



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

**INTERNATIONAL INSTITUTE OF THERAVADHA
(INCORPORATION) ACT, No. 32 OF 2024**

[Certified on 18th of June, 2024]

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International Institute of Theravadha
(Incorporation) Act, No. 32 of 2024

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L.D.—O. (Inc.) 4/2023

AN ACT TO INCORPORATE THE INTERNATIONAL INSTITUTE OF
THERAVADHA

WHEREAS an institute called and known as the “International Institute of Theravadha” has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said institute according to the rules agreed to by its members:

Preamble

AND WHEREAS the said institute 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 for the public advantage 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 International Institute of Theravadha (Incorporation) Act, No. 32 of 2024

Short title
2. From and after the date of commencement of this Act, such and so many persons as now are members of the “International Institute of Theravadha” (hereinafter referred to as the “Institute”) and shall hereafter be admitted as members of the body corporate hereby constituted, shall have perpetual succession under the name and style of the “International Institute of Theravadha” (hereinafter referred to as the “body corporate”), 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 International Institute of Theravadha

2 *International Institute of Theravadha
(Incorporation) Act, No. 32 of 2024*

General objects
of the body
corporate

3. (1) The general objects for which the body corporate is constituted are hereby declared to be -

- (a) to train Buddhist monks and lay devotees to be enriched with doctrinal knowledge and knowledge in meditation that is required to attain on their own the ultimate liberation of Nibbana, according to the Buddhist teachings;
- (b) to train Buddhist monks and lay devotees capable of guiding other Buddhist monks and lay devotees to attain the ultimate liberation of Nibbana, according to the Buddhist teachings;
- (c) to train Buddhist monks to perform formal acts of discipline (vinayakammas), according to the Theravadha Buddhist teachings, in order to sustain the Sasana;
- (d) to publish and translate books and any other reading materials related to the Theravadha teaching; and
- (e) to train and use the missionaries in order to propagate the dhamma expounded by the Buddha locally and internationally giving due respect to the prevailing laws and cultural values; and

subject to any applicable written law, to the extent permitted by such law.

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

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

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

5. (1) Subject to the provisions of this Act and the rules made under section 10, the management and administration of the affairs of the body corporate shall be carried out by an Executive Board consisting of such number of office bearers as may be specified by the rules made under section 10 of this Act.

Management of the affairs of the body corporate

(2) (a) The members of the Executive Board holding office on the day immediately preceding the date of commencement of this Act, shall subject to the rules made under paragraph (b) of this subsection, function as an Interim Board of the body corporate until the first Executive Board is appointed or elected in the manner Provided for by rules made under section 10 of this Act.

(b) Subject to the provisions of section 10, the Interim Board shall have the power to make rules for the interim administration of the body corporate and for election or appointment of the members of the first Executive Board of the body corporate not inconsistent with the provisions of this Act or any other written law.

(c) Any decision of the Interim Board shall be taken by the majority of its members present at such meeting.

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

4 *International Institute of Theravadha
(Incorporation) Act, No. 32 of 2024*

(3) (a) Every office bearer of the Executive Board including the patrons and advisors, shall be appointed or elected for a period of six years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election:

Provided however, any person appointed or elected as the Chair of the Executive Board shall only be eligible for re-appointment or re-election for one further term, whether consecutive or otherwise.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Executive Board shall having regard to the rules of the body corporate, appoint or elect a person to fill such vacancy.

(c) The person appointed or elected under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

Senate Council
of the Body
Corporate

6. There shall be a body established and known as the Senate Council constituted with Tutor monks and Student monks of the body corporate to discuss issues related to Dhamma and Vinaya and decisions taken by the Executive Board and to forward comments, suggestions, proposals and recommendations regarding such issues to the body corporate and the executive board.

General
assembly of the
body corporate

7. (1) The General Assembly of the body corporate is known as the Supreme board and it shall consist of all the members of the body corporate.

(2) Subject to the provisions of section 10, the duty of the General Assembly shall be -

- (a) to elect the executive board of the body corporate in accordance with the rules of the body corporate;
- (b) to take decisions with regard to relocating the head office of the body corporate;
- (c) to take decisions in order to dissolve the body corporate;
- (d) to make and amend rules of the body corporate;
- (e) to make procedures of the general assembly by the rules of the body corporate;
- (f) to establish an executive board in order to carry out the executive affairs of the body corporate;
- (g) to elect the members of the executive board from the General Assembly by an election; and
- (h) to make by rules, the composition of the executive board, the sub-committees coming under such board, their functions and qualifications and appointments of the members of such sub-committees.

8. (1) There shall be a committee known as the Disciplinary Committee to look into all the disciplinary matters pertaining to all the members and trained and trainees of the body corporate.

Disciplinary
Committee of
the Body
Corporate

(2) The composition, powers, functions and duties of the disciplinary committee shall be specified by rules made under section 10 of this Act.

Powers of the
body corporate

9. Subject to the provisions of this Act and any other written law, the body corporate shall have the power to do, perform and execute all such acts and things as are necessary or desirable for the achievement of the objects of the body corporate or any one of them, including the power -

- (a) to purchase rent, construct and renovate lands or buildings which may be required for the purposes of the body corporate and to deal with or dispose of the same as determined by the executive Board with a view to promoting the objects of the body corporate;
- (b) to enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the body corporate, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the body corporate;
- (c) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind:

Provided that, the Executive Board shall obtain the prior written approval of the Department of External Resources, in respect of all foreign grants, gifts or donations made to the body corporate;

- (d) 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 bank;

- (e) to invest any funds that are not immediately required for the purposes of the body corporate, in such manner as the Executive Board may determine;
- (f) to undertake, accept, execute, perform and administer any lawful trust having objects similar to the body corporate or any real or personal property with a view to promoting the objects of the body corporate;
- (g) to appoint, employ, dismiss or terminate the services of officers and other employees of the body corporate and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the body corporate in terms of the rules made under section 10;
- (h) to assist the relevant authorities to organize lectures, seminars and conferences with a view to promoting the objects of the body corporate;
- (i) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the body corporate; and
- (j) to train officers and other employees in Sri Lanka or abroad for the purposes of the body corporate.

10. (1) It shall be lawful for the body corporate, from time to time, at any general meeting of the body corporate 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, for all or any of the following matters: -

Rules of the
body corporate

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

- (b) number of office bearers of the body corporate, executive board, senate council and disciplinary committee and qualifications and disqualifications to be a member of the body corporate, the executive board, senate council or disciplinary committee as the case may be;
- (c) the election of the office bearers, vacation of or removal from office of the office bearers of the body corporate, executive board, senate council and the functions of such office bearers;
- (d) the terms and conditions of appointment, powers, functions and duties of various officers and other employees of the body corporate;
- (e) the procedure to be followed for the summoning and holding of meetings of the body corporate and of the Executive Board, senate council and the disciplinary committee or notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (f) the administration and management of the property of the body corporate; and
- (g) generally, the management of the affairs of the body corporate and the accomplishment of its, objects and dissolution of the body corporate.

(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 subsection (1) of this section.

(3) The rules made under subsection (1) shall be published in the *Gazette* within three months upon making of such rules and shall come into effect on the date thereof.

(4) Every rule made by the body corporate shall, within three months after its publication in the *Gazette*, be brought before Parliament for approval. Any rule which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any such rule is deemed to be so rescinded under subsection (4) shall be published in the *Gazette*.

(6) The members of the body corporate shall at all times be subject to the rules of the body corporate.

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

12. (1) The body corporate shall have its own Fund. Fund of the body corporate

(2) All moneys received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the body corporate shall be deposited in one or more banks approved by the Executive Board to the credit of the body corporate subject to the provisions of paragraph (c) of section 9.

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

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

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

10 *International Institute of Theravadha
(Incorporation) Act, No. 32 of 2024*

(3) The accounts of the body corporate shall be audited annually by a qualified auditor and be certified by such qualified auditor.

(4) For the purposes of 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.

Annual Report

14. (1) The Executive 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 certified by a qualified auditor, to the Secretary of the Ministry of the Minister assigned the subject of Buddhasasana, Religious and Cultural Affairs before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate statement of accounts 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).

15. All debts and liabilities of the Institute existing on the day immediately 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 Institute on that day shall be paid to the body corporate for the purposes of this Act.

Debts due by
and payable to
Institute

16. Subject to the provisions of this Act and any other written law, 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 purpose of this Act and subject to the rules of the body corporate made under section 10, with power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Body corporate
may hold
property
movable and
immovable

17. 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 indirectly by way of dividend, bonus or profit or otherwise howsoever to the members of the body corporate.

Application of
moneys and
property

18. (1) The seal of the body corporate shall not be affixed to any instrument whatsoever, except in the presence of two members of the Executive 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 body
corporate

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

12 *International Institute of Theravadha
(Incorporation) Act, No. 32 of 2024*

Property
remaining on
dissolution

19. (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 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.

(2) For the purposes 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.

Saving of the
rights of the
Republic

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

Interpretation

21. In this Act, unless the context otherwise requires:-

‘bank’ means a licensed commercial bank within the meaning of the Banking Act, No. 30 of 1988; and

“written law” shall have the same meaning assigned to such expression in the Constitution.

Sinhala text to
prevail in case of
inconsistency

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

