

CHAPTER 490

CEYLONESE BROTHERS OF ST. JOSEPH

Ordinance AN ORDINANCE TO INCORPORATE THE SOCIETY OF THE CEYLONESE BROTHERS OF
 No. 59 of 1942. §T. JOSEPH.

[2nd December, 1942]

Preamble. Whereas a society, styled and known as the Society of the Ceylonese Brothers of St. Joseph has heretofore been established at Jaffna, and is functioning in Jaffna District, Mannar, Batticaloa, Kalmunai and Hatton in Ceylon, and in Rangoon in Burma for the purpose of effectually carrying out and transacting all matters connected with the said society:

And whereas the said society has applied to be incorporated and it will be for the public advantage to grant the application:

Be it therefore enacted by the Governor of Ceylon with the advice and consent of the State Council thereof, as follows :—

Short title. 1. This Ordinance may be cited as the Ceylonese Brothers of St. Joseph Ordinance.

Incorporation of the Society of the Ceylonese Brothers of St. Joseph. 2. From and after the passing of this Ordinance, the Director-General, his four Councillors, the Bursar-General for the time being of the said Ceylonese Brothers of St. Joseph, as hereinafter constituted, and such and so many persons as now are or shall hereafter be admitted as members of the Society of the Ceylonese Brothers of St. Joseph, shall be a corporation, hereinafter called "the society" and shall have the name of "The Society of the Ceylonese Brothers of St. Joseph", and in that name shall have perpetual succession and shall and may sue and be sued in all courts in Sri Lanka, and may have and use a common seal and alter the same at their pleasure.

General objects of the society, 3. The general objects for which the society is constituted are hereby declared to be—

- (1) to carry on educational work among the masses in all branches of knowledge;

- (2) to establish, maintain and otherwise assist schools, orphanages, farms and similar educational and charitable institutions; and
- (3) to undertake and carry on all such work as may appear necessary to attain the aims and objects of the society.

4. (a) The affairs of the society shall, Governing subject to any rules made under this body Ordinance, be administered by a governing body consisting of the Director-General, his four Councillors and Bursar-General who shall be elected once every six years at the General Chapter of the society which shall be composed of the following members:— The Director-General, his four Councillors, the Bursar-General, the Master of Novices, the local directors of each House, and one member elected by each of the existing Houses of the society.

The affairs of each House shall be administered by the local director and his two assessors or assessor appointed by the Director-General with the consent of his Councillors.

(b) The first members of the governing body shall be—

- (1) Rev. Brother E. I. Chrysostom, Director-General.
- (2) Rev. Brother S. M. Benjamin, First Councillor.
- (3) Rev. Brother P. Anthonipillai, Second Councillor.
- (4) Rev. Brother A. K. Joseph Mary, Third Councillor.

- (5) Rev. Brother N. Gnanathickam, Fourth Councillor.
- (6) Rev. Brother S. Aseervatham, Bursar-General.
- (7) Rev. Brother P. Ignatius, Novice-Master.

with all property hereafter to be acquired by the society, both movable and immovable and all contributions, donations, amounts of loans, and advances received or to be received, shall be held by the society for the purpose of this Ordinance, subject to any trusts under which such property may have been received.

Rules.

5. (1) It shall be lawful for the General Chapter or an extraordinary General Chapter at any of its meetings held after due notice by a majority of votes of the members present and voting at such meetings to make rules, not inconsistent with the Canon Law—

- (a) for the admission, withdrawal or expulsion of members;
- (b) for the conduct of the duties of the governing body and of the administration of the various Houses, office-bearers and other members of the society;
- (c) for the procedure in the transaction of business;
- (d) for the nomination of the local directors and other officers of the various Houses; and
- (e) otherwise generally for the management of the affairs of the society and the accomplishment of its objects.

(2) Any changes, additions or alterations in the rules made by the governing body will be effective only till the next General Chapter which shall either ratify or rescind such alterations or additions.

(3) All members of the society shall be subject to all rules made under this Ordinance.

Property vested in the society.

6. On the coming into operation of the Ordinance, all and every property belonging to the Society of the Ceylonese Brothers of St. Joseph, or in the name or names of any person or persons in trust for the society, shall be, and the same are hereby vested in the society and shall be held by the society in its corporate name, and the same together

7. All debts and liabilities of the said Society of the Ceylonese Brothers of St. Joseph which were in existence before the coming into operation of this Ordinance, shall be paid by the society, and all debts due to and contributions payable to the said Society of the Ceylonese Brothers of St. Joseph shall be paid to the society for the purposes of this Ordinance.

Debts, &c., due by and payable to the society.

8. The seal of the society shall not be affixed to any instrument whatsoever, except in the presence of three members of the governing body of the society, of whom one shall be the Director-General, who shall sign their names to the instrument in token of their presence, and such signature shall be independent of the signing of any person as a witness.

Seal.

9. The society shall be able and capable in law to take and hold any property, 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 society for the purpose of this Ordinance and subject to any rules made thereunder with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Society may hold property movable and immovable.

10. The income and property of the society whencesoever derived shall be applied solely towards the promotion of the objects of the society as set forth in this Ordinance.

Application of the funds of the society.

11. Except so far as is provided in this Ordinance or in any rules made thereunder, any dispute or doubt as to any matter or question affecting or relating to the principles or policy of the society shall be referred to the governing body of the society whose decision thereon shall be final.

Decision of disputes, &c., as to principles or policy.

Saving of
rights of the
republic and

12. Nothing in this Ordinance 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.