



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

**OLAGANGALA MAHA SUDARSHANA
PAROPAKARI FOUNDATION
(INCORPORATION) ACT, No. 37 OF 2011**

[Certified on 23rd August, 2011]

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*Olagangala Maha Sudarshana Paropakari
Foundation (Incorporation) Act, No. 37 of 2011*

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L.D.—O. (INC.) 13/2007.

AN ACT TO INCORPORATE THE OLAGANGALA MAHA SUDARSHANA
PAROPAKARI FOUNDATION

WHEREAS a foundation called and known as the “Olagangala Maha Sudarshana Paropakari Foundation” has heretofore been established in Sri Lanka 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:

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects for which it was established and has applied to be incorporated and it will be for the public advantage to grant the 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 Olagangala Maha Sudarshana Paropakari Foundation (Incorporation) Act, No. 37 of 2011.

Short title.

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

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General objects
of the
Corporation.

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

- (a) to promote and foster practices and moral values needed for the spiritual development of the adherents of the Buddhist faith;
- (b) to minimize the tension experienced by Buddhist by practicing the teachings of Buddha for relieving the mental and emotional stress faced by them and thereby guiding them to a quiet life style;
- (c) to rescue the adherents of the Buddhist faith from petty controversies by developing co-operation and co-existence so that a wider representation is achieved in the community through the understanding of the human nature obtained from Buddhist teachings by persons of whatever age limit, whether young or old;
- (d) to make the Buddhist family and society a self sufficient unit after identifying the social individuality that could bring about a disciplined society free of caste or religious differences;
- (e) to raise through the forest dwelling sect a Bhikku Society well versed in Tripitaka Dhamma suitable in implementing programmes for the dissemination of Dhamma centred on the villages of Sri Lanka and to ensure achievement of the above objects through dedication;
- (f) to develop Dhamma Research Institutes containing Tripitaka Dhamma Books and Buddhist literature for the benefit of the learned, both lay and clergy in Sri Lanka, and to direct them to use the natural environment with existing caves for the practice of mindful meditation while providing them the necessary facilities;

- (g) to provide maximum contribution for the personality development of the Buddhist children faced with poverty by donating financial and material allocations for their physical and mental development;
- (h) to provide modern theoretical and practical knowledge for those who need it in order to maintain agricultural and economic strategies productively;
- (i) to develop physical and human resources needed to guide Buddhist school children to get advise and extra assistance from professionals in the field of education in facing public examinations while at the same time increasing their literacy rate;
- (j) to assist the Buddhist youth interested in pursuing self-employment livelihoods to manage their family economics better by providing them with vocational training and physical and financial resources needed in this regard;
- (k) to act in co-operation with local and foreign institutions having aims and objectives similar to those of the above corporation, and to exchange resources and to act jointly with those institutions, whenever necessary;
- (l) to print and publish books, magazines, bulletins, newspapers and periodicals needed for the accomplishment of the objectives of the corporation and to distribute these as required;
- (m) to extend full sponsorship to conduct, in Sri Lanka or overseas, seminars, discussions, workshops and group educational activities for the promotion of physical, mental, social, ethical and intellectual development activities necessary to lead a perfect life;

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- (n) to conduct Buddhist religious practices with the participation of patients undergoing treatment at hospitals and other similar institutions thereby giving them physical and mental relief and to volunteer to render any service necessary for their well being;
- (o) to intervene instantly to restore the physical and mental stability of adherents of the Buddhist faith facing various calamities including natural disasters and to actively participate in whatever measure needed to restore them to normalcy;
- (p) to promote personal independence by developing attitudes and skills needed for a stronger, determined and targeted community life by directing attention towards the use of identified potentials of human beings for social and individual development; and
- (q) to organise the welfare activities and provide facilities for the upliftment of families of the deceased soldiers who are adherents of the Buddhist faith.

Management of
the affairs of the
Corporation.

4. (1) The Management of the affairs of the Corporation shall, subject to the other provisions of this Act and the rules of the Corporation made under section 6, be administered by a Governing Body consisting of the residential Chief Incumbent of the Olagangala Maha Sudarshana Aranya Senasanaya and the President, the Secretary, the Treasurer, the Assistant Secretary, the Vice President and seven Committee members who shall be elected at the general meeting by a majority of not less than two thirds of the members present and voting.

(2) The first Governing Body of the Corporation shall consist of the members of the Governing body of the Foundation, holding office on the day preceding the date of commencement of this Act.

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

Powers of the Corporation to acquire property, invest funds and raise loans, etc.

- (a) to purchase, acquire, rent, construct and otherwise obtain lands or buildings which may be required for the purposes of the Corporation;
- (b) to borrow or raise money from Government approved Banks and other institutions (foreign and local) for the purposes of the Corporation with the approval of the governing body;
- (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;
- (d) to invest any funds not immediately required for the purposes of the Corporation, in such a manner as the Governing body may think fit;
- (e) to solicit and receive subscription, grants, donations and gifts of all kinds;
- (f) to enter into agreements or contracts with any person, company or body of persons;
- (g) to undertake, accept, execute, perform and administer the lawful trusts and conditions affecting any real or personal 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 train personnel in Sri Lanka or abroad for the purpose of the Corporation.

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Rules of the
Corporation.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting 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 other written law, for all or any of the following matters:—

- (a) classification of membership, their admission, withdrawal, expulsion or resignation;
- (b) election of the Governing Body or vacation of, or removal from office as office-bearers and powers, duties and conduct of the governing body;
- (c) appointment, dismissal, powers, duties, functions and conduct of the various officers, agents and servants of the Corporation;
- (d) the procedure to be observed at and the summoning and holding of meetings of the Governing Body, the Corporation or any sub-committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum therefore and the conduct of business thereat;
- (e) the qualifications and disqualifications for membership in the Governing Body and the Corporation; and
- (f) the administration and management of the property of the Corporation and the accomplishment of the objects of the Corporation.

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

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

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7. The Corporation shall have its own fund and all moneys received by way of gift, bequest, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited in the name of the Corporation in one or more banks approved by the Governing Body.

Fund of the Corporation.

8. All debts and liabilities of the Foundation existing on the day immediately preceding the date of commencement of this Act, shall be paid and discharged by the Corporation hereby constituted and all debts due to, and subscriptions and contributions payable to the Foundation on such day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Foundation.

9. (1) The Governing Body of the Corporation shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Corporation.

Accounts and Audit.

(2) The Accounts of the Corporation shall be audited and certified by a qualified auditor.

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

(4) In this section, “qualified auditor ” means —

- (i) an individual who 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 ; or
- (ii) 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.

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Property
remaining on
dissolution.

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

Seal of the
Corporation.

11. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Secretary, the President and Treasurer 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.

Savings of the
rights of the
Republic and
others.

12. Nothing contained in this Act shall prejudice or affect the rights of the Republic, or of any body politic or corporate.

Sinhala text to
prevail in case of
inconsistency.

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

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