



# THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

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## PART II.—LEGAL.

(Separate paging is given to each Part in order that it may be filed separately.)

### DRAFT ORDINANCES.

#### MINUTE.

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

L. D.—O 38/46—M. L. A.—EB 117 (2) A.

#### An Ordinance to amend the Motor Car Ordinance, No. 45 of 1938.

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 Motor Car (Amendment) Ordinance, No. of 194 . Short title.
2. Section 14 of the Motor Car Ordinance, No. 45 of 1938 (hereinafter referred to as the "principal Ordinance") is hereby amended, by the insertion, immediately after sub-section (3), of the following new sub-section :— Amendment of section 14 of the Motor Car Ordinance, No. 45 of 1938.

“ (4) The application for the registration of a motor car which is let under a hire-purchase agreement shall be forwarded to the Commissioner by the person who so let the car. The application aforesaid shall be accompanied by a statement in the Form 2A set out in the Second Schedule.”
3. Section 16 of the principal Ordinance is hereby amended as follows :— Amendment of section 16 of the principal Ordinance.
  - (1) in sub-section (2), by the substitution, for the words “ a motor car is claimed ”, of the words “ a motor car (other than a motor car which is let under a hire-purchase agreement) is claimed ” ; and
  - (2) by the insertion, immediately after sub-section (3), of the following new sub-section :—

“ (4) (a) At the time of the registration of a motor car which is let under a hire-purchase agreement, the Commissioner shall also enter in the register the name of the person who so let the car as the absolute owner thereof, but no such entry of the name of any person as absolute owner shall be deemed—

    - (i) to affect any liability which the person registered as the owner may incur under any of the provisions of this Ordinance ; or
    - (ii) to vest in the person whose name is so entered as absolute owner any of the rights or powers conferred by this Ordinance upon the registered owner of a car ; or
    - (iii) to prejudice or to affect in any way the right of any other person who claims to be the owner of the car to cause his claim to be determined by an action at law.

(b) The entry required by paragraph (a) shall be made in the space provided in the register for the entry of the names of the other claimants, if any, to the ownership of a motor car.”

Amendment of section 19 of the principal Ordinance.

4. Section 19 of the principal Ordinance is hereby amended as follows :—

- (1) by the re-numbering of that section as sub-section (1) of section 19 ; and
- (2) by the insertion, immediately after re-numbered sub-section (1), of the following new sub-section :—

“(2) The application for the registration of a new owner of a motor car which is let under a hire-purchase agreement shall be forwarded to the Commissioner by the person who so let the car. The application aforesaid shall be accompanied by a statement in the Form 2A set out in the Second Schedule.”

Amendment of section 20 of the principal Ordinance.

5. Section 20 of the principal Ordinance is hereby amended, by the insertion, immediately after sub-section (3), of the following new sub-section :—

“(4) (a) At the time of the registration of a new owner of a motor car which is let under a hire-purchase agreement, the Commissioner shall also enter in the register the name of the person who so let the car as the absolute owner thereof, but no such entry of the name of any person as absolute owner shall be deemed—

- (i) to affect any liability which the person registered as the owner may incur under any of the provisions of this Ordinance ; or
- (ii) to vest in the person whose name is so entered as absolute owner any of the rights or powers conferred by this Ordinance upon the registered owner of a car ; or
- (iii) to prejudice or to affect in any way the right of any other person who claims to be the owner of the car to cause his claim to be determined by an action at law.

(b) The entry required by paragraph (a) shall be made in the space provided in the register for the entry of the names of the other claimants, if any, to the ownership of a motor car.”

Amendment of section 40 of the principal Ordinance.

6. Section 40 of the principal Ordinance is hereby amended, in paragraph (b) of sub-section (1), by the substitution, for the words “ Urban Council, Local Board ”, of the words “ Urban Council, Town Council, Local Board ”.

Amendment of section 58B of the principal Ordinance.

7. Section 58B of the principal Ordinance is hereby amended, by the repeal of sub-section (2) of that section, and the substitution of the following new sub-section therefor :—

“(2) Duty shall be payable on a new licence or a provisional licence issued in any year on application made under sub-section (1), and the amount of the duty shall be the same as the amount payable under section 32 (1) on a yearly licence, reduced, in any case where the licence is to come into force at any time on or after the first day of March in that year, by one-twelfth part for each complete calendar month of the period commencing on the first day of February in that year and ending on the last day of the month preceding the month in which the licence is to come into force.”

Amendment of section 61 of the principal Ordinance.

8. Section 61 of the principal Ordinance is hereby amended in sub-section (3), by the substitution, for the words “ as one hundred and twelve pounds.”, of the following :—

“ as one hundred and twelve pounds :

Provided, however, that in the case of an omnibus which is constructed and equipped in accordance with the regulations in Part II of the First Schedule and is provided with a centre gangway, the following provisions shall apply in lieu of the preceding provisions of this sub-section :—

- (i) Fifteen inches of seating space shall be allowed for each person.
- (ii) Where the omnibus has a wheel base of not less than one hundred and fifty seven inches, the number of persons determined for the omnibus under paragraph (i) shall be increased by eight.
- (iii) Where the omnibus has a wheel base of less than one hundred and fifty seven inches, the number of persons determined for the omnibus under paragraph (i) shall be increased by one-fifth.”

Amendment of section 123 of the principal Ordinance.

9. Section 123 of the principal Ordinance is hereby amended as follows :—

- (1) in sub-section (1), by the substitution, in the proviso thereto, for the words “ upon a special permit issued for the purpose.”, of the following :—

“ under the authority of a special permit issued for the purpose by the prescribed officer in his discretion :

And provided further that not more than four persons, not being persons described in paragraphs (a), (b) and (c), may be carried on a lorry under the authority of a special permit issued for the purpose by the Commissioner in his discretion." ; and

(2) in sub-section (2), by the omission of the words " issued by the prescribed officer ".

10. Section 176 of the principal Ordinance is hereby amended, in the definition of " local authority ", by the substitution, for the words " Urban Council, Local Board ", of the words " Urban Council, Town Council, Local Board ".

Amendment of section 176 of the principal Ordinance.

11. The Second Schedule to the principal Ordinance is hereby amended, by the insertion, immediately after Form 2, of the following new Form :—

Amendment of the Second Schedule to the principal Ordinance.

FORM 2 A.

(Sections 14 (4) and 19 (2).)

*Notice of Hire-Purchase Agreement relating to a Motor Car.*

To the Commissioner of Motor Transport.

I, <sup>1</sup>\_\_\_\_\_ of <sup>2</sup>\_\_\_\_\_, hereby give notice that I have let the motor car in respect of which the attached application for <sup>3</sup>\_\_\_\_\_ is made to <sup>4</sup>\_\_\_\_\_ of <sup>5</sup>\_\_\_\_\_ under a hire-purchase agreement. The aforesaid <sup>4</sup>\_\_\_\_\_ of <sup>5</sup>\_\_\_\_\_ has signed below in acknowledgment of the fact that the car has been so let to him.

(Signature of person who let the car).

I do hereby acknowledge that the motor car has been let to me by <sup>1</sup>\_\_\_\_\_ of <sup>2</sup>\_\_\_\_\_ under a hire-purchase agreement.

(Signature of person to whom the car is let).

Dated : \_\_\_\_\_

(a) Signature : \_\_\_\_\_  
Address : \_\_\_\_\_

Witnesses : <sup>6</sup>\_\_\_\_\_

(b) Signature : \_\_\_\_\_  
Address : \_\_\_\_\_

<sup>1</sup>Name of person who let the car.

<sup>2</sup>Address.

<sup>3</sup>Insert the word " registration " or the words " registration of a new owner " whichever is applicable.

<sup>4</sup>Name of person to whom car is let.

<sup>5</sup>Address.

<sup>6</sup>This notice should be signed by two witnesses, one of whom knows the person who let the car and the other the person to whom the car is let.

12. The Fourth Schedule to the principal Ordinance is hereby amended, in Part A thereof, by the substitution, in item III, for all the words from " seating accommodation " to " per seat ", of the words " maximum number of passengers which the omnibus is to be licensed to carry, at the rate of Rs. 10 per passenger ".

Amendment of Fourth Schedule to the principal Ordinance.

*Objects and Reasons.*

Under the Motor Car Ordinance (Chapter 156), which was repealed by the Motor Car Ordinance, No. 45 of 1938, a person who let a motor car under a hire-purchase agreement was entitled to have himself registered as the absolute owner of the car. In order to discourage people from entering into such agreements, similar provision was intentionally omitted from the Motor Car Ordinance, No. 45 of 1938. In view, however, of the recommendations made by the Mortgage Commission in their Third Interim Report (Sessional Paper VIII of 1945), it is now proposed to amend the Ordinance so as to enable the name of a person who lets a motor car under a hire-purchase agreement to be entered in the register of motor cars as the absolute owner of the car. (Clauses 2, 3, 4, 5 and 11).

2. As a number of Town Councils will be constituted in the year 1947, the Motor Car Ordinance is to be amended so as to enable such Councils to function as licensing authorities within their administrative areas, and also to authorise the appropriation to the funds of such Councils of all moneys paid as duties on licences for motor cars. (Clauses 6 and 10).

3. The duty payable on a new licence or a provisional licence for a lorry issued in any year on application made under section 58B of the Motor Car Ordinance is to be changed, and in future, that duty is to be the duty payable under section 32 (1) of the Ordinance on a yearly licence, reduced, in any case where such licence is to come into force at any time on or after the first day of March in that year, by one-twelfth part for each complete calendar month of the period commencing on the first day of February in that year and ending on the last day of the month preceding the month in which the licence is to come into force. (Clause 7).

4. Under the Defence (Motor Vehicles Authorised Load) Regulations, certain types of omnibuses were permitted to carry a specified number of passengers in excess of the maximum number authorised by the Motor Car Ordinance. As the Regulations in question are no longer in force, it is now proposed to make similar provision in the Ordinance. (Clause 8). A consequential amendment is to be made in the Fourth Schedule to the Ordinance. (Clause 12).

5. Section 123 of the Motor Car Ordinance is to be amended so as to enable not more than four persons who are not described in paragraphs (a), (b) and (c) of sub-section (1) of that section to be carried on a lorry under the authority of a special permit issued by the Commissioner of Motor Transport in his discretion. (Clause 9).

S. W. R. D. BANDARANAIKE,  
Minister for Local Administration.

Colombo, February 13, 1947.

#### MINUTE.

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

L. D.—O. 53/46.

**An Ordinance to amend the Commissioner of Prison and Probation Services Ordinance, No. 41 of 1944, and to effect consequential amendments in other law.**

BE it 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 Commissioner of Prison and Probation Services (Amendment) Ordinance, No. of 1946.

Amendment of Ordinance No. 41 of 1944.

2. (1) The long title to the Commissioner of Prison and Probation Services Ordinance, No. 41 of 1944, (hereinafter referred to as "the principal Ordinance") is hereby amended by the substitution, for the expression "Assistant Commissioner", of the expression "Deputy Commissioner".

(2) Section 2 of the principal Ordinance is hereby amended as follows:—

(a) in paragraph (b) of that section by the substitution, for the expression "Assistant Commissioner of Prison and Probation Services.", of the expression "Deputy Commissioner of Prison and Probation Services."; and

(b) in the marginal note to that section by the substitution, for the expression "Assistant Commissioner", of the expression "Deputy Commissioner".

Person appointed as Assistant Commissioner of Prison and Probation Services to be deemed to have been appointed as Deputy Commissioner of Prison and Probation Services.

3. Any person who, on the date on which this Ordinance comes into operation, holds the office of Assistant Commissioner of Prison and Probation Services by virtue of appointment made before that date under section 2 of the principal Ordinance, shall be deemed to have been appointed as Deputy Commissioner of Prison and Probation Services under that section as amended by this Ordinance.

Amendment of Chapter 44 and any rule or document made or issued under or for the purposes of that Chapter.

4. (1) Section 7 of the Prisons Ordinance is hereby amended in sub-section (2) thereof by the substitution, for the expression "Assistant Commissioner of Prison and Probation Services", of the expression "Deputy Commissioner of Prison and Probation Services".

(2) The expression "Deputy Commissioner of Prison and Probation Services" is hereby substituted for the expression "Assistant Commissioner of Prison and Probation Services" wherever the latter expression occurs in any rule or document made or issued under or for the purposes of the Prisons Ordinance.

Amendment of other written law.

5. The expression "Deputy Commissioner of Prison and Probation Services" is hereby substituted for the expression "Assistant Commissioner of Prison and Probation Services" wherever the latter expression occurs in any written law other than the Prisons Ordinance and the rules made under that Ordinance, or in any direction, notification or document issued or made under or for the purposes of any such written law.

#### *Objects and Reasons.*

It is proposed that the designation "Assistant Commissioner of Prison and Probation Services" should be changed to "Deputy Commissioner of Prison and Probation Services". The object of this Bill is to implement this proposal.

A. MAHADEVA,  
Minister for Home Affairs.

23rd January, 1947.

## MINUTE.

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

## SINHALA WELENDA MANDALAYA.

**An Ordinance to incorporate The Sinhala Welenda Mandalaya.**

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|--|---|
| <p>1. This Ordinance may be cited as The Sinhala Welenda Mandalaya Ordinance.</p>  | Short title.                                |
| <p>2. On and after the passing of this Ordinance the present President, Vice-Presidents and Members of the Committee of the said Sinhala Welenda Mandalaya, and such and so many persons as now are members of the said Sinhala Welenda Mandalaya or shall hereafter be admitted members of the Corporation hereby constituted, whose names shall be inscribed in the Register mentioned in section 5, shall be and become a Corporation with liability limited in manner provided in section 14 with continuance for ever, under the name and style of "Sinhala Welenda Mandalaya", and by that name shall 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.</p>   | Incorporation of Sinhala Welenda Mandalaya. |
| <p>3. The general objects for which the Corporation is constituted are hereby declared to be :—</p> <p>(a) to promote, foster and protect the commerce of Ceylon and its members by obtaining by every means the redress of acknowledged grievances and the removal of undesirable restrictions ;</p> <p>(b) to represent and express on commercial questions the opinions of the members of the Sinhala Welenda Mandalaya and to aid, assist and co-operate with others in such representations and expression ;</p> <p>(c) the consideration of all questions connected with the trade, manufactures and industries of Ceylon ;</p> <p>(d) to endeavour to promote or oppose legislative and other measures affecting such trade, manufactures and industries ;</p> <p>(e) to collect and circulate statistics and other information relating to all trade, manufactures and industries ;</p> <p>(f) to form a board or commission of reconciliation and of arbitration to parties willing to abide by its decisions and to undertake the settlement of disputes and differences arising out of trade, commerce and industry ;</p> <p>(g) to advise and communicate on matters of trade, commerce and industry with the public authorities, with similar associations in other places, and with individuals ;</p> <p>(h) by recording its proceedings and decisions, to form a code of practice by which transactions of business may be simplified and facilitated ;</p> <p>(i) to undertake and execute any trusts, and to undertake the office of trustees and to co-operate with executors and trustees in the financial administration of any estate or trust and to transact or carry on all kinds of business relating to trusts, (subject always to the provisions of any written law relating to trusts) ;</p> <p>(j) to establish and support Provident Funds for the benefit of the Officers, employees and servants of the Corporation ;</p> <p>(k) to borrow or raise money for the purposes of the Corporation and for that purpose or for securing money for the performance or discharge of any obligation or liability of the Corporation or for any other purpose to create, execute, grant or issue any mortgages, bonds or obligations of the Corporation and to pay off and re-borrow the moneys secured thereby or any part or parts thereof ;</p> <p>(l) to do all or any of the above things in any parts of the world, and either as principals, agents, trustees or otherwise, and by agents, trustees or otherwise, and either alone or in conjunction with others ;</p> <p>(m) the encouraging and fostering of commercial, agricultural and industrial education, and the award of scholarships ;</p> <p>(n) to encourage members to engage themselves in trade, industry and commerce in Ceylon or elsewhere ;</p> <p>(o) to promote goodwill and co-operation among those engaged in trade, industry, commerce and agriculture ;</p> <p>(p) the rendering of assistance to those members who may find themselves in business and financial difficulties ;</p> | General Objects.                            |

- (g) to do all such other things as may be necessary, incidental or conducive to the interests or benefits of the members or to the attainment of the above objects or any of them or generally to the benefit, protection or advancement of the trade, commerce, manufactures and industries of Ceylon ;
- (r) to enter into, sign and execute any contract, agreement and other documents for the purpose of nominating or appointing any person or persons whomsoever as representative or agent of the Corporation or for the purpose of delegating any matter to any person or persons whomsoever or otherwise for all or any of the purposes aforesaid either in Ceylon or abroad ;
- (s) to work for the removal of unfair competition in trade ;
- (t) to purchase, take on lease or on rent, hire or otherwise acquire any estate, land, building and immovable or movable property in Ceylon or elsewhere and to manage, sell, let or sub-let, lease or otherwise dispose of any such property or belonging of the Mandalaya, in Ceylon or elsewhere ;
- (u) to establish and assist institutions for the training of Salesmen ;
- (v) to publish periodicals, magazines, journals or any other publication with a view to attaining the objects of the Mandalaya.

The objects specified in each paragraph of this section shall not be limited or restricted by reference to or inference from the terms of any other paragraph.

The affairs of  
the Corporation.

4. (1) The affairs of the Corporation shall be administered, subject to the rules for the time being of the Corporation as hereinafter provided, by an Executive Committee consisting of the President, not more than Five Vice-Presidents, the Treasurer, Secretary and Assistant Secretary and not more than Forty-one Members of the Corporation to be elected at the first Annual General Meeting held after the passing of this Ordinance in accordance with the rules for the time being of the Corporation. Such Executive Committee shall have power to delegate the administration of any portion or portions of the affairs of the Corporation to one or more Sectional trade committees or sub-committees.

(2) All members of the Corporation shall be subject to this Ordinance and the rules for the time being of the Corporation.

Register of  
Members.

5. (1) The Executive Committee shall cause a register to be kept in which every person who at the date of the passing of this Ordinance is a member of the said association, and every person thereafter duly admitted a member of the Corporation hereby constituted, shall have his name inscribed.

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

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

Powers of the  
Corporation.

6. The Corporation shall have power from time to time, at any General Meeting of the Members, and by a majority of votes, to make rules and pass resolutions for the admission, withdrawal or expulsion of members, for the imposition of fines and forfeitures for breaches of rules, for the election and the conduct of the duties of the Executive Committee, and otherwise generally for the management of the affairs of the Corporation and the accomplishments of its objects. Such rules and resolutions when made and passed may at a like meeting be altered, added to, amended or cancelled subject, however, to the requirements of section 9.

Powers of the  
Executive  
Committee.

7. Executive Committee shall have power to make rules and pass resolutions regarding the procedure to be adopted in the transaction of its business. It shall appoint and allocate the duties of various officers, agents, representatives and servants of the Corporation and fix their salaries. It shall be responsible for the collection of dues to the Corporation and the expenditure of the Corporation's funds. Such rules may be altered, added to, amended or cancelled by a resolution passed by a majority of the Executive Committee or by a resolution passed at a General Meeting of Members.

8. Subject to the provisions, in the preceding section the rules set forth in the Schedule A, B, C, D and E shall for all purposes be the rules of the Corporation and shall come into operation after the first Annual General Meeting held after the passing of this Ordinance.

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 said Schedule or to be hereafter made by the Corporation.

9. No rule in the Schedule nor any rule hereafter passed at a general meeting, and no decisions 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.

Amendment of Rules.

10. On passing of this Ordinance all and every property movable belonging to the said Sinhala Welanda Mandalaya whether held in the name of the said Sinhala Welanda Mandalaya or in the name or names of any person or persons in trust for the said Sinhala Welanda Mandalaya and fixed deposits and funds in current accounts shall be and the same are hereby vested in the Corporation hereby constituted, and the same, together with all other acquired movable property and all subscriptions, contributions, donations, amounts, of loans and advances received or to be received, shall be held by the said Corporation for the purpose of this Ordinance and subject to the rules for the time being of the said Corporation.

Property vested in Corporation.

Provided always that any property immovable heretofore or hereafter acquired or held by the Corporation upon trusts or subject to conditions in any grant or testamentary disposition contained or otherwise as trustee, and Fixed Saving Deposits shall be held by the Board of Trustees of the Corporation upon the trusts or subject to the conditions aforesaid or otherwise upon such trusts as may be imposed upon the Corporation with regard to such property, subject always to the provisions of any written law relating to trusts.

11. All debts and liabilities of the said Sinhala Welanda Mandalaya 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 to the said Sinhala Welanda Mandalaya shall be paid to the said Corporation for the purposes of this Ordinance.

Debts and recoveries of the Corporation.

12. The Corporation shall be able and capable in law to take and hold either as beneficial owner or as trustee or otherwise any property, movable or immovable, upon or by virtue of any instrument of purchase, grant, gift, or lease, or upon or by virtue of any testamentary disposition or otherwise, and all such property shall be held by the Corporation (a) for the purpose of this Ordinance and subject to the Rules for the time being of the said Corporation or (b) otherwise for the purpose of and upon the trusts and subject to the conditions in the relative instrument or disposition contained, with full power (subject always to the provisions of any written law relating to trusts and of the relative instrument or disposition) to mortgage, lease, exchange, or otherwise dispose of, encumber or charge the same all except immovables and fixed deposits and saving deposits which shall be vested with the Board of Trustees.

Corporation may hold Property.

13. (a) On the passing of this Ordinance any immovable property and fixed and saving deposits belonging to or bought by the Sinhala Welanda Mandalaya shall be vested in the Board of Trustees of the Corporation, who are appointed for life unless removed from office by the decision of a general meeting of the Corporation or on death, or resignation, or being adjudged to be of unsound mind or adjudged to be an insolvent or on ceasing to be a member of the Mandalaya.

Board of Trustees.

(b) The Board of Trustees shall consist of not more than Fifteen Members of the Mandalaya.

(c) The first Board of Trustees shall be :—

Henry Woodward Amarasuriya (Chairman),  
Nayage Porolis Fernando (Vice-Chairman),  
Kodagoda Arachehige Albert Perera,  
Malagalage Don Gunasena,  
Yasachandra Pinchabadi Wickremasinghe,  
Kukulage Winson Lionel Perera,  
Dewnuge Lionel Fairlie Pedris,  
Galbode Paiyagalage Don Gabriel,  
Gate Muhandiram Senapathige Theobald Philip Rodrigo,  
Muhandiram Pedrick Wakwella,  
Wickremage Don Paulus Appuhamy,  
Muhandiram Garanduwe Barage Kirigoris Waidiyasekera Jayaratne,  
Wewelwela Hewage Hendrick,  
Leo Ernest Jerome Fernando,  
Bharati Sirisena Kottegoda.

(d) The functions of the Board of Trustees, and powers are shown in Schedule B, which may be changed by the Corporation at a General Meeting as and when necessary at the direction of the Board of Trustees or the Executive Committee.

(e) All vacancies of the Board of Trustees shall be filled by the General Meeting.

Limit of  
Liability of  
Members.

14. The liability of each Member of the Corporation under this Ordinance shall be limited to the transactions of the Corporation which shall have occurred during the period of his membership, and to the maximum sum of one hundred rupees over and above such annual subscription or subscriptions as may be due from such member to the Corporation.

15. The Committee in office at the time of the passing of this Ordinance shall continue in office until the election of the Executive Committee as provided in section 4.

Saving of  
Rights of His  
Majesty.

16. Nothing in this Ordinance contained shall prejudice or affect 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.

#### SCHEDULE "A".

Membership.

1. (a) Any Sinhalese engaged in any kind of trade or in sympathy with the objects of the Corporation shall be eligible for Membership of this Mandalaya. An Association or Society of traders or Company whose members are exclusively Sinhalese may also be eligible for membership.

(b) There shall be three classes of Members, namely, Ordinary Members, Life Members and Honorary Members.

(c) An Ordinary Member shall mean one who pays Rs. 10 (Rupees Ten) subscription annually and Life Member means one who has paid his subscription in one lump sum of Rs. 1,000 (Rupees One thousand), both being elected in accordance with Rule 5. An Honorary Member shall mean one who has been elected as such at a general meeting of the Mandalaya on the recommendation of the Executive Committee in recognition of his meritorious services rendered to the Mandalaya in particular, or to the trade in general.

(d) At any time there shall not be more than three Honorary Members, and such Honorary Members shall not be required to sign any application, Agreement or to pay any entrance fee or subscription.

Existing  
Members.

2. Save to the extent to which they are hereinafter required to comply with any of the Rules, all Firms, Companies, Corporation and individuals who are members on December 31, 1946, shall be deemed, on the coming into operation of the Rules, to have duly complied with and fulfilled the provisions of these Rules relating to election for membership and accordingly shall be deemed to be members duly elected under and shall be bound by the Rules.

Eligibility for  
Membership.

3. (a) The provisions of the Rules relating to election of individual members shall apply to bodies of persons as well.

(b) Any Firm, Company, Corporation, Society or individual engaged or interested in the general trade of Ceylon and willing to aid in carrying into effect the objects of the Mandalaya may apply to the Secretary for election as a Member of the Mandalaya.

Members to  
furnish address.

4. (a) Each individual who is a member on the date on which this Ordinance comes into operation, and each individual, who applies for membership after the said date shall furnish the Secretary with an address which shall be deemed to be the address of such individual for all purposes of the Rules unless it has been notified under (d) of this Rule.

(b) Each Firm, Company or Corporation, which is a member on the date on which this Ordinance comes into operation and each Firm, Company or Corporation, which applies for membership after the said date shall send to the Secretary a written statement of the name and addresses of the partners of the Firm, or, in the case of a company or corporation of the Directors thereof, and of all persons holding powers of attorney from or authorised to sign per procuracionem the name of the firm, company or corporation as the case may be. In the case of a Society the name of the Office-bearers from time to time.

(c) In the case of individuals, firms, companies, societies and corporations, which apply for membership after the date on which this Ordinance comes into operation, the particulars required by Rule 4 (a) and (b) shall be sent to the Secretary with the application for membership provided for in Rule 5 along with an entrance fee of Rs. 10 which shall be refundable only if the application was not accepted.

(d) Whenever any change shall take place in the particulars furnished under Rule 4, particulars of such change shall forthwith be notified in writing to the Secretary; only the particulars provided and registered shall bind the Corporation and its members.

(e) The Secretary shall enter the particulars from time to time furnished to him as required above in a register to be kept for the purpose.

(f) All persons whose names appear in the said register shall be entitled to attend meeting of the Corporation. Every firm, company, society or corporation which is a member shall have only one vote at a meeting of the corporation.

Election of  
Members.

5. (1) A candidate for membership of the Mandalaya shall send to the Secretary a signed application for election together with a signed agreement to be bound if elected, by the rules and decisions of the Mandalaya and by the decisions of the Executive Committee. Such application shall be accompanied by a certificate signed by two members of the executive committee stating



that the candidate is, in their opinion, in every way suitable for membership. The application, agreement and certificate above-mentioned shall be in the forms contained in the Schedule "C".

(2) Each application for membership shall on receipt by the Secretary be notified by him to all members of the Executive Committee and after not less than 7 days from date of such notification shall be submitted to a meeting of the Executive Committee, when the candidate shall (subject to the payment of fees hereinafter mentioned) be admitted a member on the vote of at least two-thirds of the members of the Executive Committee present at such meeting. The candidate shall thereupon be informed by the Secretary of his admission to membership and shall within one month pay to the Mandalaya the membership subscription for the year or half-year current at the date of admission. Such admission and the payment of such membership subscription as aforesaid shall alone constitute election and shall entitle the candidate to have his name inscribed in the Register referred to in section 5 of the Ordinance and the Rule 4 (e) only as from the date of payment of such subscription. Then the Secretary shall post to him under registered cover a certificate as to the registration of his membership as shown in Schedule "E", subject to the recalling or return of same when he ceases to be a member.

(3) In the event of a change in the name of an individual who may be a member or of a change in the style of a firm which may be a member or of a change in the name of a company which may be a member, the individual, firm, company or society in question shall re-apply for membership in accordance with the foregoing rules and shall, if the Executive Committee require, pay another entrance fee.

6. (i.) Any vacancy occurring in the Executive Committee shall be filled by the Executive Committee.

(ii.) Any vacancy occurring in the Sectional Trade Committee shall be as soon as conveniently possible be reported to the Executive Committee, which is hereby empowered to fill the vacancy.

7. Any individual who is a member of the Mandalaya, a partner of any firm which is a member of the Mandalaya, a Director of a Company or Corporation which is a member of the Mandalaya, any office-bearer of a society who is a member, a person who is authorised to sign per procuratorem the name of any firm which is a member of the Mandalaya, a person authorised to sign per procuratorem any company or corporation which is a member of the Mandalaya and a person holding a power of attorney from any firm or company or corporation which is a member of the Mandalaya shall be eligible to serve as a member in the Executive Committee. Provided always that in the case of a firm not more than one partner, person authorised to sign per procuratorem the name of such firm or person holding a power of attorney from such firm shall serve on the Executive Committee at one and the same time and in the case of a company or corporation not more than one Director, person authorised to sign per procuratorem such company or corporation or person holding power of attorney from such company or corporation, or not more than one office-bearer of a society shall serve on the Executive Committee at one and the same time.

8. Just after the Annual General Meeting in each year the Executive Committee may form Sectional Trade Committees for any Trade Sections from among the members of the Mandalaya.

9. The Sectional Trade Committee appointed in accordance with the foregoing provisions shall assume office immediately and till the conclusion of the next succeeding Annual General Meeting.

10. Should any vacancy occur in the office of President or Vice-Presidents, Secretary, Assistant Secretary or Treasurer, by resignation, death, insolvency, or otherwise or in the event of the President, Vice-Presidents, Secretary, Assistant Secretary or Treasurer for the time being ceasing to be qualified as a member of the Executive Committee, the Executive Committee shall fill the vacancy or vacancies for the remaining period of the current year.

11. At each annual General Meeting the Executive Committee including all office-bearers shall retire and new Executive Committee and Office-bearers elected. The previous Office-bearers and Executive Committee shall hold office until new office-bearers and Executive Committee are duly elected. They are eligible for re-election.

12. (a) The Executive Committee shall have power to purchase and or take on lease any lands or buildings for and on behalf of the Mandalaya at or for such price or prices, and/or for such rent or rents, and under such title and upon such terms and conditions as the Mandalaya shall think fit and proper and also to erect and construct any building or buildings on any land or lands purchased or leased or to be purchased or leased as aforesaid subject to the prior consent of the Board of Trustees. It shall also have power with the consent of the majority of the members present at any General Meeting to sell or mortgage the whole or any part or parts of the immovable property of the Mandalaya.

(b) The Executive Committee shall also have power to lease or let on any form of tenancy any lands or buildings or any parts or portions thereof respectively belonging to the Mandalaya for such periods, and at such rents, and upon such terms and conditions as it shall think fit and proper with the consent of the Board of Trustees.

Composition of  
Executive  
Committee.

Eligibility to  
serve as a  
Member in the  
Executive  
Committee.

Sectional  
Trade  
Committees.

Term of Office.

Filling of  
Vacancies.

Retirement of  
Executive  
Committee.

Powers of the  
Executive  
Committee.

(c) Should a conflict arise between the Board of Trustees and the Executive Committee in any matter the decision of Special General Meeting shall be final and conclusive.

**Payments.**

13. The Executive Committee shall pay out of the current funds of the Mandalaya all costs and expenses incurred in and about the business and affairs of the Mandalaya including (a) remuneration to the Officers, Representatives, Agents and Servants of the Mandalaya either in Ceylon or abroad and to any other person or persons for services rendered; (b) contributions to a Provident Fund or Funds for the benefit of the Officers, employees and servants of the Mandalaya and (c) the cost of any lands and buildings.

**Bank a/c of the Mandalaya.**

14. (a) The Executive Committee shall also have power to open from time to time on behalf of the Mandalaya any account or accounts with such Bank as it may select or appoint and also by such signatures as it shall appoint to draw, accept, make, endorse, sign and enter into, cheques, bills of exchange, promissory notes, bonds, mortgages, appointments to any proctor or proctors, contracts or agreements on behalf and for the purpose of the Mandalaya.

**Investments.**

(b) The Executive Committee shall also have power to place the whole or part of the funds of the Mandalaya in fixed deposits in one or more of the local banks, or to invest the same as it may think fit in Ceylon or Indian Government securities, or Securities of the Government of the United Kingdom or by way of loan or loans to any local authority in Ceylon or to any joint stock Company or Companies registered in Ceylon, or by way of loan or loans on a primary mortgage of immovable property in Ceylon or in or upon any security authorised by the law of Ceylon for the time being for the investment of trust funds, with the consent of the Board of Trustees.

**Power of Letting Hall.**

15. The Executive Committee shall have power to place the Meeting Hall of the Mandalaya at the disposal of any other person or body of persons or to hire it for the purpose of public sales or of any meetings and or for any other purpose, at times when it is not required for the use of the Mandalaya.

**Borrowing Money.**

16. The Executive Committee shall have power from time to time at its discretion, to borrow money for the purpose of the Mandalaya, to such an extent, in such manner and upon such terms and conditions as it may think fit and for such purposes to grant bonds, promissory notes, bills, debentures, interest, warrants and bonds for cash, credit, trust deeds or other documents, to issue letters of credit, but subject to the approval of a Special General Meeting.

**Collection and clarification of information.**

17. The Executive Committee shall give such directions as it may deem necessary for the collection and classification of information bearing on the wants and interests of the Mandalaya and for the collection and circulation among members of statistics and other information connected with the trade, manufactures and industries of Ceylon.

**General.**

18. In furtherance and not in limitation of and without prejudice to the general powers conferred upon the Executive Committee by the Ordinance, it is hereby expressly declared that the Executive Committee shall have the following powers, that is to say:—

- (a) To make rules or regulations for and otherwise control the management of the property of the Mandalaya.
- (b) To appoint officers, clerks and servants with such remuneration and at such salaries and on such conditions as it may consider advisable and to pay the expenses occasioned thereby, as well as the current expenses for periodicals, rent or otherwise, out of the current funds of the Mandalaya and should such expenses exceed the amount of the annual income of the Mandalaya the deficit shall be borne by the members, of the Executive Committee in equal proportions. Provided such contributions of each member towards such deficit shall not exceed the sum of Rupees Fifty (Rs. 50) in any one year, every such contribution being exclusive of the liability of each member under section 14 of the Ordinance.
- (c) To appoint any member or members of the Executive Committee or any other member or members or other person or persons as agent or agents for the management of the affairs of the Mandalaya and the accomplishment of its objects (and to likewise appoint any person or persons as representative or prerepresentatives to visit any country or countries abroad in the interests of commerce or trade);
- (d) To establish and support Provident Funds for the benefit of the Officers, employees or servants of the Mandalaya upon such terms and conditions and subject to such rules as the Executive Committee may think fit;
- (e) From time to time remove or to suspend all or any of the officers, clerks or servants for such reasons as the Executive Committee may think proper and advisable and without assigning any cause;
- (f) To institute, conduct, defend, compromise, settle or abandon any legal proceedings on behalf of the Mandalaya and also to compound and allow time for payment or satisfaction of any debts due to or from the Mandalaya and any claims or demands by or against the Mandalaya.
- (g) To refer any claims or demands by or against the Mandalaya to arbitration, and observe and perform the awards;

- (h) To make and give receipts, releases, and other discharges for money payable to the Mandalaya and for claims and demands by the Mandalaya.
- (e) To act on behalf of the Mandalaya in all matters relating to bankrupts and insolvents.
19. (i.) The Executive Committee shall meet regularly for the despatch of business once at least in each and every month or as often as occasion may require, or when summoned :—
- (a) by the President or the Secretary or Assistant Secretary,  
 (b) on the requisition of at least ten members of the Executive Committee (in which case) only the business intimated in the requisition shall be dealt with.
- (ii.) Upon receipt of such requisition the Secretary shall forthwith proceed to convene a meeting of the Executive Committee to be held at such time and place as he may determine. If he does not proceed to convene the same within fourteen days from the date of the deposit of the requisition, the requisitionists may themselves convene a meeting of the Executive Committee to be held at such time and place as they may themselves fix, of which seven days notice at least shall be given by Registered Post but any meeting so convened shall not be held after twenty-eight days from the date of such deposit.
- (iii.) No business shall be transacted at a meeting of the Executive Committee unless there shall be present at least seven members of the Executive Committee.
- (iv.) Meeting of the Executive Committee shall be presided over by the President or in his absence by any Vice-President, and if at the time appointed for holding any meeting none of them is present the members of the Executive Committee present shall appoint a Chairman *pro tem* from among their number.
- (v.) All matters before the Executive Committee shall be decided by a majority of votes, and in the case of an equality of votes the President of the meeting shall have a casting vote in addition to his vote as a member of the Executive Committee.
20. (1) (a) In the event of any member of the Executive Committee failing to attend six consecutive Executive Committee meetings the Executive Committee shall have power to declare his seat vacant.
- (b) In the event of any member of the Executive Committee resigning, dying or being adjudged insolvent or being in arrear with his annual subscription for more than six months, or if the firm, company, corporation or society to which such member of the Executive Committee belongs shall be in arrear with his annual subscription for more than six months the Executive Committee shall have power to declare this seat vacant, and any such vacancy shall thereupon be filled by the Executive Committee.
- (c) A member of the Executive Committee may be excused from attendance by a resolution of the Executive Committee passed either before or after his failure to so attend.
- (2) The Executive Committee shall have full power to act notwithstanding that any vacancy may not have been filled.
- (3) The members shall from time to time be notified of any charge or changes in the Executive Committee under this rule.
21. In accordance with the provisions of section 4 of the Ordinance, the Executive Committee may delegate the administration of any portion or portions of the affairs of the Mandalaya to one or more Sub-Committees consisting of such of its members as the Executive Committee may think fit, and the Executive Committee may from time to time revoke the appointment of and discharge any such Sub-Committee either wholly or in part and either as to persons or purposes but every Sub-Committee so formed shall in exercise of the powers delegated to it conform to all such regulations as may be prescribed by the Executive Committee. All acts done by any such Sub-Committee in conformity with such regulations and in the fulfilment of the purposes of its appointment shall have the like force and effect as if done by the Executive Committee.
22. All acts of the Executive Committee or of any Sub-Committee shall, notwithstanding any vacancy in the Executive Committee or Sub-Committee or any defect in the appointment of any member of the Executive Committee or Sub-Committee and notwithstanding that it be afterwards found that any such member was disqualified from being a member of the Executive Committee or Sub-Committee be as valid as if no such vacancy or defect or disqualification had existed, and as if every person had been duly appointed and was qualified to act as a member of the Executive Committee.
23. A resolution in writing circulated by the President or the Secretary when signed by a majority of the members of the Executive or of a Sub-Committee shall be as valid as effectual as if it had been passed at a Meeting of an Executive Committee or of Sub-Committee duly convened and constituted.
24. The Executive Committee shall cause minutes to be made in the book or books to be provided and used solely for that purpose of the following matter, to wit :—
- (1) of all the names of the members of the Executive Committee present at each meeting of the Executive Committee.  
 (2) of all appointments of officers, Executive Committee members, Sub-Committee and others made by the Executive Committee.

Meetings of the Executive Committee.

Quorum.

President.

When Executive Committee may declare seat of member vacant.

Sub-Committees.

Resolution in writing.

Minutes.

- (3) of all orders made by the Executive Committee.  
 (4) of all resolutions and proceedings of meetings of the Mandalaya, of the Executive Committee and of each Sub-Committee.  
 (5) of the use of the seal of the Mandalaya.

All such minutes shall be signed by the person or one of the persons who shall have presided as President at the Meeting of the Mandalaya, the Executive Committee or Sub-Committee at which the business minutes minuted shall have been transacted or by the person or one of the persons who shall preside as President at the next ensuing meeting of the Mandalaya, the Executive Committee or Sub-Committee respectively.

All minutes purporting to have been signed by any President of any meeting of the Mandalaya, the Executive Committee or Sub-Committee as the case may be shall for all purposes whatsoever be *prima facie* evidence of the actual and regular passing of the resolutions, and the actual and regular transaction or occurrence of the proceedings and other matters purporting to be recorded in such minutes, and of the regularity of the meeting at which the same shall appear to have taken place, and of the Presidentship and signature of the person appearing to have signed as President, and of the date of which such meeting was held.

**Fees and Subscriptions.**

25. (i.) The Financial Year of the Mandalaya shall be from the 1st day of January to 31st day of December each year.

(ii.) The entrance fee and annual subscription for membership shall be fixed from time to time by the members in General Meeting.

(iii.) The annual subscription for membership shall be payable yearly in advance on the 1st day of January. Candidates for ordinary membership elected as members during the course of the second half-year succeeding the said respective dates shall be liable to pay only half the annual membership subscription, for which they are so elected as members.

(iv.) Any member whose subscription is in arrears for more than six months shall be debarred from voting at any meeting of the members until such subscription shall have been paid.

(v.) Any member whose subscription is in arrears for more than six months shall forfeit all privileges of membership and the name of such member shall after one month's notice be removed from the register of members unless prior to the expiration of such notice such arrears shall have been paid, and if so removed, members shall be notified accordingly, but the amount unpaid shall nevertheless be a debt due to and recoverable by the Mandalaya.

(vi.) The Register of members shall be closed each year for fourteen days prior to the date of the Annual General Meeting.

26. (a) Any Company or corporation which goes into liquidation whether voluntary or otherwise, or which suspends payment and any individual or firm which becomes insolvent or suspends payment, shall thereupon cease to be a member.

(b) Any member may resign on giving one calendar month's notice in writing to the Secretary, but such member shall be liable for the membership subscription for the year in which the date of resignation falls.

**Expulsion of Members.**

27. Two-thirds of the members present and voting at a General Meeting of the Mandalaya may by resolution expel any member whose conduct in their opinion renders such member unsuitable to be a member of the Mandalaya and any member so expelled shall on the passing of such resolution cease to be a member of the Mandalaya, but he shall not be entitled to refund of any membership subscriptions previously paid by him or any part thereof.

**Annual General Meeting.**

28. The Annual General Meeting of the Mandalaya shall be held not later than the 31st day of March in each year as the Executive Committee for the time being shall decide for the purpose of the following business :—

- (1) To receive the report of the Executive Committee and the audited accounts of the Mandalaya for the previous financial year ;
- (2) To elect Office-bearers and the Executive Committee.
- (3) To elect Auditors.
- (4) To consider any matters of which due notice shall have been given.

**Annual Report.**

29. A report of the proceedings of the Mandalaya or each Financial Year shall be prepared by the Executive Committee and circulated for the information of members at least seven days prior to the Annual General Meeting at which it is to be submitted.

**General Meetings.**

30. (1) General Meetings of the Mandalaya shall be convened by the Secretary at the discretion of the Executive Committee or on the requisition of not less than ten members.

(2) Any such requisition by members shall be addressed to the Secretary and shall state the business to be dealt with at the meeting to be called, and shall be deposited at the Office of the Secretary. Upon receipt of such requisition the Secretary shall forthwith proceed to convene a meeting of the members to be held within 21 days of the deposit of such requisition. If the Secretary does not proceed to convene the Meeting the requisitionists may themselves convene a meeting of the members to be held at such time and place as they may themselves fix, by a notice in the press, but any meeting so convened shall not be held after 35 days from the date of the deposit of such requisition.

31. Any member may, on giving not less than 21 days previous notice in writing of any business motion, or resolution, submit the same to any General Meeting. Such notice shall be sent to the Secretary. Notice of Resolutions.
32. (i.) Not less than a seven clear days notice shall be given of all Annual or General Meetings specifying the time and place of such meeting and the purpose for which it is to be held, by posting or delivering such notice to the registered address of each member. Notice of General Meeting.
- (ii.) No business shall be brought before or transacted at any General Meeting other than the business specified in such notice. An emergency meeting may be summoned for a specific purpose at the instance of the Executive Committee giving not less than five clear days notice.
- (iii.) Twenty-one members shall form a quorum.
- (iv.) If at the expiration of half an hour from the time appointed for a meeting the required number of members shall not be present at the meeting, the meeting if convened by or upon the requisition of members, shall be dissolved, but in any other case it shall stand adjourned to the same day in the next week at the same time and place and no notice of such adjournment need be given, and such adjourned meeting the business shall be transacted by the members present thereat, notwithstanding that a quorum may not be present.
- (v.) No resolution of a General Meeting shall be rescinded except by another General Meeting convened either solely for the purpose or partly for that purpose and partly for another purpose or other purposes.
- (vi.) Admittance to all General Meetings shall be by certificate of Registration of Membership, provided subscription has been paid.
33. The President of the Chamber or in his absence a Vice-President shall preside at any General Meeting; in their absence the meeting shall elect a Chairman *pro tem* from among those present. Who may preside at Meetings.
34. (i.) At any General Meeting save as otherwise provided in the rules, a resolution put to the vote of the meeting shall be decided on a show of hands. The declaration by the President of the meeting that resolution has been carried or lost shall be conclusive and an entry to that effect in the minute book of the Mandalaya shall be conclusive evidence thereof, without proof of the number of the votes recorded in favour or against any such resolution. Votes how recorded.
- (ii.) Each member shall have one vote and in the case of a firm, company, corporation or society which is a member, such firm, company, corporation or society shall vote, through one of its partners, directors or attorneys as the case may be whose names appear in the register mentioned in Section 5. Voting Powers.
- (iii.) In the case of an equality of votes, either on a show of hands or at a secret ballot, the President shall be entitled to a further or casting vote, in addition to the vote to which he may be entitled as a member. President of the Meeting to have Casting Vote.
- (iv.) Any member shall be entitled to demand a secret ballot immediately after the decision but at such secret ballots the only persons entitled to vote shall be those who were present at the meeting subject to the provisions of this Section.
35. The Executive Committee shall determine what may and what may not be published in connection with the business or proceedings of the Mandalaya. Publication of Proceedings.
36. The President may, with the consent of the Meeting adjourn any meeting from time to time and from place to place, but, no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from the adjournment took place. Adjournment of Proceedings.
37. (i.) Any number of members, who may desire to associate themselves together in a Trade Section with a view to representing more effectually the interests of any particular business or trade may address the Executive Committee to that effect, and the Executive Committee thereupon may, if it thinks fit authorise the formation of such a Trade Section and appoint one of its members as Charman of that Trade Section and the Executive Committee may also at any time, it thinks fit, revoke such authority. Trade Sections.
- (ii.) The affairs of each Trade Section shall be managed by a Sub-Committee elected from its own members and each Trade Section shall frame its own rules for the conduct of its affairs and of the particular business interest it represents, but all such rules and any amendments thereto shall be first submitted for the approval of the Executive Committee. A register shall be kept by each Trade Section of the names of the members thereof, but no person shall be eligible for membership of a Trade Section who is not a member of the Mandalaya.
- (iii.) The Secretary shall be *ex-officio* Secretary of any Trade Section unless it is considered desirable by the Executive Committee in consultation with the Sub-Committee of the Trade Section concerned that other arrangements should be made.
- (iv.) No resolution of any Trade Section shall be binding on the Mandalaya as a whole until confirmed by the Executive Committee but in the case of an emergency the President of the Mandalaya in consultation with the Secretary of the Mandalaya may confirm such resolutions which shall thereupon be binding on the Mandalaya as a whole. Decisions of a Trade Section.

- Reports of Trade Sections.** 38. Each Trade Section shall furnish for inclusion in the Annual Report of the Mandalaya a brief report on the working of such Trade Section during the year for which such Annual Report of the Mandalaya is prepared together with a list of its members as at December 31, of that year. Such Report shall be approved by the Executive Committee before inclusion in the Annual Report of the Mandalaya.
- Common Seal.** 39. On a resolution passed by the Executive Committee the Common Seal of the Mandalaya shall be used or affixed to any document in the presence of the President or a Vice-President and Secretary for the time being of the Mandalaya, who shall attest the sealing thereof. Any document so sealed shall be presumed to be duly executed by the Mandalaya.
- Notices.** 40. (i.) Notices may be authenticated by the signature (printed written or by some other mode of representing words in a visible form) of the Secretary or of any other person appointed by the Executive Committee to do so.  
(ii.) A notice may be served upon a member either personally or by sending it through the post in a pre-paid letter addressed to such member at his registered address and any notice so served shall be deemed to be well served for all purposes.  
(iii.) Any Notice if served by post shall be deemed to have been served on the day on which the letter containing the same would in ordinary course of post have been delivered at its address and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into a post-box or posted at a post office, and the entry in the books of the Mandalaya of the leaving or sending by post of any notice at or to such address shall be sufficient evidence thereof, and no further evidence shall be necessary.
- Rules in appendices to apply to respective matters therein.** 41. Subject to such alterations, additions, amendments and cancellations as may from time to time be made or determined by the Mandalaya in General Meeting, the Rules appearing in the appendices hereto shall apply to the matters respectively referred to in the said appendices.
- Decisions of Executive Committee Final.** 42. The decisions of the Executive Committee shall be final in any matter not provided for in the rules in Schedule "A".
- Interpretation.** 43. In these rules the following words shall have the following meanings unless such meanings be inconsistent with or repugnant to the subject or context :—
- (a) "the Mandalaya" shall mean the Sinhala Welenda Mandalaya incorporated under the provisions of the Sinhala Welenada Mandalaya Ordinance and by any other existing or future statutory amendment or notification thereof.
- (b) "the Ordinance" means the Sinhala Welenda Mandalaya Ordinance and includes any amendment thereof.
- (c) "the Executive Committee" shall mean the Executive Committee provided for in Section 4 of the Ordinance and appointed in accordance with these rules or the rules in force of the Mandalaya.
- (d) "the Board of Trustees" shall mean the body of persons appointed in terms of Clause 14 B and any successors thereafter;
- (e) "the Secretary" shall mean the Secretary or Assistant Secretary for the time being of the Mandalaya;
- (f) "a Member" or "the Members" shall mean a member or the members as the case may be of the Mandalaya unless the context otherwise requires;
- (g) "the rules" shall mean these rules and the rules of the Mandalaya from time to time in force.

#### SCHEDULE "B".

##### 1. *The functions, powers and duties and vacancies of the Board of Trustees.*

It shall be the duty of the Board of Trustees :—

- (a) to control and direct the activities of the Executive Committee as regards the immovable property or other properties vested in the Corporation as sole owner, part owner or trustee.
- (b) to direct the Executive Committee by resolution of the Board of Trustees passed by a majority to perform such duties as it shall consider necessary or desirable as regards immovable or other properties.

It shall be the duty of the Chairman of the Board of Trustees to communicate to the Executive Committee all decisions of the Board of Trustees in all matters regarding the property of the Corporation.

If any vacancy or vacancies occur in the Board of Trustees it shall be filled at a General Meeting of members from among a member who is not disqualified to use the privileges of membership.

Once a member is appointed for the Board of Trustees he can be removed from office by the meeting of the Board of Trustees at which more than eleven members vote for the purpose. Such a removal could be done only if the member had become bankrupt, insolvent, sentenced to jail or done something which in the opinion of the Board has brought the Corporation for disrepute.

The Secretary or Assistant Secretary shall act as Secretary to the Board of Trustees.

SCHEDULE " C ".

*Application for Membership and Agreement.*

Date : ———, 194—.

To  
The Secretary,  
The Sinhala Welenda Mandalaya,  
Colombo.

I/We  
Name : ———.  
Business : ———.  
Address : ———.

wish to apply for election as a member of the Sinhala Welenda Mandalaya, and, if so elected, I/We hereby agree to be bound by the rules and by-laws of the Mandalaya from time to time in force and the decisions of the Executive Committee.

(Signature of Applicant.)

*Certificate.*

Date : ——— 194—.

To  
The Secretary,  
Sinhala Welenda Mandalaya,  
Colombo.

With reference to the above application dated ——— made by ——— of ——— for election as a member of the Sinhala Welenda Mandalaya, we hereby certify that the said ——— in our opinion in every way is suitable for membership.

*Name and Address of the Members certifying.*

- (1) ——— of ———. Signature : ———.  
(2) ——— of ———. Signature : ———.

SCHEDULE " D ".

*Form of Ballot Paper.*

A blank piece of paper with a numbered-counterfoil on the one side of which is written the office and on the other side franked with the signature of the President and any Secretary.

The members vote for one or more names by writing the name or names of those whom they wish to vote and by depositing same in the ballot box provided.

*Specimen.*

Serial No.	Office (such as President or Treasurer, as the case may be).
Index No. and Name of Member.	Name or Names of Candidates.

The frank initials or signature of the President and one Secretary will appear on the reverse side of this ballot paper.

SCHEDULE " E ".

No. ———.

THE SINHALA WELEND A MANDALAYA.

This is to certify that Mr./Mrs./Miss/Messrs ——— of ——— is enrolled as a Member of this Mandalaya as from ——— day of ———, 19 —, subject to the rules of the Mandalaya in force from time to time.

Given under the Seal of the Mandalaya, on the ——— day of ———, 19—.

Seal.

*Secretary.*

*President.*

*Statement of Object and Reasons.*

This Bill is designed for the purpose of Incorporating the Sinhala Welenda Mandalaya. By this Bill, the incorporated Mandalaya is given the power to hold, manage, control and administer its property and to make rules for the accomplishment of its objects stated in section 3 and the management of its affairs.

HENRY WOODWARD AMARASURIYA,  
Mover of the Bill.

February 7, 1947.