



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

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**SRI LANKA BUDDHIST VIHARA DEVALA  
FOUNDATION (INCORPORATION)  
ACT, No. 22 OF 2007**

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[Certified on 05th July, 2007]

*Printed on the Order of Government*

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*Sri Lanka Buddhist Vihara Devala Foundation  
(Incorporation) Act, No. 22 of 2007*

[Certified on 05th July 2007]

L.D. — O./INC 9/2005

AN ACT TO INCORPORATE THE SRI LANKA BUDDHIST VIHARA DEVALA  
FOUNDATION

WHEREAS a Foundation called and known as the “Sri Lanka Buddhist Vihara Devala Foundation” has heretofore been formed for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation has hereto for 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 such 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 Sri Lanka Buddhist Vihara Devala Foundation (Incorporation) Act, No. 22 of 2007.

Short Title.

**2.** From and after the date of commencement of this Act, such and so many persons as now are members of the “Sri Lanka Buddhist Vihara Devala Foundation” or shall hereafter be admitted 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 “Sri Lanka Buddhist Vihara Devala Foundation” and by that name may sue and be sued, with full power and authority to have, and use a common seal and alter the same at its pleasure.

Incorporation of the Sri Lanka Buddhist Vihara Devala Foundation.

**3.** The general objects for which the Corporation is established are hereby declared to be —

General objects of the Corporation.

- (i) to provide assistance and facilities for the education of bhikkus ;

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- (ii) to provide assistance to needy Bhikkhus for the presentations of Acts of Appointment, and to any person or organisation for the cremation of such bhikkhu on his demise ;
- (iii) to provide monetary assistance for repairs or constructions of new Buddhist Viharas and Devalas ;
- (iv) to help to obtain suitable places for the relocation of Viharas situated in uncongenial places ;
- (v) to assist in the promotion of education of Silmatas and for the supply of their other needs ;
- (vi) to promote Buddhist morals and ethics in the society ;
- (vii) to encourage saving habit and to foster mutual help and understanding among the members of the corporation;
- (viii) to fulfil economic, cultural and social objectives of the Buddhists through Buddhist principles ;
- (ix) to grant loans to Buddhists on easy terms or free of interest urgent personal needs such as purchase of a land, construction of a house and self employment ;
- (x) to assist the Buddhist children financially or otherwise with a view to promoting their education ;
- (xi) to provide assistance for the fostering of the Buddha, Dhamma both locally and globally ;
- (xii) to provide assistance for printing of Dhamma Books to further the knowledge of the Dhamma ;
- (xiii) to provide assistance and take suitable steps for the protection and development of the properties of the Buddhist temples and devalas ;

- (xiv) to provide assistance to Buddhists who having pledged their abode or land as security for loans raised from financial institutions, are faced with banks recovery proceedings upon default in payments ;
- (xv) to provide any other assistance that may be deemed necessary for the welfare of the Buddhists ;
- (xvi) to originate any other programme for the upliftment of the Buddha Sasana and provide assistance therefor ;
- (xvii) to take legal action against any vilification of Lord Buddha the Buddhist doctrine and the members of the Sangha ;
- (xviii) to take appropriate action to sustain and safeguard the Buddha Sasana, its security, its development and progress and the welfare of Buddhist Monks and Buddhists as well as of places of worship.

**4.** Subject to the provisions of this Act and any other written law the Corporation shall have the power to do, perform and execute, all such acts, matters and things as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power to open, operate and close bank accounts, to borrow or raise money with or without security, to receive or collect grants and donations, to invest its funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

General powers  
of the  
Corporation.

**5.** (1) The affairs of the Corporation shall, subject to the provisions of this Act and any rule to be made, be administered by a Board of Governors consisting of twenty-nine members.

Management of  
the affairs of the  
Corporation.

(2) Of the twenty-nine members —

- (a) twenty-one members shall be elected at a meeting of the general body; and

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(b) the following members shall hold office *ex-officio* :—

- (i) the Malwatta and Asgiriya Most Ven. Mahanayake Theros of both the Chapters, of the Syamopali Maha Nikaya, the Most Ve. Mahanayake Thero holding the Post of President of the Sri Lanka Amarapura Sanga Sabha of the Amarapura Nikaya and the Most Ven. Mahanayake Thero of the Sri Lanka Ramanna Maha Nikaya ;
- (ii) the Viharadhipati Nayake Theros of the four Pirivenas, namely Vidyodaya Maha Pirivena, Vidyalankara Pirivena, Saddharmakara Pirivena of Pinwatte and Saraswathi Pirivena of Balagalla.

(3) The Board of Governors shall elect the President, Vice President and Treasurer from among its members and it shall have the power to recruit a suitable person to be the Secretary who shall be the chief executive officer of the Corporation.

(4) The first Board of Governors of the Corporation shall consist of the members of the Committee of Management of the foundation holding office on the day immediately preceding the date of the commencement of this Act.

Rules of the  
Corporation.

**6.** (1) It shall be lawful for the Corporation, from time to time at any general meeting 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, on all or any of the following matters :—

- (a) the classification of members and membership fees payable, their admission, withdrawal or expulsion from membership ;

- (b) the election of Members to the Board of Governors and its powers, and duties ;
- (c) the election of office bearers, their term of office, resignation from, vacation of or removal from office and their powers and duties ;
- (d) the duties and functions of the officers, agents and servants of the Corporation ;
- (e) the procedure to be followed in the summoning and holding of meetings of the Board, the quorum therefor and the conduct of business thereat ;
- (f) the administration and management of the property of the Corporation, including its funds; and
- (g) the management of the affairs of the Corporation and the accomplishment of its objects.

(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 subsection (1)

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

**7.** (1) The Corporation shall have its own fund and it shall consist of all moneys received by way of gifts, bequests, testamentary dispositions, grants, donations, contributions, fees or contributions in cash or kind from local and foreign institutions and individuals, members and non members.

Funds of the Corporation.

(2) All moneys received shall be deposited in the name of the Corporation in one or more banks and be invested in any suitable manner to achieve the object of the Corporation as may be decided by the Board of Governors.

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

(4) All expenditure incurred by the Corporation in the exercise, performance and discharge of the powers, duties and functions of the Corporation shall be paid out of the fund of the Corporation.

Corporation may hold property movable or immovable.

**8.** The Corporation shall be able and capable in law to acquire and hold property both movable and 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 Corporation for the purposes of this Act, and subject to the rules in force for the time being of the Corporation, shall have power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Property remaining on dissolution.

**9.** If upon dissolution of the Corporation there remains any property after the satisfaction of all its debts and liabilities, such property shall not be distributed among the members of the Corporation, but shall 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 rules prohibited from distributing any income or property among its or their members.

Seal of the Corporation

**10.** The Seal of the Corporation shall not be affixed to any instrument except in the presence of the Chairman or Vice Chairman and the Secretary, both or who shall sign their names on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Accounts and Audits

**11.** (1) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(2) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Board of Governors.

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**12.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate or of any other persons.

Safeguarding of the rights of the Republic and others.

**13.** 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.



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