

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

Part II of March 12, 2021

SUPPLEMENT

(Issued on 15.03.2021)



**BALAPITIYA SRI RAHULARAMA PURANA
VIHARASTHA SAMANERA AKALPA
SANGWARDENA BIKSHU VIDYALAYA
(INCORPORATION)**

(Private Members' Bill)

A

BILL

**to incorporate the Balapitiya Sri Rahularama Purana Viharastha
Samanera Akalpa Sangwardena Bikshu Vidyalaya**

*To be presented in Parliament by Hon. Gayantha Karunatileka, M.P.
for Galle District*

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*Balapitiya Sri Rahularama Purana Viharastha
Samanera Akalpa Sangwardena Bikshu Vidyalaya
(Incorporation)*

AN ACT TO INCORPORATE THE BALAPITIYA SRI RAHULARAMA PURANA
VIHARASTHA SAMANERA AKALPA SANGWARDENA BIKSHU VIDYALAYA

WHEREAS a Foundation called and known as the Preamble
“Balapitiya Sri Rahularama Purana Viharastha Samanera
Akalpa Sangwardena Bikshu Vidyalaya” has heretofore been
formed in Sri Lanka the purpose of effectually carrying out
5 and transacting all objects and matters connected with the
said Foundation according to the rules agreed to by the
members:

AND WHEREAS the said Foundation has heretofore
successfully carried out and transacted the several objects
10 and matters for which it was formed and has applied to 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:-

15 **1.** This Act may be cited as the “Balapitiya Sri Short title
Rahularama Purana Viharastha Samanera Akalpa
Sangwardena Bikshu Vidyalaya (Incorporation) Act, No. of
2021.

20 **2.** From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the of the
“Balapitiya Sri Rahularama Purana Viharastha Samanera Balapitiya Sri
Akalpa Sangwardena Bikshu Vidyalaya” (hereinafter referred Rahularama
to as the “Foundation”) or shall hereafter be admitted as Purana
members shall be a body corporate (hereinafter referred to as Viharastha
25 the “Corporation”) with perpetual succession, under the name Samanera
and style of the “Balapitiya Sri Rahularama Purana Akalpa
Viharastha Samanera Akalpa Sangwardena Bikshu Sangwardena
Vidyalaya” and by that name may sue and be sued and in all Bikshu
courts, with full power and authority to have and use a common Vidyalaya
30 seal and alter the same at its pleasure.

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

- (a) including the course of conduct of a novice Samanera Bhikku, as a life practice;
- 5 (b) writing the basic elements of novice Samanera monk;
- (c) giving knowledge on customs of partaking alms, pindapatha, (gathering alms by visiting households), bathing and sleeping;
- 10 (d) developing precise ways of performing services to the Buddha, Bodhi Pooja and uttering Pin Wakya;
- (e) to provide basic knowledge of Sinhala, Pali, Samaskrit, Tamil and English Language;
- 15 (f) giving an elementary knowledge of life of the Buddha and set of historic affairs in the Buddhist Sasana (selected); and
- (g) to promote an implement projects those are beneficial to mankind.

4. (1) The affairs of the Corporation shall, subject to the Management
of the affairs
of the
Corporation
20 other provisions of this Act and the rules in force for the time being of the Corporation be managed by a Committee of Management consisting of Chairman, Secretary, Treasurer and another nine members elected in accordance with such rules.

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

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5. 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 powers to open, operate or close bank accounts to borrow or raise moneys with or without security to receive or collect or accept grants and donations to invest its funds to the Corporation 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 to time, at any general meeting of the members and by a majority of not less than two-thirds of the members present 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 the admission, withdrawal or expulsion of members;
- (b) the election of the office-bearers, the resignation from, 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 and its powers, conduct and duties;
- (d) the procedure to be observed at and the summoning and holding of meetings of the Committee of Management, or sub Committee and of the times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereof;
- (e) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation;

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(f) the administration and management of the property of the Corporation; and

(g) the management of the affairs of the Corporation, and the accomplishment of its objects.

5 (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 sub- section (1).

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

10 7. All debts and liabilities of the Foundation on the day preceding the date of commencement of this Act, shall be paid and discharge by the Corporation hereby constituted and all debts due to, subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation
15 for the purposes of this Act.

Debts due by
and payable
to the
Foundation

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in
20 one or more banks as the Corporation shall decide.

Fund of the
Corporation

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

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

Corporation
may hold
property
movable and
immovable

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10. 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
5 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 or their rules prohibited from distributing any income or property among its or their members.

Property
remaining on
dissolution

11. (1) The financial year of the corporation shall be
10 the calendar year.

Audit and
Accounts of
the
Corporation

(2) The Corporation shall cause proper accounts to be kept of all moneys received and expended, by the Corporation.

(3) The accounts of the Corporation shall be examined
15 and audited at least once in every year and the correctness of income and expenditure account and balance sheet certified by a qualified auditor appointed by the Committee of Management.

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

20 (a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or any other institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such
25 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 any other institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such
30 institute.

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12. (1) The Seal of the Corporation shall not be affixed Seal of the
to any instrument whatsoever except in the presence of two Corporation
members of the Corporation, who shall sign their names to
the instrument in token of their presence and such signing
5 shall be independent of the signing of any person as a
witness.

13. Nothing in this Act contained shall prejudice or Savings of
affect the rights of the Republic or of anybody politic, or the rights of
corporate or of any other persons except such as are the Republic
10 mentioned in this Act and those claiming by, from or under and others
them.

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

