



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

**DHAMMADEEPA FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Dhammadeepa Foundation

*Presented by Hon. Harshana Rajakaruna M. P. for Gampaha District
on 24th November, 2015*

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[Bill No. 24]

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Dhammadeepa Foundation (Incorporation)

AN ACT TO INCORPORATE DHAMMADEEPA FOUNDATION

WHEREAS a Foundation called and known as Preamble.
“Dhammadeepa Foundation” has heretofore has been formed
For the purpose of effectually carrying out its objects and
transacting all matters connected with the said Foundation
5 according to the rules agreed to by its members:

AND WHEREAS the said Foundation 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 advantageous to grant said
10 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 Dhammadeepa Short title.
Foundation (Incorporation) Act, No. of 2015.

15 2. From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the of
“Dhammadeepa Foundation” (hereinafter referred to as the Dhammadeepa
“Foundation”) or shall hereafter be admitted as members of Foundation.
the Corporation hereby constituted, shall be a body
20 corporate, with perpetual succession under the name and
style of the “Dhammadeepa Foundation” (hereinafter referred
to as “the Corporation”) 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.

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

(a) to create an educational, social, healthy and
economic background to make Sri Lanka a
Dharmadeepaya (an island of canon) with
30 disciplined and righteous society;

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(b) to carry on Buddhist services by safeguarding security of Buddhism;

(c) to do charitable services under different projects;

- 5 (i) For a quality education;
(ii) For economic development activities;
(iii) Projects such as awarding of scholarship to economically backward students.

10 (d) going to remote under developed villages and providing them with various relief after identifying their difficulties;

(e) after identifying threats to Buddhism and the nation and implementing steps to eradicate them.

4. Subject to the provisions of this Act and any other written law perform and execut the following:— General powers of the Corporation.

15 (a) to raise funds and receive grants, gifts or donations, in cash or kind and requesting subscriptions;

20 (b) to acquire, in any manner whatsoever and hold, take of give on lease or hire, rent, sell or otherwise dispose of, any movable or immovable property and construct, maintain and alter any buildings or works necessary or convenient for the business of the Corporation;

(c) to open, operate and close bank accounts and borrow or raise money with or without security;

25 (d) to invest any funds not immediately required for the purpose of the Corporation in such manner as the elected Executive Committee may determine.

(e) to enter into agreements or contracts with any persons or body of persons;

(f) to appoint, employ or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;

5 (g) the Corporation has the power to do things incidental and opportune for the implementation of the objects of the Corporation.

10 5. (1) The management, control and administration of the Corporation shall, subject to the provision of this Act and the rules in force for the time being of the Corporation, vested in an Executive Council (hereinafter referred to as the "Upper Council") consisting of the office bearers and such other persons as may be provided for in such rules and elected in accordance therewith.

The Management of the affairs of the Corporation.

15 (2) The first Executive Council members of the Corporation shall consist of the members of the Upper Council of the Foundation holding office on the day preceding the date of commencement of this Act.

20 (3) The first patron of the Corporation will be the Thalalle Chandakiththi Thero and as per the sub section (2) above those members who held office in the Executive Council of the Corporation shall be deemed to hold corresponding offices in the first Executive Council of the Corporation.

25 6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by a majority of the members present and voting, to make rules, not inconsistent with the provision of this Act, or any other written law, for all or any of the following matters:—

Rules of the Corporation.

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

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- (b) the election of office bearers of the Upper Council or vacation of or removal from, office and the powers, of the Upper Council, duties and functions of the office bearers;
- 5 (c) the appointment, powers, duties and functions and conditions of the various officers, agents and servants of the Corporation and dismissing them from service and terminating their services;
- 10 (d) the procedure to be followed at the summoning and holding of the meeting of the Upper Council, the Corporation and any sub Council thereof, including the quorum thereof and the conduct of the business thereat;
- 15 (e) the qualification and disqualification for the membership of the Corporation and the Upper Council;
- (f) the administration and management of the property of the Corporation; and
- 20 (g) the general management of the Corporation for the accomplishment of the object of the Corporation.

(2) The rules of the Foundation in force on the day preceding to the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act or other written law, be deemed to be rules of the
25 Corporation made under this section and in like manner rules made by the Corporation may be amended, altered, added to rescinded.

(3) The members of the Corporation shall at all time be subject to the rules of the Corporation.

7. All debts and liabilities of the Corporation 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 subscription and contributions payable to the Corporation on that shall be paid to the Corporation.

Debts due to and payable to the Corporation.

8. The money and property of the Corporation however derived under this Act, shall be applied solely towards the promotion of its objects as per the rules of the Corporation must be borne, made use of and applied.

10 According to the presently existing rules of the Corporation, it is vested with the full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable and immovable.

9. (a) The financial year of the Corporation shall be the calendar year.

Accounts and audit.

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

(c) The accounts of the Corporation shall be audited by the qualified auditor as may be determined by the Upper Council.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the patron and the secretary or any other two members as determined by the Upper Council and who shall sign their names on 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 Corporation.

11. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of annual subscription payable by him to the Corporation.

Limitation of liability of members.

12. Nothing in this Act contained shall prejudice or Saving the
affect the rights of the Republic or of any public board or rights of the
corporation or of any other persons, except such as are Republic and
mentioned in this Act, and those claiming by, from or under others.
5 them.

13. 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.

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