



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

**MENTAL DEVELOPMENT AND RESEARCH
CENTRE (INCORPORATION)
ACT, No. 2 OF 2007**

[Certified on 22nd January, 2007]

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*Mental Development and Research Centre
(Incorporation) Act, No. 2 of 2007*

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L.D.—O. (INC) 26/2004.

AN ACT TO INCORPORATE THE MENTAL DEVELOPMENT AND
RESEARCH CENTRE

WHEREAS an association called and known as the “Mental Development and Research Centre” has heretofore been formed for the purpose of effectively carrying out and transacting all objects and matters connected with the said association, according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said association 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 Mental Development and Research Centre (Incorporation) Act, No. 2 of 2007.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Mental Development and Research Centre (hereinafter referred to as “the Centre”) and shall hereafter be admitted members of the Corporation hereby constituted, shall be a body corporate with perpetual succession under the name and style of “Mental Development and Research Centre” (hereinafter referred to as the “Corporation”) 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 to alter the same at it pleasure.

Incorporation of the Mental Development and Research Center.

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

General objects of the Corporation.

- (a) to propagate mental training, developmental and research activities in Sri Lanka and other foreign countries and to train those who are willing to undergo training in ‘Samatha Vidarshana’ meditational system ;

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- (b) to provide necessary facilities for training in ethics and exercising and developing of mental discipline and mental development etc. in Sri Lanka and abroad ;
- (c) to provide necessary doctrinaire advice for resolving mental crises, problems and any other similar issues faced by the general public, ;
- (d) to encourage persons in various educational institutions such as the universities, colleges of education, pirivenas and schools in Sri Lanka as well as abroad, interested in mental training, developmental and research activities ; in promoting these activities and providing necessary requisites and library facilities for such research activities ;
- (e) to assist in the complete physical and mental development of the young, youthful and aged persons and to implement necessary programmes for blind, mute and deaf children who require special educational facilities.
- (f) to educate people who are addicted to liquor, drugs, and various vices and anti-social activities, with a view to salvaging them from these addictions and developing their knowledge and skills and advising them on health habits ;
- (g) to take care of the aged parents under the protection of their children who are in employment and to engage them in mental training activities ; and
- (h) to organize vocational training activities suitable for school leavers.

General powers
of the
Corporation.

4. Subject to the provisions of this Act or any other written law, the Corporation shall have the power to —

- (a) to solicit and receive or collect subscriptions, grants and donations ;

- (b) to purchase, acquire, rent, construct, and otherwise, obtain lands or buildings which may be required for the purposes of the Corporation ;
- (c) to open, operate and close bank accounts, to borrow or raise funds with or without security ;
- (b) to invest any funds not immediately required for the purposes of the Corporation in such manner as the Committee of Management may think fit ;
- (e) to enter into agreements or contracts with any person or body of persons ;
- (f) to charge fees for the re-enrollment of persons who had been members of the Corporation ;
- (g) to employ, dismiss or terminate the service of officers and servants of the Corporation and to pay them such salaries, allowances and gratuity as may be determined by the Corporation ;
- (h) to seek aid, assistance and co-operation from any governmental and non-governmental organization, local as well as international, for achieving the objects of the Corporation ; and
- (i) to do, perform and execute all such acts, matters and things as are necessary, incidental or conducive to the carrying out or the attainment for the objects of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation be administered by a Committee of Management consisting of members elected in accordance with the rules in force for the time being of the Corporation (hereinafter referred to as the “Committee of Management”)

Management of
the affairs of the
Corporation.

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(2) The first Committee of Management of the Corporation shall consist of the Members of the Committee of Management of the Centre, holding office on the day immediately preceding the date of the commencement of this Act,

List of members. **6.** The Corporation shall make arrangements to maintain a list of all persons holding membership in the Centre on the day immediately preceding the date of the commencement of this Act and enrolled as members of the Corporation after this Act comes into effect.

Rules of the Corporation. **7.** It shall be lawful for the Corporation, from time to time at any general meeting and by 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 other written laws of the following matters :—

- (a) classification of membership and the admission, resignation or expulsion of members and determination of membership fees ;
- (b) election of the office-bearers the resignation from, or vacation of or removal from office of the office bearers and their powers, duties and functions ;
- (c) the powers, duties and functions of the various officers and servants of the Corporation ;
- (d) the procedure to be observed for the summoning and holding of meetings of the Committee of Management, the times, places, notices and agenda of such meetings, the quorum therefore and the conduct of business thereat ;
- (e) the qualifications and disqualifications for membership in the Corporation and the Committee of Management ;
- (f) the administration and management of the property of the Corporation ; and

(g) generally, for the management of the affairs of the corporation and the accomplishment of its objects.

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

(3) The member's of the Corporation shall be subjected to the rules of the Corporation.

8. 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 purchases, grants, gifts, 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 and shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable or immovable.

9. (1) The Corporation shall have its own fund and all moneys received by way of gift, bequest, donation, subscription, contribution, fee or grant for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Committee of Management shall determine.

Fund of the Corporation.

(2) There shall be paid out of the Fund all sums of money requisite to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

10. All debts and liabilities of the Centre existing on the day preceding the date of the 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 Center on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Centre.

11. (1) The financial year of the Corporation shall be the calendar year.

Audit and Accounts.

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

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

(4) In this section, “qualified auditor” 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.

Property
remaining on
dissolution.

12. If upon the dissolution of the Corporation, there remains after the satisfaction of all 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 society or societies handling objects similar to those of the Corporation and which is or are by the rules thereof prohibited from distributing any income or profit among its or their members. such society or societies shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Seal of the
Corporation.

13. The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Secretary or any member of the Corporation authorized to do so who shall place their names to the instruments in token of their presence and such signing shall be independent of the signing of any person as a witness.

- 14.** No member of the Corporation shall be subjected to pay any membership fees in excess of the amount of subscription due to the Corporation, on account of repayment of loans and debts of the Corporation or for any other purpose. Limit on liabilities of the Members.
- 15.** Nothing in this Act contained shall prejudice or affect the right of the Republic or of any body politic or corporate or of any other persons. 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 of this Act shall prevail. Sinhala text to prevail in case of inconsistency.

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