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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2027/4 - 2017 ජූලි මස 10 වැනි සඳුදා - 2017.07.10

No. 2027/4 - MONDAY, JULY 10, 2017

(Published by Authority)

## PART I : SECTION (I) — GENERAL

### Miscellaneous Departmental Notices

#### BODHIRAJARAMA EDUCATIONAL AND CULTURAL FOUNDATION (INCORPORATION)

**Publishing the Rules of Foundation as per the Section 7(4), abided by in accordance with the Section 7(1) of the Bodhirajarama Educational and Cultural Foundation incorporated Act, No. 28 of 2014**

WHEREAS it is announced that following rules were compiled and agreed at the General Meeting held by its members on 18<sup>th</sup> May 2015 and as per the provision contained in the section 7 (1) of the Bodhirajarama Educational and Cultural Foundation incorporation Act, No. 28 of 2014.

(Bodhirajarama Educational and Cultural Foundation was Incorporated by Act, No 28 of 2014)

Rules made, agreed and applauded by its members at the General Meeting held on 18<sup>th</sup> May 2015

“Incorporation of Bodhirajarama Educational and Cultural Foundation”

(A volunteer social Services organization)

#### RULES OF THE FOUNDATION

1. This foundation, shall function within the boundaries defined and concept stipulated in the Bodhirajarama Educational and Cultural Foundation (incorporation) Act, No 28 of 2014 and volunteer Social Services Organization (Registration and Supervision) Act, No. 31 of 1981.
2. (a) The foundation is formed with the members of the incorporation of the Bodhirajarama Educational and Cultural Foundation.  
  
(b) All Members of the Foundation shall be functioned without any profit intention.
3. Objects of the foundation shall be executed without any partisan of race, religion, languages, gender, political views, place of birth or any other matters.



## Membership

4. (a) All the members of the Foundation shall work in order to achieve the objects of the Foundation.
- (b) Members of the Foundation shall be dedicated and devoted personal for social services and adhere to guide the people services.
- (c) Foresaid any qualified persons in the above(a) and (b) categories shall be included as a Members to the Foundation at a General assembly subjected to the recommendation of the working committee of the Foundation
- (d) A membership record ledger shall be maintained.
5. Categorizing the membership
  - i. *Founder member* -  
Founder and first member of the foundation is Rev. Uwathenna Sumana MahaThero.
  - ii. *Initial Members* –  
Members who dedicated their services in order to establish the foundation are initial members.
  - iii. *Honorary members*-  
Institutions and Persons, who are capable of serving for the foundation shall be offered honorary membership at a General assembly subjected to the recommendation of the working committee, shall be the honorary members of the foundation .These honorary members shall not have the voting right in an election at any General assembly.
  - iv. *Life time members* –  
With the recommendation of the working committee, any initial member or institution or any member of such institutions can be offered the lifetime membership of the Foundation.
  - v. *Members of allied organizations*-  
Allied organization shall be established and functioned in order to achieve the Common objects of the foundation and for such every professional organizations established by the foundation shall be provided one membership to represent at the General assembly .Any such representative members of foresaid organization cannot vote at the General Meeting.
6. Persons or organizations seek membership of the Foundation should obtain the membership by submitting a duly filled membership application form, hereinbefore with the recommendation of the working committee subjected to approval given at the General meeting, by only and after paying the membership fee, the membership can be obtained.
7. Annual membership fee is Rs. 1000.00 and allied organization membership fee is Rs. 5000.00. After expiration or termination of the membership or withdrawal from membership foresaid membership fee shall not be refunded.
8. Termination of membership
  - (a) Due to death or resignation or
  - (b) Due to the submission of membership cancellation at the General assembly as per the prior decision of the working committee and the chairman, the membership would be terminated or

- (c) Membership can be cancelled at the General meeting with the recommendation of the working committee due to become mentally unsound or violation the rules and regulations of the Foundation or and not in compliance with objectives of the foundation.

### **Organizational structure**

9. Chairman -It shall be accepted that the founder member Rev. Uwathenna Sumana Maha Thero is the chairman of the foundation
10. Rev. Uwathenna Sumana Maha Thero the Founder member (chairperson) shall be offered the lifetime membership of the foundation.
11. Advices of the Rev. Uwathenna Sumana MahaThero and his role in the foundation shall be regarded as foremost advice in leading and guiding the foundation.

#### *12. Senior Deputy Chairman-*

A member elected by the members at the General meeting as a vice chair for the working council can be appointed as senior vice chair with the consent of the chairman.

#### *13. Deputy Chairmen*

Two members shall be elected by the members for the post of Deputy Chair at the General Meeting.

#### *14. General Secretary*

A member should be elected by the members at the General Meeting for the post of the General Secretary. as well He/she shall be the secretary to the working committee . And general secretary is responsible for Maintaining and updating the membership record book, convene the general meetings and working council meetings, preparing general meeting minutes and working committee reports and submitting the relevant reports to the annual general meetings, and working committee.

#### *15. Deputy General Secretary and General Secretary for International Affairs.*

A member should be elected at the general meeting for the post of Deputy General Secretary cum General Secretary for International Affairs. He should assist the duties of General Secretary. In addition, he should coordinate the international matter.

#### *16. Treasurer*

A member should be elected at the general meeting for the post of treasurer. All the deed and documents related to the properties of the foundation should be at the custody of the Treasurer. Audited annual financial report should be submitted to General meeting by the treasure. Treasurer should be responsible proper keeping the bank accounts of the foundation, and responsible to get duties done by the accountant and staff as well facilitating the audit works.

#### *17. Legal Advisor*

Legal advisory services should be provided.

### **Working committee or Board of Management**

18. *Working committee or Board of management:*

Working committee is responsible for Managing and administrating the incorporation. Management of the funds also is a responsibility of the working committee. The working committee consists of seven members including *Chairman, Senior Deputy Chairman, Deputy Chairman, General Secretary, Deputy General Secretary, Treasurer and Legal advisor*. Chairman of the Foundation shall be the head of the working committee.

19. Tenure of the working committee is three years.

20. Members and working committee members who have completed the service period have the opportunity to reappoint to the working committee.

21. At least two (02) female members should be represented in the working committee.

22. Working committee reserves the right to remove a working committee member on the recommendation of the administrative / disciplinary and welfare sub-committee if he /she breaches the rules of the foundation, even before completion of his/her official period.

23. (a) Whereas a member resign from the committee in accordance with section 5 (3. a) of the Act, another member shall be appointed to the working committee.

(b) Office period of the successor shall be equal to the remaining office period of the resigned member.

24. Revision of constitute of the working committee membership shall beat the discretion of General meeting.

25. Working committee reserves the rights to decide the matters related to the objectives and activities foundation.

26. Working committee convenes regularly to make decisions and execute the decision.

27. All the decisions taken at the working committee shall be enacted only after the endorsement by the chairperson.

28. Working committee chair shall endorse or reject the decisions taken at the working committee.

29. Working committee shall delegate some power to another party as and when necessary.

30. Working committee shall review the proposal submitted by General Assembly and forward to chairperson with amendments if necessary for the approval of Chairperson.

31. An office shall be established by the Foundation to execute the activities.

32. Working committee shall appoint a salaried chief executive officer and staff to execute the activities of the foundation.

33. The working committe shall prepare an operational manual to carry out the activities of the foundation and implementation the policies set out by the working committee to be executed by the Chief Executive Officer and his staff.

34. According to section 6(f) of the Act, a management structure and recruitment procedure, including employee composition and recruitment criteria shall be decided by the working committee.

35. As per the section 6 of the Act, the working committee shall execute all the administration and management activities of the Foundation.

36. Finance for maintaining the office and staff shall be made from the common fund of the foundation by the working committee.
37. In an event of vacation of chairman position due to decease of the position holder, the senior deputy chairman shall succeed the chairman position for remaining period of the office. He shall be re-elected by the members for the chairman position at the General Assembly

#### **Sub committees**

38. (a) Working Committee shall appoint sub committees mentioned below As per the management requirements from the members of the General Assembly
1. Finance and fund raising committee
  2. Management and audit committee
  3. Administration / disciplinary and welfare committee
  4. Education / training / International relations and special tasks committee
  5. Promotion / media / sponsorship committee
- (b) Each sub-committee consists of five members. Any member of General Assembly except the honorary members shall be appointed to the sub-committees.

#### **Affiliated organizations**

39. To achieve the general objectives of the Foundation as per section 3(1) of the act, foundation shall establish affiliated organizations and execute them.
40. Organizations of the following trades shall be accepted as affiliated organizations of the foundation.
- National Patriotic Force  
National Organization of Patriotic Mobile Venders.  
National Organization of Patriotic Street Venders  
National Organization of Patriotic All Trishaw Service Providers.  
National Organization of Patriotic Bus Drivers and Conductors  
National Organization of Patriotic Private Bus Owners  
National Organization of Patriotic Brave women  
Patriotic Centre for Sustainable Environment  
The Society of Patriotic Apprentice Artists  
National Organization of Patriotic Youths  
National Patriotic Origination of Small and Medium Scale Entrepreneurs
41. As per section 3(1) of act, Foundation shall establish partner organizations and be partnering with other organizations to achieve the objectives of the foundation.

#### **Fund of the Foundation**

42. Foundation shall have its own fund as per section 9(1) of the act.
43. (a) Fund shall be raised by the working committee on behalf of the Foundation. All such funds and grants raised be the fund of the Foundation.

(b) Fund shall be raised by:

- Member's fees, subscription, contributions, fees, donations and grants.
- Income on the investments of Foundation
- Local and Foreign aid
- Government provisions
- Local and foreign loans
- Micro Finance fund and the income

### **Financial Management**

44. (a) Management the fund of the foundation should be done by the working committee and chair of the Foundation.
- (b) All the fund raised on behalf of the Foundation shall be debited to the fund of Foundation and funds shall be deposited to the bank accounts of the Foundation.
- (c) Opening of bank accounts, closing of bank accounts and transferring such fund shall be made by the chair of the foundation and the working committee or on the prior approval of the working committee.
- (d) Working committee shall spend the fund for the purposes stipulated in the section 6 of the act of the foundation.
45. (a) Chair and the Treasurer shall be the signatories for all withdrawals from the bank accounts, issuing of cheques and related transactions.
- (b) All the payments shall be approved of the chairperson.
- (c) Withdrawals from fund for the requirements for payment for staff and office maintenance shall be done with the approval of the chairperson.
- (d) Financial year of the foundation should be January 01<sup>st</sup> to December 31<sup>st</sup>.
- (e) Audited annual final accounts of the foundation shall be submitted by the treasurer to the General Assembly.
- (f) In order to systemize the financial transaction of the foundation, a financial manual shall be prepared and enacted by the working committee.
- (h) Foundation shall open and maintain separate and different bank accounts as per the requirements of the donors for the funds received from the donors. .
- (i) Foundation shall have right to maintain special reserve funds and bank accounts as per the requirements of the foundation.

### **Election**

46. Foundation shall convene Annual General Meetings.
47. All the working committee members and members of the sub-committees shall be appointed at the annual general meeting.
48. Patrons and advisors shall be nominated based on the recommendations of the working committee.
49. All the rules and regulations of the foundation shall be made based on the vote of two third majority of participants in the general meeting.
50. Rules and regulations of the foundation shall be annulled, amended, revised or added on the vote of two third majority of the participant attended at the annual General meeting.
51. Quorum of the annual General meeting is one third of members of the foundation.

52. A) All other members except honorary members shall have the right to cast one vote in the annual General Meeting.  
b) In case of equal votes for and opposed for a matter on voting, the Chair of the Annual General Meeting shall have the right to cast the deciding vote

53. The senior deputy chair at the annual general meeting should submit annual report of the Foundation.

#### **Common seal**

54. (a) Foundation should have common seal  
(b) Stamping the common seal of the Foundation in front of two members shall be valid.  
(c) Common seal of the Foundation shall be kept always under the custody of a member of the working committee.

#### **Annual General Meeting**

55. a) Members of the foundation should hold the meetings at least once a year.  
b) By submitting a written request of 2/3 of members of the working committee to the chairperson or to the working committee, a general meeting can be convened.  
c) (i) written notice to convene the general meeting and its agenda shall be notified to the members seven days prior to the meeting by the Secretary with the approval of the working committee.  
(ii) Reports for the General meetings shall be kept by the working committee.  
(iii) Register with the signatures of the participants who participated in the General meeting shall be kept by the working committee.  
d) General Secretary shall prepare the minutes of the General Assembly.

#### **Authorities, Responsibilities and Scope of the Working Committee.**

56. Working committee shall function in order to achieve the objectives and expectations of the Foundation.
57. The founder and the first member of the Foundation shall be the Head of the working committee.
58. The Head of the working committee shall direct the working committee.
59. (a) Working committee shall meet whenever necessary.  
(b) Written notice for holding a working committee meeting and its agenda should be sent to the members of the working committee seven days prior to the meeting by the Head of the working committee.  
(c) All reports relevant to the working committee shall be kept in safe.
60. The Head of Working Committee shall delegate the duties and powers to any of members of the working committee, changing the powers or annulling the powers delegated or any related matters, at his discretion.
61. (a) Working Committee shall appoint operating staff members for administration and management of the functions and activities to achieve the objectives of the foundation  
b) Working committee shall have the rights to appoint the members of the foundation for operating staff.
62. The working committee shall spend fund for projects on social services, and allied services implemented by the Foundation.
63. (a) Working committee shall receive and coordinate the advisors and sponsors on behalf of the foundation.  
(b) Working committee shall recommend General Assembly to award honorary membership to the advisors and sponsors, whenever necessary.

64. Working committee shall decide on the expenditure on maintain the head office, branch offices and the operating staff.
65. (a) Properties and assets of the foundation shall be administered and managed by the working committee.  
(b) Properties and assets of the foundation shall be protected by the working committee.
66. The working committee shall maintain proper accounts on income and expenditure, assets and liabilities and other transactions.
67. All the activities, assets and liabilities owned by Bodhirajarama foundation prior to the establishment of the foundation shall be transferred to the foundation as same as the all the activities, assets and liabilities.
68. Accounts of the foundation should be audited as per section 10 (1), (2), (3),(4),(a),(b) of the act of the foundation as per section 154 of the constitution Democratic Socialist Republic of Sri Lanka.
69. (a) Annual report for the activities of the foundation shall be prepared by the working committee.  
(b) Aforesaid report shall be submitted in the annual general meeting.
70. All the members of the foundation shall abide with rules regulations of the foundation.
71. These rules shall be published in the *gazettes* of the Democratic Socialist Republic of Sri Lanka.
72. In the event of any inconsistency between the Sinhala, Tamil and English text of this rules and regulations, the Sinhala text shall prevail.

Chairman,  
Bodhirajarama Educational and Cultural Foundation.

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