

PARLIAMENT OF CEYLON

3rd Session 1954-55



All Ceylon Buddhist Congress Act, No. 24 of 1955

Date of Assent : April 16, 1955

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AN ACT TO INCORPORATE THE ALL CEYLON
BUDDHIST CONGRESS.

[Date of Assent: April 16, 1955]

Whereas an association of representatives of several Buddhist associations and certain persons professing the Buddhist religion has hitherto been established at Colombo under the style THE ALL CEYLON BUDDHIST CONGRESS, otherwise called the Samastha Lanka Bauddha Maha Sammelanaya, for the purpose of effectually carrying out its objects according to the rules agreed to by its members:

And whereas the said association has heretofore been successfully carrying out its objects, and it is now desirable that the said association should be incorporated:

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as The All Ceylon Buddhist Congress (Incorporation) Act, No. 24 of 1955.

Short title.

2. The members for the time being of the association known as The All Ceylon Buddhist Congress (hereinafter referred to as "the Congress") shall be a body corporate (hereinafter referred to as "the Corporation") with perpetual succession, a common seal, and the name "The All Ceylon Buddhist Congress". The Corporation may sue and be sued in such name.

Incorporation of
The All Ceylon
Buddhist
Congress.

3. The general objects of the Corporation shall be—

General objects
of the
Corporation.

(a) to promote, foster and protect the interests of Buddhism and of the Buddhists and to safeguard the rights and privileges of the Buddhists;

(b) to promote co-operation among Buddhists and Buddhist associations;

(c) to represent the Buddhists and act on their behalf in public matters affecting their interests;

- (d) to provide opportunity to the Buddhists for the free discussion of any matters affecting their interests;
- (e) to undertake Buddhist charitable activities; and
- (f) to do all such things as may be necessary or conducive to the interests or benefit of the Buddhists or to the attainment of the above-mentioned objects or any of them.

The affairs of the Corporation to be administered by an Executive Committee.

4. (1) The affairs of the Corporation shall, subject to the rules for the time being of the Corporation, be administered by an Executive Committee which shall consist of the office-bearers of the Corporation, the representatives of the group members of the Corporation, the office bearers of the Standing Committees and one hundred other members elected at the annual general meeting of the Corporation: Provided, however that not less than sixty of the members so elected shall be members of the Corporation of at least three years standing.

(2) The Executive Committee may delegate any of its functions to one or more standing committees or sub-committees.

Register of members.

5. (1) The Secretaries of the Corporation shall keep a register of the members of the Corporation.

(2) The register of the members of the Corporation shall contain the following particulars:—

(a) In the case of group members of the Corporation—

- (i) the name and full postal address of each association which is a group member;
- (ii) the date of inception of such association;
- (iii) the date on which the first annual general meeting of such association was held;
- (iv) the date on which such association was enrolled as a group member; and

- (v) the date on which such association ceased to be a group member:

Provided, however, that in the case of group members existing at the commencement of this Act, the requirements of preceding sub-paragraphs (ii), (iii) and (iv) may be dispensed with.

- (b) In the case of ordinary or life members of the Corporation who were enrolled under the rules of the Congress in force before the commencement of this Act—

- (i) the name, full postal address, rank or occupation or profession of each such member;
- (ii) the period of membership completed by such member at the date of the commencement of this Act; and
- (iii) the date on which such member ceased to be a member.

- (c) In the case of sustaining members or honorary life members of the Corporation—

- (i) the name, full postal address and rank, profession or occupation of each such member;
- (ii) the date on which such member was enrolled as a member; and
- (iii) the date on which such member ceased to be a member.

6. (1) The Corporation may, by a vote of two thirds of the members present and voting at a general meeting of the Corporation, make rules for admission, to, and removal from, membership of the Corporation, for the performance of the duties of the office-bearers and other members of the Executive Committee of the Corporation, for the procedure in the transaction of business, and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects.

Rules.

(2) Any rule of the Corporation may be 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 provisions of sub-sections (1) and (2) of this section, the rules set out in the Schedule to this Act shall be the rules of the Corporation.

Liabilities of
and debts due
to the
Corporation.

7. All debts of the Congress existing at the commencement of this Act shall be paid by the Corporation and all debts due and fees, subscriptions and grants payable to the Congress shall be paid to the Corporation.

The Corporation
may hold
property.

8. The Corporation may 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 Corporation, may sell, mortgage, lease, exchange or otherwise dispose of any movable or immovable property of the Corporation.

Seal of the
Corporation and
the procedure
for affixing it.

9. The seal of the Corporation may be altered at the pleasure of the Corporation. The seal shall not be affixed to any instrument whatsoever except in the presence of two office-bearers of the Corporation one of whom shall be the President or in his absence a Vice-President, 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.

Custody of
the seal of the
Corporation.

10. Any one of the Secretaries of the Corporation who is authorised for the purpose by the Executive Committee of the Corporation shall have custody of the seal of the Corporation.

Saving the
rights of
Her Majesty.

11. Nothing in this Act contained shall prejudice or affect the rights of Her Majesty The Queen, Her Heirs and Successors or of any body politic or corporate or of any other person except such as are mentioned in this Act and those claiming by, from or under them.

SCHEDULE.

RULES OF THE ALL CEYLON BUDDHIST CONGRESS [SECTION 6 (3).]

Interpretation.

1. In these rules, unless the context otherwise requires—
“the Act” means The All-Ceylon Buddhist Congress (Incorporation) Act;

" the Congress " means The All-Ceylon Buddhist Congress incorporated by the Act; and

" the Executive Committee " means the Executive Committee of the Congress.

2. The name of this organization shall be The All Ceylon Buddhist Congress.

Name.

3. The objects of the Congress shall be—

Objects.

(a) to promote, foster and protect the interests of Buddhism and of the Buddhists and to safeguard the rights and privileges of the Buddhists;

(b) to promote co-operation among Buddhists and Buddhist associations;

(c) to represent the Buddhists and act on their behalf in public matters affecting their interests;

(d) to provide opportunity to the Buddhists for the free discussion of any matters affecting their interests;

(e) to undertake Buddhist charitable activities; and

(f) to do all such things as may be necessary or conducive to the interests or benefit of the Buddhists or to the attainment of the above-mentioned objects or any of them.

Membership.

4. There shall be the following five classes of members:—

Classes
of
members.

(a) group members,

(b) sustaining members,

(c) honorary life members,

(d) ordinary members enrolled before the commencement of the Act under the rules of the Congress then in force, and

(e) life members enrolled before the commencement of the Act under the rules of the Congress then in force.

5. (1) Group membership shall be open to all Buddhist associations which have held at least one annual general meeting and which accept the objects of the Congress.

Qualification
for
membership.

(2) Sustaining membership shall be open to all men and women who are Buddhists, who accept the objects of the Congress and who are not less than eighteen years of age.

(3) Ordinary membership and life membership shall be restricted to those who have been ordinary members and life members of the Congress prior to the coming into operation of the Act in accordance with the rules of the Congress then in force.

(4) Honorary life membership may be granted by the Executive Committee to any person who is eligible to be elected a sustaining member of the Congress and who, in the opinion of the Executive Committee, has rendered distinguished service to Buddhism. No resolution granting honorary life membership of

the Congress shall be valid unless passed by a vote of two-thirds of the members present and voting at a meeting of the Executive Committee. The number of honorary life members at no time shall exceed ten.

**Election to
membership.**

6. Election to membership of the Congress shall be by resolution passed at a meeting of the Executive Committee subject, in the case of honorary life members, to the provisions of rule 5 (4).

**Removal of
name from the
register of
members.**

7. The Executive Committee shall have the power to remove from the register of members the name of any member whose conduct is considered detrimental to the interests of the Congress. Such removal shall be on a motion passed by a vote of two-thirds of the members present and voting at a meeting of the Executive Committee. Any person whose name is so removed from the register of members shall forthwith cease to be a member and it shall not be obligatory to refund any fees or part of the fees paid by him to the Congress.

**Membership
fees.**

8. (1) Every group member shall, on election as such member, pay rupees five as membership fee for the current year and shall thereafter pay an annual fee of rupees five on or before the 31st day of March of each year.

(2) Every sustaining member shall pay a fee of not less than rupees one hundred on election to membership or in instalments within twelve months of election.

(3) Ordinary members shall pay an annual fee of rupees ten on or before the 31st day of March of each year.

Voting.

9. (1) Every honorary life member, sustaining member or ordinary member present, or each representative of a group member present, at a general meeting of the Congress or at an Executive Committee meeting shall be entitled to one vote.

(2) The Chairman, in the event of a tie, shall be entitled, in addition to his vote, to one casting vote.

**Penalty for
non-payment
of fees.**

10. A member in arrears of fees shall not be eligible to vote at meetings. A member continuing to be in arrears for sixty days after such fact has been notified to him may be struck off the register of members.

Executive Committee

**Executive
Committee.**

11. The affairs of the Congress shall be managed by a committee which shall be called the Executive Committee.

Composition.

12. The Executive Committee shall consist of—

(a) the office-bearers of the Congress;

(b) the representatives of the group members who shall be not more than two from each group member;

(c) any person eligible under rule 20; and

(d) one hundred others elected from among the members of the Congress at the annual general meeting of the Congress, not less than sixty of such one hundred being members of the Congress of at least three years' standing.

13. (1) The Executive Committee shall be responsible for the general direction, supervision and control of all the work of the Congress, for the maintenance of its principles and constitution, for the finances of the Congress, for the employment of all officers and servants and for the proper administration of all movable and immovable property of the Congress.

Duties and powers.

(2) The Executive Committee shall have the power to fill any vacancy among its members, office-bearers or patrons or in the Advisory Board. A member or an office-bearer elected to fill such vacancy shall function in that capacity until the election of members of the Executive Committee or of office-bearers next following.

14. Ordinary meetings of the Executive Committee shall be held on the first Saturday of each of the months January, March, May, July, September, November and December:

Ordinary meetings.

Provided, however, that a meeting that cannot be held on the due date for some reason, may be fixed for the nearest convenient date.

15. The Secretaries of the Congress shall convene a special meeting of the Executive Committee on the instructions of the President, or on the written request of not less than thirty members of the Executive Committee.

Special Meetings.

16. Seven clear days' notice shall be given of a meeting of the Executive Committee and of the business to be transacted thereat:

Notice of meetings.

Provided, however, that the President may order an emergency meeting of the Executive Committee at short notice.

17. The quorum for an ordinary meeting of the Executive Committee shall be fifteen, and for a special meeting thirty.

Quorum.

Standing Committees

18. The Executive Committee shall have the power to appoint one or more standing committees to which it may delegate any one or more of its activities. The composition and personnel of the standing committees shall be decided by the Executive Committee.

Appointment.

19. Standing committees may draw up their own rules and programmes of work which shall be subject to the approval of the Executive Committee.

Rules.

20. (1) The members of each standing committee may appoint the office-bearers for that committee and assign to them such functions as may be deemed necessary. The Chairman, the Secretary and the Treasurer of each standing committee, if such office-bearers are appointed, shall be ex-officio members of the Executive Committee.

Office-bearers of standing committees and their duties.

(2) The funds entrusted to a standing committee may be expended in the manner provided for in the rules of that standing committee, and such standing committee shall submit to the Executive Committee at the end of every financial year, for incorporation in the annual report of the Congress—

(a) a report of the work done during the year by such standing committee, and

(b) an audited statement of accounts of such standing committee for the year.

Ex-officio
members.

21. The President, the Secretaries and the Treasurer of the Congress shall be ex-officio members of all standing committees.

Office-bearers

Office-bearers.

22. The office-bearers of the Congress shall be a President, five Vice-Presidents, two Joint-Secretaries and a Treasurer.

The President.

23. The President for the ensuing year shall be elected at the ordinary meeting of the Executive Committee for November, and he shall hold office from the first day of the annual session of the Congress immediately following, and he shall cease to hold office on the day prior to the annual session of the Congress of the following year.

Other
office-bearers.

24. The remaining office-bearers of the Congress shall be elected at the first meeting of the Executive Committee held after the annual general meeting of the Congress and they shall hold office from the date of election until the election of the office-bearers of the Congress for the next succeeding year.

Duties of the
President and
Vice-Presidents.

25. (1) The President, or in his absence one of the Vice-Presidents, shall preside at all meetings of the Executive Committee and all business meetings of the Congress. In the absence of the President and the Vice-Presidents, a chairman shall be chosen by the meeting.

Duties of the
Secretaries.

(2) The Secretaries of the Congress shall keep full minutes of all business meetings of the Congress and of the Executive Committee. They shall also be responsible for the maintenance of the register of members and for the preparation of the annual report.

Duties of the
Treasurer.

(3) The Treasurer of the Congress shall, except in the case of such funds as may be in charge of the respective standing committees, receive and have charge of all moneys of the Congress and shall disburse the same under the direction of the Executive Committee. He shall present statements showing the financial position of the Congress in accordance with the rules for the time being of the Congress.

Penalty for
absence from
meetings.

26. Any office-bearer of the Congress absenting himself from three consecutive meetings of the Executive Committee without valid excuse shall be considered to have vacated his office.

Patrons.

27. At the first meeting of the Executive Committee following the annual general meeting of the Congress twelve Maha Theras shall be elected to be the Patrons of the Congress to hold office as such from the date of election until the next election of Patrons.

The Advisory
Board.

28. At the first meeting of the Executive Committee following the annual general meeting of the Congress fifteen bhikkus shall be elected to form an Advisory Board to hold office as such from the date of election until the next election of the Advisory Board.

29. The Patrons and the members of the Advisory Board of the Congress may attend meetings of the Congress and the Executive Committee, and they may be consulted on matters under discussion.

Functions of
Patrons and
the Advisory
Board.

30. No office-bearer of the Congress or of any standing or special committee nor any other member of the Congress or trustee may draw any remuneration or derive any profit or other personal benefit from the Congress.

No member
to derive any
profit.

General Meetings

31. There shall be one general meeting of the Congress in each year which shall be held during the annual session of the Congress.

Annual general
meeting.

32. The business at the annual general meeting of the Congress shall be—

Business to be
transacted at the
annual general
meeting.

(a) to receive the annual report of the Executive Committee and the audited accounts of the Congress for the previous financial year;

(b) to elect the one hundred members for the Executive Committee for the ensuing year, as provided for in rule 12;

(c) to consider and take such action as may be decided upon with reference to any other business or motion of which due notice has been given; and

(d) to appoint a public auditor or auditors for the ensuing year.

33. A report of the activities of the Congress for the preceding financial year shall be prepared by the Executive Committee and circulated for the information of the members at least seven days prior to the annual general meeting of the Congress at which it is to be submitted.

Annual report.

34. Special general meetings of the Congress may be convened by the President, or by the Executive Committee, or by the Secretaries of the Congress on the request in writing of not less than fifty members of the Congress.

Special general
meetings.

35. The Secretaries of the Congress shall give at least six weeks' notice of an annual general meeting and in the case of a special general meeting of the Congress at least two weeks' notice of the meeting and the business to be transacted at the meeting.

Notice of
general
meetings.

36. The quorum for a general meeting of the Congress shall be fifty.

Quorum.

37. Only members of the Congress shall be eligible to vote on motions placed before any general meeting of the Congress.

Voting on
motions.

Annual Session

**Arrangements
for annual
session.**

38. An annual session of the Congress shall ordinarily be held in December of every year. The Executive Committee may, however, when this is not practicable, fix any other suitable date for the purpose. The date and place approved shall be announced in the press not less than six weeks prior to the first day of the session.

**Who may
participate.**

39. All Buddhists, whether members or not of the Congress, may, in accordance with the rules of the Congress participate in the business of the annual session of the Congress.

Motions.

40. (1) Copies of motions that are intended to be moved at an annual session of the Congress should reach the Secretaries of the Congress thirty clear days before the date fixed for such annual session.

(2) The Secretaries of the Congress shall give two weeks' notice of the motions approved by the Executive Committee to be placed on the agenda of the annual session of the Congress.

(3) Copies of amendments to motions, if any, should be sent to reach the Secretaries of the Congress at least seven clear days before the annual session of the Congress.

(4) The Executive Committee may reject any motion or amendment without assigning reasons.

Finance and Property

Financial year.

41. The financial year of the Congress shall be from the 1st day of October to the 30th day of September next following.

Funds, etc.

42. The Executive Committee may open on behalf of the Congress or its standing committees one or more accounts in such bank or banks as it may select, and, by the signatures of such persons as it shall appoint, draw, accept, make, endorse, sign, and enter into cheques, bills of exchange, promissory notes, bonds, mortgages, appointment of any proctor or proctors, contracts or agreements on behalf and for the purposes of the Congress. It shall also have the power to place the whole or any part of the funds of the Congress in fixed deposit in one or more local banks or to invest the same as it may think fit in any investment approved by the law applicable to trusts in force in the Island for the time being.

Property.

43. (1) The Executive Committee shall have the power to acquire on behalf of the Congress by right of purchase, lease, grant, gift, testamentary disposition or otherwise any movable or immovable property and may sell, mortgage, lease, exchange or otherwise dispose of any movable or immovable property of the Congress.

(2) The Executive Committee shall have the power to appoint trustees to manage, apply or dispose of either the whole or any part of its property or to enter into any contracts or agreements or for any other purpose on behalf of the Congress and may determine the powers of such trustees.

44. No sale, lease, mortgage, exchange or other transaction affecting the right, title or interest in or to any immovable property belonging to the Congress shall be valid unless approved by the Executive Committee, or by trustees specially appointed for the purpose.

Alienation of
immovable
property.

45. The audited statement of accounts of the Congress shall be published by the Treasurer of the Congress before the expiry of four months from the close of the financial year.

Audited
statement of
accounts.

46. No rule of the Congress shall be amended or recinded, and no new rule shall be made except at an annual general meeting or special general meeting of the Congress. No motion for the amendment or rescission of any rule or for the making of a new rule shall be placed before a general meeting of the Congress unless one month's notice of such motion has been given in writing to the Secretaries of the Congress.

Amendments to
the rules.