

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**  
*————————*  
**SRI SHAKYASINHARAMA VIHARASTHA**   
**KARYASADHAKA SANVIDANAYA**   
**(INCORPORATION)**   
**A**

**BILL**   
**to incorporate the Sri Shakyasinharama Viharastha Karyasadhaka Sanvidanaya**  
*————————*  
*Presented by the Hon. Yadamini Gunawardena, M. P.*

*on 20th of January, 2021*   
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**[Bill No. 24]**   
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| *Sri Shakyasinharama Viharastha Karyasadhaka* | 1 |

*Sanvidanaya (Incorporation)*

AN ACTTOINCORPORATETHE SRI SHAKYASINHARAMA   
VIHARASTHA KARYASADHAKA SANVIDANAYA

WHEREAS an Organization called and known as the Preamble.

“Sri Shakyasinharama Viharastha Karyasadhaka Sanvidanaya” has heretofore been created for the purpose of effectually carrying out and transacting all objects and matters 5 connected with the said Organization:

AND WHEREAS the said Organization has heretofore successfully carried out and transacted the several objects and matters of the Organization and has applied to be incorporated, and it will be for the public advantage to grant 10 such 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 Sri Shakyasinharama | Short title. |

Viharastha Karyasadhaka Sanvidanaya (Incorporation) Act,

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| --- | --- | --- | --- |
| 15 | No. of 2021. | | Incorporation |
| **2.** | From and after the date of commencement of this Act, |
| 20 | of the Sri |
| such and so many persons as presently are members of the | |
| Shakyasinharama |
| “Sri Shakyasinharama Viharastha Karyasadhaka | |
| Viharastha |
| Sanvidanaya” (hereinafter referred to as the “Association”) | | Karyasadhaka |
| Sanvidanaya. |
| or shall hereafter be admitted as members of the Corporation | |

hereby constituted, shall be a body corporate (hereinafter referred to as “the Corporation”) with perpetual succession under the name and style of the “Sri Shakyasinharama Viharastha Karyasadhaka Sanvidanaya” and by that name 25 and may sue and be sued in all courts with full power and authority to have and use a common seal and alter the same at its pleasure.

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| **3.** | The general objects for which the Corporation is | General  objects of the Corporation. |
| constituted are hereby declared to be— | |
| (*a*) | to attend activities on religious development and |

the development of the persons;

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| --- | --- | --- |
| 5 | (*b*) | to promote values and morals; |
| (*c*) | to make awareness of Sinhala, English and Sanskrit |

and other languages, computer and technical   
knowledge among school children, student monks   
in Pirivenas and elderly people;

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| --- | --- | --- |
| 10 | (*d*) | to implement religious and cultural programmes; |
| (*e*) | to develop, protect and conservation of our temple |

and its other associated temples and those monks;

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| 15 | (*f*) | to develop areas that should be developed; and |
| (*g*) | to perform all other things that are incidental or |
| appropriate for the fulfillment of the objectives of |

the Corporation stated above.

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| 20 | **4.** | Subject to the provisions of this Act and any other | General |
| written law, the Corporation shall have the power— | | powers of the |
| Corporation. |
| (*a*) | to purchase, rent lease otherwise acquire lands or |
| buildings which may be required for the purposes | |

of the Corporation;

(*b*) to borrow or raise money with or without interest for   
 the purposes of the Corporation;

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| 25 | (*c*) | 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 bank   
accounts;

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(*d*) to invest any funds which are not immediately   
 required for the purposes of the Corporation in such   
 manner as the Council of Management may think   
 fit;

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| 5 | (*e*) | to solicit and receive subscriptions, grants, donations |
| (*f*) | and gifts of all kinds; |
| to enter into agreements or contracts with any person, |

company or body of persons;

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| 10 | (*g*) | to undertake, accept, execute, perform and |
| (*h*) | administer any lawful trusts and conditions affecting |
| any movable or immovable property; |
| to appoint, employ, dismiss or terminate the services |

of officers and servants of the Corporation and to   
pay them such salaries, allowances and gratuities as

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| 15 | (*i*) | may be determined by the Corporation; and |
| to do all such acts and things as may be necessary |

incidental or conducive to the accomplishment of   
all or any of the objects of the Corporation.

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| 20 | **5.** | (1) The affairs of the Corporation shall subject to the | Management |
| of the affairs |
| rules in force for the time being of the Corporation, be | |
| of the |
| administered by a Board of Management appointed in | |
| Corporation. |
| accordance with the rules of the Corporation. | |

(2) The first Board of Management of the Corporation shall consist of the members of the Board of Management of

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| 25 | the Organization holding office on the day preceding the date of commencement of this Act. |

(3) Notwithstanding anything to the contrary in sub-section (1) of this Section the Chairman of the Board of Management is the lifetime Chairman of the Corporation.

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| **6.** | (1) It shall be lawful for the Corporation from time to | Rules of the  Corporation. |
| time at any meeting of the members 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 5 any other written law and the any of the following matters:—

(*a*) the election, appointment or nomination of the   
 members of the Board of Management and their   
 powers and duties and terms of office;

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| 10 | (*b*) | the powers, conduct of duties and functions of the |
| various officers, agents and servants of the |

Corporation;

(*c*) the procedure to be observed at the summoning and holding of meetings of the Corporation and of the Board of Management, the time, place, notice and 15 agenda of such meetings, the quorum therefore and the conduct of the business thereat;

(*d*) the qualifications and disqualifications for the   
 membership of Board of management of the   
 Corporation;

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| 20 | (*e*) | the administration and management of the property |

of the Corporation, the custody of its funds and   
maintenance and audit of the accounts; and

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| 25 | (*f*) | generally for the management of the affairs of the |
| Corporation and the accomplishment of its |
| objects. |

(2) Any rules made under sub-section (1) may in a like meeting and in like manner be rescinded, be amended, altered or added.

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(3) The rules of the Organization in force on the day immediately preceding the date of commencement of this Act, shall in so far, as they are not inconsistant with the provisions of this Act, or any other written law be deemed to 5 be the rules of the Corporation made under this Act.

(4) All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

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| 10 | **7.** | (1) The Corporation shall have its own fund and all | Fund of the |
| Corporation. |
| moneys received by way of gifts, testamentary dispositions, | |
| transfers, donations, contribution of fees and all sums of | |

money received by the Corporation in the exercise, discharge and performance of its powers, functions and duties shall be deposited in the name of the Corporation in one or more banks as may be decided by the Board of 15 Management.

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation,

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| 20 | (3) There shall be paid out of the fund of the Corporation all sums of money to defray any expenditure incurred by the |

Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

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| 25 | **8.** | (1) The Corporation shall cause proper accounts to | Audit of |
| be kept of all income and expenditure of the Corporation. | | accounts of |
| the |
| (2) The accounts of the Corporation shall be audited | | Corporation. |

annually by the auditors appointed by the Corporation.

(3) The financial year of the Corporation shall be from 1st of January to 31st December of every year.

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| **9.** | All debts and liabilities of the Organization existing | Debts due by and payable  to the  Organization. |
| on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted and all | |

debts due to and all subscriptions and fees payable to the 5 Organization on that day shall be paid to the Corporation for the purposes of this Act.

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| 10 | **10.** | If upon the dissolution of the Corporation there | Property |
| remaining on |
| remains after the satisfaction of all its debts and liabilities, | |
| dissolution. |
| any property whatsoever such property shall not be | |
| distributed among the members of the Corporation, but shall | |

be given or transferred to Association or Associations having objects similar to the objects of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or profit among the members. Such Association or

15 Associations shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

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| 20 | **11.** | The seal of the Corporation shall be in the custody | Seal of the |
| of the Secretary of the Corporation and it shall not be affixed | | Corporation. |
| to any instrument whatsoever except in the presence of a | |

member duly appointed by the Chairman or the Vice Chairman 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.

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| 25 | **12.** | Nothing in this Act contained shall prejudice or | Saving of the |
| affect the rights of the Republic of Sri Lanka or of any body | | rights of the |
| Republic and |
| politic or corporate or of any other persons except such as are | |
| others. |
| mentioned in this Act and those claiming by, from or under | |

them.

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| 30 | **13.** | In the event of any inconsistency between the | Sinhala text |
| Sinhala and the Tamil texts of this Act, the Sinhala text shall | | to prevail in |
| case of |
| prevail. | |
| inconsistency. |

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