



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

**AIYENAYAKA DEVALA DEVELOPMENT
MUDIYANSE TENNAKOON FOUNDATION
(INCORPORATION) ACT, No. 20 OF 2003**

[Certified on 21st July, 2003]

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*Aiyenayaka Devala Development Mudiyanse
Tennakoon Foundation (Incorporation)
Act, No. 20 of 2003*

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L. D. — O. 32/2002

AN ACT TO INCORPORATE THE AIYENAYAKA DEVALA
DEVELOPMENT MUDIYANSE TENNAKOON FOUNDATION

WHEREAS a Foundation called and known as the ‘Aiyenayaka Devala Development Mudiyanse Tennakoon Foundation’ has heretofore been formed in Sri Lanka for the purpose of effectually carrying out the objects of the said foundation and transacting all matters connected with the said Foundation according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated, and it will be for the public advantage to grant such 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 Aiyenayaka Devala Development Mudiyanse Tennakoon Foundation (Incorporation) Act, No. 20 of 2003.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Aiyenayaka Devala Development Mudiyanse Tennakoon Foundation (hereinafter referred to as the foundation) 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 ‘Aiyenayaka Devala Development Mudiyanse Tennakoon Foundation’ 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
the Aiyenayaka
Devala
Development
Mudiyanse
Tennakoon
Foundation.

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General Objects
of the
Corporation.

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

- (a) to preserve and develop the historic Aiyenayaka Devalaya at Deduru Oya in Nikaweratiya;
- (b) to practise the traditional forms of offerings and customs in respect of the Aiyenayaka Devala and Aiyenayaka God;
- (c) to preserve the historic monuments and cultural artefacts in the sacred premises of the Aiyenayaka Devalaya;
- (d) to continue and foster the programme of national, cultural and religious rituals as well as the programme of sports and dancing implemented in 1958 ;
- (e) to maintain and improve all the buildings, electricity and water supply and sanitary services at the sacred premises of the Aiyenayaka Devalaya;
- (f) to sponsor religious, cultural and social services approved by the Corporation;
- (g) to implement co-ordinated programmes through co-operation with whatever social service and religious and cultural organizations in Sri Lanka and abroad deemed necessary by the Corporation;
- (h) to do all such other things as are incidental or conducive to the attainment of all or any of the objects of the Corporation.

Fund of the
Corporation.

4. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gift, request, donation, subscription, contribution, fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more state banks as the Board of Management shall determine.

(2) There shall be paid out of the Fund of the Corporation all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

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

6. (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 office bearers and such other persons as may be provided for in such rules and elected in accordance therewith.

Management of the affairs of the Corporation.

(2) The First Board of management of the Corporation shall be the Board of management of the Foundation holding office on the day prior to the date of commencement of this Act.

7. (1) There 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 the admission, withdrawal, resignation, retirement or expulsion of members, for the election of office bearers of the Board of management and of the various officers, agents and servants of the Corporation, for the procedure to be followed in the transaction of business, and otherwise generally for the management of the affairs of the Corporation and the accomplishment of its objects. The rules of the Corporation may be amended, altered, added to, or rescinded at a like meeting and in like manner.

Rules of the Corporation.

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(2) The rules of the Foundation in force on the day preceding the date of commencement of operation of this Act shall be deemed to be the rules of the Corporation made under this section in so far as they are not inconsistent with the provisions of this Act.

(3) Members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

Debts due by and payable to the Corporation.

8. 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, subscriptions and contributions payable to, the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

Corporation may hold property movable or immovable.

9. The Corporation shall be able and capable in law, to acquire 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 shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same. All land, immovable and movable property including buildings and all assets and rights held by the Foundation prior to the commencement of this Act shall become vested in the Corporation incorporated by this Act.

Seal of the Corporation.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of such number of office bearers as may be provided for in the rules of the Corporation 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.

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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 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.

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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