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SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of July 16, 2021

SUPPLEMENT

(Issued on 19.07.2021)



**SAMADHI MEDITATION AND YOGA CENTRE
(INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the Samadhi Meditation and Yoga Centre

*To be presented in Parliament by Hon. Buddhika Pathirana, M.P.
for Matara District*

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*Samadhi Meditation and Yoga Centre
(Incorporation)*

AN ACT TO INCORPORATE THE SAMADHI MEDITATION AND
YOGA CENTRE

WHEREAS a Centre called and known as the “Samadhi Meditation and Yoga Centre” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Centre according to the rules agreed to by its members :

Preamble

AND WHEREAS the said Centre 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 expedient 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 Samadhi Meditation and Yoga Centre (Incorporation) Act, No. of 2021

Short title

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Samadhi Meditation and Yoga Centre (hereinafter referred to as the “Centre”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the “Samadhi Meditation and Yoga Centre” (hereinafter referred to as the “Body corporate”) and by that name may sue and be sued, in all Courts with full power and authority to have and use a common seal and to alter the same its pleasure.

Incorporation
of the
Samadhi
Meditation
and Yoga
Centre

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

The General
objects of the
body
Corporate

(a) to provide critical assistance to children and families struggling in poverty;

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 (Incorporation)

- (b) to promote Buddhist culture nationally and internationally and to cooperate with the similar organizations in promoting Buddhism;
- 5 (c) to expand branches in the Island to provide training for meditation / Yoga;
- (d) to provide aids to Tsunami / flood victims;
- (e) to provide vocational training to youth to make maximum use of their talents by encouraging their leadership and ability;
- 10 (f) to provide facility to make efficient and fruitful use of young labour and ability for the development of the nation;
- (g) to maintain physical and mental spirituality with a view to sustain a developing society, free of charge
- 15 Yoga and Bawana programme will be organized;
- (h) to organize, maintain and develop the pre-training and educational programme for those children and youths who are of poor and lack of educational facilities; and to contribute the energy of youths for the public welfare; and to encourage the farmers as well as formation of young farmers organizations;
- 20 (i) to pave the way to obtain pre-vocational training, sports training and training on leadership, computer, media, Tamil, English and any other languages;
- 25 (j) to organize valuable teachings, seminars, executive level of guidance, connected necessary exhibitions, and educational programme to improve the intelligence of the general public; and to establish libraries, preserve environment and to act in giving priority to the balance development;
- 30

(k) to organize and operate centers in all the divisional secretariat divisions across the Island in addition to the centers that are operating in Matara, Malimbada, Ja-Ela and Meda Dumbara; and

5 (l) to do all such other acts, matters and things as are incidental or conducive to the attainment of the objectives of the body corporate.

(2) In the implementation of the objects in subsection (1) the body Corporate shall ensure that such implementation
10 shall be carried out without any discrimination based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

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

Body corporate to ensure no conflict with work of Ministry or Department of the Central Government of Province

5. (1) Subject to the provisions of this Act, Management of the Affairs of the Body corporate shall be carried out by a
20 Board of Management (hereinafter referred to as "the Board") consisting of such number of office bearers as may be specified by the rules made under section 7.

Management of the Affairs of the Body corporate

(2) (a) The Board of Management of the foundation that holds office on the day immediately preceding the date of
25 commencement of this Act, shall function as the Board of the Body corporate until the first Board is appointed or elected in the manner provided for by rules made under section 7.

(b) The first Board of the Body corporate shall be
30 appointed or elected within one year of the date of commencement of this Act.

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Powers of the Body corporate

- (d) to invest any funds not immediately required for the purposes of the Body corporate in such manner as the Board may determine;
- 5 (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Body corporate;
- 10 (f) to appoint, employ, dismiss or terminate the services of officers and servants 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;
- 15 (g) to do all other things as are necessary or expedient for the proper and effective carrying out the objects of the Body corporate.

7. (1) It shall be lawful for the Body corporate, from time to time, at any general meeting and by the votes of not less than two thirds of the members present and voting, to make rules, not inconsistent with the provision of this Act or
20 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 members;
- 25 (b) the election of office bearers of the Board or vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- 30 (c) the terms and conditions of appointment, powers, functions and duties of the various officers, agents and servants of the Body corporate;

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 (Incorporation)

- 5 (d) the procedure to be followed at the summoning and holding of meetings of the Board, or any subcommittee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualification and disqualification to be a member of the Board and the Body corporate;
- (f) the administration and management of the property of the body corporate; and
- 10 (g) the management of the affairs of the Body corporate and the accomplishment of its' objects and dissolution of the Body corporate.

 (2) The rules made by the Body corporate may be amended, altered, added to or rescinded at a like meeting
15 and in like manner as a rule made under subsection (1).

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

 (4) The rules made under this section shall be published in the *Government Gazette*.

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

9. (1) The Body corporate shall have its own Fund. Fund of the Body corporate

25 (2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for an account of the Body corporate shall be deposited in one or more Banks approved by the Board to the credit of the Body corporate.

(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 power, duties and functions under the Act.

5 **10.** (1) The financial year of the Body corporate shall be the calendar year. Accounts and
the Auditing

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

10 (3) The accounts of the Body corporate shall be audited by a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purpose of this section “qualified auditor” means -

15 (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 Accountant issued by the Council of such Institute; or

20 (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 Accountant issued by the Council of
25 such Institute.

11. (1) The 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 to the Secretary of the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such report relates.
- (2) A separate account relating to the foreign and local moneys received by the Body corporate during the financial year shall be attached to the report to referred to in subsection (1).
12. All debts and liabilities of the Centre existing on the day 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 Centre on that day shall be paid to the Body corporate for the purpose of this Act.
13. Subject to the provision of this Act, 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 purposes of this Act, and subject to the rules of the Body corporate made under section 7, with power to sell, mortgage, lease, exchange or otherwise dispose of the same.
14. 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 to the members of the Body corporate.
- Annual Report
- Debts due by payable to the Centre
- Body corporate may hold property movable and immovable
- Application of money and property

15. (1) The seal of the Body corporate shall not be affixed to any instrument whatsoever, except in the presence of two members of the 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 Board as may be decided by such Board.

10 16. (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
15 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.

Property
remaining on
dissolution

(2) For the purpose of this 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.

17. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporate.

Saving of the
Rights of the
Republic and
others

25 18. 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
inconsistency

