

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of July 19, 2024

SUPPLEMENT

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**INTERNATIONAL TRADITIONAL SIHELOGY
COUNCIL (ITSC) (INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the International Traditional Sihelogy Council (ITSC)

*To be presented in Parliament by Hon. Premnath C. Dolawatte,
Attorney-at-Law, M.P. for Colombo District*

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*International Traditional Sihelogy Council
(ITSC) (Incorporation)*

AN ACT TO INCORPORATE THE INTERNATIONAL TRADITIONAL
SIHELOGY COUNCIL (ITSC)

WHEREAS a Council named and known as the Preamble
“International Traditional Sihelogy Council (ITSC)”, has
heretofore been established in Sri Lanka for the purpose of
effectually carrying out its objects and transacting all matters
5 connected with the said Council according to the rules
agreed to, by its members:

AND WHEREAS the said Council has heretofore
successfully carried out and transacted the several objects
and matters for which it was established and has applied to
10 be incorporated and it will be for the public advantage to
grant such 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 International Traditional Short Title
15 Sihelogy Council (ITSC) (Incorporation) Act, No. of 2024,

2. (1) From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the of the
“International Traditional Sihelogy Council (ITSC)” International
(hereinafter referred to as “the Council”) or shall hereafter Traditional
20 be admitted as members of body corporate hereby Sihelogy
constituted, shall have perpetual succession under the name Council
and style of the “International Traditional Sihelogy Council
(ITSC)” (hereinafter referred to as the “body corporate”),
and by that name may sue and be sued with full power and
25 authority to have, and use a common seal, and to alter the
same at its pleasure.

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(2) The body corporate shall be deemed to be a Voluntary Social Service Organization within the meaning and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the
5 provisions of that Act shall apply to and in relation to the management of the affairs of the body corporate.

3. (1) Subject to the provisions of any other written law, the general objects for which the body corporate is constituted are hereby declared to be- Objects of
the body
corporate

10 (a) to establish a degree-awarding institution named the International Traditional Sihelogy Institution (ITSI);

15 (b) to promote traditional Sihela medicine, Sihela nursing, Sihela farming, Sihela martial arts, Sihela astrology, Sihela exorcism and Sihela dance through the members representing all three languages i.e. Sinhala, Tamil and English;

20 (c) to promote the traditional Sihela medicine among all Sinhala, Tamil and Muslim communities using the three languages i.e. Sinhala, Tamil and English;

25 (d) to take action to boost foreign exchange earnings for Sri Lanka by supporting the enhancement of mental and physical health of tourists through the promotion of international tourism activities by assisting wellness eco-tourism;

(e) to operate a specific Sihelogy In-patient Treatment Unit for all diseases;

(f) to establish branches of the Sihelogy Institution in foreign countries;

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- (g) to conduct educational and social courses and programmes in collaboration with foreign universities;
- 5 (h) to add Sihela martial arts as a competition in Commonwealth Games by popularizing it among local and foreign communities;
- (i) to create herb gardens and to obtain permission to grow without distinction all types of herbs required for all forms of medical treatments and popularizing such herb gardens in society;
- 10 (j) to conduct Sihelogy programmes on relieving mental stress and physical weaknesses of all school children and on non communicable diseases;
- (k) to obtain a part of the area in the Traditional Medical Village named “Wedagama” to carry out Sihelogy activities and to get permission to use the closed schools mainly in Anuradhapura and Minuwangoda areas for Sihelogy projects;
- 15 (l) to establish a Care Centre instead of homes for the elderly and to deploy Sihelogy motorcycle team for disaster management; and
- 20 (m) to establish the Sihelogy People’s Relief Charity Institute as a social welfare institute.

(2) In the implementation of the objects specified in
25 subsection (1), the body corporate shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, gender, political opinion, place of birth or such other ground.

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4. The objects of the body corporate shall be carried out in such manner so as not to create any conflict between the work of the body corporate and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

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Body corporate to ensure no conflict with work of Ministry or Department of the Government or Provincial Council

5. (1) Subject to the provisions of this Act, any other written law and the rules made under Section 7, the management and administration of the affairs of the body corporate shall be carried out by a Management Council (hereinafter referred to as the "Council") consisting of such number of office bearers as may be specified by the rules made under Section 7.

10

Management of the affairs of the body corporate

(2) (a) The members of the Management Council of the Council holding office on the day immediately preceding the date of commencement of this Act shall, subject to the rules made under paragraph (b), function as an Interim Council of the body corporate until the first Council is appointed or elected within the period specified in paragraph (d) and in the manner provided for by rules made under Section 7.

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(b) Subject to the provisions of Section 7, the Interim Council shall have the power to make rules for the interim administration of the body corporate and for election or appointment of the members of the first Council of the body corporate, not inconsistent with the provisions of this Act or any other written law:

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Provided, the provisions of subsections (2) and (3) of Section 7 shall *mutatis mutandis* apply to the rules made under subsection (1).

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(c) Any decision of the Interim Council shall be taken by the majority of its members present at any meeting.

(d) The first Council of the body corporate shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Council including the patrons and advisors, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Council shall, having regard to the rules of the body corporate, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

6. Subject to the provisions of this Act and any other written law, the body corporate shall have the power to do, perform and execute all such acts and matters as are necessary for the promotion or furtherance of the objects of the body corporate or any one of them, including the power—

Powers of the
body
corporate

(a) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the body corporate and to deal with or dispose of the same as may be deemed expedient with a view to promoting the objects of the body corporate;

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5 (b) enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the body corporate, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the body corporate;

(c) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind:

10 Provided that, the Council shall obtain the prior written approval of the Department of External Resources in respect of all foreign grants, gifts or donations made to the body corporate;

15 (d) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close accounts in any bank;

20 (e) to invest any funds that are not immediately required for the purposes of the body corporate, in such manner as the Council may determine;

25 (f) to undertake, accept, execute, perform and administer any lawful trust having objects similar to the body corporate or any real or personal property with a view to promoting the objects of the body corporate;

30 (g) to appoint, employ, dismiss or terminate the services of officers and other employees of the body corporate and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the body corporate;

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- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the body corporate;
- 5 (i) to organize lectures, seminars and conferences with a view to promoting the objectives of the body corporate;
- (j) to train personnel in Sri Lanka or abroad for the purposes of the body corporate; and
- 10 (k) to do all other things as are authorized by this Act to achieve objects of the body corporate.

7. (1) It shall be lawful for the body corporate, from time to time, at any general meeting of the body corporate 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:—

Rules of the
body
corporate

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members;
- 20 (b) the election of office bearers of the Council or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- 25 (c) the terms and conditions of appointment, powers, functions and duties of various officers, agents and servants of the body corporate;

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- 5 (d) the procedure to be followed for the summoning and holding of meetings of the body corporate and of the Council, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the Council and the body corporate;
- (f) the administration and management of the property of the body corporate; and
- 10 (g) generally, the management of the affairs of the body corporate and dissolution of the body corporate.

 (2) Any rule made by the body corporate may be amended, altered, added to or rescinded at a like meeting and in like manner, as a rule made under Subsection (1) of
15 this Section.

 (3) The rules made under this Subsection (1), shall be published in the *Gazette* within three months upon making of such rules and shall come into effect on the date thereof.

20 **8.** The Council shall maintain a register of members in which name, address and other essential details of the members shall be inscribed. Register of members

9. (1) The body corporate shall have its own Fund. Fund of the body corporate

25 (2) All money received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the body corporate shall be deposited in one or more banks approved by the Council to the credit of the body corporate subject to the provisions of Section 6(c):

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Provided, for the purposes of this Section, "bank" means a bank licensed as a "licensed commercial Bank" under Part I of the Banking Act, No. 30 of 1988.

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

10 **10.** (1) The financial year of the body corporate shall be the calendar year. Accounts and Auditing

(2) The body corporate shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the body corporate.

(3) The accounts of the body corporate shall be audited annually by a qualified auditor.

15 (4) For the purposes of this section, "qualified auditor" means—

20 (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 practise as an Accountant, issued by the Council of such Institute; or

25 (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 Institute established by law, possesses a certificate to practise as an Accountant, issued by the Council of such Institute.

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11. (1) The Council shall prepare a report of the Annual
activities of the body corporate for each financial year and Report
submit such report together with the audited statement of
accounts certified by a qualified auditor and details of all
5 contracts and agreements entered into by the body corporate
in terms of the rules made under Section 7 to the Secretary
of the Ministry of the Minister assigned the subject of Health
and to the Registrar of Voluntary Social Services
Organizations appointed under the voluntary Social
10 Services Organizations (Registration and Supervision) Act,
No. 31 of 1980, before the expiration of six months of the
year succeeding the year to which such report relates.

(2) A separate Account relating to the foreign and local
15 moneys received by the body corporate during the financial
year shall be attached to the report referred to in
Subsection (1).

12. All debts and liabilities of the Council existing on Debts due by
the day immediately preceding the date of commencement and payable
of this Act, shall be paid by the body corporate hereby to the
20 constituted and all debts due to, subscriptions and Council
contributions payable to the Council on that day shall be
paid to the body corporate for the purposes of this Act.

13. Subject to the provisions of this Act and any other Body
written law, the body corporate shall be able and capable in corporate
25 law to take and hold any property, movable or immovable, may hold
which may become vested in it by virtue of any purchase, property
grant, gift, testamentary disposition or otherwise, and all movable and
30 such property shall be held by the body corporate for the immovable
purpose of this Act and subject to the rules of the body
corporate made under Section 7, with power to sell,
mortgage, lease, exchange or otherwise dispose of the same.

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14. Subject to the provisions of this Act and any other written law, the moneys and property of the body corporate however derived shall be applied solely towards the promotion of the objects of the body corporate and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit or otherwise howsoever to the members of the body corporate.

Application
of moneys
and property

15. (1) The seal of the body corporate shall not be affixed to any instrument whatsoever, except in the presence of 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
body
corporate

(2) The seal of the body corporate shall be in the custody of an office bearer of the Council as may be decided by the Council.

16. (1) If upon the dissolution of the body corporate 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 body corporate, but shall be given or transferred to any other institution having objects similar to those of the body corporate, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property
remaining
on
dissolution

(2) For the purposes of Subsection (1), the appropriate institution to which the property remains after the satisfaction of all the debts and liabilities of the body corporate to be given or transferred shall be determined by the members of the body corporate with the approval of the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 immediately before the dissolution at a general meeting by the majority of votes of the members present.

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17. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or any other body corporate. Saving of the rights of the Republic

18. In this Act, unless the context otherwise requires— Interpretation

5 “Sihelogy” means, a scientific way of living belongs
to the four main great tribes of sivhela Yakka,
Deva, Naga and Raksha from which it was
originated and continued since the time
10 immemorial including sivhela or sihela
medicine, nursing, farming, martial arts,
performing arts, food culture, educational
concepts, beauty culture, physio therapy and
oil therapy, traditional acupuncture, wood
carving and tree arts and pharmacology.

15 19. 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

