



This document has been provided by the International Center for Not-for-Profit Law (ICNL).

ICNL is the leading source for information on the legal environment for civil society and public participation. Since 1992, ICNL has served as a resource to civil society leaders, government officials, and the donor community in over 90 countries.

Visit ICNL's **Online Library** at
<http://www.icnl.org/knowledge/library/index.php>
for further resources and research from countries all over the world.

Disclaimers

Content. The information provided herein is for general informational and educational purposes only. It is not intended and should not be construed to constitute legal advice. The information contained herein may not be applicable in all situations and may not, after the date of its presentation, even reflect the most current authority. Nothing contained herein should be relied or acted upon without the benefit of legal advice based upon the particular facts and circumstances presented, and nothing herein should be construed otherwise.

Translations. Translations by ICNL of any materials into other languages are intended solely as a convenience. Translation accuracy is not guaranteed nor implied. If any questions arise related to the accuracy of a translation, please refer to the original language official version of the document. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

Warranty and Limitation of Liability. Although ICNL uses reasonable efforts to include accurate and up-to-date information herein, ICNL makes no warranties or representations of any kind as to its accuracy, currency or completeness. You agree that access to and use of this document and the content thereof is at your own risk. ICNL disclaims all warranties of any kind, express or implied. Neither ICNL nor any party involved in creating, producing or delivering this document shall be liable for any damages whatsoever arising out of access to, use of or inability to use this document, or any errors or omissions in the content thereof.

CHAPTER 427

DHARMAVIJAYA FOUNDATION

Act
No. 62 of 1979.

AN ACT TO INCORPORATE THE DHARMAVIJAYA FOUNDATION.

[15th October, 1979.]

Short title. 1. This Act may be cited as the Dharmavijaya Foundation (Incorporation) Act.

Incorporation of the Dharmavijaya Foundation. 2. From and after the date of commencement of this Act, such and so many persons as now are members for the time being of the Dharmavijaya Foundation (hereinafter referred to as "the Foundation") or shall hereafter be admitted members of the Corporation hereby constituted, shall be and become a Corporation with perpetual succession under the name and style of "The Dharmavijaya Foundation" (hereinafter referred to as "the Corporation") 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 to alter the same at its pleasure.

General objects of the Corporation. 3. (1) The general objects of the Corporation shall be to promote the total development of man, both spiritually and physically, with the application of Buddhist principles to economic development and thereby establish a Dharmavijaya Samajaya.

(2) The Dharmavijaya Samajaya shall comprise of all persons who accept, and endeavour to act according to the principles set out hereunder :—

- (a) to be of service to the community ;
- (b) to practise one's religion and observe the ethical principles contained in the five precepts, namely—
 - (i) to abstain from the taking of life and to practise loving kindness to all living beings,
 - (ii) to abstain from taking what is not given and to practise generosity,

(iii) to abstain from immoderation in sensual pleasures and to practise self-restraint,

(iv) to abstain from speaking falsehoods, slandering, harsh speech and idle talk and to practise truthfulness, and

(v) to abstain from taking intoxicating drinks and to develop mindfulness ;

(c) to be restrained in one's thought, word and deed ;

(d) to avoid wrong means of livelihood including the five prohibited trades, to increase production, to conserve what is produced and to live within one's means ;

(e) to observe noble practices ;

(f) to promote concord amongst all people, irrespective of race and religion ;

(g) to contribute towards a savings scheme and a self-denial fund ; and

(h) to dedicate one's efforts towards the development of the nation.

4. (1) The Corporation shall have the power to do all things necessary for or conducive or incidental to the carrying out of the objects of the Corporation. Powers and functions of the Corporation.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Corporation shall have the following powers and functions :—

- (a) to receive or collect gifts, grants, donations, subsidies and

subscriptions, whether in cash or otherwise, from local or foreign sources ;

(b) to acquire by purchase, exchange, gift, devise or bequest or in any other manner and to hold and enjoy in perpetuity or for any lesser period or subject to any express trust or otherwise for the benefit or the furtherance of the objects of the Corporation, any property, movable or immovable of any kind or nature whatsoever ;

(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 attaching 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, chattels, or other property as may be proper or necessary for the purposes of the Corporation ;

(f) to erect or cause to be erected, any building or structure on any land belonging to, or held by, the Corporation ; and

(g) to make such investments as are necessary for the promotion of gainful and fuller employment in agriculture, arts and crafts, trade, commerce and industry.

5. (1) The Corporation may, from time to time, at a meeting specially convened for the purpose and by a majority of votes, make rules for the management of the affairs of the Corporation and the accomplishment of its objects. In particular and without prejudice to the generality of the foregoing power, such rules may make provision in respect of all or any of the following matters :—

(a) the admission, resignation and expulsion of members ;

(b) the procedure to be followed in convening meetings of the Corporation and the transaction of business at such meetings ; and

(c) the conduct of the duties of the various officers, agents and servants of the Corporation.

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

(3) The rules of the Foundation in force at the time of the coming into operation of this Act shall be deemed to be the rules of the Corporation made under this section and may be altered, added to, amended, rescinded or replaced by rules made under this Act.

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

6. All debts and liabilities of the Foundation existing at the time of the coming into operation of this Act shall be paid by the Corporation, and all debts due to, and subscriptions payable to, the Foundation shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Foundation.

7. The seal of the Corporation shall not be affixed to any instrument whatsoever except with the authority of the Corporation and in the presence of at least two of the members of the Corporation, 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.

8. 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 liability on members 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 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 left after the payments of debts upon dissolution of the Corporation.

Rules of the Corporation.

Saving of the
rights of the
Republic and
others.

10. 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.

CHAPTER 517

LANKA JATIKA SARVODAYA SHRAMADANA SANGAMAYA

AN ACT TO INCORPORATE THE LANKA JATIKA SARVODAYA SHRAMADANA SANGAMAYA.

Act
No. 16 of 1972.

[3rd May, 1972.]

Short title.

1. This Act may be cited as the Lanka Jatika Sarvodaya Shramadana Sangamaya (Incorporation) Act.

self-discipline and dignity of labour among the people of the land.

Incorporation
of the Lanka
Jatika
Sarvodaya
Shramadana
Sangamaya.

2. The members for the time being of the association known as the Lanka Jatika Sarvodaya Shramadana Sangamaya (hereinafter referred to as "the Association") shall be a body corporate (hereinafter referred to as "the Corporation") with perpetual succession, a common seal, and the name "Lanka Jatika Sarvodaya Shramadana Sangamaya". The Corporation may sue and be sued in such name.

(5) To encourage the development, especially in the youth of healthy views of social justice, equality, love of one's motherland and international brotherhood.

General objects
of the
Corporation.

3. The general objects of the Corporation shall be the following:—

(6) To develop self-confidence, co-operation and unity among the urban and rural communities and to evoke their inherent strength to bring about an all-round development in their spiritual, moral, social, economic and educational life.

(1) To provide, by means of Shramadana Camps and other constructive ways, adequate opportunities and the appropriate mental climate for the realization of the principles, the philosophy and the objects of Sarvodaya by the Shramadana Sewakas and Sewikas who volunteer to engage themselves in village development and community welfare projects.

(7) To train and organize groups of youth who are ready to come forward and render voluntary service in times of national distress as well as in community development and social welfare programmes.

(2) To provide opportunities to the youth to acquire a correct understanding of the socio-economic and other problems of the country, and to organize educational and training programmes for them to learn ways and means of solving these according to the Sarvodaya philosophy.

(8) To collect and mobilize the maximum possible resources of the people such as their time, intelligence, energy, land, wealth, specialized skills and technological knowledge which they are prepared to donate of their own free-will, and utilize these scientifically to bring about the general economic and social progress of the people.

(3) To organize programmes with a view to the eradication of distrust and disintegration springing from differences such as of caste, race, creed and party-politics.

(9) To help generally in the realization of the objects of the various institutions of the United Nations and especially to assist in the programmes of the Freedom From Hunger Campaign of the Food and Agricultural Organisation, the UNESCO and the WHO respectively, to eradicate hunger, illiteracy and disease from our world.

(4) To disseminate qualities of selfless service, self-denial, co-operation,

(10) To promote the idea of the need for, and the importance of, the establishment of an International

Shramadana Corps, under the auspices of the United Nations, through its member nations.

The affairs of the Corporation to be administered by an Executive Council.

4. (1) The affairs of the Corporation shall, subject to the rules for the time being of the Corporation, be administered by an Executive Council which shall consist of the office-bearers of the Corporation and other members elected to the Executive Council at the Annual General Meeting of the Corporation.

(2) The Executive Council may delegate any of its functions to one or more Standing Committees or Sub-Committees.

Register of Members.

5. (1) The General Secretary of the Corporation shall keep a register of the members of the Corporation.

(2) The Register of the members of the Corporation shall contain the following particulars :—

- (i) The name and full postal address of each member.
- (ii) The date of admission to membership.
- (iii) The date on which such member ceased to be a member.

Rules.

6. (1) The Corporation may, by a vote of two-thirds of the members present and voting at a General Meeting of the Corporation, make rules for admission to, and removal from, membership of the Corporation, for the performance of the duties of the office-bearers and other members of the Executive Council of the Corporation, for the procedure in the transaction of business, and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) The rules of the Corporation shall not be revised, rescinded or amended except at a special general meeting convened for the purpose and by a vote of not less than two-thirds of those present and voting.

(3) Written notice of the proposed additions, amendments and deletions shall

be forwarded to the Executive Council through the Honorary General Secretary, and the Executive Council shall decide by a majority vote of the members of the Council present, the additions, amendments and deletions which should be presented at a special general meeting, for approval.

(4) Subject to the provisions of subsections (1), (2) and (3) of this section, the rules set out in the Schedule* to this Act shall be the rules of the Corporation.

7. All debts of the Association existing at the commencement of this Act shall be paid by the Corporation and all debts due and fees, subscriptions and grants payable to the Association shall be paid to the Corporation.

Liabilities of and debts due to the Association.

8. The Corporation may acquire and hold any movable or immovable property by right of purchase, grant, gift, testamentary disposition or otherwise, and, subject to the rules for the time being of the Corporation, may sell, mortgage, lease, exchange or otherwise dispose of any movable or immovable property of the Corporation.

The Corporation may hold property.

9. The seal of the Corporation may be altered at the pleasure of the Corporation. The seal shall not be affixed to any instrument whatsoever except in the presence of two office-bearers of the Corporation one of whom shall be the President or in his absence a Vice-President, 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.

Seal of the Corporation and the procedure for fixing it.

10. The General Secretary of the Corporation shall have the custody of the seal of the Corporation.

Custody of the Seal of the Corporation.

11. 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 person, 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.

* Schedule omitted.—Private enactment.

CHAPTER 446

COLOMBO YOUNG MEN'S CHRISTIAN ASSOCIATION

Ordinances
Nos. 22 of 1920,
13 of 1921.

AN ORDINANCE TO INCORPORATE THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF COLOMBO.

[7th October, 1920.]

Short title.

1. This Ordinance may be cited as the Young Men's Christian Association of Colombo Ordinance.

directors, to be elected respectively in accordance with the rules for the time being of the corporation.

Incorporation
of Young
Men's
Christian
Association of
Colombo.

2. From and after the passing of this Ordinance, the president, vice-president, and members of the board of directors for the time being of the Young Men's Christian Association of Colombo, and such and so many persons as now are members of the said Young Men's Christian Association of Colombo 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 Young Men's Christian Association of Colombo", 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 to change and alter the same at their pleasure.

(2) All members of the corporation shall be subject to the rules in force for the time being of the corporation.

(3) The first board of directors shall consist of H. L. de Mel, Esq., C.B.E., J.P., President; W. A. Cole, Esq., Vice-President; B. W. Leefe, Esq., Honorary Treasurer; F. B. Ekanayake, Esq., Recording Secretary; Hon. Sir Anton Bertram, Kt., K.C.; G. S. Schneider, Esq., K.C.; M. J. Cary, Esq., J.P., U.P.M.; Dr. Richard de Silva, M.R.C.S.; E. B. Denham, Esq.; C. Brooke Elliot, Esq.; C. R. Jansz, Esq.; S. J. C. Kadirgamar, Esq.; Rev. W. J. Noble; J. A. Rode, Esq.; Wm. Wadsworth, Esq., B.A; and G. A. Wille, Esq.

General objects
of the
corporation.

3. The general objects for which the corporation is constituted are hereby declared to be to promote the spiritual, intellectual, social, and physical welfare of the young men of Colombo, including the promotion among them of science and literature, their instruction, the diffusion amongst them of useful knowledge, and the foundation and maintenance of libraries and reading rooms, gymnasias, and other features for general use among the members.

5. It shall be lawful for the corporation from time to time, at any general meeting of the members and by a majority of votes, to make rules for the admission, withdrawal, or expulsion of members; for the imposition of fines and forfeitures for breaches of rules; for the conduct of the duties of the board of directors and of the various officers, agents, and servants of the corporation; for the procedure in the transaction of business; and otherwise generally for the management of the affairs of the corporation and the accomplishment of its objects. Such rules when made may, at a like meeting, be altered, added to, amended, or cancelled, subject, however, to the requirements of section 7.

Board of
directors.

4. (1) The affairs of the corporation shall, subject to the rules in force for the time being of the corporation as hereinafter provided, be administered by a board of directors consisting of the president and the vice-president respectively of the corporation and not less than ten other

The rules in Schedule* to be the rules of the corporation.

6. Subject to the provisions in section 5 contained, the rules set forth in the Schedule* shall for all purposes be the 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 from making fresh rules, or from altering, amending, adding to, or cancelling any of the rules in the Schedule* or to be hereafter made by the corporation.

Amendment of rules.

7. No rule in the Schedule*, nor any rule hereafter passed at a general meeting, and no decision come to by the corporation in general meeting, shall be altered, added to, amended, or cancelled, except by a majority of the members present and voting at any subsequent general meeting.

Property vested in corporation.

8. On the coming into operation of this Ordinance all and every the property belonging to the said Young Men's Christian Association of Colombo, whether held in the name of the said Young Men's Christian Association of Colombo or in the name or names of any person or persons in trust for the said Young Men's Christian Association of Colombo, shall be and the same are hereby vested in the corporation hereby constituted, and the same, together with all after-acquired property, both movable and immovable, and all subscriptions, contributions, donations, fines, amounts of loan, and advance received or to be received, shall be held by the said corporation for the purposes of this Ordinance, and subject to the rules in force for the time being of the said corporation.

9. All debts and liabilities of the said Young Men's Christian Association of Colombo existing at the time of the coming into operation of this Ordinance shall be paid by the corporation hereby constituted, and all debts due to, and subscriptions, contributions, and fines payable to, the said Young Men's Christian Association of Colombo shall be paid to the said corporation for the purposes of this Ordinance.

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 two of the members of the board of directors, 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.

How the seal of the corporation is to be affixed.

11. The corporation shall be able and 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 Ordinance, and subject to the rules for the time being of the said corporation, with full power to sell, mortgage, lease, exchange, or otherwise dispose of the same.

Corporation may hold property, movable and immovable.

12. Nothing in this Ordinance 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 Ordinance, and those claiming by, from, or under them.

Saving of the rights of the Republic and others.

* Schedule omitted.—Private enactment.