



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

**KANDY SRI PUSHPADANA SOCIETY LTD.
(INCORPORATION)**

A

BILL

to incorporate the Kandy Sri Pushpadana Society Ltd.

*Presented by Hon. Dilum Amunugama, M. P. for Kandy District
on 24th November, 2015*

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Kandy Sri Pushpadana Society Ltd.
(Incorporation)

L.D.—O. 6/2006.

AN ACT TO INCORPORATE KANDY SRI PUSHPADANA SOCIETY LTD.

WHEREAS as a Society known as “the Kandy Sri Pushpadana Society Ltd” had been established so far for the purpose of implementing all its objectives and matters as agreed upon according to the regulation, by the said Society and its members:

Preamble.

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AND WHEREAS the said Society has so far successfully implemented the said objectives and matters for which it was established, and an application has been made to incorporate the said society and it will be for the public advantage to grant such application:

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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 Kandy Sri Pushpadana Society Ltd. (Incorporation) Act, No. of 2015.

Short title.

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2. From and after the date of commencement of this Act, such and so many person as now are members of the Kandy Sri Pushpadana Society Ltd. (hereinafter referred to as the “Organisation”) 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 “Kandy Sri Pushpadana Society Ltd.” 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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Incorporation of Kandy Sri Pushpadana Society Ltd.

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

General objects of the Corporation.

(a) provide flowers free of charge to devotees who come to worship the Sri Dalada Maligawa

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especially on fullmoon poya days and generally on other days to be offered and offer milk food to the Sacred Tooth Relic on full moon poya days;

5 (b) provide board and lodging to pilgrims, both lay and clergy at the Society hall;

 (c) establish and maintain Schools and Dhamma Schools to develop wisdom of the Buddhist community;

10 (d) in addition to Dhamma School service, organize inter - dhamma school oratorical contests, quiz contests, educational tours and workshops;

 (e) take all steps necessary for the progress of Buddhist principles and Buddhist culture;

15 (f) the Corporation shall work frequently to safeguard religious and national identity of the Buddhist community and to respect the rights of other religious and nations;

20 (g) take remedial measures to develop the economical standard of the Buddhist community and take steps to ensure mutual friendship of the members;

 (h) train local and foreign missionaries from among both laymen and clergymen;

 (i) conduct professional courses for unemployed youth and find employment for them ;

25 (j) conduct tuition classes for students preparing for examinations;

30 (k) make arrangements to hold Mihindu perahera annually on every Poson Poya day and to proceed along the streets of Kandy with elephants and tuskars exhibiting special local cultural and religious items;

(l) provide financial assistance, articles and other aids to victims and displaced people in situations of natural and national disasters; and

5 (m) act in collaboration with any general public organization which works for the existence of religion and local culture.

10 **4.** (1) The Corporation comprises of a Board of Advisors not more than five clergymen and laymen, Board of Trustees comprising of the Chairman, three Vice Chairman Secretary and Treasurer, a Board of Officials comprising of Chairman, three Vice-Chairmen, Secretary, Assistant Secretary, Treasurer, Inspector, General Manager, and Secretary of the religions division, and in addition to the Board of Officials, a General Committee comprising of fifteen officers and the
15 General Assembly.

Management of the affairs of the Corporation.

20 In addition there will be four committees elected by the General Committee at its discretion, viz. finance and buildings, religious and cultural, education, social services and special projects, and sub-committees shall be appointed as may be necessary when launching respective projects.

25 (2) As provided for by the laws and regulations and members of the Corporation, the administrative activities of the Corporation should be operated by a Management Council hereinafter referred to as the 'Council' comprising of other persons elected or nominated according to the existing regulations of the Society at the relevant time.

30 (3) The first Management Council of the Corporation shall be the Management Council of the Society which held offices on the day prior to the date of commencement of the implementation of this Act.

35 **5.** (1) The custody of all the moveable and immoveable properties of the Society should be vested in a Board of Trustees comprising of a number of members elected according to the regulations of the Corporation, and subject to the said regulations.

Board of Trustees.

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(2) The First Board of Trustees of the Corporation shall be the same of the Society which had been holding offices on the day prior to the date of commencement of this Act.

5 **6.** The Corporation shall have the following powers subject to the provisions of this Act and any other written law:— General powers of the Corporation.

- 10 (a) the acquisition, possession and development of moveable or immovable property belonging to the Corporation by way of purchasing, grant, gift, disposal of property by a Last Will or in any other manner;
- (b) transferring, mortgaging, leasing, exchanging or disposal in any other manner of such property;
- 15 (c) for the purpose of implementing the objectives of the Corporation, appointment of officers and workers necessary, employ, payment of remuneration of them, implementation of discipline concerning them, and dismiss them from service;
- 20 (d) acceptance of local and foreign financial or material grants, gifts or donations;
- (e) opening, maintenance and closure of bank accounts or bank accounts or taking or obtaining loans with or without security;
- 25 (f) investment of money belonging to the Corporation in certain security bills determined by the Corporation;
- (g) in order to achieve the objectives of the Corporation, performance of all acts and deeds incidental or beneficial to the Corporation.

7. (1) The fund of the Corporation shall be comprised of the following moneys:—

Fund of the Corporation.

(a) moneys credited to the Society as at the date prior to the commencement of the implementation of this Act and the moneys that should have been vested in the Corporation from that date;

(b) moneys received by the Corporation after the commencement of this Act.

(2) All fund credited to the Corporation should be utilized for the management of the activities of the Corporation and achievement its objectives.

8. (1) It shall be lawful to enact, from time to time regulations which are not inconsistent with the provisions of this Act or any other written law for all these under mentioned matters or few them by a not less than 2/3rd majority of votes of the members who cast their votes at a general meeting:—

Rules of the Corporation.

(a) selection and nomination of members of the Corporation and their powers, duties and the term of office;

(b) powers, conduct, duties and functions of various officers, representatives and employees of the Corporation;

(c) procedure to be adopted when summoning and holding meetings of the Corporation, times and venues of holding meetings, agenda and quorum of meetings, maintenance of activities of the said meetings and inclusions activities of them;

(d) qualifications and disqualifications for the membership of the Corporation and Council;

(e) use of property belonging to the Corporation, custody of the moneys of the Corporation, maintenance and auditing of accounts of the Corporation; and

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(f) general management of activities of the Corporation and achieving its objectives.

5 (2) Any regulation enacted under subsection 1 can be amended, added something to it, or can be repealed in a like manner at such meeting.

(3) The rules of the said Society in force on the day preceding the date of commencement of this Act shall deemed to be the rules of the Corporation made under this section in so far as they are not inconsistent with this Act or
10 any other written law.

(4) All the members of the Corporation should be subject to the regulations which are in force at the relevant time.

15 **9.** All debts and liabilities of the Society existed prior to the date of commencement of the Act should be settled by the Corporation and all various charity including debts and contributions to be paid as at the said date should be paid to the Corporation for purpose of this Act. Debts to be paid and recovered by the Corporation.

20 **10.** The seal of the Corporation should be in the custody of the Secretary of the Corporation and the seal of the Corporation should not be placed on any instrument except before the Secretary and any other number of persons as provided for by the regulations of the Corporation who shall sign their names on the instrument in token of their presence and such signing shall be independent of the signing of any
25 person as a witness. Seal of the Corporation.

11. Nothing contained in this Act shall prejudice or affect the rights of the Republic or any body corporate or 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.

30 **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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