



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

ASIAN BUDDHIST CONGRESS
(INCORPORATION)
ACT, No. 23 OF 1993

[Certified on 21st April, 1993]

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**Asian Buddhist Congress (Incorporation)
Act, No. 23 of 1993**

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L.D.—O. 53/91

AN ACT TO INCORPORATE THE ASIAN BUDDHIST CONGRESS

WHEREAS an Association called and known as “the Asian Buddhist Congress” has heretofore been established in Colombo 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 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, therefore, enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Asian Buddhist Congress (Incorporation) Act, No. 23 of 1993.

Short title.

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

Incorporation
of the Asian
Buddhist
Congress.

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

General
objects of
the Corpo-
ration.

- (a) to promote the total development of man, spiritually, physically, culturally and economically, on the basis of Buddhist principles ;
- (b) to promote the observance and practice of the teachings of Buddha as enunciated in the five precepts and to promote religious fervour among the Buddhists of the Asian Region ;
- (c) to promote amity and concord amongst people, respective of race, religion and other differences ;

**Asian Buddhist Congress (Incorporation)
Act, No. 23 of 1998**

- (d) to provide opportunities for representatives of Buddhist Associations of the Asian Region to meet and discuss problems, for the purpose of taking collective action to safeguard and promote Buddhist interests, either by themselves or through their respective Governments ;
- (e) to initiate, organise, co-ordinate and sponsor, religious, cultural, educational, social and humanitarian services for the benefit of, youth and the less affluent and under privileged groups, and of Buddhist minorities in the countries of the Asian Region ;
- (f) to foster the study of, and research into, Buddhism and to foster the preservation and propagation of Buddhist philosophy and the Buddhist way of life ;
- (g) to aid and assist Buddhists to visit places of religious significance, by the provision of pilgrims rests and other facilities at such places ;
- (h) to maintain cordial relations with other Buddhist associations outside the Asian Region and to represent the Buddhists of Asia at regional and international forums ;
- (i) to perform any acts, deeds and things, as may be necessary, incidental or conducive to, the accomplishment of all or any of the objects of the Corporation.

**Powers of
the Corporation.**

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

- (a) to receive or collect gifts, grants, donations, subsidies and subscriptions, whether in cash or otherwise from local or foreign sources ;
- (b) to acquire any property, movable or immovable by purchase, exchange, gift, devise, grant or in any other manner, and to hold and enjoy, in perpetuity or for any shorter period or subject to any express trust or otherwise, such property for the benefit, or the furtherance of the objects, of the Corporation ;
- (c) to operate, open and close bank accounts, and to borrow or raise money, with or without security ;

- (d) to sell, lease, mortgage, exchange or otherwise dispose of, any movable or immovable property belonging to, or held by, the Corporation, subject to any trust attached to such property;
- (e) to invest the funds vested in or belonging to, the Corporation, in adequate securities or in the purchase or acquisition of such lands, buildings, goods, or other property as may be necessary for the Corporation;
- (f) to erect or cause to be erected any building or structure on any land belonging to, or held by the Corporation;
- (g) to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

5. (1) The management, control and administration of the Corporation shall, subject to the rules in force for the time being of the Corporation, be vested in a Executive Council (hereinafter referred to as "the Council") consisting of such number of members elected from among members of the Corporation in accordance with the rules of the Corporation.

Executive
Council.

(2) The first Council of the Corporation shall be the Executive Council of the Congress holding office on the day preceding the date of commencement of this Act. The first Council shall hold office until the first Annual General Meeting of the Corporation held after the date of commencement of this Act.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by a majority of at least two-thirds of the members present and voting to make rules, not inconsistent with the provisions of this Act or any other written law, for the management of the affairs of the Corporation and the accomplishment of its objects. Without prejudice to the generality of the foregoing powers, such rules may be made in respect of all or any of the following matters :--

Rules
of the
Corporation.

- (a) classification of membership, fees payable by each class of member, their admission, resignation and expulsion;

- (b) the procedure to be followed in convening meetings of the Corporation or Council, or any sub-committee thereof, the quorum therefor and the transaction of business at such meetings ;
- (c) election of the Council, resignation or vacation of office, or removal from office, of office-bearers and the powers, duties, functions and conduct of the members of the Council ;
- (d) appointment, powers, duties and conduct of the officers, agents and servants of the Corporation ;
- (e) administration and management of the property of the Corporation ; and
- (f) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) The rules of the Congress in force on the day immediately preceding the date of commencement of this Act, shall, in so far as they are not inconsistent with provisions of this Act or any other written law, be deemed to be the rules of the Corporation and may be amended, altered or rescinded at a like meeting and in like manner as a rule made under subsection (1) of this section.

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

Fund of the Corporation.

7. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution, fees or grants, for or and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Council shall determine.

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

Accounts and audit.

8. (1) The Council shall cause proper accounts to be kept of all the moneys received and expended by the Corporation.

(2) The accounts of the Corporation shall be examined and audited at least once in every year and the correctness of the Income and Expenditure Account and the Balance Sheet, certified by an auditor or auditors appointed by the Council.

9. All debts and liabilities of the Congress existing on the day immediately preceding the date of commencement of this Act shall be paid and discharged by the Corporation hereby constituted and all debts due to, and subscriptions payable to, the Congress on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Congress.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except with the authority of the Council and in the presence of at least two members of the Council 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 as a witness.

Seal of the Corporation.

11. No member of the Corporation shall for the purpose of discharging the debts and liabilities of the Corporation, be liable to make any contribution whatsoever.

Limit of liabilities of the members of the Corporation.

12. 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 be transferred either to a designated society or to the Public Trustee and shall be utilised for objects similar to that of the Corporation.

Disposal of property of the Corporation upon dissolution of the Corporation.

13. 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

14. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

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