

CHAPTER 438

METHODIST TRUST ASSOCIATION

Ordinance
No. 54 of 1935,
Act
No. 17 of 1966.

AN ORDINANCE TO INCORPORATE A METHODIST TRUST ASSOCIATION OF CEYLON.

[18th December, 1935.]

Preamble.

Whereas it is proposed and thought expedient to incorporate a Methodist Trust Association of Ceylon with perpetual succession and a common seal and with full power to acquire, purchase, take, hold, enjoy, or lease movable and immovable property on behalf of the people called Methodists in Ceylon in connexion established by the late Reverend John Wesley of England, Master of Arts, and to do and perform all such acts in respect of and concerning and affecting such property as a private individual would do and perform if he held the same in trust for the said society or church, and to sell or otherwise dispose of the same where necessary:

Association of Ceylon appointed by the Conference of the Methodist Church, Ceylon, in the manner hereinafter set out;

(c) "the Conference" shall mean the annual Conference composed of Ministers and lay representatives held at present in Ceylon in accordance with the law, constitution and custom of the said church;

(d) "the President" shall mean the President of the Conference appointed in accordance with the law, constitution and custom of the said church;

(e) "the three District Synods" shall mean the Northern, Central and Southern District Synods composed of Ministers and lay representatives and held in accordance with the law, constitution and custom of the said church;

(f) "the Standing Committee" shall mean the Committee appointed by the Conference to act for the Conference between two sessions of the annual Conference.

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 Methodist Trust Association of Ceylon Ordinance.

Interpretation.
[§ 2, 17 of
1966.]

2. Unless anything shall appear in the context or subject repugnant thereto or inconsistent therewith, the expression—

(a) "the said church" shall mean the church or Christian society in Ceylon called the Methodist Church, Ceylon, composed of Christians in the connexion established by the late Reverend John Wesley A.M. of England and shall include all members thereof at present in the Island of Ceylon;

(b) "the said association" shall mean the members of the Methodist Trust

3. The Reverend Edwin Middleton Incorporation. Weaver, The Reverend Arthur Stanley Beaty, The Reverend Nathaniel Kathirithamby Nalliah, The Reverend George Alfred Fernando Senaratna, The Reverend Samuel George Mendis, Mr. Wesley Duraiappa Niles, Dr. Henry Isaac Femando, Mr. Bertie Ebenezer de Pinto, Mr. Llewellyn Solomon Fernando, and Mudaliyar George Washington Rasiah

Vallipuram are hereby incorporated under the name of "The Methodist Trust Association of Ceylon " and they and their successors to be appointed in the manner hereinafter to be provided shall for ever hereafter be associated together as the Methodist Trust Association of Ceylon with perpetual succession and a common seal and shall have full power and authority to hold, acquire, purchase, accept, take, take on lease and enjoy movable and immovable property of every description and to sell, mortgage, alienate, lease, or otherwise dispose of or deal with the same and by that name to sue and be sued in all Courts of Justice and to do, perform and exercise all acts which a private individual may, can, or shall, do, perform or exercise in the pursuance of his right as an owner or lessee or holder of such property and shall be empowered to lend its name and act as a trustee in respect of any endowment or funds of the said church and to borrow money where the necessity arises with or without the security of its own property.

mentally incapable of acting as members of the said association in which case the Standing Committee shall have the power and they are hereby empowered to elect members to fill the vacancies which have occurred; and the appointment of any such member to fill any such vacancy shall continue in force from the day of his appointment till the date of the next Conference. [§6,17 of 1966-]

4. The said Methodist Trust Association shall be composed of the President of the Conference, the Secretary of the Conference, the Chairmen of the three District Synods and five laymen, all of whom shall be appointed annually by the Conference and shall hold office until the next annual Conference after such appointment.

8. The said Methodist Trust Association shall be responsible to the Conference of the Methodist Church, Ceylon; but this provision shall not be deemed to interfere with the provisions of any particular trust under which any property movable or immovable shall be held by the said trust association or curtail the powers or authority of the trust association thereunder or under section 3. Association to be responsible to the Conference. [§ 7, 17 of 1966.]

In the interval between any two sessions of the Conference, the President in consultation with the standing committee is hereby empowered to act for and in the name of the Conference in giving orders and directions to the trust association. [§ 7, 17 of 1966.]

9. The Methodist Trust Association of Ceylon shall have power to hold, possess, and use property both movable and immovable and whether in possession, expectancy, remainder, reversion or otherwise and to allow itself to be nominated and appointed and to act as trustees for any fund, endowment, bequest, legacy, or trust for the use of the said church. Power to hold property

5. The Conference shall at each annual session, or as soon thereafter as possible, appoint the members of the said association who shall compose the said association from the date of such appointment until the next annual session of the Conference.

10. (1) It shall be lawful for the said association from time to time at any general meeting of the members of the association and by a majority of votes to make rules for the transaction of business and the procedure to be observed at meetings of the association and generally for the management of the affairs and the accomplishment of the objects of the association. Rules.

*7. No act of the said Methodist Trust Association shall be rendered invalid or of no force or avail in law nor shall the said trust association cease to exercise the powers or to discharge the duties devolving on it merely because there is a vacancy created in the said association by reason of the death or absence from Sri Lanka or mental disability of any member thereof unless more than half of the members shall have either died or left Sri Lanka or become

(2) All members of the said association shall at all times be subject to the rules for the time being of the association.

Constitution. [§ 3, 17 of 1966.]

Appointment of members of the association. [§ 4, 17 of 1966.]

Acts of association not invalidated by vacancies in membership.

* Section 6 is repealed by Act No. 17 of 1966.

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Appointment of secretary, **11.** The said trust association shall, every year or as often as it may be convenient, appoint a secretary who shall have the power to call meetings whenever necessary; and at such meetings the President, if present, shall preside,

[§ 8,17 of 1966.]

Office and seal.

[§ 9,17 of 1966.]

12. The said trust association shall have an office and the common seal of the said association shall be in the custody of the President and shall not be affixed to any instrument or document except in the presence of three at least of the members of

the said trust association who shall sign their names on the instrument or document in token of their presence and such signing shall be independent of the signing of any person who may sign the instrument as a witness.

13. Nothing in this Ordinance contained shall affect or be deemed to affect the rights of the Republic, or of any body politic or corporate, or of any other persons, except those claiming by, from, or under them. Saving of the rights of the Republic and others.