

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

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**BALAPITIYA SRI RAHULARAMA PURANA VIHARASTHA SAMANERA AKALPA**   
**SANGWARDENA BIKSHU VIDYALAYA (INCORPORATION)**

**A**

**BILL**

**to incorporate the Balapitiya Sri Rahularama Purana Viharastha Samanera Akalpa Sangwardena Bikshu Vidyalaya**

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*Presented by the Hon. Gayantha Karunatilleka, M.P.*   
*for Galle District on 23rd of March, 2021*

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*Ordered by Parliament to be printed*

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**[Bill No. 35]**

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| *Balapitiya Sri Rahularama Purana Viharastha* | 1 |

*Samanera Akalpa Sangwardena Bikshu Vidyalaya*   
*(Incorporation)*

AN ACTTOINCORPORATETHE BALAPITIYA SRI RAHULARAMA PURANA VIHARASTHA SAMANERA AKALPA SANGWARDENA BIKSHU VIDYALAYA

WHEREAS a Foundation called and known as the Preamble “Balapitiya Sri Rahularama Purana Viharastha Samanera   
 Akalpa Sangwardena Bikshu Vidyalaya” has heretofore been   
 formed in Sri Lanka the purpose of effectually carrying out   
5 and transacting all objects and matters connected with the   
 said Foundation according to the rules agreed to by the   
 members:

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects 10 and matters for which it was formed and has applied to be incorporated and it will be for the public advantage to grant the application:

Be it therefore enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

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| 15 | **1.** | This Act may be cited as the “Balapitiya Sri | Short title |

Rahularama Purana Viharastha Samanera Akalpa Sangwardena Bikshu Vidyalaya (Incorporation) Act, No. of 2021.

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| 20 | **2.** | From and after the date of commencement of this | Incorporation |
| Act, such and so many persons as now are members of the | | of the |
| Balapitiya Sri |
| “Balapitiya Sri Rahularama Purana Viharastha Samanera | |
| Rahularama |
| Akalpa Sangwardena Bikshu Vidyalaya” (hereinafter referred | |
| Purana |
| 25 | to as the “Foundation”) or shall hereafter be admitted as | | Viharastha |
| Samanera |
| members shall be a body corporate (hereinafter referred to as | |
| Akalpa |
| the “Corporation”) with perpetual succession, under the name | |
| Sangwardena |
| and style of the “Balapitiya Sri Rahularama Purana | | Bikshu |
| Viharastha Samanera Akalpa Sangwardena Bikshu | | Vidyalaya |

Vidyalaya” and by that name may sue and be sued and in all courts, with full power and authority to have and use a common 30 seal and alter the same at its pleasure.

2 *Balapitiya Sri Rahularama Purana Viharastha*  *Samanera Akalpa Sangwardena Bikshu Vidyalaya*  *(Incorporation)*

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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*) including the course of conduct of a novice   
 Samanera Bhikku, as a life practice;

5 (*b*) writing the basic elements of novice Samanera monk;

(*c*) giving knowledge on customs of partaking alms,   
pindapatha, (gathering alms by visiting households),   
bathing and sleeping;

10 (*d*) developing precise ways of performing services to the Buddha, Bodhi Pooja and uttering Pin Wakya;

(*e*) to provide basic knowledge of Sinhala, Pali,   
 Samaskrit, Tamil and English Language;

(*f*) giving an elementary knowledge of life of the 15 Buddha and set of historic affairs in the Buddhist Sasana (selected); and

(*g*) to promote an implement projects those are   
 beneficial to mankind.

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| 20 | **4.** | (1) The affairs of the Corporation shall, subject to the | Management |
| other provisions of this Act and the rules in force for the time | | of the affairs |
| of the |
| being of the Corporation be managed by a Committee of | |
| Corporation |
| Management consisting of Chairman, Secretary, Treasurer | |

and another nine members elected in accordance with such rules.

25 (2) The first Committee of Management shall consist of the members of the Committee of Management holding office on the day immediately preceding the date of commencement of this Act.

*Balapitiya Sri Rahularama Purana Viharastha*  3   
*Samanera Akalpa Sangwardena Bikshu Vidyalaya*   
 *(Incorporation)*

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| **5.** | Subject to the provisions of this Act and any other | General  Powers of the Corporation |
| written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things | |

whatsoever as are necessary or desirable for the promotion 5 or furtherance of the objects of the Corporation or any one of them, including the powers to open, operate or close bank accounts to borrow or raise moneys with or without security to receive or callect or accept grants and donations to invest its funds to the Corporation and to engage employ and 10   
 dismiss officers and servants required for the carrying out of the objects of the Corporation.

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| **6.** | (1) It shall be lawful for the Corporation, from time | Rules of the Corporation |
| to time, at any general meeting of the members and by a | |

majority of not less than two-thirds of the members present 15 to make rules, not inconsistent with the provisions of this Act or any other written law, on all or any of the following matters:—

(*a*) the classification of members and the admission,   
 withdrawal or expulsion of members;

20 (*b*) the election of the office-bearers, the resignation from, vacation of or removal from office of office- bearers and their powers, conduct and duties;

(*c*) the election of the members of the Committee of   
 Management and its powers, conduct and duties;

25 (*d*) the procedure to be observed at and the summoning and holding of meetings of the Committee of Management, or sub Committee and of the times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereof;

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| 30 | (*e*) the powers, conduct, duties and functions of the various officers, agents and servants of the |

Corporation;

4 *Balapitiya Sri Rahularama Purana Viharastha*  *Samanera Akalpa Sangwardena Bikshu Vidyalaya*  *(Incorporation)*

(*f*) the administration and management of the property   
 of the Corporation; and

(*g*) the management of the affairs of the Corporation,   
 and the accomplishment of its objects.

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| 5 | (2) Any rule made by the Corporation may be amended, altered, added to or rescinded at a like meeting and in like |

manner as a rule made under sub- section (1).

(3) Every members of the Corporation shall be subject to the rules of the Corporation.

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| 10 | **7.** | All debts and liabilities of the Foundation on the day | Debts due by |
| preceding the date of commencement of this Act, shall be | | and payable |
| to the |
| paid and discharge by the Corporation hereby constituted | |
| Foundation |
| and all debts due to, subscriptions and contributions payable | |

to the Foundation on that day shall be paid to the Corporation

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| 15 | for the purposes of this Act. | | Fund of the |
| **8.** | (1) The Corporation shall have its own fund and all |
| moneys heretofore or hereafter to be received by way of gifts, | | Corporation |

bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in 20 one or more banks as the Corporation shall decide.

(3) There shall be paid out of the fund, all sums of money required 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 | **9.** | The Corporation shall be able and capable in law to | Corporation |
| 30 | acquire and hold any property, movable and immovable, | | may hold |
| property |
| which may become vested in it by virtue of any purchase, | |
| movable and |
| grant, lease, gift, testamentary disposition or otherwise and | |
| immovable |
| all such property shall be held by the Corporation for the | |
| purpose of this Act and subject to the rules in force for the | |

time being of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

*Balapitiya Sri Rahularama Purana Viharastha*  5   
*Samanera Akalpa Sangwardena Bikshu Vidyalaya*   
 *(Incorporation)*

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

distributed among the members of the Corporation, but shall 5 be given or transferred to some other institution or institutions having objects similar to those of the Corporation, and which, is or are by its or their rules prohibited from distributing any income or property among its or their members.

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| 10 | **11.** | (1) The financial year of the corporation shall be | Audit and |
| the calendar year. | | Accounts of |
| the |
| (2) The Corporation shall cause proper accounts to be | | Corporation |

kept of all moneys received and expended, by the Corporation.

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| 15 | (3) The accounts of the Corporation shall be examined and audited at least once in every year and the correctness of |

income and expenditure account and balance sheet certified by a qualified auditor appointed by the Committee of Management.

(4) In this section, “qualified auditor” means —

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| 20 | (*a*) | an individual who, being a member of the |

Institute of Chartered Accountants of Sri Lanka,   
or any other institute established by law,   
possesses a certificate to practice as an   
Accountant, issued by the Council of such

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| 25 | (*b*) | institute; or |
| a firm of Accountants each of the resident |

partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or any other institute established by law, 30 possesses a certificate to practice as an Accountant, issued by the Council of such institute.

6 *Balapitiya Sri Rahularama Purana Viharastha*  *Samanera Akalpa Sangwardena Bikshu Vidyalaya*  *(Incorporation)*

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| **12.** | (1) The Seal of the Corporation shall not be affixed | Seal of the  Corporation |
| to any instrument whatsoever except in the presence of two | |

members of the Corporation, who shall sign their names to the instrument in token of their presence and such signing 5 shall be independent of the signing of any person as a witness.

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| 10 | **13.** | Nothing in this Act contained shall prejudice or | Savings of |
| affect the rights of the Republic or of anybody politic, or | | the rights of |
| corporate or of any other persons except such as are | | the Republic |
| and others |
| mentioned in this Act and those claiming by, from or under | |

them.

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| **14.** | 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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| *Balapitiya Sri Rahularama Purana Viharastha* | 7 |

*Samanera Akalpa Sangwardena Bikshu Vidyalaya*   
*(Incorporation)*

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