



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

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**PAHALAGAMA SRI SOMARATHANA NAYAKA  
THERO FOUNDATION (INCORPORATION)**

*(Private Member's Bill)*

**A**

**BILL**

**to incorporate the Pahalagama Sri Somarathana Nayaka Thero  
Foundation**

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*Presented by Hon. Vijitha Herath, M. P. for Gampaha District on  
June 09, 2010*

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*Ordered by Parliament to be printed*

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**[Bill No. 9]**

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*Pahalagama Sri Somarathana Nayaka Thero  
Foundation (Incorporation)*

AN ACT TO INCORPORATE THE PAHALAGAMA SRI SOMARATHANA  
NAYAKA THERO FOUNDATION

WHEREAS a Foundation called and known as the Preamble.  
“Pahalagama Sri Somarathana Nayaka Thero” has heretofore  
been formed for the purpose of effectually carrying out its  
objects and transacting all matters connected with the  
5 Foundation, according to the rules agreed to, by its members:

AND WHEREAS the said Foundation has applied to be  
incorporated in order to enable it more effectively to carry  
out and fulfil the several objects and purposes for which it  
was formed and it will be for the public advantage to grant  
10 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 Pahalagama Sri Short title.  
Somarathana Nayaka Thero Foundation (Incorporation) Act,  
15 No. of 2010.

2. From and after the date of commencement of this Act, Incorporation  
such and so many persons as now are members of the of the  
Pahalagama Sri Somarathana Nayaka Thero Foundation Pahalagama  
(hereinafter referred to as the “Foundation”) or shall hereafter Sri  
20 be admitted members of the Corporation hereby constituted, Somarathana  
shall be a body corporate (hereinafter referred to as the Nayaka  
“Corporation”) with perpetual succession, under the name Thero  
Foundation  
25 courts with full power and authority to have and use a  
common seal and to alter the same at its pleasure.

3. The general objects for which the Corporation is General  
constituted are hereby declared to be— Objects of  
the  
30 (a) conducting Dhamma sermons, discussions and Corporation.  
seminars;

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Foundation (Incorporation)*

- (b) printing, publishing and distribution of Buddhist books, magazines, journals, papers and programmes;
- (c) setting up and maintenance of reading halls, lecture halls, and academic institutions and study, promotion and propaganda of Buddhism;
- (d) organising and conducting of all activities for the improvement of Buddhist culture and moral development;
- (e) to take steps to improve the way of life of the Buddhists and to promote national and religious customs and to improve the spiritual virtues and social values;
- (f) to take steps to save the younger generation from social and economic hardships irrespective of national, religious and/or ethnic differences;
- (g) to conduct social service activities in accordance with Buddhist principles and to encourage the Buddhists to engage in such activities;
- (h) to establish and maintain institutions for educational and social service activities such as childrens' homes, elders' homes, hostels and other social service institutions.

4. Subject to the provisions of this Act, or other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things what so ever 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 Corporation.

General Powers of the Corporation.

*Pahalagama Sri Somarathana Nayaka Thero*      3  
*Foundation (Incorporation)*

5      **5.** (1) The affairs of the Corporation shall, subject to the 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 Honorary Treasurer and not less than six other members as may be provided for in those rules and elected in accordance therewith.

Management  
of the affairs  
of the  
Corporation.

10      (2) The member of the Foundation, Rev. Pahalagama Sri Somarathana Nayaka Thero shall be the Chairman of the Board of Directors for life. The Chairman shall be the Chief Executive Officer of the Corporation.

15      (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 preceding the date of commencement of this Act, and whose names are specified in the Schedule to this Act.

20      **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 any other written law, for all or any of the following matters :—

Rules of the  
Corporation.

- 25      (a) the classification of membership and the admission, withdrawal or expulsion of members ;
- 30      (b) the election of the office bearers, resignation 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 its powers, conduct and duties ;
- (d) the procedure to be observed at, and the summoning and holding of meetings of the Corporation, Committee of Management or any sub-committee

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and of the time, places, notices and agenda, of such meetings, the quorum therefore and the conduct of business thereof;

5     (e) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation;

(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

10    (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).

15    (3) 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 rules made under this section.

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

25    7. All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation 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.

30    8. 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, lease or testamentary disposition or otherwise and all

Corporation may hold property movable and immovable.

such property shall be held by the Corporation for the purposes of this Act and subject to the rules of the Corporation for the time being in force with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

5     **9.** The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of a member of the Committee of Management and the Honorary Secretary or such other person duly authorised by the Committee of Management who shall sign their names to  
10 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.

15     **10.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or 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.

20     **11.** 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.

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