



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

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**KATARAGAMA KIRIVEHERA RAJAMAHA  
VIHARASTA DEVELOPMENT FOUNDATION  
(INCORPORATION) ACT, No. 41 OF 2003**

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[Certified on 27th November, 2003]

*Printed on the Order of Government*

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*Kataragama Kirivehera Rajamaha Viharasta  
Development Foundation (Incorporation)  
Act, No. 41 of 2003*

[Certified on 27th November, 2003]

L. D. — O. 28/2002

AN ACT TO INCORPORATE THE KATARAGAMA KIRIVEHERA  
RAJAMAHA VIHARASTA DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as “The Kataragama Kirivehera Rajamaha Viharasta Development Foundation” has heretofore been formed 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 formed 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 Kataragama Kirivehera Rajamaha Viharasta Development Foundation (Incorporation) Act, No. 41 of 2003.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Kataragama Kirivehera Rajamaha Viharasta Development Foundation (hereinafter referred to as “the Foundation”) and 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 “Kataragama Kirivehera Rajamaha Viharasta 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 to alter the same at its pleasure.

Incorporation of the Kataragama Kirivehera Rajamaha Viharasta Development Foundation.

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

General objects of the Corporation.

- (a) to construct new buildings for the Kataragama Kirivehera Rajamaha Viharastanaya and other temples affiliated thereto and to maintain and renovate of existing buildings ;

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- (b) to encourage the people to protect the environment and to educate them on successful management of the environment ;
- (c) to preserve the historic monuments and cultural artefacts in the sacred city of Kataragama ;
- (d) to promote the religious education of the Buddhist laity ;
- (e) to provide the resident Bhikkus of the Kataragama Kirivehera with educational facilities and to help them in with their daily needs ;
- (f) to promote cultural activities, including ancient forms of art, in the village and the area in and around the Kataragama Kirivehera ;
- (g) to engage in the dissemination of the Dhamma Internationally ;
- (h) to preserve and disseminate the Buddhist philosophy and the Buddhist way of life ;
- (i) to establish friendly relations with other Buddhist organization in Sri Lanka and abroad ;
- (j) to do all such other acts and things as are necessary, conducive or incidental to the attainment of all or any of the objects of the corporation.

General Powers of  
the Corporation.

4. Subject to the provisions of this Act or any other written law, the Corporation shall have the power to do, perform and execute, all such acts, matters and things 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 open, operate and close bank accounts, to borrow or raise money with or without security, to receive or collect grants and donations, to invest its funds and to engage, employ and dismiss, officers and servants required for the carrying out of the objects of the Corporations.

5. (1) 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 Committee of Management consisting of the President, the Vice President, the Secretary, the Assistant Secretary, the Treasurer and not less than six other members elected in accordance with such rules.

Management of the affairs of the Corporation.

(2) Notwithstanding anything to the contrary in subsection (1) of this section Ven. Aluthwewa Soratha shall be the President of the Corporation.

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

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

Rules of the Corporation.

- (a) the classification of membership and the admission, withdrawal or expulsion of members ;
- (b) the election of the office-bearers, the resignation from, or vacation of or removal from office of office-bearers and their powers, conduct and duties ;
- (c) the election of the members of the Committee of Management and its powers, conduct and duties and the terms of office of members of the Committee of Management ;
- (d) the powers, conduct, duties and functions of the officers, agents and servants of the Corporation ;

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- (e) the procedure to be observed for the summoning and holding of meeting of the Committee of Management, the times, place, notices and agenda of such meeting, the quorum therefor and the conduct of business thereat ;
- (f) the administration and management of the property of the Corporation, the custody of its funds, and the maintenance and audit of its accounts ; and
- (g) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule 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).

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

Fund of the  
Corporation.

7. (1) The Corporation shall have its own fund and all monies received by way of gifts, testamentary dispositions, grants, donations, contributions or fees shall be deposited in the name of the Corporation in one or more banks as may be decided by the Committee of Management.

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

(3) All expenses borne by the Corporation in the exercise and discharge of the powers and functions of the Corporation shall be paid out of the fund.

Debts due by and  
payable to the  
Foundation.

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

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9. The Corporation shall be able and capable in law, to acquire 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 purpose of this Act, and subject to the rules in force for the time being of the Corporation and it shall have full power to sell, mortgage lease, exchange or otherwise dispose of the same.

Corporation may hold property movable or immovable.

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

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

Accounts and Audits.

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

(3) The accounts of the Corporation shall be audited by a qualified auditor.

12. 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 persons 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.

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

Sinhala text to prevail in case of inconsistency.

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