

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

Part II of February 16.02.2024

SUPPLEMENT

(Issued on 21.02.2024)



**BUDDHA SHRAWAKA CARING CENTRE
(INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the Buddha Shrawaka Caring Centre

*To be presented in Parliament by Hon. Madhura Withanage, M.P.
for Colombo District*

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 18.00

Postage : Rs. 150.00

This Gazette Supplement can be downloaded from www.documents.gov.lk



*Buddha Shrawaka Caring Centre
(Incorporation)*

AN ACT TO INCORPORATE THE BUDDHA SHRAWAKA
CARING CENTRE

WHEREAS an centre called and known as the “Buddha Shrawaka Caring Centre” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said centre according to the rules agreed to by its members:

Preamble

AND WHEREAS the said centre 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 expedient to grant the said application:

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

1. This Act may be cited as the Buddha Shrawaka Caring Centre (Incorporation) Act, No. of 2024.

Short title

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Buddha Shrawaka Caring Centre (hereinafter referred to as the “Centre”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the “Buddha Shrawaka Caring Centre “ (hereinafter referred to as the “body corporate”) and by that name may sue and be sued, in all Courts with full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation
of the
Buddha
Shrawaka
Caring
Centre

(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 Service 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 Corporation.

(g) to raise awareness (among Buddhist community of monk and nuns and all other religious leaders) about our caring center which is Primarily for cancer;

5 (h) to set an example of caring for the present society; and

(i) to facilitate basic screening for early detection of cancer.

(2) In the implementation of the objects specified in subsection (1) the Body corporate shall ensure that such
10 implementation shall be carried out without any discrimination based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

5. The objects of the Body corporate shall be carried out in such manner so as not to create any conflict between
15 the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or any Provincial Council’.

Body corporate to ensure no conflict with work of Ministry or Department of the Central Government

6. (1) Subject to the provisions of this Act the Body corporate shall be carried out by a Board of Management
20 (hereinafter referred to as “the Board” consisting of such number of office bearers as may be specified by the rules made under section 8.

Management of the affairs of the Corporation

(2) (a) The Board of Management of the foundation that holds office on the day immediately preceding the date of
25 commencement of this Act, shall function as the Board of the Body corporate until the first Board is appointed or elected in the manner provided for by rules made under section 8.

(b) The first Board of the Body corporate shall be appointed or elected within one year of the date of commencement of this Act.

5

10

15

20

25

(b) to raise funds and to receive grants, gifts or donations, in cash or kind with or without security:

5 Provided that, the Committee shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance, in respect of all foreign grants, gifts or donations made to the Body corporate;

10 (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 accounts in any banks;

(d) to invest any funds not immediately required for the purposes of the Body corporate in such manner as the Committee may determine;

15 (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Body corporate;

20 (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Body corporate and exercise disciplinary control over them such salaries, allowances and gratuities as may be determined by the Body corporate;

25 (g) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Body corporate.

30 8. (1) It shall be lawful for the Body corporate, from time to time, at any general meeting and by the votes of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provision of this Act, or any other written law, for all or any of the following matters:-
Rules of the Body corporate

6 *Buddha Shrawaka Caring Centre*
 (Incorporation)

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members and fees payable by the members;
- 5 (b) the election of office bearers of the Board 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 the various officers, agents and servants of the Body corporate;
- 10 (d) the procedure to be followed for the summoning and holding of meetings of the Board, or any subcommittee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- 15 (e) the qualification and disqualifications to be a members of the Board and the Body corporate;
- (f) the administration and management of the property of the Body corporate; and
- 20 (g) the management of the affairs of the Body corporate and the accomplishment of its' objects and dissolution of the Corporation.

(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 section (1).

- 25 (3) The members of the Body corporate shall at all times be subject to the rules of the Body corporate.

(4) The rules made under this section shall be published in the *Government Gazette*.

9. The Board shall maintain a register of members in which name, address and other essential details of the members shall be inscribed. Register of members

10. (1) The Body corporate shall have its own fund. Fund of the body corporate

5 (2) All moneys received by way of gift, bequest, donation, Subscription, contribution, fees or grants for an account of the Body corporate shall be deposited in one or more Banks approved by the Board to the credit of the Corporation.

(3) There shall be paid out of the fund all sums of money
10 as are required to defray any expenditure incurred by the Body corporate in the exercise, performance and discharge of its power, duties and functions under the Act.

11. (1) The financial year of the Body corporate shall be the calendar year. Accounts and the Auditing

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

(3) The accounts of the Body corporate shall be audited by Auditor-General or by a qualified auditor appointed by
20 Auditor-General in terms of Article 154 of the Constitution.

(4) For the purposes of this section, “qualified auditor” means—

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

12. (1) The Board 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 to the Secretary of the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (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 Account relating to the foreign and local moneys received by the Body corporate during the financial year shall be attached to the report referred to in subsection (1).

13. All debts and liabilities of the Centre existing on the day 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 Centre on that day shall be paid to the Body corporate for the purposes of this Act.

14. Subject to the provisions of this Act, 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 purposes 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.

15 **15.** 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
5 indirectly by way of dividend, bonus or profit to the members of the Body corporate.

Application
of money
and property

10 **16.** (1) The seal of the Body corporate shall not be affixed to any instrument whatsoever, except in the presence of two members of the Board 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.

Seal of the
Corporate

(2) The seal of the Body corporate shall be in the custody of an office bearer of the Board as may be decided by such Board.

15 **17.** (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 institution
20 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.

Property
remaining on
dissolution

25 (2) For the purpose of subsection (1) the appropriate institution shall be determined by the members of the Body corporate immediately before the dissolution at a general meeting by the majority of votes of the members present.

18. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporate.

Savings of
the rights of
the Republic
and others

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

Sinhala text
to prevail in
case of
inconsistency

