

# PARLIAMENT OF CEYLON

2nd Session 1971-72



## Colombo Bible College (Incorporation) Act, No. 32 of 1971

*Date of Assent: September 16, 1971*

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*Colombo Bible College (Incorporation)  
Act, No. 32 of 1971*

L. D.—O. 10/71.

AN ACT TO INCORPORATE THE COLOMBO BIBLE COLLEGE.

[Date of Assent: September 16, 1971]

WHEREAS an Institution called and known as "The Colombo Bible College" has heretofore been established at Colombo for the purpose of teaching and training members of the Church of Jesus Christ, the Word of God:

Preamble.

And whereas the said Institution has heretofore carried out this work successfully it has become necessary for the furtherance of its effectiveness to be incorporated:

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 Colombo Bible College (Incorporation) Act, No. 32 of 1971.

Short title.

2. The persons who, on the date of commencement of this Act, are members of the Colombo Bible College (hereinafter referred to as "the College") and such other persons as are hereafter enrolled as members of the College shall be a body corporate (hereinafter referred to as "the Corporation") with perpetual succession and a common seal and the name "The Colombo Bible College". The Corporation may sue and be sued by that name.

Incorporation of the Colombo Bible College.

3. The objects of the Corporation shall be—

Objects of the Corporation.

- (a) to assist believers in Jesus Christ to develop the whole man through a Bible centred programme;
- (b) to provide the laity of all Christian denominations with a training which would make them better fitted to disseminate the Word of God and the Gospel of Jesus Christ by witness and teaching;
- (c) to serve as a broad spectrum of the Christian community;
- (d) to disseminate information relating to the Christian religion;

- (e) to establish and maintain contact with other institutions, whether in Ceylon or not, having objects similar to those of the Corporation and to affiliate any such institution to the Corporation.

Powers of the Corporation.

4. The Corporation shall have the following powers:—

- (a) to acquire by purchase, exchange, gift, testamentary disposition or otherwise and to mortgage, lease, exchange, sell or otherwise dispose of, any property whatsoever;
- (b) to raise and collect funds for the purpose of the Corporation;
- (c) to utilise the moneys of the Corporation in order to meet all expenditure incurred by the Corporation in carrying out its objects, in remunerating its employees and in the exercise and performance of its powers and duties;
- (d) to borrow and raise money, with or without security, for any of the purposes of the Corporation;
- (e) to invest such of the moneys of the Corporation as are not immediately required for the purpose of the Corporation in such securities and in such manner as the Corporation may consider fit;
- (f) to publish, sell or distribute newspapers, books, pamphlets or magazines, and to supply information, for the purpose of stimulating interest in and promoting the objects of the Corporation;
- (g) to appoint all such officers and servants of the Corporation as it may deem necessary and to pay them such salaries, pensions, gratuities and allowances as may from time to time be determined by the Corporation;
- (h) to provide facilities to promote the physical, mental and spiritual development of persons who are or were employed by the Corporation as its officers and servants and of the members of the families of such persons:



- (i) to establish a fund or scheme for the provision of pensions or gratuities to the widows, children, next of kin or dependants of deceased officers and servants;
- (j) to make grants out of the moneys of the Corporation to any institution which is affiliated to the Corporation;
- (k) to enter into any arrangements with departments of Government, local authorities or any society or body, whether corporate or unincorporate, for promoting the objects of the Corporation;
- (l) to take all steps as may be necessary or desirable for the promotion of all or any of the objects of the Corporation.

5. All debts and liabilities of the College existing at the time of the coming into operation of this Act shall be paid and discharged by the Corporation and all debts, subscriptions and contributions due to or payable to the College shall be paid to the Corporation.

Sums payable by or to the College to be paid by or to the Corporation.

6. The income and property of the Corporation shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit, to the members of the Corporation:

Application of income and property of the Corporation.

Provided that nothing in the preceding provisions of this section shall prevent—

- (a) the payment in good faith of reasonable and proper remuneration to any officer or servant of the Corporation or to any member of the Corporation for any services rendered to the Corporation;
- (b) the payment of interest at a rate not exceeding five *per centum* per annum on money lent, or reasonable and proper rent for premises let, to the Corporation by any member of the Corporation or by any company of which a member of the Corporation is a member holding shares not exceeding one-hundredth part of the capital of the company;

- (c) the payment of any grant by the Corporation to any member of the Corporation for any services done or rendered for the Corporation in promoting its objects;
- (d) the delivery of specimen copies of the publications of the Corporation to the members of the Council of Management of the Corporation;
- (e) the repayment of expenses incurred by any member, officer or servant of the Corporation in the performance of his functions or duties or in promoting the objects of the Corporation.

Accounts and audit.

7. (1) The Corporation shall cause proper books of account to be kept with respect to—

- (a) all sums of money received or expended by the Corporation; and
- (b) the assets and liabilities of the Corporation.

(2) The accounts of the Corporation and the balance sheet shall be audited at least once a year by any qualified auditor or auditors appointed for the purpose by the Corporation.

(3) The accounts of the Corporation and the balance sheet shall be open to the inspection of the members of the Corporation at all reasonable times.

Rules of the Corporation.

8. (1) The Corporation may, from time to time at any general meeting of the members and by a majority of the members present and qualified to vote at such meeting, make rules for the management of the affairs of the Corporation and the accomplishment of its objects. In particular and without prejudice to the foregoing power, such rules may make provision in respect of all or any of the following matters:—

- (a) the admission, withdrawal and expulsion of members;
- (b) the determination of the subscription payable by members and the collection of such subscriptions;
- (c) the procedure to be followed in convening meetings of members of the Corporation and the transaction of business at such meetings;

(d) the conduct of the duties of the Council of Management and of the various officers, agents and servants of the Corporation;

(e) the administration and management of the affairs of the Corporation.

(2) Any rule of the Corporation may be amended or rescinded in like manner as a rule may be made under sub-section (1).

(3) The rules of the College set out in the Schedule to this Act shall for all purposes, be deemed to be the rules of the Corporation made under this section and may accordingly be amended or rescinded or replaced by new rules.

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

9. If upon the dissolution of the Corporation there remains, after the satisfaction of all its debts and liabilities, any property including money, such property shall not be distributed among the members of the Corporation, but shall be transferred to some other institution or institutions which has or have objects similar to the objects of the Corporation and which is or are by rules or articles of association or otherwise prohibited from distributing its or their income and property amongst its or their members to an extent as great as is imposed on the Corporation by this Act. Such institution or institutions shall be determined by the members of the Corporation at or before the time of the dissolution of the Corporation or, in default thereof, by a court within the local limits of whose civil jurisdiction the whole or any part of such property is held or situate. If such property or any part thereof cannot be disposed of in accordance with the provisions of this section, such property or part shall be applied to some charitable object.

Disposal of property of the Corporation left after the payment of debts upon dissolution of the Corporation.

10. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation, be liable to make a contribution which shall exceed the amount of the annual subscriptions due from him to the Corporation and an additional sum of not more than one rupee.

Limit of liability of members of the Corporation.



Saving of the rights of the Crown and others.

11. Nothing in this Act contained shall prejudice or affect the rights of Her Majesty the Queen, Her Heirs and Successors, or any body corporate or of any other persons except such as are mentioned in this Act and those claiming from or under them.

## SCHEDULE

[Section 8]

## RULES OF THE COLOMBO BIBLE COLLEGE

Designation.

1. The name of the College shall be "The Colombo Bible College".

Objects.

2. The objects of the College shall be—

- (a) to assist believers in Jesus Christ to develop the whole man through a Bible centred programme;
- (b) to provide the laity of all Christian denominations with a training which would make them better fitted to disseminate the Word of God and the Gospel of Jesus Christ by witness and teaching;
- (c) to serve as a broad spectrum of the Christian community;
- (d) to disseminate information relating to the Christian religion;
- (e) to establish and maintain contact with other institutions, whether in Ceylon or not, having objects similar to those of the College and to affiliate any such institution to the College.

Membership.

3. Any person who is desirous of promoting the objects of the College and who accepts the Doctrinal Statement set out hereunder shall be eligible for membership.

## DOCTRINAL STATEMENT

- (a) God is the infinite personal Spirit who has revealed Himself as a Trinity in Unity, existing eternally as Father, Son and Spirit—Three Persons with distinct attributes and yet but One God.
- (b) The Bible including both the Old and New Testament is a divine revelation, the original autographs of which were inspired by the Holy Spirit so that the Words were kept from error.
- (c) Jesus Christ is the image of the invisible God, which is to say He is Himself very God; He took upon Him our nature, being conceived by the Holy Spirit and born of the Virgin Mary; He died upon the cross as a substitutionary sacrifice for the sins of the world. He arose from the dead in the body in which He was crucified; He ascended into Heaven in that body glorified, where He is now, our interceding High Priest. He will come again personally and visibly to set up His Kingdom and to judge the quick and the dead. He is the only Mediator, Prophet, Priest and King of the Church and the rightful sovereign of the Universe.

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- (d) Man was created in the image of God, but fell into sin and is spiritually lost according to the scriptures. This is true of all men and "except a man be born again he cannot see the Kingdom of God". Salvation is by grace through faith in Christ alone, who "His own Self bore our sins in His own body on the tree", and we rest upon Him alone for justification, sanctification and eternal life. The retribution of the wicked and unbelieving, and the reward of the righteous are everlasting; and as reward is conscious so is retribution.
- (e) The Church is an elect company of believers, baptised by the Spirit into one body, each believer living his life in the power of the Holy Spirit; its mission is to witness concerning its Head, Jesus Christ, and teach and preach the Gospel among all nations.
- (f) The entire programme of Christian training is evangelistic. It finds its reason for being and its goal, in bringing the individual to a personal acceptance of Jesus Christ as Saviour and Lord, in helping the Christian grow in grace and in the knowledge of our Lord and equipping Christians for more effective service.

4. Every member shall pay a membership subscription of five rupees per month or sixty rupees for the whole year if he pays the year's subscription in advance. The Council of Management may exempt any member from paying the subscription for special services that he may render or have rendered.

Subscription.

5. A member of the College shall cease to be such member—

Cessation of Membership.

- (a) if he resigns his membership by writing under his hand addressed to the President of the College; or
- (b) if by reason of illness or other infirmity or absence from Ceylon he is unable to perform the duties of his office as a member of the College; or
- (c) if he fails or refuses to subscribe to the doctrinal statement set out in Rule 3;
- (d) if the Council of Management by a majority of the members of the Council present and voting decides that in the interests of the College the name of such member should be removed from the register of members.

6. (1) The affairs of the College shall subject to the Rules and to any resolution which has been passed at a general meeting of the members of the College and has been entered in the duly confirmed minutes of the meeting be administered by a Council of Management consisting of the President, the Vice-President, the Secretary, the Treasurer, the Principal and such other members not exceeding fifteen as are elected to the Council in accordance with the Rules at an Ordinary General Meeting.

Council of Management.



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(2) The first Council of Management shall consist of the following:—

President: Walter Mahesa Sellayah;  
Vice-President: Rev. Ananda Perera;  
Secretary: Felix Noel Jayaratna;  
Treasurer: John Sellathurai;  
Principal: Earnest Balasingham Anketell;

Cecil Edgar Belleth, Rev. Charles Solomon Chrisantha de Mel, Trixie Emily Wijetilaka, Rev. Cecil Siriwardena and Rienzie Joseph Rodrigo and Nivadita Arulampalam.

(3) A member of the teaching staff of the College or a student of the College shall not, whilst he is a member of such staff or a student of the College or until the expiry of one year after the date on which he ceases to be a member of such staff or a student of the College, be eligible for office as a member of the Council of Management. Provided that the preceding provisions of this paragraph shall not apply to the Principal of the College, nor to those persons whose names are mentioned in Rule 6 (2) above.

(4) Every member of the Council of Management shall, unless he earlier vacates office by death, resignation or removal, hold office for a period of three years. Any such member who vacates office by effluxion of time shall be eligible for reappointment.

(5) A member of the Council of Management shall cease to hold office as such member—

- (i) if he resigns his office by writing under his hand addressed to the President of the College;
- (ii) if he ceases to be a member of the College;
- (iii) if the Council of Management by a majority of the members of the Council present and voting decides that in the interests of the College such member should be removed from office.

(6) Whenever a vacancy occurs in the Council of Management, the remaining members of the Council may elect any member of the College to fill such vacancy and the member so elected shall continue in office until the next Ordinary General Meeting of the College.

(7) A resolution in writing signed by all the members of the Council of Management shall be as valid and effectual as if it had been passed at a meeting of the Council of Management which was duly convened.

Powers of the  
Council of  
Management.

7. (1) Subject to the Rules and to any resolution which has been passed at a General Meeting of the members of the College and which has been entered in the duly confirmed minutes of the meeting, the direction and management of the affairs of the College shall be vested in the Council. In particular, the Council shall have the following powers:—

- (a) to exercise all or any of the powers of the College;

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- (b) to appoint, dismiss and exercise disciplinary control over the Principal of the College and the teachers, officers and servants of the College;
- (c) to determine the conditions of appointment and the enrolments of the Principal, teachers, officers and servants of the College and the powers, duties and functions of such Principal, teachers, officers and servants;
- (d) the administration of the moneys and properties of the College;
- (e) to receive and accept bequests, donations and grants of any property to the College;
- (f) to enter into contracts on behalf of the College and to secure the fulfilment of such contracts;
- (g) to determine the persons by whom cheques, receipts, contracts, endorsements and other documents may be signed on behalf of the College.

(2) The Council of Management may appoint Committees consisting of such number of members of the Council of Management as the Council may determine and delegate to such Committees any of the powers of the Council. A Committee shall, in the exercise of the powers delegated to it by the Council of Management comply with such general or special directions as the Council may, from time to time, issue to the Committee.

(3) Every Committee appointed under this rule by the Council of Management shall include the President and the Secretary who shall be the Chairman and the Secretary respectively, of the Committee.

8. (1) Meetings of the Council of Management shall be held at such places and at such times as the Council or the President may determine.

Meetings of the Council of Management and the proceedings at such meetings.

(2) The quorum for any meeting of the Council of Management shall be three.

(3) The President or in his absence the Vice-President, or in the case of the absence of both, a member chosen by the members present, shall preside at a meeting of the Council of Management.

(4) All questions for decision at any meeting of the Council of Management shall be decided by the vote of the majority of the members present. In the case of an equality of votes the chairman of the Meeting shall have a second or casting vote.

(5) The President may at any time convene a special meeting of the Council of Management and the Secretary shall upon a request signed by at least five members of the Council of Management convene a special meeting of the Council within seven days of the request. At least three days' notice shall be given of all special meetings of the Council of Management.

(6) Notwithstanding a vacancy or vacancies in the membership of the Council of Management, the remaining members of the Council of Management may continue to exercise their powers and perform their functions and duties but where the number of members of the Council of Management falls below the quorum for a meeting of the Council the remaining members shall not exercise their rights or perform their functions or duties:

Provided that nothing in the preceding provisions of this paragraph shall prevent the remaining members when their number is less than the number necessary to constitute the quorum for a meeting of the Council of Management, from increasing the number of members so as to constitute the quorum or from summoning a general meeting of the members of the College.

(7) No act or proceeding of the Council of Management shall be invalid by reason only of the existence of any vacancy among its members or any defect in the appointment thereof.

General meetings of the members of the College.

9. (1) The Ordinary General Meeting of the members of the College shall be held once in every calendar year on such date and at such place as the Council of Management may determine:

Provided that the date fixed for an Ordinary General Meeting shall be a date not later than fifteen months after the date of the previous Ordinary General Meeting.

(2) An Extraordinary General Meeting of the members of the College may be summoned by the Council of Management whenever they deem it expedient so to do and shall be summoned by the Council of Management on the requisition in writing of at least five members of the College.

Proceedings at Ordinary and Extraordinary General Meetings.

10. (1) The business to be transacted at an Ordinary General Meeting shall be as follows:—

- (a) Reading of the Notice convening the Meeting.
- (b) Confirmation of the minutes of the previous Ordinary General Meeting and of the Extraordinary General Meetings held after that Ordinary General Meeting.
- (c) Consideration of the report of the Council of Management.
- (d) Adoption of the Statement of Income and Expenditure and of the Balance Sheet, for the year ending on 31st March or such other date as may be determined by the Council of Management.
- (e) Election of the President, Vice-President, Secretary, Treasurer and the other members of the Council of Management and of the Auditors.
- (f) Any business or resolution proposed by the Council of Management.
- (g) Any other business of which due notice has been received.

(2) The business to be transacted at an Extraordinary General Meeting shall be that for which the meeting was convened.



(3) The President shall preside at all General Meetings and failing him, the Vice-President shall preside. In the absence of the President and the Vice-President, the members present shall elect one of their members to be the Chairman of the Meeting.

(4) The quorum for all General Meetings shall be five members present in person.

(5) A General Meeting may, with the consent of the majority of the members present and voting, be adjourned from time to time or from place to place and only business left unfinished shall be transacted at an adjourned meeting.

(6) In the case of an equality of votes at any General Meeting, the Chairman of that meeting shall have a second or casting vote.

(7) The Council of Management shall be the sole and absolute judge of the validity of a vote cast at any General Meeting.

11. It shall be the duty of the Secretary to keep accurate and systematic minutes of General Meetings and of the meetings of the Council of Management. In the minutes of the General Meeting he shall record all appointments made to the Council of Management, the names of the members of the College present at the meeting and all resolutions passed or decisions made at such meeting and in the minutes of a meeting of the Council of Management he shall record all appointments made at the meeting, the names of the members present and all resolutions passed or decisions made at such meeting.

Minutes of  
General  
Meetings and of  
meetings of the  
Council of  
Management.

12. The College shall cause proper books of accounts to be kept in respect of all sums of money received or expended by the College and the particulars of the sums of money received or expended by the College and all financial transactions of the College.

Accounts of the  
College.

13. The Council of Management shall provide a common seal for the College which shall be deposited at the Office of the College and shall not be used except by the authority of the Council of Management and in the presence of and accompanied by the signatures of two members of the Council of Management. No person transacting any business with the College shall have the right to inquire under what authority the seal is affixed to an instrument or in whose presence it is affixed.

Seal.

14. (1) The Council of Management shall submit at the Ordinary General Meeting of the College a balance sheet and statement of accounts prepared up to the 31st of March immediately preceding or such other date as may be determined by the Council of Management and also a report of the state of the College up to that date. The balance sheet, statement of accounts and the report shall be signed by at least two members of the Council of Management and the Secretary and the Treasurer or in such other manner as the Council of Management may direct. A copy of such balance sheet, statement of accounts and the report shall be sent to each member of the College at least seven days before the Ordinary General Meeting.

Balance sheet.

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(2) Every balance sheet and statement of accounts when audited and approved at an Ordinary General Meeting, shall be conclusive except for errors discovered after the approval. Such shall be corrected within two months after the approval.

The auditors.

15. (1) The members of the College shall, at the Ordinary General Meeting of such members held each year, elect one or more qualified auditors. An auditor so elected shall hold office until the next Ordinary General Meeting, but shall be eligible for re-election.

(2) A person shall be disqualified for being elected or continuing as an auditor—

(a) if he is a member of the Council of Management, or

(b) if he is an officer of the College, or

(c) if he is interested in any transaction of the College otherwise than as a member thereof, or

(d) if he has any such financial interest as is likely to affect prejudicially the discharge by him of his functions as an auditor.

(3) In the event of an auditor vacating office before the Ordinary General Meeting the Council of Management shall appoint as auditor in his place a duly qualified person and the person so appointed shall hold office until the next Ordinary General Meeting.

(4) The Council of Management shall, at least three months before the Ordinary General Meeting, deliver to the auditor or auditors the accounts of the College together with the vouchers relating to such accounts and the balance sheet of the preceding year. The auditor or auditors after examining the documents so delivered shall, within two months, make a report on such documents.

(5) The auditor or auditors shall have access at reasonable times to the books of accounts and all relevant documents of the College and shall be entitled to receive such explanation, information and assistance as may be required from the members of the Council of Management and the Officers of the College.

(6) The auditor or auditors shall be paid such remuneration as may be determined by the members of the College at an Ordinary General Meeting. The remuneration so determined shall be paid out of the moneys set apart for use for the general purposes of the College.

Notices.

16. (1) Not less than seven days' notice (exclusive of the date of issue of the notice) shall be given of all General Meetings and of Meetings of the Council of Management to persons entitled to such notice:

Provided that the preceding provisions of this rule shall not apply to special Meetings of the Council of Management:

Provided further that with the express consent of the person entitled to receive such notice a meeting may be convened at such short notice and in such manner as those members may determine.

(2) Every notice shall specify the place, the day and the hour of the meeting and if any special business is to be transacted at that meeting, the nature of the business to be so transacted shall be stated in the notice in general terms.

(3) A notice may be served on the person entitled thereto either personally or through the post by letter addressed to him at his usual or last known place of abode. A notice sent through the post shall be deemed to have been served at the time it would have been received in the ordinary course of post.

(4) Every member of the College shall furnish to the Secretary the address of such member and such address shall be entered in the register of members.

(5) No member whose address is abroad or who is temporarily out of Ceylon shall be entitled to any notice; and all proceedings may be had and taken without notice to such person in the same manner as if he had had due notice.

17. Every member of the Council of Management and every officer or servant of the College shall be indemnified by the College from all losses and expenses incurred by him in or about the discharge of his duties, other than such losses and expenses as the Council of Management may deem to have been occasioned by his misconduct or wilful default.

Reimburse-  
ment of  
expenses  
incurred on  
behalf of  
College.