

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

Part II of December 01, 2023

SUPPLEMENT

(Issued on 05.12.2023)



**DAHAM SEWANE SINGITHTHO LAMA
SANWARDANA PADANAMA
(INCORPORATION)**

(Private Members' Bill)

A

BILL

**to incorporate the
Daham Sewane Singiththo Lama Sanwardana Padanama**

*To be presented in Parliament by Hon. Gamini Lokuge, M.P.
for Colombo District*

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*Daham Sewane Singiththo Lama Sanwardana
Padanama (Incorporation)*

AN ACT TO INCORPORATE THE DAHAM SEWANE SINGITHTHO LAMA
SANWARDANA PADANAMA

WHEREAS a foundation called and known as the “Daham Sewane Singiththo Lama Sanwardana Padanama” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Foundation according to the rules agree to by its members:

Preamble

AND WHEREAS the said Foundation has hereafter successfully carried out and transacted several objects and matters for which it was established, and has applied to be incorporated and it will be expedient 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 Daham Sewane Singiththo Lama Sanwardana Padanama (Incorporation) Act, No. 2023.

Short title

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Daham Sewane Singiththo Lama Sanwardana Padanama” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as member of the Corporation hereby constituted, shall be a body corporate, with perpetual succession, under the name and style of the “Daham Sewane Singiththo Lama Sanwardana Padanama” (hereinafter referred to as the “Corporation”) and by that name may sue and be sued, with full power and

Incorporation
of the Daham
Sewane
Singiththo
Lama
Sanwardana
Padanama

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authority to have and use a common seal and alter the same as its pleasure.

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

- 5 (a) educating Pre-school children up to University students by facilitating many Language opportunities;
- (b) serving Children of all religions together in one accord in order to develop Spiritual equal qualities among all students;
- 10 (c) identifying, feeding and educating the malnourished and differently abled children in different communities; and
- (d) to do all such other acts and things as are necessary for, and incidental to conducive to the attainment of the above objects.
- 15

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts and matters as necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power- Powers of
the
Corporation

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- (a) to raise funds and receive grants, gifts or donations in cash or kind;
- (b) to acquire, in any manner whatsoever and hold, take or give on leave or hire, sell or otherwise dispose of, any movable or immovable property
- 25

and construct, maintain and alter any building or works necessary or convenient for business of the Corporation;

5 (c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate and close bank accounts and borrow or raise money with or without security;

10 (d) to invest any funds not immediately required for the purpose of the Corporation in such manner as the Board of Management may determine;

15 (e) to enter into agreement or contracts with any person, or body of persons whether incorporated in Sri Lanka or abroad or with any Government Department, Corporation, Board, Provincial Council or Local Authority for the achievement of the objects of the Corporation;

20 (f) to determine the fees to be paid in request of registration of different categories of membership; and

25 (g) appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation.

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 Board of Management of the Corporation

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Directors consisting of the Director-General, the Deputy Chairman, the Secretary, Deputy Secretary and Treasurer and not less than seven other members elected in accordance with such rules.

5 (2) The Board of Directors of the Corporation shall consist of the members of the Board of Directors of the day immediately preceding the date of commencement of this Act.

10 6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes 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 the admission, withdrawal or expulsion of members, the election of the Board of
15 Management, for the conduct of the duties of the office bearers, agents, officers and servants of the Corporation, for the procedure to be followed in the transaction of business by the Corporation and Board of Management and generally, for the management of the affairs of the Corporation and the
20 accomplishment of its objects. Such rules when made may as a like meeting and in like manner, be altered, added to, amended or rescinded.

Rules of the Corporation

(2) The members of the Corporation shall be subject to the rules of the Corporation.

25 7. (1) The Corporation shall have its own fund. All moneys received by way of gifts, bequests, donations, transfers, subscriptions, contributions, or fees shall be deposited to the credit of the Corporation in one or more banks as the Board of Management shall determine.

Fund of the Corporation

30 (2) There shall be paid out of the fund of the Corporation, all such of money as may be required to defray any expenditure incurred by the Corporation in carrying out the objects of the Corporation.

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5 (3) The moneys and property of the Corporation whosoever derived shall be applied solely towards the promotion of the objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the Corporation.

8. (1) The financial year of the Corporation shall be the calendar year. Accounts and
Audit

10 (2) The Corporation shall cause proper accounts to be kept of 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 as may be determined by the Board.

(4) In this section, 'qualified auditor' means:-

15 (a) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or any other institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such
20 institute; or

(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 any other institute established by law, possesses a
25 certificate to practice as an Accountant issued by the Council of such institute.

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9. The Seal of the Corporation shall not be affixed to any instrument whatsoever, expect in the presence of the Director-General and the Secretary who shall sign their names on the instrument in token of their presence any person as a witness.
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10. All debts and liabilities of the foundation existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted, and all debts due to, and subscriptions and contributions payable to the foundation on that day shall be paid to the Corporation for the purpose of this Act.
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11. 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, testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of this Act and subject to the rules in force for the time being of the Corporation, with full power to sell, mortgage, lease exchange or otherwise dispose of the same.
- 15
12. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to some other Foundation or Foundations having objects similar to those of the Corporation, and which is or are, by its rules thereof prohibited from distributing any income or property among its or their members. Such foundation or foundations shall be determined by the Board at or immediately before the dissolution of the Corporation.
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- Seal of the Corporation
- Debts due by and payable to the Corporation
- Corporation may hold property movable and immovable
- Property remaining on dissolution

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5 **13.** 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 person, 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

14. 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

