



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

**SEETHAWAKA MANIYANGAMA
RAJAMAHA VIHARASTHA SANWARDHANA
SABHAWA (INCORPORATION)
ACT, No. 44 OF 2007**

[Certified on 12th October, 2007]

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*Seethawaka Maniyangama Rajamaha Viharastha
Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007*

[Certified on 12th October, 2007]

L. D.—O. INC 16/2004

AN ACT TO INCORPORATE THE SEETHAWAKA MANIYANGAMA
RAJAMAH VIHARASTHA SANWARDHANA SABHAWA

WHEREAS a Society called and known as the “Seethawaka Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa” has heretofore been formed for the purpose of development and maintenance of the Seethawaka Maniyangama Rajamaha Vihara and all Vihara, Aramayas, Shrines and institutions belonging, affiliated or connected to, it and for effectually carrying out and transacting all objects and matters connected with the said Society :

Preamble.

AND WHEREAS the said Society has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated and it is 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 Seethawaka Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are the members of the Seethawaka Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa (hereinafter referred to as the “Society”) 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 the “Seethawaka Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa” and by that name may sue and be sued, with full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation of
the Seethawaka
Maniyangama
Rajamaha
Viharastha
Sanwardhana
Sabhawa.

2 *Seethawaka Maniyangama Rajamaha Viharastha*
Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

General Objects
of the
Corporation.

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

- (a) to construct and maintain buildings and other
infrastructural facilities required for Seethawaka
Maniyangama Rajamaha Viharaya ;
- (b) to provide the resident Bhikkus of the Seethawaka
Maniyangama Rajamaha Viharaya, with necessary
educational facilities and to supply their daily
needs;
- (c) to award scholarships, fellowships, prizes and
bursaries to Buddhist monks and Buddhist laity with
a view to promoting the study of, and research into,
Buddhism and Buddhist, philosophy ;
- (d) to foster, promote and protect the Buddha Sasana
and to inculcate the teachings of Lord Buddha and
the values of Buddhism, among the Buddhist ;
- (e) to provide appropriate educational training to the
Maha Sangha ;
- (f) to establish and maintain educational institutions,
including dhamma schools, pirivenas and training
centers, for the benefit of Buddhists ;
- (g) to establish and maintain libraries, information and
resource centers for the benefit of the Buddhists ;
- (h) to organize Buddhist festivals and to preserve the
Buddhist traditions and Buddhist culture ; and
- (i) to organize and implement cultural and social
development services.

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 whatsoever 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 moneys, with or without security, to receive or collect grants and donations, to invest its funds and to engage, employ and dismiss such officers and servants as are required for the carrying out of the objects of the Corporation.

General powers
of the
Corporation.

5. (1) The management of the affairs of the Corporation shall, subject to the provisions of this Act and the rules of the Corporation be administered by a Board of Management (hereinafter referred to as the "Board") consisting of the office bearers and such other persons as may be provided for in the rules of the Corporation and elected in accordance therewith.

Management of
the affairs of the
Corporation.

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

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting of the Corporation and by majority of not less than two thirds of the members present and voting, to make rules not inconsistent with provisions of this Act or any other written law, for the admission, withdrawal or expulsion of members, for the election of office bearers, for the performance of the duties of the office bearers, the Board and of the various officers, agents and of the servants of the Corporation, for the procedure to be followed in the transaction of business at meetings of the Corporation and of the Board and otherwise generally, for the management of the affairs of the Corporation and the accomplishment of its objects. Such rules when made may at a like meeting and in like manner, be altered, added to, amended or rescinded.

Rules of the
Corporation.

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

Accounts and
audit.

7. (1) The financial year of the Corporation shall be the calendar year.

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

(3) The accounts of the Corporation shall be audited at least once in every year by a qualified auditor appointed by the Board.

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

- (a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute ; or
- (b) a firm of Accountants, each of the resident partners of which, being a member of the institute of Chartered Accountants of Sri Lanka or of any other institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such institute

Fund of the
Corporation.

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, contributions fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more bank as the Board shall determine.

(2) All expenses borne by the Corporation in the exercise and discharge of the powers and functions of the Corporation shall be paid out of the fund of the Corporation.

Debts due by
and payable to
the Society.

9. All debts and liabilities of the Society existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted, and all debts due to and subscriptions and contributions payable to the said Society on that day, shall be paid to the Corporation hereby constituted.

10. The Corporation 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 Corporation for the purposes of this Act, with full power to sell, mortgage, rent, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable or immovable.

11. If upon the dissolution of the Corporation 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 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 the rules thereof prohibited from distributing any income or property among its or their members. Such institution or institutions shall be determined by the Board at, or immediately before, the dissolution of the Corporation.

Property remaining on dissolution.

12. The seal of the Corporation shall not be affixed to any instrument, whatsoever except in the presence of the Chairman, the Secretary or the Treasurer of the Corporation who shall sign their names to instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the Corporation.

13. 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.

Saving of the rights of the Republic and others.

14. 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 any inconsistency.

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