lanka or of any other Institute

established by law, possesses a certificate to practice

as an Accountant issued by the Council of such

Institute.

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Debts due and 11. All debts and liabilities of the Society on the day

payable to the

preceding the date of commencement of this Act shall be

Corporation.

paid out of the Fund of the Society and all debts due to,

subscriptions and contributions payable to the Society on

that day shall be paid to the Corporation.

Corporation may 12. The Corporation shall be able and capable in law to

hold property

movable and acquire and hold any property both movable or immovable

immovable. which may become vested in it by virtue of any purchase,

grant, gift or testamentary disposition or otherwise and all

such property shall be held by the Corporation for the

purposes of this Act and subject to the rules of the Corporation

made under section 8 with full power to sell, mortgage, lease,

exchange or otherwise dispose of the same.

Seal of the 13. The seal of the Corporation shall not be affixed to

Corporation.

any instrument except in the presence of such member or

office bearers as may be decided by the Committee who shall

sign their names to the instrument in token of their presence

and such signing shall be independent of the signing of any

person as a witness:

Provided however any instrument relating to any financial

matter shall become void unless it is signed by the Treasurer

or the Assistant Treasurer and the President or Secretary.

Property 14. If upon the dissolution of the Corporation, there

remaining on remains any property after the satisfaction of all debts and

dissolution.

liabilities, such property shall not be distributed among the

members of the Corporation, but shall be given or transmitted

to some other institution or institutions having objects similar

to those of the Corporation, which is or are by its rules

prohibited from distributing any income or property among

its or their members. Such institution or institutions may be

determined by the Committee on or before the dissolution of

the Corporation.

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15. Nothing in this Act contained shall prejudice or affect Saving of the

the rights of the Republic or any body politic or corporate. rights of the

Republic and

others.

16. In the event of any inconsistency between the Sinhala text

to prevail in

Sinhala and Tamil texts of this Act, the Sinhala text shall

case of

prevail. inconsistency.

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