



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

**SRI SHAKYASINHARAMA VIHARASTHA
KARYASADHAKA SANVIDANAYA
(INCORPORATION)**

A

BILL

**to incorporate the Sri Shakyasinharama Viharastha Karyasadhaka
Sanvidanaya**

*Presented by Hon. Dinesh Gunawardena, M. P. for
Colombo District on 09th of October, 2017.*

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*Sri Shakyasinharama Viharastha Karyasadhaka
Sanvidanaya (Incorporation)*

AN ACT TO INCORPORATE THE SRI SHAKYASINHARAMA
VIHARASTHA KARYASADHAKA SANVIDANAYA

WHEREAS an Organization called and known as the Preamble.
“Sri Shakyasinharama Viharastha Karyasadhaka
Sanvidanaya” has heretofore been created for the purpose of
effectually carrying out and transacting all objects and matters
5 connected with the said Organization:

AND WHEREAS the said Organization has heretofore
successfully carried out and transacted the several objects
and matters of the Organization and has applied to be
incorporated, and it will be for the public advantage to grant
10 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 Sri Shakyasinharama Short title.
Viharastha Karyasadhaka Sanvidanaya (Incorporation) Act,
15 No. of 2017.

2. From and after the date of commencement of this Act, Incorporation
such and so many persons as presently are members of the of the Sri
“Sri Shakyasinharama Viharastha Karyasadhaka Shakyasinharama
Sanvidanaya” (hereinafter referred to as the “Association”) Viharastha
20 or shall hereafter be admitted as members of the Corporation Karyasadhaka
hereby constituted, shall be a body corporate (hereinafter Sanvidanaya.
referred to as “the Corporation”) with perpetual succession
under the name and style of the “Sri Shakyasinharama
Viharastha Karyasadhaka Sanvidanaya” and by that name
25 and may sue and be sued in all courts with full power and
authority to have and use a common 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.

- 5 (a) to develop the educational, economical, religious, cultural and social needs of the members of our organizaion and to the low income families including the needy people, act in the disaster situations and creating the feeling of positive thinking among the public to achieve the expected benefits;
- 10 (b) to attend activities on religious development and the development of the persons;
- (c) implementation of activities leading to educational development;
- (d) to promote values and morals;
- 15 (e) to make awareness of Sinhala, English and Sanskrit and other languages, computer and technical knowledge among school children, student monks in Pirivenas and elderly people;
- (f) to implement religious and cultural programmes;
- 20 (g) to contribute to social welfare;
- (h) to implement programmes to assist the disabled and elderly people;
- (i) to develop, protect and conservation of our temple and its other associated temples and those monks;
- 25 (j) to develop areas that should be developed; and
- (k) to perform all other things that are incidental or appropriate for the fulfillment of the objectives of the Corporation stated above.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power—

General
powers of the
Corporation.

- 5 (a) to purchase, rent lease otherwise acquire lands or buildings which may be required for the purposes of the Corporation;
- 10 (b) to borrow or raise money with or without interest for the purposes of the Corporation;
- 15 (c) 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 bank accounts;
- 20 (d) to invest any funds which are not immediately required for the purposes of the Corporation in such manner as the Council of Management may think fit;
- 25 (e) to solicit and receive subscriptions, grants, donations and gifts of all kinds;
- 30 (f) to enter into agreements or contracts with any person, company or body of persons;
- (g) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any movable or immovable property;
- (h) to appoint, employ, dismiss 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; and
- (i) to do all such acts and things as may be necessary incidental or conducive to the accomplishment of all or any of the objects of the Corporation.

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5. (1) The affairs of the Corporation shall subject to the Management of the affairs of the Corporation, be rules in force for the time being of the Corporation, be administered by a Board of Management appointed in accordance with the rules of the Corporation.

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

10 (3) Notwithstanding anything to the contrary in subsection (1) of this Section the Chairman of the Board of Management is the lifetime Chairman of the Corporation.

15 6. (1) It shall be lawful for the Corporation from time to time at any meeting of the members 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 and the any of the following matters:— Rules of the Corporation.

(a) the election, appointment or nomination of the members of the Board of Management and their powers and duties and terms of office;

20 (b) the powers, conduct of duties and functions of the various officers, agents and servants of the Corporation;

25 (c) the procedure to be observed at the summoning and holding of meetings of the Corporation and of the Board of Management, the time, place, notice and agenda of such meetings, the quorum therefore and the conduct of the business thereat;

30 (d) the qualifications and disqualifications for the membership of Board of management of the Corporation;

- (e) the administration and management of the property of the Corporation, the custody of its funds and maintenance and audit of the accounts; and
- 5 (f) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rules made under sub-section (1) may in a like meeting and in like manner be rescinded, be amended, altered or added.

- 10 (3) The rules of the Organization in force on the day immediately preceding the date of commencement of this Act, shall in so far, as they are not inconsistent with the provisions of this Act, or any other written law be deemed to be the rules of the Corporation made under this Act.

- 15 (4) All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

7. (1) The Corporation shall have its own fund and all moneys received by way of gifts, testamentary dispositions, transfers, donations, contribution of fees and all sums of money received by the Corporation in the exercise, discharge and performance of its powers, functions and duties shall be deposited in the name of the Corporation in one or more banks as may be decided by the Board of Management.
- 20
- Fund of the Corporation.

- (2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation,
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- (3) There shall be paid out of the fund of the Corporation all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.
- 30

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8. (1) The Corporation shall cause proper accounts to be kept of all income and expenditure of the Corporation.

Audit of accounts of the Corporation.

(2) The accounts of the Corporation shall be audited annually by the auditors appointed by the Corporation.

5 (3) The financial year of the Corporation shall be from 1st of January to 31st December of every year.

9. All debts and liabilities of the Organization existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted and all

10 debts due to and all subscriptions and fees payable to the Organization on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Organization.

10. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities,

15 any property whatsoever such property shall not be distributed among the members of the Corporation, but shall be given or transferred to Association or Associations having objects similar to the objects of the Corporation, and which is or are by the rules thereof prohibited from distributing any

20 income or profit among the members. Such Association or Associations shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Property remaining on dissolution.

11. The seal of the Corporation shall be in the custody

25 of the Secretary of the Corporation and it shall not be affixed to any instrument whatsoever except in the presence of a member duly appointed by the Chairman or the Vice Chairman who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing

30 of any person as a witness.

Seal of the Corporation.

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12. Nothing in this Act contained shall prejudice or affect the rights of the Republic of Sri Lanka or of any body politic or corporate or of any other persons except such as are mentioned in this Act and those claiming by, from or under
5 them.

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

