



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

**PODDALA-MEEPAWALA SRI SUDARSHANARAMA
VIHARAYA EDUCATIONAL RELIEF FOUNDATION
(INCORPORATION)**

A

BILL

**to incorporate the Poddala-Meepawala Sri Sudarshanarama Viharaya
Educational Relief Foundation**

*Presented by Hon. (Dr.) Ramesh Pathirana M.P. for Galle District
on 24th March, 2016*

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*Poddala-Meepawala Sri Sudarshanarama Viharaya
Educational Relief Foundation (Incorporation)*

AN ACT TO INCORPORATE THE PODDALA-MEEPAWALA SRI
SUDARSHANARAMA VIHARAYA EDUCATIONAL RELIEF FOUNDATION
(INCORPORATION)

WHEREAS a Foundation called and known as the "Poddala-Meepawala Sri Sudarshanarama Viharaya Educational Relief Foundation" has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Foundation according to the rules agreed to by its member:

Preamble.

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 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 Poddala-Meepawala Sri Sudarshanarama Viharaya Educational Relief Foundation (Incorporation) Act, No. of 2016.

Short title.

2. From and after the date of commencement of this Act, such and so many person as now are members of the "Poddala - Meepawala Sri Sudarshanarama Viharaya Educational Relief Foundation" (hereinafter referred to as the "Foundation") 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 "Poddala - Meepawala Sri Sudarshanarama Viharaya Educational Relief 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.

Incorporation of the Poddala - Meepawala Sri Sudarshanarama Viharaya Educational Relief Foundation.

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

General objects of the Corporation.

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- 5 (a) to grant scholarships annually by to those children selected from the poor income families living permanently at the Gramaseva Niladhari Divisions in the vicinity of Poddala-Meepawala Viharaya ; and who has the knowledge and are active and able;
- (b) to consider it as a basic qualification, that every scholarship recipients must attend a Damma school in order to foster the Buddhist Education and Buddhist Culture;
- 10 (c) to grant scholarship annually to those students who are differently able or lost parents; and
- (d) to protect the good manners of respecting the clergymen and teachers; and caring the parents and elders which are evading from the society, through
- 15 educating the students such good manners.

4. (1) The affairs of the Corporation shall, subject to the rule in force for the time being of the Corporation, be administered by a Board of Trustees elected in accordance with the rules of the Corporation.

Management
of the affairs
of the
Corporation.

- 20 (2) The first Board of Trustees of the Corporation shall consist of the members of the Board of Management of the Foundation holding office on the day preceding the date of commencement of this Act.

- 25 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 furtherance of its objects or any one of them, including the power to open, operate and close bank accounts, to borrow or raise
- 30 moneys with or without security, to receive or collect grants or donations, to invest its funds, to erect any building or structure on any land held by the Corporation and to engage,

General
Powers of the
Corporation.

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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 and by the votes of not less
5 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 the admission, withdrawal or expulsion of members, the election of the Board of Trustees, for the conduct of the duties of the office bearers, agents, officers
10 and servants of the Corporation, for the procedure to be followed in the transaction of business by the Corporation and Board of Trustees and generally, for the management of the affairs of the Corporation and the accomplishment of its objects. Such rules when made may at a like meeting and in
15 like manner, be altered, added to, amended or rescinded.

Rules of the Corporation.

(2) The members of the Corporation shall be subject to the rules of the Corporation.

7. (1) The Corporation shall have its own Fund. All
moneys received by way of gift, bequest, donation, transfer,
20 subscription, contribution or fees shall be deposited to the credit of the Corporation in one or more Banks as the Board of Trustees shall determine.

Fund of the Corporation.

(2) There shall be paid out of the Fund of the Corporation, all such sums of money as may be required to defray any
25 expenditure incurred by the Corporation in carrying out the objects of the Corporation.

(3) The moneys, and property of the Corporation whatsoever derived shall be applied solely towards the promotion of the objects as set forth herein and no portion

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thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the Corporation.

5 **8.** (1) The financial year of the Corporation shall be the calendar year. Accounts and Audit of the Corporation.

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

10 (3) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Board.

In 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 an 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 an Accountant issued by the Council of such Institute.

25 **9** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Secretary or a member of the Board as may be duly authorized by the Board and another member of the Board 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.

30 **10.** All debts and liabilities of the Foundation 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 subscriptions and contributions payable Debts due by and payable to the Foundation.

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to the Foundation on that day shall be paid to the Corporation for the purpose of this Act.

11. The Corporation 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 Corporation for the purposes 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.

12. 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 be given or transferred to some other Institution or institutions having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such Institution or Institutions shall be determined by the board at or immediately before the dissolution of the Corporation.

Property remaining on dissolution.

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

Savings of the Rights of the Republic and others.

14. No person shall be liable in any suit or other legal proceeding for any act done, or purporting to be done, in good faith in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act.

Indemnity for acts done in good faith.

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

Sinhala text prevail in case of inconsistency.

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