



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

**KOLPING SOCIETY OF SRI LANKA
(INCORPORATION) ACT, No. 34 OF 1998**

[Certified on 15th June, 1998]

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Kolping Society of Sri Lanka (Incorporation)
Act, No.34 of 1998

[Certified on 15th June, 1998]

L.D.—O. 05/96.

AN ACT TO INCORPORATE THE KOLPING SOCIETY OF SRI LANKA

WHEREAS a Society called and known as the “Kolping Society of Sri Lanka” has heretofore been formed for the purpose of effectually carrying out its objects and transacting all 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 Kolping Society of Sri Lanka (Incorporation) Act, No. 34 of 1998.

Short Title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Kolping Society of Sri Lanka (hereinafter referred to as the “Society”) or shall and hereafter be admitted as members of the corporation hereby constituted shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “Kolping Society of Sri Lanka” and by that name 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
Kolping Society
of Sri Lanka

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

General Objects
of the
Corporation.

(a) to work towards ethnic and religious amity among the citizens of Sri Lanka ;

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- (b) to foster those human and religious values that bring about peace and harmony in Sri Lanka, by encouraging by dialogue between the various religious traditions ; and
- (c) to undertake all forms of service that are useful to the community.

General powers of
the Corporation

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things whatsoever as are necessary or desirable for the promotion and furtherance of the objects of the Corporation or any one of them, including the power to open, operate and close bank accounts ; to borrow or raise moneys with or without security, to receive or collect grants and donations, to invest and expend its funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

Management of
the affairs of the
Corporation.

5. (1) The affairs of the Corporation shall, subject to the rules in force for the times being of the Corporation be administered by a Executive Committee elected in accordance with the rules of the Corporation.

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

Rules of the
Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting and by a majority of not less than two thirds of the members present and voting, to make rules not inconsistent with the provisions of this Act or any other written law for all or any of the following matters :—

- (a) the classification of membership and the admission withdrawal or expulsion of members ;
- (b) the election of the office-bearers, the resignation or vacation of, or removal from, office of, office-bearers, and their powers, conduct and duties ;

- (c) the election of the members of the Executive Committee of the Corporation and their powers, conduct and duties ;
- (d) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation ;
- (e) the procedure to be observed at, and the summoning and holding of, meetings of the Corporation and the Executive Committee, the times, places, notices and agenda of such meetings, the quorum therefor and the conduct of business thereat ;
- (f) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audit of its accounts ; and
- (g) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule made by the Corporation may be amended altered, added to, or rescinded at a like meeting and in like manner as a rule made under subsection (1).

(3) The rules of the Society which were in force on the day preceding the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act or any other written law, be deemed to be rules made under this section.

(4) The members of the Corporation shall be subject to the rules of the Corporation.

7. The Corporation shall be able and capable in law, to acquire and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, 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 in force for the time being of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may
hold property
movable or
immovable.

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Debts due by and payable to the Society.

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

Audit and accounts

9. (a) The financial year of the Corporation shall be the calendar year.

(b) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(c) The accounts of the Corporation shall be audited by a qualified auditor.

In this section, "qualified auditor" means—

(i) an individual who being the member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise 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 practise as an Accountant issued by the Council of such Institute.

Seal of the Corporation.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence, of the President of the Corporation or in his absence a Vice President and of the Honorary Treasurer 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.

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

Savings of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

