



# THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

No. 9,395 — FRIDAY, APRIL 20, 1945.

Published by Authority.

## PART II.—LEGAL.

### PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

No. 7 of 1945.

L. D.—O. 6/45.

**An Ordinance to amend the Bank of Ceylon Ordinance, No. 53 of 1938.**

1941 Supplement. (Vol. II., page 480).

HENRY MOORE.

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

1. This Ordinance may be cited as the Bank of Ceylon (Amendment) Ordinance, No. 7 of 1945.

Short title.

2. Section 63 of the Bank of Ceylon Ordinance, No. 53 of 1938, is hereby amended, in sub-section (1), by the substitution, for the words "firm of auditors:" of the words—

Amendment of section 63 of Ordinance No. 53 of 1938.

"firm of auditors:

Provided also that—

(i) where no auditor is so elected to audit the accounts of any year or where neither of the auditors so elected is able to audit such accounts, the accounts shall be audited by the Auditor-General; and

(ii) where only one auditor is so elected to audit the accounts of any year or where only one of the auditors so elected is able to audit such accounts, the accounts shall be audited by that auditor and by the Auditor-General:—

Passed in Council the Twenty-second day of March, One thousand Nine hundred and Forty-five.

D. C. R. GUNAWARDANA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Nineteenth day of April, One thousand Nine hundred and Forty-five.

J. A. MULHALL,  
Acting Secretary to the Governor.

### DRAFT ORDINANCES.

#### MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

**An Ordinance to incorporate a Board of Management of the Sri Sumangala College and Schools, Panadura.**

WHEREAS schools called and known as the Sri Sumangala College, the Sri Sumangala Boys School and the Sri Sumangala Girls School respectively have heretofore been established at Panadura for the purpose of education:

And whereas the purpose and object of the said Schools would be more effectually prosecuted and attained by the constitution and incorporation of a Board of Management empowered to own, control, manage and transact all the affairs of the said schools and of any branches thereof and of any other schools such Board may deem it advisable to take over, or establish:

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 Sri Sumangala Schools Board of Management (Incorporation) Ordinance, No. of 1945.

Incorporation of Sri Sumangala Schools Board of Management.

2. (1) There shall be established a Board (hereinafter referred to as "the Board") the members of which for the time being shall be and are hereby constituted a body politic and incorporate with the name of "The Sri Sumangala Schools Board of Management".

(2) The Board shall in the said name and for the purposes herein mentioned have perpetual succession, and shall by the said name sue and be sued, plead and be impleaded, answer and be answered, in all courts, and shall have and use a common seal with power to break, alter and renew the same at its discretion.

Composition of the Board.

3. (1) The Board shall consist of—

- (a) Seven life members, and
- (b) Twenty-four other members,

elected in accordance with the rules made under this Ordinance.

(2) Notwithstanding anything in sub-section (1), the first members of the Board shall be the following:—

(a) *Life Members:*

- 1. Mudaliyar Thomas Rodrigo.
- 2. Mrs. Angela Ellen Dias.
- 3. Mrs. Dovisina Leanora Dias.
- 4. Ponnahenedige Alfred Lewis Dias.
- 5. Walter Salgado.
- 6. Arthur Vincent Dias.
- 7. Neville Spencer Cornelius Perera.

(b) *Other Members:*

- 1. Richard Salgado.
- 2. Susanta de Fonseka.
- 3. Ponnahenedige Robert Dias.
- 4. Dr. Theobald Henry Dias.
- 5. Charles Victor Dias.
- 6. Neil Quintus Dias.
- 7. Charles Martin Dias.
- 8. Mrs. Lilian Perera.
- 9. Mrs. Cecily Violet Dias.
- 10. David Solomon Fernando.
- 11. Percy Reginald Rodrigo.
- 12. Dickman Harold Dias.
- 13. Thomas Edwin Gooneratne.
- 14. Waduge Leo Fernando.
- 15. Wilmot Rodrigo.
- 16. Leslie Simon Bernard Perera.
- 17. Patrick de Silva Kularatne.
- 18. Mrs. Eileen Rachel Amarasuriya.
- 19. Cyril Thomas Rodrigo.
- 20. Warusahenedige Abraham Bastian Soysa.
- 21. Arthur Edwin Dias.
- 22. Mututantirige William Peter Cooray.
- 23. Mututantirige Albert Cooray.
- 24. Bensiri Senarath Dias.

Power to make rules.

4. (1) It shall be lawful for the Board from time to time at any meeting specially called for that purpose and by a majority of the members present and voting to make such rules, not inconsistent with this Ordinance, as it may deem expedient for the management of its affairs and the accomplishment of its objects.

(2) The powers of the Board to make rules shall, without prejudice to the generality of the powers conferred by sub-section (1), include the power to make rules for all or any of the following purposes:—

- (a) the election of life members and other members of the Board, and the terms of office of members of the Board, other than life members;
- (b) the appointment of a Chairman, Secretary and Treasurer of the Board;
- (c) the custody of the seal of the Board;
- (d) the procedure to be followed in the transaction of business; and
- (e) the conduct of the duties of the Board and of the various officers and servants of the Board.

Power of the Board to hold property.

5. The Board shall at all times hereafter be able and capable in law 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 term, subject to any express trust

or otherwise for the benefit of the said Schools and of any of its branches and of any other Schools such Board may deem it advisable to take over or establish, any property movable or immovable of any nature or kind whatsoever.

6. The Board may erect or cause to be erected any building on any land vested or acquired or held by it, and may also from time to time sell, grant, convey, demise, assign, exchange and dispose of or mortgage any property for the time being vested in the Board. The Board may invest any funds vested in the Board in any securities authorised as a trustee investment by the law of England or of India or of Ceylon or upon any mortgage of movable or immovable property in Ceylon.

Power of the Board to deal with property and to make investments.

7. The seal of the Board shall not be affixed to any instrument whatsoever except in the presence of the Chairman and one other member of the Board 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 Board.

8. It shall be lawful for the Board in all cases not provided for in this Ordinance to act in such a manner as appears to it best calculated to promote the welfare of the said Schools and of any other Schools such Board may deem it advisable to take over or establish.

General powers of the Board.

9. Nothing in this Ordinance contained shall prejudice or effect the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate or of any other person, except such as are mentioned in this Ordinance and those claiming by, from or under them.

Saving as to the rights of His Majesty and others.

*Objects and Reasons.*

The objects of this Bill is to incorporate the Board of Management of the Sri Sumangala College and Schools, Panadura, so as to enable the Board more effectively to administer its affairs, and to hold and dispose of property, both movable and immovable, as a body corporate with perpetual succession.

SUSANTA DE FONSEKA,  
Mover of the Bill.