



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

**SRI KALYANODAYA SOCIETY - KANDY
(INCORPORATION) ACT, No. 62 OF 2009**

[Certified on 30th October, 2009]

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Sri Kalyanodaya Society-Kandy
(Incorporation) Act, No. 62 of 2009

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L. D. — O. (Inc.) 15/2007.

AN ACT TO INCORPORATE THE SRI KALYANODAYA SOCIETY - KANDY

WHEREAS a Society called and known as the “Sri 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 :

Preamble.

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

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the “Sri Kalyanodaya Society-Kandy” (hereinafter referred to as the “Society”) or shall hereafter be admitted as members of the 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.

Incorporation of Sri Kalyanodaya Society-Kandy.

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

General 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
of Corporation.

4. There shall be an Advisory Board of the Corporation consisting of not more than seven members including laymen and clergy, for the purpose of advising the Committee of Management.

Management of
the affairs of the
Corporation.

5. (1) The management and administration of the Corporation shall subject to the provisions of this Act and 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
Register.

6. The Board shall cause to be maintained a register of members in which every person who on the day preceding

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

Rules of the Corporation.

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

9. (1) The Corporation shall have its own Fund and all moneys received by way of gift, bequest, donations, subscription, contribution, fees or grants for and on account

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 of its income and expenditure, assets and liabilities and all other transaction of the Corporation.

Account and
Audit.

(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.

Debts due and payable to the Corporation.

11. All debts and liabilities of the Society on the day preceding the date of commencement of this Act shall be 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 hold property movable and immovable.

12. The Corporation shall be able and capable in law to acquire and hold any property both movable or 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 Corporation.

13. The seal of the Corporation shall not be affixed to 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 remaining on dissolution.

14. If upon the dissolution of the Corporation, there remains any property after the satisfaction of all debts and 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 the rights of the Republic or any body politic or corporate.

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

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