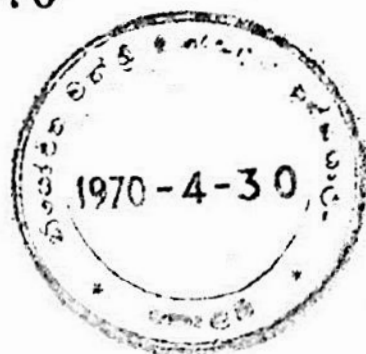


PARLIAMENT OF CEYLON

5th Session 1969-70



Young Men's Buddhist Association Wadduwa (Incorporation) Act, No. 19 of 1970

Date of Assent : March 24, 1970

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*Young Men's Buddhist Association, Wadduwa
(Incorporation) Act, No. 19 of 1970*

L.D.—O. 48/69.

AN ACT TO INCORPORATE THE YOUNG MEN'S
BUDDHIST ASSOCIATION, WADDUWA.

[Date of Assent: March 24, 1970]

WHEREAS an Association called and known as "The Young Men's Buddhist Association, Wadduwa" has heretofore been established at Wadduwa 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:

Preamble.

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:

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 Young Men's Buddhist Association, Wadduwa (Incorporation) Act, No. 19 of 1970.

Short title.

2. From and after the passing of this Act, the President, other office-bearers and members of the Board of Management for the time being of the said Young Men's Buddhist Association, Wadduwa, and such and so many persons as now are members of the said Young Men's Buddhist Association, Wadduwa, or shall hereafter be admitted members of the corporation hereby constituted, shall be and become a corporation with continuance for ever under the style and name of "The Young Men's Buddhist Association, Wadduwa" 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 their pleasure.

Incorporation.

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

General objects
of the
corporation.

(a) the study, observance and propagation of
Buddhism;

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- (b) the promotion of unity and co-operation among Buddhists;
- (c) social and public welfare work;
- (d) the advancement of the physical, intellectual and social welfare of the members.

Committee of Management and Board of Trustees.

4. (1) The affairs of the corporation shall, subject to the rules in force for the time being of the corporation as hereinafter provided, be administered by a Committee of Management consisting of the President, five Vice-Presidents, four Chairmen of Departmental Committees, three Honorary Joint Secretaries, the Honorary Treasurer, the Honorary Assistant Treasurer, the General Manager and fifteen other members to be elected in accordance with the rules for the time being of the corporation.

(2) There shall also be a " Board of Trustees " of the corporation constituted with a panel of ten office-bearers from the Committee of Management for the time being as set out under sub-section (1) and shall consist of: the President, the Chairmen of the Departmental Committees, the Honorary Joint Secretaries, the Honorary Treasurer, and the General Manager, who shall be the guardian and custodian of all property belonging to the Corporation subject to the rules in force for the time being of the corporation.

(3) All members of the corporation shall be subject to the rules in force for the time being of the corporation.

The first Committee of Management, &c.

5. The Committee of Management and the Board of Trustees holding office on the date of commencement of this Act, shall be the first Committee of Management and the Board of Trustees, respectively, of the corporation.

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6. 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 for the admission, withdrawal or expulsion of members; for the conduct of the duties of the Committee of Management and of the various officers, agents and servants 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. Such rules when made, may, at a like meeting, be altered, added to, amended, or cancelled, subject however, to the requirements of section 8.

General meetings.

7. Subject to the provisions in the preceding section contained, the rules set forth in the Schedule hereto shall for all purposes be the rules of the corporation:

Rules in the Schedule to be rules of the corporation.

Provided, however, that nothing in this section contained shall be held or construed to prevent the Corporation at all times hereafter from making fresh rules, or from altering, amending, adding to, or cancelling any of the rules in the Schedule or to be hereafter made by the corporation.

8. No rule in the Schedule hereto, nor any rule hereafter passed at a General Meeting, shall be altered, added to, amended or cancelled except by a vote of two-thirds of the members present at a General Meeting of the corporation, provided that such amendment shall have been previously approved by the Committee of Management.

Procedure for amendment of rules.

9. All the debts and liabilities of the said Young Men's Buddhist Association, Wadduwa, existing at the time of the coming into operation of this Act shall be paid by the corporation hereby constituted, and all

Debts, &c., due by and payable to the corporation.

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6. *Branch Committees:* There shall be the following Branch Committees:—

- (a) Religious Activities,
- (b) Social Service,
- (c) Cultural Affairs.

III—MEMBERS

7. *General Qualifications:* Those entitled to be members shall be men who are interested in any or all of the objects enumerated in rule 2.

8. *Disqualification for Membership:* A person shall be disqualified from being elected to Membership or from remaining a member of the Association for any one or more of the following reasons:—

- (a) if he has been adjudged by a competent court to be of unsound mind;
- (b) if he is under 18 years of age.

9. *Life Members:* Life Members shall be those who have paid the life membership fees as provided for in rule 11.

10. *Ordinary Members:* All other members of the Association shall be Ordinary Members.

11. A Life Member shall be liable to pay in one lump sum payment, a membership fee of Rupees Two Hundred. He shall thereafter not be liable to pay any membership fees.

12. *Rights and Privileges:* Honorary and Life Members shall be entitled to the same rights and privileges as ordinary members unless otherwise provided for in these rules.

IV—ELECTION AND ADMISSION OF MEMBERS

13. *Application for Life and Ordinary Membership:* All applications for Ordinary or Life Membership shall be addressed to the Honorary General Secretary and shall be substantially on the form approved by the Board and in use at the time, and shall be signed by any two members as Proposer and Secunder respectively. All applications shall be forwarded, together with a remittance of the entrance fee and the membership fee; failing which, the Honorary General Secretary shall reject the application.

14. *Notice of application:* All applications for membership shall, unless rejected in accordance with rule 13, be forthwith accepted by the Honorary General Secretary and posted on the notice board of the Association for at least fourteen days.

15. *Election to Membership:* (i) The election of an applicant for membership shall take place at the meeting of the Board held next after the expiry of the fourteen days' notice provided for in rule 14, or as early as possible thereafter.

(ii) The Board shall have the power to reject any application for membership without stating reasons.

16. *Excluded Applicant:* A person excluded from membership under rule 15 shall not be proposed again for membership till the expiry of twelve months from the date of such exclusion.

17. *Elected Member:* (i) A member on election shall be liable to pay all fees, subscription and dues from the date of election as and when they become payable.

(ii) Should such member fail to make due payment, as provided for in paragraph (i), after due notice in writing given by the Honorary General Secretary, he shall be deemed to have forfeited his membership and his name shall be deleted from the register of members one month from the date of the said notice.

Provided that the Board may re-admit such member on his applying in writing and paying all outstanding dues.

V—THE CONDUCT AND DUTIES OF MEMBERS

18. (i) *General rule of conduct:* It shall be the duty of every member to abide by the rules of the Association for the time being in force, and all rules, rulings and decisions made by the Board.

(ii) Every member shall conduct himself with propriety, and in such a manner as shall not be injurious to the interests of the Association.

VI—TERMINATION OF MEMBERSHIP

19. *Termination of membership:* Membership shall cease for any of the following reasons:—

- (a) by the death of the member; or
- (b) by resignation in accordance with rule 20; or
- (c) ineligibility to membership under rule 17 (ii); or
- (d) ineligibility to membership under rule 8.

20. *Resignation:* (i) A member may resign his membership giving fourteen days' notice in writing to the Honorary General Secretary of his intention so to do.

(ii) A member who has resigned in accordance with paragraph (i) may be re-admitted to membership on his applying to be so re-admitted, provided, however, that it shall be obligatory on such applicant to pay all dues that may have been outstanding at the time of his resignation.

VII—MEETINGS

21. *Annual General Meeting:* The Annual General Meeting of the Association shall be held in the month of September every year.

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(b) The Committee of Management has the power to determine and appoint anyone from among those coming within Rule 4 (c), a Life Patron. Patrons so appointed shall be permanent and shall not be removed from Office. The number to be appointed under this clause shall be unlimited. The appointees may be from Maha Sangha and the Laity.

(c) The Committee of Management shall determine and appoint, in addition to the Life Patrons referred to under sub-rule (b) above, the Nayaka incumbent of each of the Temples coming within the jurisdiction of the Association, as Patrons from the Maha Sangha; and three other Patrons from the Laity who in their view have rendered valuable service for the upliftment of the Association. It has the power to add to this number if found to be essential.

(d) The first life patrons under sub-rule (b) above shall be: 1. Rev. Narada Thero, Vajiraramaya, Bambalapitiya, 2. Mr. K. P. Sumanapala, 3. Mr. Siri Perera, Q.C., 4. Mr. D. J. Galaboda, J.P., 5. Mr. M. D. S. Goonetilleke.

(2) (a) The office-bearers and the members of the Committee of Management shall be elected at an annual general meeting or at any other general meeting of the Association. The office-bearers shall hold office for one year or until their successors have been elected. A member shall be elected to hold only one office among the office-bearers at any one time.

(b) No member under 21 years of age shall be elected to any office.

Management.

7. (1) (a) The affairs of the Association shall be administered by a Committee of Management consisting of: The President, five Vice-Presidents, four Chairmen of Departmental Committees, three Hon. Joint Secretaries, Hon. Treasurer, Hon. Asst. Treasurer, the General Manager and fifteen other members.

(b) The Committee of Management shall have the power to make rules for its own government and management of the affairs of the Association and its departments, provided that such rules are not inconsistent with this constitution.

(c) The Committee of Management shall administer for the Association of all property movable and immovable belonging to the Association and shall have the power with the prior consent of the Board of Trustees and the approval of two-thirds of the members present at a special general meeting of the Association summoned for the purpose to sell, mortgage, lease, exchange or otherwise dispose of any property belonging to the Association, provided that such action shall not be confined to any property gifted or vested in the Association, contrary to any terms or conditions agreed upon.

(d) It shall be responsible to see that the funds of the Association shall be utilised only for the promotion of the objects under rule 3 and matters connected therewith.

(e) It shall have the power to fill in any of the vacancies occurring during the year among the office-bearers or the Committee of Management for the unexpired period of the term.

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(2) (a) The Board of Trustees shall hold and be the sole guardian and custodian on behalf of the Association of all property, movable and immovable, belonging to the Association, and shall consist of: The President, the four Chairmen of Departmental Committees, the three Hony. Joint Secretaries, the Hony. Treasurer, and the General Manager comprising ten Officers in all.

Board of
Trustees.

(b) It shall be responsible to safeguard, maintain and upkeep all property and buildings; guide and advise the Committee of Management in all matters connected therewith for the proper administration of same, or with the receipt, purchase and disposal of any property for the Association. It shall collectively be held responsible to see that no rules, conditions, agreements or contracts entered into by the Association, in respect of any property or otherwise on behalf of the Association are violated. Majority decision of all members of the Board shall be taken on all issues coming within its purview.

(c) The President, the Hony. Treasurer and one other member of the Board shall sign all legal documents and instruments appertaining to or on behalf of the Association. All such documents and instruments must bear the seal of the Association.

(3) (a) The various activities of the Association shall be in charge of the Departmental Committees consisting of the Chairman and four other members. The four members are to be nominated by the Committee of Management.

Departmental
Committees.

(b) There shall be four such Committees for the present, with power to add if found necessary by the Committee of Management. The present committees shall be: 1. Religious, 2. Social and Public Welfare, 3. Literary, 4. Sports.

8. (a) The President or in his absence a Vice-President or in their absence a Chairman of Committees shall take the Chair at meetings of the Association. The Chairman shall have a casting vote.

Meetings.

(b) No person who has been a member for less than three months or any member who has not paid the subscriptions for three months immediately preceding the month in which a meeting is held, shall be entitled to vote at such a meeting. Voting at meetings shall be as decided upon by the Chairman.

(c) A meeting of the Committee of Management shall be held at least once a month. The President or the Secretaries have the power to convene a special meeting of the Committee of Management whenever it is found necessary. The President shall have a meeting of the Committee of Management convened, upon written requisition of seven members of the committee, to transact such business as is intimated in the notice calling the meeting. Eleven members shall form the quorum at all meetings of the committee. Three days' clear notice shall be given of all meetings. A member absenting for four consecutive meetings of the committee without any intimation shall vacate the membership of the committee. An intimation shall be given to such member before the vacancy so caused is filled up.

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IX—OFFICE-BEARERS: THEIR STATUS AND POWERS

29. (1) *Office-bearers, their status and powers:* The President shall preside at the meetings at which he is present, and in the absence of the President one of the Vice-Presidents may officiate for the President.

(2) The Board shall have in its charge the administration, conduct and control of all affairs of the association, on behalf of the members according to the rules, and shall be responsible for the policy of the Association.

(3) The Honorary General Secretary shall be the chief executive officer of the association and shall be responsible for maintaining the register of members and for the accuracy of all entries made therein, and he shall have such powers as are recognized by the Board.

(4) The Honorary Treasurer shall be responsible for the custody of all moneys belonging to the Association, their collection and disbursement, for the keeping of the Association's books of account and for the rendering of true accounts whenever called upon by the Board.

(5) All office-bearers shall perform their several duties subject to these rules and according to such directions as may be given to them from time to time by the Board; and the Board shall have the power to suspend from office any office-bearer other than the President or a Vice-President and such office-bearer shall forthwith be reported to a General Meeting and if he is removed from office by a majority of those present and voting at such General Meeting, a successor shall be elected in accordance with these Rules.

X—MEETINGS OF THE BOARD OF MANAGEMENT

30. *Board Meetings:* (1) The Board shall meet at least once in thirty days.

(2) A special meeting of the Board shall be convened by the Honorary General Secretary upon the written requisition by three members of the Board for the transaction of such business as is intimated in the notice requisitioning such meeting.

(3) Seven members of the Board shall be the quorum at any meeting of the Board.

(4) The President or one of the Vice-Presidents shall preside at all meetings. If neither the President nor a Vice-President is present one of the members shall be voted to the Chair.

XI—CONTROL AND ADMINISTRATION OF PROPERTY AND FUNDS

31. *Powers of the Board regarding Property and Funds:*

(1) The Board shall have the general control and administration of all property and funds of the Association, and may for the purposes of the association—

(a) grant a lease of any immovable property for a period not exceeding one year; or

(b) take any necessary action regarding a property;

- (c) incur in addition to the ordinary expenditure of the Association, any extraordinary expenditure not exceeding rupees one thousand in any one year, without the authority of a General Meeting or of the Trustees.
- (2) Except as provided for in paragraph (1) no act of the Board shall be valid or effective for the purpose of transferring any rights in the property or the funds, of the association or for creating any liability or claim against the Association, unless such act has been previously authorized at a Special General Meeting and such authority has been approved by a majority of the Governors voting at a meeting of the Governors as provided for in these rules.

XII—BOARD OF GOVERNORS

32. *Board of Governors:* (1) There shall be a Board of Governors consisting of five persons.

(2) The first members of the Board of Governors shall be elected at a General Meeting of the Association, and where any vacancy occurs among the members of that Board, the remaining members of that Board shall fill such vacancy by electing a fit and proper person as a member of that Board with the approval of the committee of management.

(3) No person shall be elected as a member of the Board of Governors if he,—

- (a) is not a member of the Association;
- (b) is not a Buddhist;
- (c) is less than forty years of age;
- (d) is a person who having been declared an insolvent under any law in force in Ceylon, is an undischarged insolvent;
- (e) is of unsound mind; or
- (f) is a person who has been convicted by any court of an offence involving moral turpitude.

(4) A member of the Board of Governors may resign office by letter addressed to such Board.

(5) No act of the Board of Management of the Association shall be valid or effective for the purpose of transferring any rights in the property or funds of the Association or for creating any liability or claim against the Association unless such act has been previously authorized by a resolution passed by a majority of the members of the Board of Governors present at a meeting of that Board.

XIII—MISCELLANEOUS

33. *Bank accounts and Auditors :* (1) The banking accounts of the Association shall be kept with such bank or banks as the Board may determine and all cheques drawn against such accounts shall be signed by the Honorary Treasurer and the President or the Honorary General Secretary.