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SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of September 24, 2021

SUPPLEMENT

(Issued on 27.09.2021)



**KELANIYA BUDDHIST WOMEN'S CHARITABLE
SOCIETY (INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the Kelaniya Buddhist Women's Charitable Society

To be presented in Parliament by Hon. (Ven.) Athuraliye Rathana Thero, M. P.

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*Kelaniya Buddhist Women's Charitable Society
(Incorporation)*

AN ACT TO INCORPORATE THE KELANIYA BUDDHIST WOMEN'S
CHARITABLE SOCIETY

WHEREAS a Society called and known as the “Kelaniya Buddhist Women's Charitable Society” has heretofore been established in Kribathgoda of Gampaha District in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Society according to the rules agreed to by its members for fifty six years (56):

Preamble

AND WHEREAS the said Society has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated and it will be for the public advantage to grant the said application:

BE it therefore enacted by Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Kelaniya Buddhist Women's Charitable Society (Incorporation) Act, No. of 2021.

Short title

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Kelaniya Buddhist Women's Charitable Society (hereinafter referred to as the “Society”) and shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate, with perpetual succession under the name and style of the “Kelaniya Buddhist Women's Charitable Society” (hereinafter referred to as “Corporation”) and by that name may sue and be sued, with full power and authority to have, and use a common seal and to alter the same at its pleasure.

Incorporation of the Kelaniya Buddhist Women's Charitable Society

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

- (a) to provide facilities necessary for the enhancing of meditation methods to the Buddhists;
- 5 (b) to collect the books and magazines of Buddhism published worldwide and make arrangements to access them easily by the Buddhists;
- 10 (c) to coordinate and improve proper relation with the social servants, intellectuals, donators and benevolent people and with some other similar welfare societies and foundations in Sri Lanka by this Corporation;
- 15 (d) to print, publish and distribute the books, hand bills and magazines which may be required by the Corporation for the promotion and development of objects of the Corporation;
- 20 (e) to coordinate with other unions, societies and organizations having similar objects of members of the Corporation;
- 20 (f) to act in order to convince Buddhism for every one and to take necessary actions to propagate Buddhism all over the world.

4. (1) Subject to the provisions of this Act, the management of the affairs of the Corporation shall be carried out by a Board of Management (hereinafter referred to as the "Board") consisting the Chairman, Vice Chairman, Secretary, the Vice Secretaries, Treasurer, Vice Treasurer and two Patrons and other sixteen (16) members who shall be appointed in respect of the rules of the Corporation. Management of the affairs of the Corporation

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(2) Persons who were the members of executive committee of the society at the date of coming into operation of this Act shall consist or the first executive committee:-

- 5 (i) Executive Committee shall meet once in every month.
- (ii) Affairs of the Committee shall be performed according to the objects of the Society and the Constitution of the Society.
- 10 (iii) Office bearers who do not attend three consecutive meetings without informing the executive committee shall be regarded as those who vacate their office.
- (iv) The executive committee shall have the power to appoint other members instead of the officers who vacate their office from the executive committee.
- 15 (v) An emergency meeting of the executive committee can be called with short notice in case of some urgent situation.
- (vi) The term of office of the executive committee shall be regarded as three (03) years.
- 20 (3) (1) (i) The chief patron of the Corporation shall be the Most Venerable Makola Mangala Thero, the Chief Incumbent of Kiribathgoda Sri Sudharshanaramaya who is also a Senior Lecturer of University of Ruhuna;
- 25 (ii) Subsequent to the departure of or resignation of said Venerable Makola Mangala Thero, the executive committee shall appoint some suitable Buddhist Monk as the Chief Patron of the Society with the approval of the President of the Society.
- 30

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5 (2) (i) Mrs. P. G. S. Perera, retired Principal (Principal Service -Grade 1 Sinhala Trainee BA, holder of Certificate of Diploma in Education) and Mrs. Harshani Nawarathna, who is a holder of Diploma in Dhild Development and Principal of Sethmaga Singithi Sevana who are holding the offices of lay patrons of the Society shall be the lay Patrons of the Corporation.

10 (ii) Subsequent to the death or resignation of the said lay Patrons, the lay Patrons having the following qualifications shall be appointed by the executive committee consisting of the President of the Society for their vacant offices:-

15 (i) Members having long term membership of the Society.

(ii) Those who have enough experiences of the Society and religion.

(ii) Those who are educated, intelligent and recognized by the Society.

20 (4) (1) Board of Trustees:-

25 At the first executive meeting holding subsequent to the annual general meeting, a committee of office bearers consisting of the Chairman, Vice Chairman, Secretary, the two Vice Secretaries, Treasurer, Vice Treasurer, Two Patrons and an executive member including the housing manager shall be appointed:-

(a) Board of Trustees shall act according to the instructions of the executive committee;

30 (b) Board of Trustees shall hold the said duty within the period of three (03) years;

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- (c) Members of this Board shall be active members of the Society for more than three (03) years;
- (d) The Society shall have the power to transfer, mortgage, sell, develop, lease, signing in the contracts of exchange and buy, construct buildings and do all necessary actions for such purposes, any rights, titles or legal rights of immovable and movable properties where necessary.

(2) Housing Committee :-

10 Six (06) members including the housing manager can be appointed to this committee-

- (a) The Chairperson of the housing committee shall be an executive committee member and other members shall hold the membership of the Society;
- 15 (b) The housing committee shall perform the prescribed duty until the next annual meeting;
- (c) The recommendation procedure fo educaion, health, care and other needs of the daughters of Senehasa Child Development Center at No. 307/16, Jayamawatha, Webada, Kirillawala shall be submitted to the monthly committee;
- 20 (d) The membership will be cancelled in the event of absence of four (04) consecutive meetings without notice;
- 25 (e) The executive committee shall have the power to appoint housing committee as may be required.

5. (1) The Board shall cause to maintain a Register of members including the names of persons who became members of the Soiciety on the immediately perceding date of operation of this Act and those who are duly enrolled as a member of the Corporation.

Register of
members

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(2) The Register shall consist of the following information:-

Name of the member, address, occupation, date noted in the Register, date of ceasing the membership.

5 6. The Classification of membership are as follows:- Classification of membership

10 (i) General members:- Entry fee and the monthly membership fee shall be paid (can be paid monthly or annually). Society Maintenance fee and the welfare fee shall be paid on a decision made at the general meeting.

15 (ii) Life members:- Entry fees and the life membership fees shall be paid at once. Society Maintenance fees and the welfare fees shall be paid on a decision made at the General Meeting.

20 (iii) Honorary members:- Entry fees or the membership fees will not charged. Any person who has done a great service to the Buddha Sasana and is qualified to be a member if the Society, is entitled for the honorary membership upon a resolution passed by the votes of two third (2/3) of members. The honorary members shall not be more than five (05) members. The persons who are granted the honorary membership, are entitled for membership rights.

7. Disqualifications to be a member of the executive committee are as follows:- Disqualifications to be a member of executive committee

30 (i) Not being a member of Kelaniya Buddhist Women's Society;

(ii) Not being a Buddhist;

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- (iii) Being an unsound minded person; and
- (iv) Being a person who has been convicted of an offence of moral turpitude by a competent court.

- 5 **8.** (1) Subject to the provisions of this Act or any other Powers of the
written law, in order to accomplish the objects of the Corporation
Corporation, the Corporation shall have the power to -
- (a) (i) open, mainain and close bank accounts related
to the Corporation;
 - 10 (ii) request and accept the contributions of the
Corporation, grants, donations or all kinds of
aid and donations;
 - (b) (i) open and maintain bank accounts on behalf of
15 the “Senehasa Child Development Center”
(Senehasa Dari Sewana) at No. 307/16,
Jaya Mawatha, Webada, Kirillawala.
 - (ii) request or accept donations, all kinds of aids,
gifts on behalf of “(Senehasa Dari Sewana) at
No. 307/16, Jaya Mawatha, Webada, Kirillawala.
 - 20 (c) enter into agreements or contracts with any person,
any company or body corporate;
 - (d) purchase, acquire, rent, construct or otherwise obtain
land or buildings which may be required for the
purposes of the Corporation;
 - 25 (e) appoint, employ and dismiss necessary officers and
servants; and
 - (f) pay employee salary, allowance and gratuity as may
be datermined by the Corporation and to train
workforce in Sri Lanka for the purposes of the
30 Corporation.

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(2) The Corporation shall have the power to do all such other acts or things which are necessary or appropriate to promote and enhance and to the attainment of all or any of its objects.

5 **9.** (1) It shall be lawful for the Corporation, from time to time, at any General Meeting of the Corporation and by a majority of not less than 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 all or any of the following matters:-
10

Rules of the Corporation

- (a) the classification of membership, fees payable by the members of each category, admission, withdrawal, expulsion or resignation of members;
- 15 (b) appointment of the officers for the executive committee from the Members of the Corporation;
- (c) functions, duties and liabilities of executive committee and other various officers, agents and servants; and
- 20 (d) (i) the procedure to be followed at the meetings of the Corporation and management of the affairs of the Corporation.
- (ii) The said rules may be added to, amended or rescinded in the same manner as stated in sub paragraph (01).
- 25 (iii) All the members of the Corporation shall be liable to the rules of the Corporation.

10. (1) The Corporation shall have its own fund.

Fund of the Corporation

30 (2) All moneys received by way of gifts, donations, subscriptions, contributions or fees for and on account of the Corporation shall be deposited in one or more banks approved by the Board to the credit of the Corporation.

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

5 **11.** All debts and liabilities of the Society existing on the day immediately preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted and all debts due to and subscriptions and contributions payable to the Society existing on that day
10 shall be paid to the Corporation for the purposes of this Act.

Debts due by
and payable
to the Society

12. The financial year of the Corporation shall be the calendar year.

Financial
Year

13. (i) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

Accounts and
Auditing

 (ii) The final accounts of the Corporation shall be audited annually by a qualified auditor and the said report shall be submitted at the General Meeting of the Society.

 (iii) For the purposes of this section, “qualified auditor” means—

 (a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute; or

 (b) a firm of Accountants, each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other

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institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute.

- 5 **14.** (1) If upon the dissolution of the Corporation, there remains after the satisfaction of all its debts and liabilities any property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to any other institution having objects similar to those of the Corporation, and which, is by the
10 rules thereof, prohibited from distributing any income or property among its members. The members of the Corporation shall decide the said institution or institutions at the time of dissolution of the Corporation or prior to the dissolution of the Corporation.
- 15 **15.** The seal of the Corporation shall be in the custody of the President and it shall not be affixed to any instrument whatsoever, except in the presence of chairman and Secretary of the Corporation who shall sign their names to the
20 instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.
- 16.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate.
- 25 **17.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Property
remaining on
dissolution

Seal of the
Corporation

Savings of
the rights of
the Republic
and others

Sinhala text
to prevail in
case of
inconsistency

