

# PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

## KOTASARA PIYANGALA RAJAMAHA VIHARASTHA DEVELOPMENT SOCIETY (INCORPORATION)

A

#### **BILL**

to incorporate the Kotasara Piyangala Rajamaha Viharastha Development Society

Presented by Hon. Nalin Bandara Jayamaha M.P. for Kurunegala District on December 15, 2015

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#### Kotasara Piyangala Rajamaha Viharastha Development Society (Incorporation)

#### AN ACT TO INCORPORATE THE KOTASARA PIYANGALA RAJAMAHA VIHARASTHA DEVELOPMENT SOCIETY

WHEREAS a Foundation called and known as the "Kotasara Preamble. Piyangala Rajamaha Viharastha Development Society" has heretofore been established in Sri Lanka for the purpose of effectually carrying out and transacting all objects and 5 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 the several objects and matters for which it was established and has applied to 10 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:—

- 1. This Act may be cited as the Kotasara Piyangala Short title. 15 Rajamaha Viharastha Development Society (Incorporation) Act, No. of 2015.
- 2. From and after the date of commencement of this Act, Incorporation such and so many persons as presently are members of the of the "Kotasara Piyangala Rajamaha Viharastha Development Piyangala 20 Society" (hereinafter referred to as the "Foundation") or shall Rajamaha hereafter be admitted as members of the Corporation hereby Vinarastna Development constituted shall be a body corporate (hereinafter referred to Society. as the "Corporation") with perpetual succession under the name and style of the "Kotasara Piyangala Rajamaha

25 Viharastha Development Society" 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.

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

General objects of the Corporation.

- (a) provision of necessities, maintenance and carrying out Wegama Sri Saddarmalankara Vidyayatanaya,
  5 Wegama Sri Sobhita Dharmayatanaya, Mapakada Sri Swarnajothi Dhamma School, Kotasara Perahera Organization and Kotasara Sathara Peruwa Avamangalyadara Samithi affiliated to the Kotasara Piyangala Raja Maha Viharastha Sanwardena Sabhawa, to organize activities to bring about religious fervour among Buddhists and to promote social and economic activities of the people in the area;
- (b) to preserve and develop as a place of religious and cultural importance by the erection of a parapet wall and Wahalkada in the above mentioned Wiharastha New Dhamma Hall, creation of an orchard in the premises of this Institute;
- (c) to provide housing and health facilities and water to poor and destitute in the area;
  - (d) to provide facilities to poor children in the relevant district to improve their education;
  - (e) to promote, encourage and assist in, activities for the spiritual, cultural, social and physical welfare of its members;
    - (f) to safeguard and propagate Buddhism;

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- (g) to communicate the message contained in the teachings of the Buddha and to propogate Buddhist culture with a view to promoting world peace;
- (h) to present the Buddhist point of view on any matter, on behalf of the Buddist community at conferences and seminars on global problems relating to education culture, communications survival, development and peace, convened by any international, governmental or non-governmental organizations, whether religious or secular;

- (i) to initiate, co-ordinate and assist studies on problems of survival, development, peace, education and culture, from a Buddhist perspective and publish the results of such studies;
- 5 (i) to provide facilities for Buddhist leaders and scholars of the world to meet and discuss; and

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- (k) to function as a documentation Centre for peace oriented Buddhist Study groups meditation groups, mass-media groups and action groups and to provide for the exchange of information and the sharing of experiences;
- 4. (1) The affairs of the Corporatoin shall, subject to Management the rules in force for the time being of the Corporation, be of the affairs administered by a Committee of Management consisting of Corporation. 15 the Director-General, the Honorary Secretary and the Honorary Treasurer and not less than six other members as may be provided for in those rules and elected in accordance therewith.

- (2) The member of the Foundation Chief Incumbent 20 Kotasara Piyangala Rajamaha Vihara (Ven.) Sri Nandiramadhipathi Badulla Gammana Gunarathana Thero, shall be the Chairman of the Board of Directors for life. The Chairman shall be the Chief Executive Officer of the Corporation.
- 25 (3) The first Committee of Management of the Corporation shall consist of the member of the Committee of Management of the Foundation holding office on the day preceding the date of commencement of this Act, and whose names are specified in the Schedule to this Act.
- 30 5. Subject to the provisions of this Act, or other written General law, the Corporation shall have the power to do, perform and Powers of the execute all such acts, matters and things what so ever as are necessary or desirable for the promotion or furtherance of the

Corporation.

#### 4 Kotasara Piyangala Rajamaha Viharastha Development Society (Incorporation)

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.

**6.** (1) It shall be lawful for the Corporation from time Rules of the to time, at any general meeting and by a majority of not less than two thirds of the members present and voting, to make 10 rules, not inconsistent with the provisions of this Act or any other written law, for all or any of the following matters:—

Corporation.

- (a) the classification of membership and the admission, withdrawal or expulison of members;
- (b) the election of the office bearers, resignation or 15 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, its powers, conduct and duties;
- (d) the procedure to be observed at, and the summoning 20 and holding of meetings of the Corporation, Committee of management or any sub-committee and of the time, places, notices and agenda, of such meetings, the quorum therefore and conduct of business thereof;
- 25 (e) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation;
- (f) the administration and management of the property of the Corporation, the custody of its funds and the 30 maintenance and audit of accounts; and
  - (g) generally for 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 rules of the Foundation in force on the day preceding the date of commencement of this Act, shall, in so far as they are not inconsistent with the provisions of this Act, or any other written law, be deemed to be rules made under this section.
- (4) All members of the Corporation shall be subject to the 10 rules in force for the time being of the Corporation.
- 7. All debts and liabilities of the Foundation existing Debts due by on the day preceding the date of commencement of this Act, and payable shall be paid and discharged by the Corporation and all Foundation. debts due to, and subscriptions and contributions payable 15 to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

**8.** The Corporation shall be able and capable in law to Corporation take and hold any property, movable or immovable, which may hold may become vested in it by virtue of any purchase, grant, movable and 20 gift, lease or testamentary disposition or otherwise and all immovable. such property shall be held by the Corporation for the purposes this Act and subject to the rules of the Corporation for the time being in force with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

25 9. The Seal of the Corporation shall not be affixed to Seal of the any instrument whatsoever except in the presence of a Corporation. member of the Committee of Management and the Honorary Secretary or such other person duly authorised by the Committee of Management who shall sign their names to 30 the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

- 6 Kotasara Piyangala Rajamaha Viharastha Development Society (Incorporation)
- **10.** Nothing in this Act contained shall prejudice or saving of the affect the rights of the Republic or of any body politic or corporate or of any other persons, expect such as are mentioned in this Act, and those claiming by, from or under them.

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

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