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PART IV (A) – PROVINCIAL COUNCILS

Provincial Councils Notifications

UVA PROVINCE PROVINCIAL COUNCIL

Uva Province Provincial Council Piriven Education Fund Statute No. 01 of 2018

The above statute having passed by the Provincial Council of the Uva Province of the Democratic Socialist Republic of Sri Lanka on the 12th of July, 2018 has been approved by the Hon. Governor of the Uva Province on the date 19th of September, 2018 and which is here by published for the notification of the public.

R. A. H. A. SAMARASINGHE,
Secretary,
Provincial Council of the Uva Province.

Council Secretariat,
Uva Provincial Council,
King's Street,
Badulla.
04th October, 2018.



Uva Provincial Council

Uva Province Provincial Council Piriven Education Fund Statute No. 1 of 2018

A statute to repeal the Statute No. 01/1993 of the Uva Province Buddhist Development Board (Incorporation) to provide assistance to the Piriven Education of the Buddhist monks and dhasasil mothers engaged in Piriven Education in the Uva Province and to provide provisions for incidental matters related to it.

Impose as such by the Provincial Council of the Uva Province of the Democratic Socialist Republic of Sri Lanka.

Short title and date of implementation.

1. This Statute is identified as the Uva Provincial Piriven Education statute No. 1/2018 of the Uva Province Provincial Council and should be implemented from the date approved by the Hon. Governor of Uva Province.

Establishment of Uva Province Piriven Education fund.

2. (1) (Hereinafter referred as the “fund”) A fund referred as “Uva Province Piriven Education Fund” should be established.
- (2) It is a corporation by the title given in the subsection (1) of the fund and it must have a continuous existence and common seal. In addition the fund can file cases and cases can be filed against the funds in that name.

Administrative Board of the fund.

3. (1) The administration, management and control of the fund should be entrusted to the “Management Board” incorporated as provided in the provisions herein.
- (2) (Hereinafter referred as the “Board”) The management board of the fund should consists the following members:–
 - (a) Chief Minister of Uva Province Cabinet of Ministers;
 - (b) Two retired Chief incumbents from Badulla and Monaragala District, appointed by the Uva Province Chief Minister;
 - (c) A ruling party representative appointed by the Chief Minister of Uva Province;
 - (d) Opposition leader of Uva Provincial Council or a representative appointed by him;
 - (e) Secretary to the Chief Minister of Uva Province;
 - (f) Secretary to the Cultural Ministry;
 - (g) Two Directors in charge of Piriven education in Uva Provincial Department of Education;
- (3) The Chief Minister of Uva Province should be the Chairman of the Board.
- (4) The Secretary to Chief Ministry should be the official secretary of this statute. The Secretary should be the Chief accounting officer of the board.

- (5) The members appointed to the board can resign from their post within one month time period by sending a letter addressed to the chairman.
 - (6) The following persons are not suitable to be appointed as a member of the board or continue as a member of the board.
 - (a) If a person in a situation can't be released from liquidation and bankruptcy after announced bankrupt by the laws existing in Sri Lanka or other countries.
 - (b) If a person committed crimes related to abuse against morality, which can be subjected to imprisonment not less than six months.
 - (c) If a person is mentally upset or with mental disorders under the laws existing in Sri Lanka.
 - (7) Under the provisions in paragraph (5) and (6) the tenure of the members appointed to the board is three years.
 - (8) Members appointed to the board can be removed from the posts by the Chairman, Secretary and other three (03) members of the board, at any time giving in writing reason. A new member can be appointed to that vacancy according to subsection (2) of 3.
 - (9) In the event of the appointed member passed away, resigned or his office is emptied in other way than before his appointed time expires, the successor member appointed to replace that member should hold the post for the period that has not expired in the term of the founder member (Predecessor).
 - (10) In case of conflicts in ideas among members of the board, the decision of the majority should be enforced.
 - (11) Should not consider any act or activity powerless only for the reason there is a vacancy among members of the board.
 - (12) For a meeting of the Board, the quorum should be five (5) members.
 - (13) Meetings of the Board should be held at least once in every two months or on the special orders of the Chairman.
4. The objective of the fund is to provide assistance to develop Piriven education of Buddhist monks, Dashasil mothers and students studying in the Pirivens of Uva Province. Objective of the fund.
 5. The seal of the fund –; The seal of the fund.
 - (a) Should be in the custody of any person determined by the board from time to time;
 - (b) Can be changed in some way determined by the Board;
 - (c) No document shall be signed by any party other than the authority of the board and in the presence of two members of the board and they must sign the document as evidence that they have been present.
 6. (1) The board has the power to carry out what is required or what is incidental for the implementation of the purpose of the fund in the name of the fund. The powers and functions of the fund.

(2) The board shall have the following powers and functions, without compromising the powers vested in subsection (1).

- (a) Collection of funds and obtaining grants, gifts and donations from local and foreign sources;
- (b) The fund has the powers to acquisition and possession of movable or fixed assets assigned to the board under this Statute or by purchase, by grant, by gift, by legacy or by other means and has the powers to sell, mortgage, to rent, to donate, to assign, to release, to exchange or to dispose by other means;
- (c) Entering in to all the agreements or consent necessary to implement, perform and carry out its powers, functions and tasks to achieve the objectives of the fund directly or by the authority duly authorized by the Board in writing and by workers or by sub agents.
- (d) Dealing with any investment, re-investment, change that investment, cancellation on the consent of the board and collection of maximum income form those investments with the money belongs to the funds including finance under the fund of the Statute No. 01/1993 of the Uva Province Buddhist Development Board (Incorporation) with the consent of the board, authorized by law to invest the money so as not to conflict with the objectives of the fund; and
- (e) Starting and shutting down bank accounts in a bank or banks that are announced by the Board;

Fund
Composition.

7. Funds received from the following sources shall be credited to the Fund;

- (a) Aid from Uva provincial council for the fund;
- (b) Financial or other kind of assistance or donation made by a person or organization;
- (c) Any interest or income that is obtained by investing the money;
- (d) Aids, donations or grants from foreign sources;
- (e) Any receipts to the fund from some other ways;
- (f) Integrating the money of the fund of the Statute No. 01/1993 of the Uva Province Buddhist Development Board (Incorporation).

Payments from
the fund.

8. The following expenditures may be incurred by the fund:-

- (a) All the payments approved by the board for the works in order fulfill the purpose of the fund;
- (b) Expenditures necessary for the establishment, maintenance and implementation of the fund;

Accounting and
Auditing.

- 9. (1) The board should maintain and update its revenue and expenditure, assets and liabilities and all other transactions of the fund according accounting standards.
- (2) The balance sheet should be calculated by the board by the thirty-first December of each year, income and expenditure accounts for the respective year before the thirty first of March next year and the final account of the fund with a note of assets and liabilities should be prepared for the date stated first.

- (3) For implement the provisions in paragraph (2) it is possible to obtain the assistance of an accountant of the Ministry in charge.
- (4) Every year the accounts of the fund should be audited by the Auditor General in accordance with the 154th amendment of the constitution.
10. The calendar year should be the financial year of the fund. The financial year of the fund.
11. The amount incurred related to legal situations because of the case filed by the fund or case filed against the fund in a courts, should be reimburse by the fund. Cost reimbursement.
12. (1) The Chief Minister may make rules or regulations in respect to all matters which have been authorized or required by this statute or by order by this statute.
- (2) Any rule or regulation made by the Chief Minister shall be effective from the date of publication in the *gazette* or from any later day that can be specified in the order.
- (3) Any rule or regulation made by the Chief Minister should be submitted to the Provincial council for approval as soon as possible after being published in the *gazette*. Any order not approved by the Provincial Council should be considered as repealed without prejudice to any previous action under the said rule or regulaiton, on the date that was not approved.
- (4) The announcement about the date considered when any rule or order is Prepealed should be published in the *gazette*.
- (5) The rules or regulations made by the Chief Minister under the above subsection (1) after approved by the provincial council should come into force as they have been enacted by the statute.
13. All the officials and employees of the fund should considered as government servants as per the interpretations and functions of penal code. The officials and employees of the fund should considered as government servants under penal code.
14. Fund should be considered as an organization listed under the interpretations of the bribery act, the provisions of the Act shall apply accordingly. Fund should be considered as an organization listed under the interpretations of the bribery act.
15. From the date of implementation of this statute the Statute No. 01/1993 of the Uva Province Buddhist Development Board (incorporation) fund is being repealed and all the activities carried out so far by the statute No. 01 of 1993 do not prejudice, which should be considered as fulfilled by this statute.
16. If there is inconsistency between the Sinhala, English and Tamil text of this statute then the Sinhala text is to be enforced. If there is inconsistency then the Sinhala text is to be enforced.
17. If there is any need for interpretation of texts in this statute. Interpretation.

“Chief Minister” is the Chief Minister of Uva Province

“The Secretary of the Chief Ministry” is the Secretary of the Chief Ministry of Uva Province

“Opposition leader” is the Opposition leader of Uva Province

“Buddhist Monks” are the Upasampatha or Samanera Monks engaged in Piriven Education in Uva Province.