

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

**DEDIGAMA SRI MAITHRI PRAGNARTHA BOUDDHA EDUCATIONAL DAHAM**   
**SABHAWA (INCORPORATION)**   
**ACT, No. 35 OF 2024**

**[Certified on 19th of June, 2024]**

*Printed on the Order of Government*

Published as a Supplement to Part II of the **Gazette of the Democratic Socialist Republic of Sri Lanka** of June 20, 2024

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

**Price : Rs. 24.00**  **Postage : Rs. 150.00**

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*Educational Daham Sabhawa (Incorporation)*   
*Act, No. 35 of 2024*

[Certified on 19th of June, 2024]

L.D.—O. (Inc.) 2/2021

AN ACTTOINCORPORATETHE DEDIGAMA SRI MAITHRI   
PRAGNARTHA BOUDDHA EDUCATIONAL DAHAM SABHAWA

WHEREAS a Foundation called and known as the Preamble“Dedigama Sri Maithri Pragnartha Bouddha Educational   
Daham Sabhawa” has heretofore been established in   
Sri Lanka for the purpose of effectually carrying out its   
objects and transacting all matters connected with the said   
Foundation according to the rules agreed to by its members:

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be incorporated and it will be for the public advantage to grant the said application:

BE it therefore enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

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| **1.** | This Act may be cited as the Dedigama Sri Maithri | Short title |

Pragnartha Bouddha Educational Daham Sabhawa (Incorporation) Act, No. 35 of 2024.

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| **2.** (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Dedigama Sri Maithri Pragnartha Bouddha Educational Daham Sabhawa (hereinafter referred to as the “Foundation”) and shall hereafter be admitted as members of the body corporate hereby constituted shall have perpetual succession under the name and style of the “Dedigama Sri Maithri Pragnartha Bouddha Educational Daham Sabhawa” | Incorporation of the  Dedigama Sri Maithri  Pragnartha  Bouddha  Educational  Daham  Sabhawa |

(hereinafter referred to as the “body corporate”), and by that name may sue and be sued with full power and authority to have, and use a common seal and to alter the same at its

pleasure.

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(2) The body corporate shall be deemed to be a Voluntary Social Service Organization within the meaning and for the purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the body corporate.

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| General objects of the body  corporate | **3.** Subject to the provisions of any other written law the general objects for which the body corporate is constituted are hereby declared to be– | |
| (*a*) | to promote and guide the Buddhist adherence to |

practice “prathipathi pooja” to reach Nibbana;

(*b*) to publish books relating to Buddhism for the   
enhancement and development of religious   
knowledge on Seela, Samadhi and Pragnya of the   
Buddhist adherence;

(*c*) to safeguard and practice the “Kathikavatha” of   
 Dedigama Sri Maithri Pragnartha thero;

(*d*) to take steps to enhance the knowledge of newly   
ordained monks and lay Buddhists attached to the   
Dedigama Sri Maithri Pragnartha Bouddha   
Educational Daham Sabhawa by teaching Damma   
through the guidance of the adult monks who   
possess and in-depth uderstanding of the Buddhist   
doctrine and discipline;

(*e*) to distribute the four requisites received by the   
 Buddhist Monks attached to the Sri Sambodhi   
 Aranya Senasanas belonging to the Dedigama Sri   
 Maithri Pragnartha Bouddha Educational Daham   
 Sabhawa for the use of other Buddhist monks   
 attached to the Sri Maithri Pragnartha Bouddha   
 Educational Daham Sabhawa in order to estabish   
 equality;

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(*f*) to facilitate activities ralating to Buddhism for the   
 usage of Bhikku, Bhikkuni, Upasaka and Upasika   
 in order to achieve the goals of Sri Maithri   
 Pragnartha Bouddha Educational Daham Sabhawa;

(*g*) to work in compliance with the constitution of the   
 Dedigama Sri Maithri Pragnartha Bouddha   
 Educational Daham Sabhawa;

(*h*) to conduct sil and meditation programmes on Poya   
 days and conduct Damma discussions on every   
 week to guide Buddhist adherence to reach Nibbana   
 and to abstain from sinful acts by giving   
 prominence to Principles of Buddhism;

(*i*) to take steps to protect the books, videos and   
 Damma speeches ralating to the religious activities   
 of Venerable Dedigama Sri Maithri Pragnartha   
 thero; and

(*j*) to set up new Sri Smabodhi Aranya Senasana in   
 areas where groups of Buddhist adherence who   
 practice Buddhism live and who wish to contribute   
 for such Sri Sambodhi Aranya Senasana.

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| **4.** | The objects of the body corporate shall be carried | Body corporate to ensure no  conflict with the work of Ministry or Department of the Government or Provincial  Council, etc. |
| out subject to necessary approvals under applicable written laws in such manner so as not to create any conflict between the work of the body corporate and any work being carried out simultaneously by any Ministry or Department of the | |

Government or of any Provincial Council, Local Authority or public Corporation.

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| Management of the affairs of the body corporate | **5.** (1) Subject to the provisions of this Act, any other written law and the rules made under section 7, the management and administration of the affairs of the body |

corporate shall be carried out by a Committee of Management (hereinafter referred to as the “Committee”) consisting of such number of office bearers as may be specified by the rules made under section 7.

(2) (*a*) The members of the Committee of Management of the Foundation holding office on the day immediately preceding the date of commencement of this Act shall, subject to the rules made under paragraph (*b*), function as an Interim Committee of the body corporate until the first Committee is appointed or elected within the period specified in paragraph (*d*) and in the manner provided for by rules made under section 7.

(*b*) Subject to the provisions of section 7, the Interim Committee of the body corporate shall have the power to make rules for the interim administration of the body corporate and for election or appointment of the members of the first Committee of the body corporate not inconsistent with the provisions of this Act or any other written law:

Provided that, the provisions of subsections (2) and (3) of section 7 shall *mutatis mutandis* apply to the rules made under subsection (2).

(*c*) Any decision of the Interim Committee shall be taken by the majority of its members present at such meeting.

(*d*) The first Committee of the body corporate shall be appointed or elected within one year of the date of commencement of this Act.

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(3) (*a*) Every office bearer of the Committee including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(*b*) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Committee shall having regard to the rules of the body corporate, elect or appoint a person to fill such vacancy.

(*c*) The person elected or appointed under paragraph (*b*) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

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| **6.** | Subject to the provisions of this Act and any other | Powers of the  body corporate |
| written law, the body corporate shall have the power to do, | |

perform and execute the acts and matters as are necessary or desirable for the promotion or attainment of the objects of the body corporate or any one of them, including the following power–

(*a*) to purchase, rent, construct, renovate and otherwise   
 obtain lands or buildings which may be required   
 for the purposes of the body corporate and to deal   
 with or dispose of the same as determined by the   
 Committee with a view to promoting the objects of   
 the body corporate;

(*b*) to enter into and perform or carry out, whether   
 directly or through any officer or agent authorized   
 in that behalf by the body corporate, all such   
 contracts or agreements as may be necessary for the   
 attainment of the objects or the exercise of the powers   
 of the body corporate;

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(*c*) to borrow or raise funds with or without securities   
 and to receive grants, gifts or donations in cash or   
 kind:

Provided that, the Committee shall obtain the   
prior written approval of the Department of External   
Resources in respect of all foreign grants, gifts or   
donations made to the body corporate;

(*d*) to make, draw, accept, discount, endorse, negotiate,   
buy, sell and issue bills of exchange, cheques,   
promissory notes and other negotiable instruments   
and to open, operate, maintain and close accounts   
in any bank;

(*e*) to invest any funds that are not immediately   
 required for the purposes of the body corporate, in   
 such manner as the Committee may determine;

(*f*) to undertake, accept, execute, perform and   
 administer any lawful trust having objects similar   
 to the body corporate or any real or personal   
 property with a view to promoting the objects of   
 the body corporate;

(*g*) to appoint, employ, dismiss or terminate the services   
of officers and other employees of the body   
corporate and exercise disciplinary control over   
them and to pay them such salaries, allowances and   
gratuities, as may be determined by the body   
corporate;

(*h*) to organize, lectures, seminars and conferences with   
a view to promoting the objects of the body   
corporate;

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(*i*) to liaise and co-ordinate with other local and   
 foreign institutions having similar objects to that   
 of the body corporate;

(*j*) to train personnel in Sri Lanka or abroad with a   
 view to promoting the objects of the body corporate   
 for the purposes of the body corporate; and

(*k*) to do all other acts and things authorized by this   
Act for the achievement of the objects of the body   
corporate.

**7.** (1) It shall be lawful for the body corporate, from Rules of the time to time, at any general meeting of the body corporate body corporate

and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or any other written law, for all or any of the following matters:—

(*a*) the classification of membership, admission,   
 withdrawal, expulsion or resignation of members   
 and fees payable by the members;

(*b*) the election of office bearers of the Committee or   
 vacation of or removal from office of office bearers   
 and the powers, duties and functions of the office   
 bearers;

(*c*) the terms and conditions of appointment, powers,   
functions and duties of various officers and   
employees of the body corporate;

(*d*) the procedure to be followed for the summoning   
 and holding of meetings of the Committee or   
 notices and agenda of such meetings, the quorum   
 and the conduct of business thereat;

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(*e*) the qualifications and disqualifications to be a   
 member of the Committee and the body corporate;

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| (*f*)  (*g*)  (*h*) | the administration and management of the property of the body corporate;  the procedure governing the manner of liaising and coordinating with other local and foriegn institutions having objects similar to that of the body corporate; and  generally, the management of the affairs of the body corporate and the accomplishment of its’ objects and dissolution of the body corporate. |

(2) Any rule made by the body corporate may be amended, altered, added to or rescinded at a like meeting and in like manner, as a rule made under subsection (1) of this section.

(3) The rules made under subsection (1), shall be published in the *Gazette* and shall come into effect on the date thereof.

(4) Every rule made by the body corporate within three months after its publication in the *Gazette,* be brought before Parliament for approval. Any rule which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any such rule is deemed to be rescinded under subsection (4) shall be published in the *Gazette.*

(6) The members of the body corporate shall at all times be subject to the rules of the body corporate.

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| **8.** | The Committee shall maintain a register of members | Register of  members |
| in which name, address and other essential details of the | |

members shall be inscribed.

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| **9.** | (1) The body corporate shall have its own Fund. | Fund of the |
| body corporate |

(2) All moneys received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the body corporate shall be deposited in one or more banks approved by the Committee to the credit of the body corporate subject to the provisions of section 6(*c*).

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

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| **10.** | (1) The financial year of the body corporate shall be | Accounts and Auditing |
| the calendar year. | |

(2) The body corporate shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the body corporate.

(3) The accounts of the body corporate shall be audited annually by a qualified auditor appointed by Auditor General in terms of provisions of Article 154 of the Constitution and be certified by such qualified Auditor.

(4) For the purposes of this section “a qualified auditor”means–

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(*a*) an individual who, being a member of the Institute   
of Chartered Accountants of Sri Lanka or of any   
other Institute established by law, possesses a   
certificate to practice as an Accountant, issued by   
the Council of such Institute; or

(*b*) a firm of Accountants, each of the resident partners   
of which, being a member of the Institute of Chartered   
Accountants of Sri Lanka or of any other institute   
established by law, possesses a certificate to practice   
as an Accountant, issued by the Council of such   
Institute.

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| Annual Report | **11.** | (1) The Committee shall prepare a report of the |

activities of the body corporate for each financial year and submit such report together with the audited statement of accounts and a list of all assets and liabilities of the body corporate certified by a qualified Auditor referred to in section 10 to the Secretary of the Ministry of the Minister assigned the subject of Buddhasasana and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate statement of accounts relating to the foreign and local moneys received by the body corporate, the details of all contracts and agreements entered into by the body corporate and the rules of the body corporate made under section 7 during the financial year shall be attached to the report referred to in subsection (1).

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| **12.** | All debts and liabilities of the Foundation existing | Debts due by  and payable to  the Foundation |
| on the day immediately preceding the date of commencement of this Act, shall be paid by the body corporate hereby | |

constituted and all debts due to and subscriptions and   
contributions payable to the Foundation on that day shall be   
paid to the body corporate for the purposes of this Act.

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| **13.** | Subject to the provisions of this Act and any other | Body corporate  may hold  property  movable and  immovable |
| written law, the body corporate shall be able and capable in law to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, | |

grant, gift, testamentary disposition or otherwise and all such   
property shall be held by the body corporate for the purpose   
of this Act and subject to the rules of the body corporate   
made under section 7, with power to sell, mortgage, lease,   
exchange or otherwise dispose of the same.

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| **14.** | Subject to the provisions of this Act and any other | Application of  moneys and  property |
| written law the moneys and property of the body corporate however derived shall be applied solely towards the | |

promotion of the objects of the body corporate and no   
portion thereof shall be paid or transferred directly or   
indirectly by way of dividend, bonus or profit or otherwise   
howsoever to the members of the body corporate.

**15.** (1) The Seal of the body corporate shall not be Seal of the body affixed to any instrument whatsoever, except in the presence corporate

of two members of the Committee 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.

(2) The Seal of the body corporate shall be in the custody   
of an office bearer of the Committee as may be decided by   
the Committee.

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| Property  remaining on dissolution | **16.** | (1) If upon the dissolution of the body corporate |
| there remains after the satisfaction of all its debts and liabilities any property whatsoever, such property shall not | |

be distributed among the members of the body corporate, but shall be given or transferred to any other appropriate institution having objects similar to those of the body corporate, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1) the appropriate institution to which the property remains after the satisfaction of all the debts and liabilities of the body corporate to be given or transferred shall be determined by the members of the body corporate with the approval of the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 immediately before the dissolution at a general meeting by the majority of votes of the members present.

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| Saving of the  rights of the  Republic  Interpretation | **17.** | Nothing in this Act contained shall prejudice or |
| affect the rights of the Republic or of any body politic or corporate. | |
| **18.** | In this Act, unless the context otherwise requires– |

“Bank” means a licensed commercial bank under the provisions of Banking Act, No. 30 of 1988;

“Kathikawatha of Dedigama Sri Maithri Pragnartha thero” means a set of principals and disciplines preached by Venerable Sri Maithri Pragnartha thero

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to the Buddhist adherence attached to the

Sri Maithri Pragnartha Bouddha Educational Daham   
Sabhawa in order to lead them for a disciplined life   
with the ultimate goal of attaining the supreme bliss   
of Nirvana, based on Dhamma preaching’s of Lord   
Buddha;

“Local Authority” means a Municipal Council, Urban Council or a Pradeshiya Sabha and any authority created or established by or under any law to exercise, perform and discharge powers, duties and functions corresponding or similar to the powers, duties and functions exercised, performed and discharged by any such Council or Sabha;

“public corporation” means any Corporation, board or other body which was or is established by or under any written law other than the Companies Act, No. 07 of 2007, with funds or capital wholly or partly provided by the Government by way of grant, loan or otherwise; and

“written law” means any law and subordinate legislation including statutes made by a Provincial Council, Orders, Proclamations, Rules, By-Laws and Regulations made or issued by any body or person having power or authority under any law to make or issue the same.

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| **19.** | In the event of any inconsistency between the | Sinhala text to  prevail in case of inconsistency |
| Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | |

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