



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

**KUDABUTHGAMUWA SRI PIYADASSINARAMA
VIHARASTHANA PERFORMANCE SOCIETY
(INCORPORATION)**

A

BILL

**to incorporate the Kudabuthgamuwa Sri Piyadassinarama Viharasthana
Performance Society**

*Presented by Hon. (Mrs.) Sriyani Wijewickrama M. P. for
Digamadulla District on January 05, 2011*

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*Kudabuthgamuwa Sri Piyadassinarama
Viharasthana Performance Society (Incorporation)*

AN ACT TO INCORPORATE THE KUDABUTHGAMUWA SRI
PIYADASSINARAMA VIHARASTHANA PERFORMANCE SOCIETY
(INCORPORATION)

WHEREAS a Society called and known as the Preamble.
“Kudabuthgamuwa Sri Piyadassinarama Viharasthana
Performance Society” has heretofore been formed for the
purpose of effectually carrying out its object and transacting
5 all matters concerned with the said Society according to the
rules agreed to by its members:

AND WHEREAS the said Society has heretofore successfully
carried out and transacted the several objects and matters for
which it was formed and has applied to be incorporated and
10 it will be for the public advantage to grant the said
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 Kudabuthgamuwa Sri Short title.
15 Piyadassinarama Viharasthana Performance Society
(Incorporation) Act, No. of 2011.

2. From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the of the
“Kudabuthgamuwa Sri Piyadassinarama Viharasthana Kudabuthgamuwa
20 Performance Society” (hereinafter referred to as the Sri
“Society”) or shall hereafter be admitted members of the Piyadassinarama
Corporation hereby constituted, shall be a body corporate Viharasthana
(herein after referred to as the “Corporation”), with perpetual Performance
25 “Kudabuthgamuwa Sri Piyadassinarama Viharasthana Society.
Performance Society” 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.

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

- (a) to ensure the security of the Temple and maintain and development of the Temple;
- 5 (b) to take action to protect the resident Bhikkhus and to provide their needs;
- (c) to give assistance for activities aimed at the development of religious, social and economic aspects of the area around the Temple;
- 10 (d) while taking action for the stability of the Buddha Dhamma; to take action for the establishment of a society based on the Buddhist moral value and observing the five precepts;
- 15 (e) to make provisions for the achievement of all objectives expected from a Buddhist Temple;
- (f) to establish and maintain institutions for the welfare training and rehabilitation of the destitute, the disabled, the aged, the sick and displaced persons ; and
- 20 (g) to perform such acts, deeds and things as may be necessary, conducive or incidental to the attainment of the aforesaid objects of the Corporation.

4. (1) The affairs of the Corporation shall subject to the rules in force for the time being of the Corporation, be administered by a Board of Management consisting of the President, who should be Chief Incumbent of the Viharaya and Vice President, Secretary, Assistant Secretary, treasurer and five Committee members elected or appointed in accordance with the rules of the Corporation. Management
of the affairs
of the
Corporation.

30 (2) The first Board of Management of the Corporation shall be the Board of Management of the Society holding office on the day preceding the date of commencement of this Act.

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

- 5 (a) acquire, hold, take or give on lease or hire, mortgage
pledge, sell, exchange, or otherwise alienate,
encumber or dispose of any immovable property
for the purpose of the Corporation;
- 10 (b) enter into and perform or carry out, whether or
through any officer or agent authorized in that
behalf by the Corporation, all such contracts or
agreements as may be necessary for the attainment
of the objects or the exercise of the powers of the
Corporation;
- 15 (c) accept gifts, donations and bequests in cash or in
kind;
- (d) invest its funds, create and administer Trusts and to
maintain current, deposit and savings accounts in
any bank;
- 20 (e) publish or cause to be published books, journals,
magazines and other literature and establish and
maintain libraries, bookshops and printing presses;
- (f) advance or lend and to borrow money for the
purposes of the Corporation in such manner
and upon such security as the Corporation may
think fit;
- 25 (g) appoint, employ, transfer, exercise disciplinary
control over and dismiss officers and servants
requires for the carrying out of the objects of the
Corporation and to rescribe their terms and
conditions of services; and
- 30 (h) generally to do all such acts and things as are
necessary for and incidental or conducive to the
carrying out of the objects of the Corporation.

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6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the members and by votes of at least two-thirds of the members present and voting to make such rules, not inconsistent with the provisions of this Act, or any other written law, for the admission, withdrawal or expulsion of members, election of the office bearers and the Board of Management and otherwise generally, for the management of the affairs of the Corporation and the attainment of its objects including rules providing for the filling of any vacancy in the Board of Management of the Corporation. Such rules when made may, at a like meeting and in like manner be altered, added to, amended or rescinded.

Rules of the Corporation.

(2) Any rules of the Foundation in force on the day preceding the date of commencement of this Act shall to be deemed to be the rules of the Corporation made under this Section in so far they are not inconsistent with the provisions of this Act or any other written law.

(3) The members of the Corporation shall at all times be subject to the rules for the time being of the Corporation.

7. (1) The Corporation shall have its own fund and all moneys received by way of gifts, testamentary, disposition, transfer, donation, contributions or fees shall be deposited in the name of the Corporation in one or more Banks as may be determined by the Board of Management.

Fund of the Corporation.

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

(3) All expenses incurred by the Corporation in exercising and discharging its' powers and functions shall be paid out of the fund.

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8. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman and the Secretary of the Corporation who shall sign their names to the instrument in token of their presence and such signing shall be independent of signing of any person as a witness. Seal of the Corporation.

9. (a) The financial year of the Corporation shall be the calendar year. Audit and Accounts.

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

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

In this connection "Qualified Auditor" means —

15 (a) 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 such Institute ; or

20 (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 such Institutes.

25 10. No person shall be liable in any suit or other legal proceedings for any Act done, or purporting to be done, in good faith in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act. Indemnity for acts done in good faith.

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5 **11.** 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 form, or under them.

Saving of the rights of the Republic and others.

12. 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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