



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

**MADAHAPOLA SRI RATNAPALARAMAYA
RELIGIOUS AND BUDDHIST EDUCATIONAL
DEVELOPMENT FOUNDATION (INCORPORATION)**

A

BILL

**to incorporate the Madahapola Sri Ratnapalaramaya Religious and
Buddhist Educational Development Foundation**

*Presented by the Hon. Neranjana Wickremasinghe, M.P. for
Kurunegala District on 21st June, 2011*

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*Madahapola Sri Ratnapalaramaya Religious
and Buddhist Educational Development
Foundation(Incorporation)*

AN ACT TO INCORPORATE THE MADAHAPOLA SRI RATNAPALARAMAYA
RELIGIOUS AND BUDDHIST EDUCATIONAL DEVELOPMENT
FOUNDATION

WHEREAS a society called and known as the “Madahapola Sri Ratnapalaramaya Religious and Buddhist Educational Development Foundation”, has heretofore been formed at Madahapola for the purpose of effectually carrying out its objects and transacting all matters connected with the said foundation according to the rules agreed to by the members.

Preamble.

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 as acceding to this request will be for the public interest.

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 Madahapola Sri Ratnapalaramaya Religious and Buddhist Educational Development Foundation (Incorporation) Act, No. of 2011.

Short title.

2. From and after the commencement of this Act, such and so many persons as now are members of the Madahapola Sri Ratnapalaramaya Religious and Buddhist Educational Foundation (hereinafter referred to as “the Foundation”) and such other persons as shall hereafter be admitted as members of the corporation hereby constituted, shall be, and become a body corporate with perpetual succession under the name and style of the “Madahapola Sri Ratnapalaramaya Religious and Buddhist Educational Development Foundation” (hereinafter referred to as “The Corporation”) 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 Madahapola Sri Ratnapalaramaya Religious and Buddhist Educational Foundation.

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

General
objects of the
Corporation.

- 5 (a) protect and nourish Buddhism, safeguard the rights of Buddhists, Protect the spiritual, educational, cultural and social rights of Buddhists;
- 10 (b) bring about moral and economic progress of the society through quantitative and qualitative development of Buddhist Bhikkus in historical Yapahuwa area;
- 15 (c) draw advisory and financial support from Centers of Bhikku Organizations, Government Institutions, Non-Governmental Organizations, Sasana Development Fund of the Dalada Maligawa, the Sri Siddartha Saranankara Welfare Foundation of Malwathu Viharaya and foreign embassies;
- 20 (d) lay the foundation for a long term program for religious development by establishing a fund and incorporating it;
- 25 (e) construct a building complex with residential facilities for about 100 Bhikkus, endowed with capabilities for the development of religious activities, modern communication skills and proficiency in languages;
- 30 (f) drawing the attention of relevant authorities to the need to pave the way for a life style based on righteous employment in a hydraulic civilization;
- (g) provide facilities for the temples to serve the public based on the concept 'from temple to the people rather than from people to the temple';
- (h) take necessary steps to lead the youth on righteous paths by moving them away from misdirected paths;

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- (i) take action to eradicate the addiction to drugs which is a social menace;
- (j) motivate the people to commence pre-schools in temple premises and implement programs to motivate children to lead a religious life;
- (k) take necessary steps to commence Damma Schools in temples where Damma Schools are not conducted;
4. Subject to 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 power to open, operate and close bank accounts, borrow or raise moneys with or without security, to accept and collect grants and donations, to invest the corporations funds and to engage, employ and dismiss officers and servants required or suitable for promotion and carrying out all of or any one of the objects of the Corporation.
5. The affairs of the corporation shall be managed by a Board of Management selected subject to and in accordance with the regulations of the Board.
6. The officers who held office in the Madahapola Sri Ratnapalaramaya Religious and Buddhist Educational Development Foundation on the day preceding the date of the commencement of this Act shall continue to hold office in the Corporation under the regulations of this Act and the persons who were members on that date will continue to be members subject to the regulations of this Corporation.
7. It shall be lawful for Corporation from time to time at any general meeting by majority of votes of not less than two thirds of the members present and voting to make such
- Management of the activities of the Corporation.
- Rules of the Corporation.
- Permission for the officers who served the Corporation before incorporation to continue in office after incorporation.
- General powers of the Corporation.

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rules as are not inconsistent with the provisions of this Act
or any other written law for the purpose of admission,
resignation and expulsion of members, procedure to be
observed in the transaction of the business of the Corporation
5 and general administration or in pursuit of the objects of
Corporation by the representatives, employees or the
Directorate.

Rules so made can be amended or rescinded in the same
manner they were made at a similar meeting.

10 **8.** The members of the corporation shall be subjected to
the rules of the Corporation.

Members of
the
Corporation
to be
subjected to
rules of the
corporation.

15 **9.** The corporation shall be able and capable in law to
acquire and hold any property, movable or immovable, which
may become vested in by virtue of any purchase, grant, gift
and testamentary disposition or otherwise and all such
property shall be held by the Corporation for the purpose of
the Corporation and subject to rules of this Act and
provisions of the Corporation with full power to mortgage,
sell, lease, exchange or otherwise dispose of the same.

Corporation
may hold
property.

20 **10.** All debts and liabilities of the foundation existing
on the day preceding the day of commencement of the Act
shall be paid by the Corporation hereby constituted and all
debts due to and subscriptions and contributions payable to
the Corporations on that day, shall be paid to the Corporation

Debts
payable by
and payable
to the
Corporation.

25 for the purpose of this Act.

30 **11.** The Seal of the Corporation shall not be affixed to
any instrument whatsoever except in the presence of two
member of the Board of Management 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.

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

5 (2) The accounts of the Corporation shall be audited by a qualified Auditor.

(3) In this section, “qualified Auditor” means—

10 (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 the Council of such institute; or

15 (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 the Council of such Institute.

13. If upon dissolution of the Corporation, there remains any property whatsoever, after the satisfaction of all debts and liabilities, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other institution 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 or their members. Such institution or institutions may be determined by the members of the Committee of Management on or before the dissolution of the Corporation. Property remaining on dissolution.

14. Nothing contained in this Act shall prejudice the rights of the Republic or any body politic or corporate or any other person except the rights of those mentioned in this Act and those claiming rights from them or through them or under them. Savings of the rights of the Republic and others.

15. 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 any inconsistency.

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