



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

ROYAL ASIATIC SOCIETY OF
SRI LANKA (INCORPORATION)
ACT, No. 6 OF 1992

[Certified on 26th February, 1992]

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The Royal Asiatic Society of Sri Lanka
(Incorporation) Act, No. 6 of 1992

[Certified on 26th February, 1992]

L. D.—O. 58/90

AN ACT TO INCORPORATE THE ROYAL ASIATIC SOCIETY OF
SRI LANKA

WHEREAS a Society called and known as "The Royal Asiatic Society" has been in existence in Sri Lanka since 1845 for the purpose of effectually carrying out its objects and all matters connected with the said Society according to the rules and regulations agreed to by its members :

Preamble.

AND WHEREAS the said Society, now functioning under the name of "The Royal Asiatic Society of Sri Lanka" has successfully carried out and transacted the several objects for which it was established :

AND WHEREAS the said Society has applied to be incorporated and it will be for the public advantage that such application shall be granted :

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 Royal Asiatic Society of Sri Lanka (Incorporation) Act, No. 6 of 1992.

Short title.

2. From and after the date of the commencement of this Act, such and so many persons as now are members of the Royal Asiatic Society of Sri Lanka (hereinafter referred to as the "Society") or shall hereafter be admitted members of the Corporation hereby constituted shall be a body corporate under the name and style of "The Royal Asiatic Society of Sri Lanka" (hereinafter referred to as "the Corporation") with perpetual succession and by that name shall and may sue and be sued in all courts, with full power and authority to have and use a common seal and alter the same at its pleasure.

Incorporation of the Royal Asiatic Society of Sri Lanka.

3. It is hereby declared that the general objects of the Corporation shall be—

General objects of the Corporation.

- (a) to institute and promote inquiries into the history, religions, languages, literature, arts, sciences and social conditions of the present and former peoples of Sri Lanka and connected culture;

- (b) to make comparative and evaluative studies of the historical and cultural backgrounds associated with the religions, beliefs, languages, literature, arts, music and various other creative expositions of Asian countries both in the present day and in the past and to examine in what manner they have influenced the culture of Sri Lanka;
- (c) to establish libraries, and provides other services and print, publish and sell books, journals, memoirs, monographs and periodicals to fulfill the objects of the Corporation;
- (d) to establish and maintain schools and educational institutions, grant scholarships, promote and develop education;
- (e) to establish friendly relations with organisations devoted to Asian cultures both in Sri Lanka and abroad;
- (f) to arrange, organise, establish and promote exhibitions; lecture programmes, conferences, seminars, workshops, debates, educational tours and other activities for the achievement of the objects of the Corporation;
- (g) to send delegates to seminars on topics pertaining to the objects of the Corporation, conducted in Sri Lanka or in foreign countries, particularly Asian countries;
- (h) to adopt measures to collaborate with local and foreign organisations having similar objects and to promote educational exchanges;
- (i) to assist members and employees of the Corporation who are engaged in pursuits directed towards the accomplishment of the objects of the Corporation through scholarships or awards, in cash or in kind;
- (j) to collect funds for the satisfactory conduct of the affairs of the corporation and for the management of such funds; and
- (k) to do anything necessary or conducive or consequential to the attainment of the objects of the Corporation.

4. (1) The affairs of the Corporation shall subject to the rules and regulations in force for the time being of the Corporation be administered by a Council consisting of the President, Past Presidents, Vice-Presidents and other office-bearers and fourteen other members elected by the Corporation.

Management of the affairs of the Corporation.

(2) The first Council of the Corporation shall be the Council of the Corporation holding office on the day preceding the date of commencement of this Act.

5. (1) The Council of the Corporation shall cause to be kept a register in which shall be entered the name of every person who, or institution which, at the date of the commencement of this Act is a member of the Corporation and every person or institution thereafter duly admitted a member of the Corporation shall have his or its name inscribed in the register.

Register of members.

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

- (a) the name and address of each member ;
- (b) the educational and professional qualifications (including degrees) of the member ;
- (c) the date on which the name of any person or institution was inscribed in the register as a member ; and
- (d) the date on which any person or institution ceased to be a member.

6. (1) It shall be lawful for the Corporation, from time to time, at any Annual or Special General Meeting of the members and by the votes of not less than two-thirds of the members present and voting, to make such rules as are not inconsistent with the provisions of this Act or any other written law, for the admission to and removal from the membership of the Corporation and the mode of election of office-bearers, the members of the Council and the Corporation for the admission, resignation, retirement or expulsion of members, for the conduct of the duties of the Council of the Corporation and of the officers, trustees, agents and servants of the Corporation, for the procedure to be followed in the transaction of business and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects.

Rules of the Corporation.

(2) The rules contained in the Constitution dated 30th March, 1985, in so far as they are not inconsistent with the provisions of this Act or any other written law, shall be deemed to have been made under subsection (1) and shall, subject to the provisions of subsection (3), be for all purposes the articles (rules) of the Corporation for the time being.

(3) The rules in the constitution or any of them or any other rule made by the Corporation under subsection (1) may be altered, added to, or rescinded by a two-thirds majority of the members present and voting at any Annual or Special General Meeting provided due notice thereof shall have been given to members.

(4) Every member of the Corporation shall be subject to the rules of the Corporation.

Accounts
of the Cor-
poration.

7. The Council of the Corporation shall cause proper books of accounts to be kept of all income and expenditure of the Corporation. The accounts of the Corporation shall be audited by a qualified auditor or auditors.

Debts due
by and
payable to
the
Society.

8. (1) All debts and liabilities of the Society existing on the day preceding the date of the commencement of this Act shall be paid by the Corporation hereby constituted, and all debts due to, and subscriptions and contributions payable to, the Society on that date shall be paid, for the purpose of this Act, to the Corporation.

(2) All contracts entered into by the Society and subsisting, on the day preceding the date of commencement of this Act shall be deemed to be contracts of the Corporation.

Application
of money and
property.

9. The moneys and property of the Corporation shall be applied solely towards the promotion of its objects as set forth herein, and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividends, bonus or otherwise by way of profit to any member of the Corporation :

Provided, however, that the provisions of this section shall not prohibit,—

(a) the payment in good faith of reasonable and proper remuneration to any officer or employee of the Corporation or to any member of the Corporation for any services rendered to the Corporation ;

- (b) the payment of reasonable and proper rent for premises let to the Corporation; and
- (c) the reimbursement or repayment of reasonable and proper expenses incurred with the prior approval of the Council by any member, trustee, officer or employee of the Corporation in the performance of his functions or duties or in promoting the objects of the Corporation.

10. (1) The Corporation shall be able and capable in law to acquire and hold, either as beneficial owner or as trustee or otherwise, any property, movable or immovable, which may become vested in it by virtue of any instrument of purchase, grant or lease or by virtue of any testamentary disposition or otherwise.

Corporation
may
hold
property
movable or
immovable.

(2) The Corporation shall have the power, from time to time, to mortgage, sell, grant, convey, devise, assign, exchange or otherwise dispose of any such property and to invest its funds in such manner as may be necessary or expedient as directed by the Council for the furtherance of its objects.

11. It shall be lawful for the Corporation to—

Powers of
the
Corporation.

- (a) purchase, acquire, rent, construct and otherwise obtain lands and buildings which may be required for the purpose of the Corporation and may lawfully be acquired for these purposes, and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects of the Corporation;
- (b) invest any funds not immediately required for the purpose of the Corporation in such manner as the Council may think fit and from time to time to vary and transfer any such investments;
- (c) raise or borrow money for the purpose of the Corporation on any security or otherwise and to secure or discharge any debt or obligation of the Corporation in such manner as may be thought fit by the Council of the Corporation;

- (d) solicit, raise and receive subscriptions, grants, donations and gifts of all kinds for the purposes of the Corporation;
- (e) construct, maintain or alter any building required for the purposes of the Corporation;
- (f) establish, organize and maintain a library of books, journals, pamphlets, manuscripts and documents on subjects relating to the objects of the Corporation and to formulate rules and regulations for lending to the members such books, journals, pamphlets, manuscripts and documents as are not specially reserved for reference only;
- (g) establish, organize and maintain various funds for specific purposes and to formulate rules for the disbursement of the moneys in such funds to members who undertake research projects coming within the purview of the objects of the Corporation;
- (h) appoint, dismiss or terminate the services of officers and servants of the Corporation, and to pay them such salaries, allowances, bonuses and gratuities as may from time to time be determined by the Council;
- (i) establish or contribute to any fund or scheme for the grant of gratuities, pensions, allowances or other benefits to officers or servants, past and present, of the Corporation, or to the dependents of such officers and servants;
- (j) enter into any contract with any person, or body of persons, whether corporate or unincorporate, or any Government department or local authority for promoting the objects of the Corporation; and
- (k) to do all other things necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Seal of
the
Corporation.

12. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of two members of the Council, 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.

13. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from such member to the Corporation.

Limitation of liability of members.

14. If upon the dissolution of the Corporation there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to some other institution or institutions having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such institution or institutions shall be determined by the members of the Corporation at or immediately before the time of the dissolution of the Corporation. If such property or any part thereof cannot be disposed of in accordance with the provisions of this section, such property or part thereof shall be applied to some charitable object which shall be determined by the members of the Corporation.

Property remaining on dissolution.

15. Nothing in this Act contained shall prejudice or affect the rights of the Republic, or any body politic or corporate, or any other persons except such as are mentioned in this Act and those claiming by, from, or under, them.

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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