



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

SRI SUGATHA COMMUNITY
DEVELOPMENT FOUNDATION
(INCORPORATION)
ACT, No. 27 OF 1992

[Certified on 21st April, 1992]

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AN ACT TO INCORPORATE THE SRI SUGATHA COMMUNITY
DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as “The Sri Sugatha Community Development Foundation” has heretofore been established at Sri Sugatha Dharmayatanaya, Sri Wimalasiri Mawatha, Templer’s Road, Mount Lavinia, 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 and matters 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 Sri Sugatha Community Development Foundation (Incorporation) Act, No. 27 of 1992.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Sri Sugatha Community Development Foundation (hereinafter referred to as the “Foundation”) or shall hereafter be admitted 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 “the Sri Sugatha Community Development 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.

Incorporation of the Sri Sugatha Community Development Foundation.

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

General objects of the Corporation

- (a) to promote spiritual and physical development of man, in accordance with Buddhist principles ;
- (b) to promote the establishment of a humanitarian society and to take all necessary steps for the furtherance of that object ;
- (c) to work towards the creation of an environment that would be conducive to the development of character :

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- (d) to establish Dhamma schools, Montessori schools and libraries and take steps to promote the moral development of children ;
- (e) to provide the basic skills that would be necessary to enable youth to obtain employment;
- (f) to train young people to obtain employment or engage in self-employment ;
- (g) to provide moral guidance to children, youth and adults and to provide assistance to students ;
- (h) to help the destitute ;
- (i) to promote concord amongst all sections of the people ;
- (j) to engage in cultural and other activities..

General
powers
of the
Corporation.

4. 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 promotion or furtherance of the objects of the Corporation or any one of them, including the power to—

- (a) receive or collect gifts, grants, donations, subsidies and subscriptions, whether in cash or otherwise, from local or foreign sources ;
- (b) operate, open and close bank accounts and to borrow or raise money, with or without security ;
- (c) invest the funds vested in, or belonging to, the Corporation in adequate securities or in the purchase or acquisition of such lands, buildings, goods chattels or other property as may be proper or necessary for carrying out the objects of the Corporation ;
- (d) erect or cause to be erected, any building or structure on any land belonging to, or held by the Corporation ;
- (e) make such investments as are necessary for the promotion of employment in agriculture, arts and crafts, trade, commerce and industry ;
- (f) incur such expenditure as is necessary for the carrying out of the objects of the Corporation ;

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(g) engage, employ and dismiss such officers, and servants, as may be required for carrying out the objects of the Corporation.

5. 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.

6. The affairs of the Corporation, shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation, be administered by a Board of Management consisting of the Chief Incumbent of the Sri Sugatha Dharmayatanaya and such other office bearers as may be provided for by the rules of the Corporation and elected in accordance therewith.

Management of the affairs of the Corporation.

7. (1) The Viharadhipathi of the Sri Sugatha Dharmayatanaya, holding office on the day preceding the date of commencement of this Act, shall be the Patron and Executive Director of the Corporation.

Patron and Executive Director.

(2) Where the Patron and Executive Director is unable to act, by being out of the island or becomes incapable of acting, the senior pupil or preferred pupil of the Patron and Executive Director, shall act in his place and perform all duties of the Patron and Executive Director.

8. There shall be an Advisory Committee for the Corporation. The members of the Advisory Committee shall be elected in accordance with the rules made hereunder.

Advisory Committee.

9. (1) The Corporation may from time to time at a meeting specially convened for the purpose and by a majority of not less than two-thirds of the members present and voting at such meeting, make rules not inconsistent with the provisions of this Act or any other written law, for the management of the affairs of the Corporation and the accomplishment of its objects. In particular and without prejudice to the generality of the foregoing power, such rules may make provision in respect of—

Rules of the Corporation.

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- (a) the admission, resignation and expulsion of members and membership fees ;
- (b) the procedure to be followed in convening meetings of the Corporation and of the Board of Management and the transaction of business at such meetings ; and
- (c) the conduct of the duties of the various officers, agents and servants of the Corporation.

(2) The rules of the Foundation in force on the day 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 section.

(3) Any rule of the Corporation may be amended or rescinded in like manner as a rule may be made under subsection (1).

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

Seal
of the
Corporation.

10. The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of such number of persons 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 witness.

Election of
office
bearers

11. The Corporation shall at a General Meeting convened by the Patron and Executive Director within a period of one month of the date of commencement of this Act, elect the first office bearers, in accordance with the rules of the Corporation. Subsequent election of office bearers shall be at the Annual General Meeting to be held in accordance with the rules of the Corporation.

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

Debts due by and payable to the Foundation.

13. Nothing in this Act contained shall, prejudice or affect the rights of the Republic or 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.

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

Sinhala text to prevail in case of inconsistency.

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