

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

Part II of August 18, 2023

SUPPLEMENT

(Issued on 22.08.2023)



**WALPOLA PIYANANDA EDUCATIONAL AND
CULTURAL FOUNDATION (INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the Walpola Piyananda Educational and Cultural Foundation

*To be presented in Parliament by Hon. Sanjeeva Edirimanna, M. P.
for Kalutara District*

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*Walpola Piyananda Educational and
Cultural Foundation (Incorporation)*

AN ACT TO INCORPORATE THE WALPOLA PIYANANDA EDUCATIONAL
AND CULTURAL FOUNDATION (INCORPORATION)

WHEREAS a Board called and known as the “Walpola Piyananda Educational and Cultural Foundation” has heretofore been established by the Sri Maha Viharaya, Sri Maha Vihara Road, Pamankada, Dehiwala, for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members:

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the formed objects and matters for which it was formed and has applied to be incorporated and it will be for the advantage to grant 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 Walpola Piyananda Educational and Cultural Foundation (Incorporation) Act, No. of 2023.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Walpola Piyananda Educational and Cultural Foundation” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “Walpola Piyananda Educational and Cultural Foundation” 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 alter the same at its pleasure.

Preamble

Short title

Incorporation
of the
Walpola
Piyananda
Educational
and Cultural
Foundation

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Cultural Foundation (Incorporation)*

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

- 5 (a) to promote educational and cultural understanding of other countries for Sangha Members prior of their going abroad to do Buddha Sasana work to better prepare them and prevent cultural shock;
- (b) to assist Sangha Members in their study to other cultures, traditions and the languages of the countries;
- 10 (c) to establish and award scholarships, grants and prizes to deserving Sri Lankan students and to assist them in their spiritual, philosophical, cultural, scientific and technical education;
- 15 (d) to assist Sri Lankans and Americans to study each there's cultures, languages and any other language to organize educational tours, to provide hostel facilities to those who participate in such tours and exchange education and cultural representatives;
- 20 (e) to establish and maintain libraries and to purchase subscribe and publish books, newspapers, periodicals and other publications which the Corporation may consider desirable for the promotion and advancement of its objectives;
- 25 (f) to join and collaborate with other local and foreign associations, Societies or organizations with objectives similar to those of the Corporations; and
- 30 (g) to promote and assist in making eye glasses available to the needy through Corporation with other local and foreign associations, societies or organizations with similar objectives.

4. (1) The affairs of the Corporation shall, subject to the Management of the affairs of the Corporation
rules in force for the time being of the Corporation, be
administered by a Committee of Management consisting of
the Director General, the Honorary Secretary and the
5 Honorary Treasurer and not less than eleven other members
as may be provided for in those rules and elected in
accordance therewith.

(2) The Member of the Foundation Chief incumbent
Ven. Walpola Piyananda Thero, shall be the Director General
10 for life. The Director General shall be the Chief Executive
Officer of the Corporation.

(3) The first Committee of the Management of the
Corporation shall consist of the members of the Committee
of Management of the Foundation holding office on the
15 day preceding the date of the commencement of this Act.

5. Subject to the provisions of this Act and any other General Powers of the Corporation
written law, the Corporation shall have the powers to do,
perform and execute all such acts, matters and things
whatsoever as are necessary or desirable for the promotion
20 or furtherance of the objects of the Corporation or any one
of them, including the power to acquire and hold property
movable, to open, operate and close bank accounts, to borrow
or raise moneys with or without security, to erect any building
or structures on any land held by the Corporation and to
25 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 Rules of the Corporation
time, at any General Meeting of the members and by a
majority of not less than two-thirds of the members present
30 and voting, to make rules, not inconsistent with the
provisions of this Act or any other written law, for all or any
of the following matters—

(a) classification of membership, admission,
withdrawal, expulsion or resignation of members
35 and membership fees payable;

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Cultural Foundation (Incorporation)*

- 5 (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Board of Directors, the quorum for such meetings and the exercise and performance of their powers and duties;
- (c) the appointment, powers, duties and functions of the various officers, agents and servants of the Corporation;
- 10 (d) the qualification required to become a member of the Corporation and of the Board of Directors; and
- (e) the administration and management of the property of the Corporation.

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

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

 7. All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act,
20 shall be paid 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 for the purposes contributions of this Act.

Debts due by
and payable
to the
Foundation

 8. (1) The Corporation shall have its own fund and all
25 moneys heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Board of Directors shall determine.

Fund of the
Corporation

30 (2) 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 powers, duties and functions under this Act.

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 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

10. No member of the Corporation there remains after the satisfaction of all its debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the among of such membership fees as may be due from him to the Corporation.

Limitations of liabilities of members

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

Property remaining on dissolution

12. (1) The financial year of the Body corporate shall be the calendar year.

Accounts and 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.

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

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

- 5 (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
- 10 (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.

15 **13.** The seal of the Corporation shall be affixed to any instrument whatsoever except in the presence of such number of person as may be provided for in the rules in force for the time being of the Corporation, 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
20 witness.

Seal of the
Corporation

14. 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.

Saving of the
rights of the
Republic and
others

25 **15.** 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

