



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

**BAMBALAPITIYA FLATS BUDDHIST
SOCIETY (INCORPORATION)
ACT, No. 4 OF 2008**

[Certified on 28th January, 2008]

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*Bambalapitiya Flats Buddhist Society
(Incorporation) Act, No. 4 of 2008*

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L.D.—O. INC 34/2005.

AN ACT TO INCORPORATE THE BAMBALAPITIYA FLATS
BUDDHIST SOCIETY

WHEREAS a Buddhist Society called and known as the **Preamble.**
“Bambalapitiya Flats Buddhist Society” has heretofore been
formed in Sri Lanka for the purpose of effectually carrying
out and transacting all objects and matters connected with
the said Buddhist Society, according to the rules agreed to
by its members :

AND WHEREAS the said Bambalapitiya Flats Buddhist
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 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 Bambalapitiya Flats **Short title.**
Buddhist Society (Incorporation) Act, No. 4 of 2008.

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

General
objects of the
Corporation.

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

- (a) to promote and protect the Buddhism and Buddhist rituals, practices and traditions of the Buddhists residing in and around the Bambalapitiya Flats ;
- (b) to sponsor and promote the study of, and research into, all aspects of Buddhism ;
- (c) to establish and maintain educational institutions to teach Buddhism and to inculcate in the people, the Buddha Dhamma and Buddhist values, and to encourage them to lead their lives in accordance with such Dhamma and Buddhist values ;
- (d) to establish and maintain Viharas, monasteries, shrines, hermitages and other religious institutions and to promote, foster and preserve, Buddhist festivals, rites, rituals, practices and traditions ;
- (e) to provide educational facilities and related services to the Buddhist community residing in and around the Bambalapitiya Flats ;
- (f) to promote peace and foster religious, ethnic and racial harmony in the community ;
- (g) to provide social and welfare services and to establish and maintain centres and institutions for the welfare of the Buddhist community in the Bambalapitiya National Flats ;
- (h) to establish and maintain libraries, information and resource centres for the benefit of the Buddhist in and around the Bambalapitiya Flats ;

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- (i) to help and assist Buddhist in and around Bambalapitiya Flats to engage in any technical or similar industry as self employment and to train them in any such industry ;
- (j) to hold exhibitions, lectures, seminars, workshops, classes, debates, conferences or other activities, in furtherance of the objects of the Corporation ; and
- (k) to establish friendly relations in collaboration with other associations, organisations or societies having objects similar to those of the Corporation in Sri Lanka or abroad.

4. (1) The management and administration of the affairs of the Corporation shall subject to the provisions of this Act and rules made under section 7 be administered by a Executive Committee (hereinafter referred to as “the Committee”) consisting of President, four Vice Presidents, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and six other members as are elected in accordance with the rules of the Corporation from among the members who are permanent residents of the Bambalapitiya National Flats Complex.

Management of the affairs of the Corporation.

(2) The first Committee of the Corporation shall be the Committee holding office on the day immediately preceding the date of commencement of this Act, who shall hold office until the holding of the first Annual General Meeting of the Corporation.

5. (1) The Committee shall cause a register to be maintained in which every person who at the commencement of this Act, is a member of the Corporation and every person thereafter duly admitted a member of the Corporation hereby constituted, shall have his name inscribed.

Register of membership.

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(2) The register shall contain the following particulars:—

- (a) the name, address and occupation of each member of the Corporation ;
- (b) the date on which the name of the member was inscribed in the register ;
- (c) the date on which any person ceased to be a member.

Powers of the Corporation.

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

- (a) to purchase, acquire, rent, construct or otherwise obtain lands or buildings, which may be required for the purposes of the Corporation ;
- (b) to raise funds and receive grants, gifts or donations in cash or kind ;
- (c) to erect or cause to be erected, any building or structure on any land belonging to, or held by the Corporation ;
- (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 current, savings and deposit accounts in any bank ;
- (e) to invest any funds not immediately required for the purposes of the Corporation in such manner as the Committee may think fit ;

- (f) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any movable or immovable property ;
- (g) to appoint, employ, dismiss or terminate the services of, officers and servants of the Corporation, and to pay them such salaries, allowances and gratuities as may be determined by the Corporation ; and
- (h) to train personnel in Sri Lanka for the purposes of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting or at an extraordinary general meeting convened for such purpose 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 Corporation.

- (a) classification of membership, fees payable by members, admission, withdrawal, expulsion or resignation of members ;
- (b) election of the Committee or vacation of, or removal from office of a Committee Member and the powers, duties and conduct of the Committee ;
- (c) appointment, employment and dismissal of various officers, agents and servants of the Corporation, their powers, duties, functions and conduct and the payment of remuneration to them ;
- (d) appointment, employment and dismissal of an auditor and the payment of remuneration thereof ;
- (e) the procedure to be followed in the transaction of business at such meetings ;
- (f) the qualification and disqualifications for membership of the Committee and the Corporation ;

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- (g) the administration and management of the property of the Corporation ; and
- (h) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

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

Funds of the Corporation.

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited to the credit of the Fund of the Corporation in one or more banks as the Committee shall determine.

(2) The Corporation may create a depreciation fund, reserve or sinking fund for the rehabilitation, improvement, development and preservation of, the property of the Corporation.

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

(4) The moneys and property of the Corporation, however derived, shall be applied solely towards the promotion of the objects set out in this Act, and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise to the members of the Corporation.

Accounts and Audit.

9. (1) The Corporation shall cause proper accounts to be kept of all the moneys received and expended by the Corporation.

(2) The accounts of the Corporation shall be examined and audited at least once in every year, and the correctness of income and expenditure account and balance sheet shall be certified by an auditor who shall be an associate member of the Institute of Chartered Accountants of Sri Lanka appointed by the Corporation.

(3) The Financial year of the Corporation shall be the period commencing on the First day of April in any year and ending on the thirty first day of March of the following year.

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

Debts due by and payable to the Society.

11. The Corporation shall be able and capable in law to acquire 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 Act and subject to the rules of the Corporation to sell, mortgage, lease, exchange or otherwise dispose of same.

Corporation may hold property movable and immovable.

12. If upon the dissolution of the Corporation, there remains after the satisfaction of all 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 some other institution having objects, similar to the objects of the Corporation, and which, are by the rules thereof prohibited from distributing any income or profit among their members. Such institution shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Property remaining on dissolution.

Seal of the Corporation.

13. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the President and the Secretary or the Treasurer 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.

Limitation of liability.

14. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

Savings of the rights of the Republic and others.

15. Nothing in this Act contained shall prejudice or affect the rights of the Republic, or of any body politic or corporate.

Sinhala text to prevail in case of inconsistency.

16. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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