



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

**SOCIAL SERVICE FOUNDATION OF
WICKRAMASHILA DHARMAYATHENAYA
IN BANDARAGAMA (INCORPORATION)
ACT, No. 48 OF 2009**

[Certified on 24th September, 2009]

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Dharmayathenaya in Bandaragama (Incorporation)
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L. D.—O. (Inc.) 4/2008.

AN ACT TO INCORPORATE THE SOCIAL SERVICE FOUNDATION OF
WICKRAMASHILA DHARMAYATHENAYA IN BANDARAGAMA

WHEREAS an Institute called and known as the “Social Service Foundation of Wickramashila Dharmayathenaya” has heretofore been established in Bandaragama, for the purpose of effectually carrying out and transacting all objects and 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 established 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 Social Service Foundation of Wickramashila Dharmayathenaya in Bandaragama (Incorporation) Act, No. 48 of 2009.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Social Service Foundation of Wickramashila Dharmayathenaya in Bandaragama” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted members of the Corporation hereby constituted, shall be and become a body corporate (hereinafter referred to as “the Corporation”) with perpetual succession under the name and style of “Social Service Foundation of Wickramashila Dharmayathenaya in Bandaragama” and by that name may sue and be sued, with full power and authority to have, and use of common seal and alter the same at its pleasure.

Incorporation of
the Social
Service
Foundation of
Wickramashila
Dharmayathenaya
in Bandaragama.

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General Objects
of the
Corporation.

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

- (a) to supply the necessaries maintenance of the following and to continue successfully so as to improve the social and cultural standards of the Bandaragama Dharmayathenaya Pirivena and the following affiliated institutes:—
 - (i) Sri Pannalankara Damma School;
 - (ii) Wickramashila Art Institute;
 - (iii) Wickramashila Staff Society;
 - (iv) Bandaragama Community Development Foundation;
 - (v) Sangamithatha Women's Association;
 - (vi) Samagi Funeral Support Association; and
 - (vii) Organization of Wickramashila Maha Perahera;
- (b) to build the new Chaitya and to improve and protect the premises on which the said "Dharmayathanaya" is situated as a place of cultural importance;
- (c) to provide houses, health facilities and drinking water to the poor and destitute of the area;
- (d) to provide financial assistance to the needy and those who require surgery;
- (e) to secure the relevant properties in the area which are of national importance and to improve the same;
- (f) to supply the necessary equipments and facilities for the poor and needy school children of the district;

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- (g) to improve the nutritional level and sportsmanship of the students, youth and the adults of the area to the national level;
- (h) to build homes specially for destitute children and to improve facilities of the existing homes;
- (i) to offer the scholarships for the higher education foreign countries in the field of Technology in consultation with the relevant authority and to provide assistance during natural calamities; and
- (j) to provide facilities to villagers to go on pilgrimages.

(2) In the implementation of the above objectives the Corporation shall ensure that such implementation is carried out without distinction based on race, cast, religion, language, sex or political opinion.

4. The appointment of the Secretary, Chairman, Treasurer and the Accountant of the Corporation shall be in accordance with the rules made hereunder.

Appointment of Officials.

5. (1) The affairs of the Corporation shall, subject to the rules of the Corporation, made under section 7, be administered by an Executive Committee consisting of the office-bearers and such number of members as may be provided for in such rules and elected in accordance therewith.

Management of the affairs of the Corporation.

(2) The first Executive Committee of the Corporation shall be the Executive Committee of the Foundation holding office on the day preceding the date of commencement of this Act.

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Powers of the Corporation.

6. Subject to the provision of the Act, any other written law, the Corporation shall have the power —

- (a) to submit proposals for the development of the area ;
- (b) to provide services required by the villages and to perform the duties to their satisfaction ;
- (c) to hold the documents of Corporation in safe custody and to secure the same ;
- (d) to receive subscriptions, grants, donations, gifts from sources in Sri Lanka or abroad ;
- (e) to obtain loans on such terms and conditions as may be approved by the executive committee for the purpose of carrying out the objects ; and
- (f) to do all other acts and things as are necessary or expedient to the carrying out of the objects of the Corporation.

Rules of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time at any general meeting of the Corporation 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 following matters—

- (a) the admission, classification or expulsion of members;
- (b) for the election of office bearers, the Executive Committee and the conduct of the duties of the various officers, agents and servants of the Corporation;
- (c) for the procedure to be followed in the transaction of business at meetings of the Corporation and the Executive Committee;

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- (d) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audits of its accounts; and
- (e) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule made by the Corporation may be amended, altered, added to or rescinded in like manner as a rule may be made under subsection (1).

8. (1) The Corporation shall have its own fund and all moneys heretofor or hereafter received by way of gift, bequest, 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 banks as the executive committee shall determine.

Fund of the Corporation.

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

9. All debts and liabilities of the Foundation 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 purposes of this Act.

Debts due by and payable to the Foundation.

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 on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

How the seal of the Corporation is to be affixed.

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Audit and
accounts.

11. (1) The financial year of the Corporation shall be the calendar year.

(2) The Corporation shall cause proper accounts to be kept of its 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.

(4) In this section “qualified auditor” means—

- (i) 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
- (ii) 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 any one of such Institutes.

Property
remaining on
dissolution.

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 any other Institute or Institutes having objects similar to those of the Corporation and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such Institute or Institutions shall be determined by the members of the Corporation at or immediately before the dissolution of the Corporation.

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13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporation.

Saving of the rights of the Republic.

14. In the event of any inconsistency between the Sinhala and the Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

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