



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

RATNAPURA BUDDHIST SOCIETY
(INCORPORATION)
ACT, No. 9 OF 1983

[Certified on 10th February, 1983]

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Ratanapura Buddhist Society (Incorporation)
Act, No. 9 of 1963

[Certified on 19th February, 1963]

L.D.—O. 24/62

AN ACT TO INCORPORATE THE RATANAPURA BUDDHIST SOCIETY

WHEREAS an association called and known as the "Ratanapura Buddhist Society Ltd." has heretofore been established for the purpose of effectually carrying out and transacting all matters connected with the said association according to the rules agreed to by its members:

Provided.

And whereas the said association has heretofore successfully carried out and transacted the several objects and matters for which it was established, and has applied to be incorporated, and it will be for the public advantage to grant the application:

It is therefore enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Ratanapura Buddhist Society (Incorporation) Act, No. 9 of 1963.

short
title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Ratanapura Buddhist Society Ltd. (hereinafter referred to as "the Society"), and shall hereafter be admitted members of the Corporation hereby constituted, shall be and become a body corporate (hereinafter referred to as the "Corporation") with perpetual succession under the style and name of "The Ratanapura Buddhist Society" 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
Ratanapura
Buddhist
Society.

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

General
objects
of the
Corporation.

- (a) to take all necessary steps to promote the study of Buddhism;
- (b) to establish unity and co-operation among Buddhists;
- (c) to work in harmony with other Buddhist societies for the advancement of Buddhism;
- (d) to encourage the practical observance of Buddhism and propagate Buddhism;
- (e) to work towards the advancement of the physical, intellectual and social welfare of the members; and
- (f) to give financial aid and offer scholarships to those Buddhist students and Bhikkhus residing in the district of Ratanapura who are clever, intelligent and able to pursue higher studies but are prevented from doing so, due to their economic conditions.

Board
of
Governors.

4. (1) There shall be a Board of Governors of the Corporation consisting of twelve members two of whom shall be the President of the Corporation and the President of the Ratnapura Buddhist Educational Board, by virtue of their office.

(2) The first Board of Governors of the Corporation shall consist of the following members who are the members of the Board of Governors of the Society at the time of the coming into operation of this Act:—

1. The Hon. R. S. Wenzesundara, Judge of the Supreme Court;
2. The Hon. E. A. D. Atukorale, Judge of the Court of Appeal;
3. Harold Weragama, Esq.;
4. G. S. Marapana, Esq.;
5. A. P. B. Manamperi, Esq.;
6. A. M. B. Wellegoda, Esq.;
7. W. K. Premaratne, Esq.;
8. H. D. H. Wijegoveratne, Esq.;
9. B. H. Balaśrinahala, Esq.;
10. Harry Wenzesckera, Esq.;

Ex Officio

11. The President, Ratnapura Buddhist Society Ltd. presently G. K. Ratnasckera, Esq.;
12. The President, Ratnapura Buddhist Educational Board presently P. Marapana, Esq.

(3) Any vacancy in the Board of Governors other than that of ex officio members of the Corporation shall be filled by the Corporation at a general meeting with the approval of the other members of the Board of Governors.

Management
of
affairs
of the
Corporation.

5. (1) The affairs of the Corporation shall, subject to the rules of the Corporation, be administered by the Committee of Management consisting of the office bearers and such other members as may be provided for in such rules and elected in accordance therewith.

(2) The first Committee of Management of the Corporation shall be the Committee of Management of the Society holding office at the time of coming into operation of this Act.

6. It shall be lawful for the Corporation to establish Boards affiliated to the Corporation to carry out any one or more objects of the Corporation subject, however, to the rules of the Corporation.

Establishment
of Boards.

7. (1) The Ratanapura Buddhist Educational Board (hereinafter referred to as the "Educational Board") already established by the Society shall continue to function and shall have the right to frame its own rules and regulations.

Ratanapura
Buddhist
Educational
Board.

(2) All moneys collected by the Educational Board shall be deposited in its name in the National Savings Bank or any other bank approved by the Board as a fixed deposit and shall be in the control exclusively of the Educational Board subject however to the provisions of subsection (3).

(3) The Educational Board shall not, without the written sanction and approval of the Board of Governors, withdraw any sum whatsoever from the fixed deposits lying to its credit:

Provided, however, that the Educational Board shall be entitled to use the interest accruing on the said fixed deposits to give financial aid, pay scholarship money and other incidental expenses without the approval of the Board of Governors.

8. The Corporation shall not, without the written sanction and approval of the Board of Governors,—

Powers
of the
Board of
Governors.

(a) sell, mortgage, exchange or alienate in any manner any property belonging to the Corporation;

(b) lease any property belonging to the Corporation for a period in excess of one year or lease the same property for any subsequent period;

(c) expend any sum of money exceeding twenty-five thousand rupees on any project or for any purpose during a period of one year:

Provided, however, that the provisions of this paragraph shall not apply to the Educational Board on the use of the interest accruing on fixed deposits to give financial aid, pay scholarship money and other incidental expenses.

9. It shall be lawful for the Corporation from time to time at any general meeting of the members and by a majority of votes to make rules, not inconsistent with the

Power to
make
rules.

principles and provisions of this Act for the admission, withdrawal or expulsion of members, the election and removal of the office-bearers, the Committee of Management and the Board of Governors, the powers, conduct, duties and functions of the office-bearers, the Committee of Management, the Board of Governors and the various officers, agents and servants of the Corporation, the establishment of Boards to be affiliated to the Corporation to carry out one or several objects of the Corporation and the determination of their powers and duties, and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects. Subject to the provisions of section 11, such rules may be altered, added to, amended or rescinded.

Rules in the Schedule to be rules of the Corporation.

10. Subject to the provisions of section 9, the rules set out in the Schedule to this Act shall for all purposes be the rules of the Corporation :

Provided, however, that nothing in this section contained shall be deemed or construed to prevent the Corporation at any general meeting from making fresh rules, or from altering, amending, adding to or rescinding any of the rules set out in such Schedule.

Procedure for amendment of rules.

11. No rule in the Schedule to this Act nor any rule which may hereafter be passed shall be altered, amended, added to or rescinded, except by a vote of two-thirds of the members present and voting at a general meeting specially summoned for the purpose and unless—

(a) such alteration, addition, amendment or rescission shall have been previously approved by the Committee of Management ; and

(b) in the case of any alteration, addition, amendment or cancellation of a rule relating to the exercise of any power, duty or function by the Board of Governors, such alteration, addition, amendment or rescission shall also have been previously approved by the Board of Governors.

Finality of decision taken.

12. Any decision taken by the Board of Governors, the Corporation or the Educational Board in accordance with the rules existing at the time of such decision shall be final and conclusive and binding on all members.

Property to be vested in the Corporation.

13. On the coming into operation of this Act all the property movable and immovable belonging to the Society, whether held in the name of the Society or in the name or in the names of any person or persons in trust for the Society, shall be and the same are hereby vested in the Corporation hereby constituted.

14. All debts and liabilities of the Society existing at the time of the coming into operation of this Act shall be paid by the Corporation hereby constituted and all debts due to and subscriptions and contributions payable to the Society shall be paid to the Corporation for the purposes of this Act.

Debts due to
and payable
to the
Society.

15. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the President or the Secretary or the Treasurer and one other member of the Committee of Management, 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 or a witness.

How seal of
the Corporation
is to
be affixed.

16. The Corporation shall be able and capable in law to take 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 this Act and to the rules of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation
may hold
property,
movable or
immovable.

17. 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.

Saving of the
rights of the
Republic and
others.

SCHEDULE

LIST OF THE RATANAPARA BUDDHIST SOCIETY

1. (1) All Buddhists who are genuinely interested in furthering the objects of the Society are eligible for membership.

Membership.

(2) Members shall be classified as ordinary and life members.

(3) Ordinary members shall pay a minimum subscription of two rupees per month.

(4) The Committee of Management of the Society may appoint as a life member of the Society—

(a) any person who has rendered a distinguished service to the Society;

(b) any person who pays five hundred rupees or more to the Society.

(5) All members of the Educational Board who have donated five thousand rupees or more to the said Board shall be deemed to be life members of the Society.

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Act, No. 9 of 1983

(6) All life members shall have the same rights and privileges as ordinary members.

Application
for
membership

2. (1) Every application for membership shall be forwarded to the Honorary General Secretary accompanied by a remittance of at least three months' subscription. The Honorary General Secretary shall submit such application to the Committee of Management which shall have the powers to accept or reject the same.

(2) If an ordinary member is in arrears of subscription for a period of six months or more, his name may be removed from the roll of members and on any such removal, he shall cease to enjoy the rights and privileges of a member. He shall, however, have the right to regain membership on his paying the full arrears due.

(3) An ordinary member shall be entitled to vote at a general meeting of the Society, only after he has maintained his membership for one full year.

Suspension of
membership.

3. Any member whose conduct is found to be detrimental to the interests of the Society may after investigation by the Committee of Management with due notice to the member concerned be suspended or removed from the roll of members by the said Committee of Management. Such a decision shall however be ratified or amended by a two-third majority of members present at a general meeting of the Society specially convened for that purpose with due notice to the member concerned. Thereafter the said decision shall be final.

Vacancies.

4. In the event of any vacancy occurring during the year among the office-bearers or in the Committee of Management, the Committee of Management shall have the power to fill such vacancy for the unexpired term. Such appointments shall be ratified at the next general meeting of the Society.

Management.

5. The affairs of the Society shall be administered by a Committee of Management consisting of a President, three Vice-Presidents, an Honorary General Secretary, Honorary Treasurer, Honorary Assistant Secretary, Honorary Assistant Treasurer, all of whom shall be ex officio members of the Committee of Management, and fifteen other members, all to be elected at the annual general meeting of the Society.

Election of
office-
bearers

6. (1) All the office-bearers of the Society referred to in Rule 5 and the other members of the Committee of Management shall be elected annually at the annual general meeting of the Society. All office-bearers of the Society shall have continued membership of the Society for at least one year.

(2) All members aspiring to be elected to the offices mentioned in paragraph (1) shall submit written nominations duly proposed and seconded by two members, at least seven days before the annual general meeting, to the Honorary General Secretary. Those already holding office need not submit nominations to stand for re-election for the same office. Nominations shall also be not necessary for election to the Committee of Management.

(3) There shall also be two patrons elected at the annual general meeting.

Honorary Societies Society (Incorporation)
Act, No. 9 of 1933

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7. (1) The annual general meeting of the Society shall be held so far as possible before the month of May every year. The office-bearers and the Committee of Management shall be elected at the said annual general meeting. The Honorary Treasurer shall submit a Statement of accounts duly audited by a qualified accountant. At least fourteen days' notice of the annual general meeting shall be given to the members. At least seven days' notice shall be given to the Honorary General Secretary regarding any motions or questions.

Meetings.

(2) A special general meeting shall be held at the request of the President, or at the request of the Committee of Management or at the request of at least twenty members of the Society to discuss any particular subject. At least seven days' notice shall be given to the members regarding such meeting.

(3) Whenever any necessity arises an ordinary general meeting may be summoned by the Honorary General Secretary after giving at least one week's notice to the members.

(4) The Committee of Management shall meet at least once a month. At least three days' notice shall be given to the members. The Honorary General Secretary shall summon meetings of the Committee of Management. The Honorary General Secretary shall also summon meetings of the Committee of Management when requested by the President or by at least seven members. Any member of the Committee of Management who fails to attend three consecutive meetings of the Committee of Management shall cease to be a member of the said Committee of Management.

3. Twenty-five members shall constitute a quorum for a general meeting and eleven members for a meeting of the Committee of Management. If a meeting is not held for want of a quorum, a subsequent meeting may be summoned in the same manner and held provided thirteen members for a general meeting and six members for a meeting of the Committee of Management are present.

Quorum.

8. (1) The Honorary Treasurer shall receive and keep all accounts of all moneys and funds belonging to the Society and make such payments as are authorized by the Society and the Committee of Management.

Property
belonging to
the
Society.

(2) The Society may sanction payment during one year any sum not exceeding twenty-five thousand rupees at a general meeting of the Society and the Committee of Management may sanction, subject to the approval of the Society, any sum not exceeding five thousand rupees during a period of one year. The Society shall obtain the prior approval of the Board of Governors to spend any amount over twenty-five thousand rupees;

Provided, however, that such restriction will not apply to the payments made by the Educational Board out of the interest accruing from the fixed deposit in respect of financial aid, scholarship money and other expenses incidental thereto.

(3) The Honorary General Secretary or the Honorary Treasurer shall have the power to spend any sum not exceeding five hundred rupees, subject to the approval of the Committee of Management.

(11) All moneys of the Society shall be deposited in one or more banks approved by the Society. All cheques or withdrawal forms to withdraw such money as directed by the Society or the Committee of Management shall be signed by the Honorary Treasurer and by either the President or the Honorary General Secretary.

The Board of
Governors
and
the meetings
of the Board.

10. (1) The President of the Society shall summon the meetings of the Board of Governors. The President of the Society shall, on being requested in writing by any two members of the Board of Governors, convene a meeting of the said Board within three weeks of the date of the said writing.

(2) At the first meeting of the Board of Governors, the members shall elect a Secretary. At every meeting, a Chairman shall be elected from amongst the members who are present. There shall be at least seven members to form a quorum.

(3) In summoning a meeting, the President of the Society shall address letters to all the members of the Board of Governors, giving at least ten days' notice of the said meeting and stating in the said letter—

(a) the date, time and place of the meeting;

(b) the specific matters involved and particulars thereof.

(4) In all matters connected with the property and moneys of the Society or of the Educational Board, the decision of the Board of Governors shall be final.

Rainagore
Buddhist
Educational
Board.

11. (1) All persons who have contributed or who shall in future contribute five thousand rupees or more towards "The Buddhist Educational Fund" set up by the Educational Board, shall be members of the Educational Board.

(2) The President of the Society shall ex officio be a member of the Educational Board.

(3) The Educational Board shall also have the right to co-opt specially from amongst the members of the Society ten members to serve on the Educational Board for a period of one year.

Moneys of
the Board.

12. (1) The Honorary Treasurer of the Educational Board shall be in charge of the accounts and he shall submit a statement of accounts duly audited by a qualified accountant at the annual general meeting of the Educational Board.

(2) All cheques and forms to withdraw any money from the bank in accordance with the rules of the Educational Board shall be signed by the Honorary Treasurer and by either the President or the Honorary Secretary of the Educational Board.

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