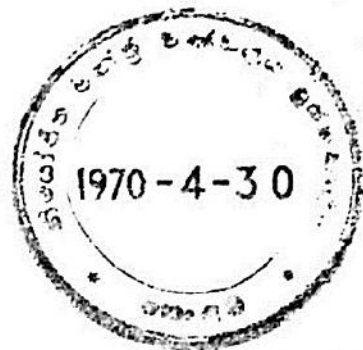


PARLIAMENT OF CEYLON

5th Session 1969-70



Panadura Public and Local Government Service Buddhist Association Act, No. 22 of 1970

Date of Assent : March 24, 1970

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L. D.—O. 1/70.

AN ACT TO INCORPORATE THE PANADURA PUBLIC AND
LOCAL GOVERNMENT SERVICE BUDDHIST ASSOCIATION.

[Date of Assent: March 24, 1970]

WHEREAS an Association called and known as
“ The Panadura Public and Local Government
Service Buddhist Association ” has heretofore been
established at Panadura 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 Panadura Public
and Local Government Service Buddhist Association
Act, No. 22 of 1970.

Short title.

2. From and after the passing of this Act, such
and so many persons as now are members of the
Panadura Public and Local Government Service
Buddhist Association (hereinafter referred to as
“ the Association ”), 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 Panadura
Public and Local Government Service Buddhist
Association ” (hereinafter referred to as “ the
Corporation ”), 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
Panadura
Public and
Local
Government
Service
Buddhist
Association.

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

General objects
of the
Corporation.

(a) to encourage the study and practice of Buddhism
and aid its propagation;

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- (b) to engage in educational, cultural and social activities;
- (c) to promote the moral, intellectual and physical development of members; and
- (d) to assist the poor and the destitute.

Committee of
Management.

4. (1) The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation made as hereinafter provided, be administered by a Committee of Management consisting of the President, the three Vice-Presidents, the Honorary Secretary, the Honorary Treasurer and the Honorary Assistant Secretary and twelve other members, to be elected in accordance with the rules for the time being of the Corporation.

(2) The first Committee of Management shall consist of Mr. P. C. M. Dias, J. P., President; Mr. P. O. Fernando, Vice-President; Mr. P. C. de Silva, Vice-President; Mr. H. Y. Soysa, Vice-President; Mr. Piyadasa Wijesuriya, Honorary Secretary; Mr. Luxman Heiyantuduwa, Honorary Treasurer; Mr. U. G. Rodrigo, Honorary Assistant Secretary; Mr. Lionel Panditharatna, Mr. S. R. Fernando, Mr. Newton Perera, Mr. H. A. Peiris, Mr. K. P. Malalasekera, Mr. D. Leslie Wijesekera, Mr. Nanda Perera, Mr. H. O. Soysa, Mr. Amarasansa Perera, Mr. Gerald Soysa, Mr. A. Abeywardena and Mr. H. B. Peiris.

Board of
Directors.

5. (1) There shall be a Board of Directors consisting of the President, the three Vice-Presidents, the Honorary Secretary, the Honorary Treasurer and the Honorary Assistant Secretary for the time being of the Corporation and two members of the Committee of Management to be elected each year at the first meeting of the Committee of Management.

(2) The first Board of Directors shall consist of the persons who on the date of commencement of this Act hold the offices specified in sub-section (1) and Mr. Lionel Panditharatna and Mr. S. R. Fernando.

(3) The Board of Directors shall exercise the powers and discharge the duties conferred and imposed on the Board by this Act and the rules of the Corporation.

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6. The rules set out in the Schedule shall for all purposes be the rules of the Corporation:

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, at any duly constituted general meeting of the Corporation from making fresh rules, or from altering, amending, adding to or cancelling any of the rules set out in the Schedule or which may hereafter be made by the Corporation.

7. No rule set out in the Schedule, and no rule which may hereafter be made at a general meeting, shall be altered, added to, amended, or cancelled, except by the votes of two-thirds of the members present and voting at a general meeting of the Corporation and unless such alteration, addition, amendment or cancellation shall have been previously approved by the Committee of Management.

Amendment of rules.

8. All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

Members to be subject to rules.

9. All debts and liabilities of the Association 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 Association shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Association.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of three of the members of the Board of Directors, who shall sign their names on the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

Procedure for affixing the seal of the Corporation.

11. The Corporation shall be 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 the rules 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 and immovable.

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Saving of the
rights of the
Crown and
others.

12. Nothing in this Act contained shall prejudice or affect the rights of Her Majesty the Queen, Her Heirs, and Successors, 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.

[Section 6]

SCHEDULE

RULES OF THE PANADURA PUBLIC AND LOCAL GOVERNMENT
SERVICE BUDDHIST ASSOCIATION

Motto.

1. The motto of the Association shall be "Sukhanca na vina dhamma"—there is no happiness except through Dhamma.

Name.

2. The name of the Association shall be the Panadura Public and Local Government Service Buddhist Association.

Objects.

3. The objects of the Association are hereby declared to be—

- (a) to encourage the study and practice of Buddhism and aid its propagation;
- (b) to engage in educational, cultural and social activities;
- (c) to promote the moral, intellectual and physical development of members; and
- (d) to assist the poor and the destitute.

Patrons.

4. Three Bhikkhus shall be elected as Patrons at the Annual General Meeting.

Eligibility
for
membership.

5. (1) There shall be three classes of members, namely—Active, Life and Associate members. Any person who accepts the aforesaid objects of the Association and is willing to assist in the achievement of one or more of the aforesaid objects shall be eligible for membership, but only Buddhists shall be eligible to active or life membership.

Active
members.

(2) (a) *Active Membership*.—Any Buddhist employed in a Government Department, a Local Government Institution, a Corporation or other semi-Government Institution who is a resident of Panadura or a neighbouring village or any Buddhist who resides outside the aforesaid area but is employed in any such Department, Institution or Corporation situated at Panadura or any person referred to above who has retired shall be eligible for active membership.

Life members.

(b) *Life Membership*.—Any active member of the Association after serving two years in such capacity shall be eligible for life membership. Such a person will enjoy life membership status after the approval of the Committee of Management.

Associate
members.

(c) *Associate Membership*.—Any person who is not eligible for active membership shall be eligible for associate membership.

Enrolment.

(3) Any person applying to be a member of the Association shall perfect an application form and submit it to the Secretary together with one year's subscription and a recommendation

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from two members of the Association. The Committee of Management may in its absolute discretion decide whether or not to admit any person as a member.

6. (a) All active members shall pay an annual fee of Rs. 3 on or before October 31, in each year.

(b) The fee for life membership shall be Rs. 50 for life.

(c) The fee for associate membership shall be Rs. 10 for life.

Membership fees of active members, life members, associate members.

7. (1) It shall be the duty of every member to act in accordance with the rules of the Association and abide by any rules framed by the Committee of Management for the conduct of the business of the Association.

Duties of members.

(2) (a) Any member shall cease to be a member on resignation or on death or where the Committee of Management has cancelled his membership.

Termination of membership.

(b) The Committee of Management shall cancel the membership of a member if such member being an active member, has not paid his annual fees for two consecutive years or where a member has behaved in the opinion of the Committee of Management in an unsatisfactory manner.

(c) A member whose membership has been cancelled by the Committee of Management may be re-enrolled by the Committee of Management subject to such conditions as may be imposed.

(d) A person who has ceased to be a member on cancellation of membership shall forthwith cease to function in any capacity or office held by him. He shall, on ceasing to be a member hand over all documents, files and other property of the Association in his charge to the Secretary or to the President and obtain a receipt.

8. (1) The Annual General Meeting shall be held during the first four months of every year.

(2) The business to be transacted at the Annual General Meeting shall be—

(i) to submit the Annual Report and the audited Statement of Accounts relating to the previous financial year. Copies shall be issued to members at least three days prior to such meeting,

(ii) to elect the Patrons and Office-bearers for the ensuing year,

(iii) to appoint Auditors,

(iv) to elect the members of the Committee of Management.

(3) The quorum for an Annual General Meeting shall be thirty members other than associate members.

(4) (i) Any life member or active member who is not in arrears of subscriptions is eligible to vote at an annual general meeting.

(ii) Such decision on any matter may be made by the majority vote of the members present and voting.

Annual General Meeting, its business, quorum, voting, &c.

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(iii) Whenever an equal number of votes are cast on any issue, a decision may be reached by the President casting an additional vote.

(5) An Annual or Special General Meeting may be called by the Honorary Secretary after giving two weeks' notice to the members.

Special General Meetings.

9. (a) A special general meeting shall be summoned at the written request of not less than twenty-five members other than associate members.

(b) The Honorary Secretary shall summon such a meeting within two months from the date of receipt of such request.

(c) No business other than the business specified in the notice convening a Special General Meeting shall be transacted at such meeting.

Committee of Management.

10. (i) The Committee of Management shall consist of nineteen members other than associate members.

(ii) Active members who have been members for not less than two consecutive years and life members are eligible to be appointed as members to the Committee of Management.

(iii) The Committee of Management shall have the power to fill any vacancy if such a vacancy occurs in the Committee of Management.

(iv) All activities of the Association shall be conducted with the approval of the Committee of Management.

(v) Seven members shall form the quorum at a meeting of Committee of Management.

(vi) Decisions of the Committee of Management shall be made by the votes of the majority of the members present and voting.

(vii) Meetings of the Committee of Management shall be held once a month or whenever circumstances necessitate such meetings.

(viii) A meeting of the Committee of Management may be summoned by the Secretary on his own accord or at the written request of the President or at the written request of at least five members of the Committee of Management.

(ix) The Committee of Management shall have the power to appoint Branch Secretaries, Sub-Committees and Chairmen of and Secretaries to such Sub-Committees.

The Committee of Management may issue instructions to any such Sub-Committee and give necessary guidance.

(x) The Committee of Management may make rules not inconsistent with the rules made by the Association to ensure security and decent behaviour of the members who are engaged in the activities of the Association and in regard to the maintenance of buildings and other property possessed by the Association.

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(xi) The Committee of Management shall prepare the Annual Report and the Statement of Accounts to be submitted to the Annual General Meeting.

11. (a) The Office-bearers of the Association shall be—

Office-bearers.

- (i) The President.
- (ii) The three Vice-Presidents.
- (iii) The Secretary.
- (iv) The Assistant Secretary.
- (v) The Treasurer.

(b) Office-bearers shall be elected at an Annual General Meeting and shall hold office until the next Annual General Meeting.

12. (i) The President shall take the chair at the Annual General Meeting and at Committee Meetings at which he is present.

President.

(ii) Any of the Vice-Presidents shall take the chair during the President's absence.

(iii) Where both the President and the Vice-Presidents are not present, a life member or an active member shall be elected to take the chair.

13. (i) The official seal of the Association shall be in the custody of the Secretary.

Secretary.

(ii) The Secretary shall maintain all minutes books and the register of members.

(iii) The Secretary shall keep a record of all minutes, relating to General Meetings and Meetings of the Committee of Management.

14. (i) The Treasurer shall maintain under his charge all necessary files and records relating to the Cash Account, the receipts and payments register and the receipt books.

Treasurer.

(ii) He shall maintain a record of daily accounts and duly report to the Committee of Management all items of expenditure.

(iii) The Treasurer may retain in his hand a sum of not more than Rs. 50 to meet sundry expenses. Any sum in excess of Rs. 50 shall be deposited in the bank as directed by the Committee of Management.

(iv) He shall be answerable to the Committee of Management for all financial transactions.

(v) All decisions regarding financial matters shall require the approval of the Committee of Management.

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Funds.

15. (a) The funds of the Association shall be deposited in a bank or banks selected for the purpose with the approval of the Committee of Management.

(b) All withdrawals from bank accounts shall be signed by the Treasurer and the President:

Provided that the Committee of Management shall have the power to authorise one or more members of the Committee of Management to operate such accounts on behalf of the Association.

Board of
Directors.

16. (a) The Board of Directors shall consist of all office-bearers and two other members of the Committee of Management to be elected at the first meeting of the Committee of Management in each year.

(b) All assets, current and fixed deposits accounts shall be vested in the Board of Directors.

(c) The Board of Directors shall, with the approval of the Committee of Management, have the power to sell, purchase or otherwise acquire or lease any property or enter into any agreement on behalf of the Association:

Provided, however, that no movable or immovable property of the Association shall be sold, leased or let except with the prior approval of the Association given at a general meeting.

(d) The official seal of the Association shall not be affixed to any instrument except in the presence of three members of the Board of Directors.

Matters not
provided for
by the
constitution.

17. (a) On any matter not provided for in the rules the decision of the Committee of Management shall be final.

(b) These rules shall not be amended, deleted, altered or added to except with the approval of the Committee of Management and passed at a General Meeting of the Association by a majority of two-thirds of the members present and voting.