

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

SEETHAWAKA MANIYANGAMA

RAJAMAHA VIHARASTHA SANWARDHANA

SABHAWA (INCORPORATION)

ACT, No. 44 OF 2007

[Certified on 12th October, 2007]

Printed on the Order of Government

Published as a Supplement to Part II of the Gazette of the Democratic

Socialist Republic of Sri Lanka of October 12, 2007

PRINTEDAT THE DEPARTMENTOFGOVERNMENT PRINTING, SRILANKA

TO BEPURCHASED AT THEGOVERNMENT PUBLICATIONSBUREAU, COLOMBO 5

Price : Rs. 6.00 Postage : Rs. 5.00

Seethawaka Maniyangama Rajamaha Viharastha 1

Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

[Certified on 12th October, 2007]

L. D.—O. INC 16/2004

ANACT TO INCORPORATE THE SEETHAWAKA MANIYANGAMA

RAJAMAHAVIHARASTHA SANWARDHANA SABHAWA

WHEREAS a Society called and known as the “Seethawaka Preamble.

Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa”

has heretofore been formed for the purpose of development

and maintenance of the Seethawaka Maniyangama Rajamaha

Vihara and all Vihara, Aramayas, Shrines and institutions

belonging, affiliated or connected to, it and for effectually

carrying out and transacting all objects and matters connected

with the said Society :

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

it is 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 Seethawaka Short title.

Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa

(Incorporation) Act, No. 44 of 2007.

2. From and after the date of commencement of this Act, Incorporation of

such and so many persons as now are the members of the the Seethawaka

Maniyangama

Seethawaka Maniyangama Rajamaha Viharastha

Rajamaha

Sanwardhana Sabhawa (hereinafter referred to as the Viharastha

“Society”) or shall hereafter be admitted members of the Sanwardhana

Corporation hereby constituted, shall be a body corporate Sabhawa.

(hereinafter referred to as the “Corporation”) with perpetual

succession, under the name and style of the “Seethawaka

Maniyangama Rajamaha Viharastha Sanwardhana Sabhawa”

and by that name may sue and be sued, with full power and

authority to have and use a common seal and to alter the

same at its pleasure.

2—PL002181–3,300 (06/2007)

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Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

General Objects 3. The general objects for which the Corporation is

of the instituted are hereby declared to be—

Corporation.

(a) to construct and maintain buildings and other

infrastructural facilities required for Seethawaka

Maniyangama Rajamaha Viharaya ;

(b) to provide the resident Bhikkus of the Seethawaka

Maniyangama Rajamaha Viharaya, with necessary

educational facilities and to supply their daily

needs;

(c) to award scholarships, fellowships, prizes and

bursaries to Buddhist monks and Buddhist laity with

a view to promoting the study of, and research into,

Buddhism and Buddhist, philosophy ;

(d) to foster, promote and protect the Buddha Sasana

and to inculcate the teachings of Lord Buddha and

the values of Buddhism, among the Buddhist ;

(e) to provide appropriate educational training to the

Maha Sangha ;

(f) to establish and maintain educational institutions,

including dhamma schools, pirivenas and training

centers, for the benefit of Buddhists ;

(g) to establish and maintain libraries, information and

resource centers for the benefit of the Buddhists ;

(h) to organize Buddhist festivals and to preserve the

Buddhist traditions and Buddhist culture ; and

(i) to organize and implement cultural and social

development services.

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Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

4. Subject to the provisions of this Act and any other General powers

written law, the Corporation shall have the power to do, of the

Corporation.

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 the power to open, operate and close bank

accounts, to borrow or raise moneys, with or without security,

to receive or collect grants and donations, to invest its funds

and to engage, employ and dismiss such officers and servants

as are required for the carrying out of the objects of the

Corporation.

5. (1) The management of the affairs of the Corporation Management of

shall, subject to the provisions of this Act and the rules of the the affairs of the

Corporation.

Corporation be administered by a Board of Management

(hereinafter referred to as the “Board”) consisting of the office

bearers and such other persons as may be provided for in the

rules of the Corporation and elected in accordance therewith.

(2) The first Board of the Corporation shall consist of the

members of the Board of Management of the Society holding

office on the day immediately preceding the date of

commencement of this Act.

6. (1) It shall be lawful for the Corporation from time to Reles of the

time, at any general meeting of the Corporation and by Corporation.

majority of not less than two thirds of the members present

and voting, to make rules not inconsistent with provisions of

this Act or any other written law, for the admission, withdrawal

or expulsion of members, for the election of office bearers,

for the performance of the duties of the office bearers, the

Board and of the various officers, agents and of the servants

of the Corporation, for the procedure to be followed in the

transaction of business at meetings of the Corporation and of

the Board and otherwise generally, for the management of

the affairs of the Corporation and the accomplishment of its

objects. Such rules when made may at a like meeting and in

like manner, be altered, added to, amended or rescinded.

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

rules of the Corporation.

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Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

Accounts and 7. (1) The financial year of the Corporation shall be the

audit. 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 at

least once in every year by a qualified auditor appointed by

the Board.

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

(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

(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

Fund of the 8. (1) The Corporation shall have its own fund and all

Corporation. moneys heretofore or hereafter to be received by way of gifts,

bequests, donations, subscriptions, contributions fees or

grants for and on account of the Corporation shall be deposited

to the credit of the Corporation in one or more bank as the

Board shall determine.

(2) All expenses borne by the Corporation in the exercise

and discharge of the powers and functions of the Corporation

shall be paid out of the fund of the Corporation.

Debts due by 9. All debts and liabilities of the Society existing on the

and payable to day preceding the date of commencement of this Act, shall

the Society.

be paid by the Corporation hereby constituted, and all debts

due to and subscriptions and contributions payable to the

said Society on that day, shall be paid to the Corporation

hereby constituted.

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Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

10. The Corporation shall be able and capable in law to Corporation may

take and hold any property movable or immovable, which hold property

movable or

may become vested in it by virtue of any purchase, grant,

immovable.

gift, testamentary disposition or otherwise, and all such

property shall be held by the Corporation for the purposes of

this Act, with full power to sell, mortgage, rent, lease, exchange

or otherwise dispose of the same.

11. If upon the dissolution of the Corporation there Property

remains after the satisfaction of all its debts and liabilities, remaining on

dissolution.

any property whatsoever, such property shall not be

distributed among the members of the Corporation but shall

be given or transferred to some other institution or institutions

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

institution or institutions shall be determined by the Board

at, or immediately before, the dissolution of the Corporation.

12. The seal of the Corporation shall not be affixed to Seal of the

any instrument, whatsoever except in the presence of the Corporation.

Chairman, the Secretary or the Treasurer of the Corporation

who shall sign their names to instrument in token of their

presence and such signing shall be independent of the signing

of any person as a witness.

13. Nothing in this Act contained shall prejudice or Saving of the

affect the rights of the Republic, or of any body politic or rights of the

Republic and

corporate,or of any other persons.

others.

14. In the event of any inconsistency between the Sinhala text to

Sinhala and Tamil texts of this Act, the Sinhala text shall prevail in case of

any

prevail.

inconsistency.

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Sanwardhana Sabhawa (Incorporation) Act, No. 44 of 2007

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GOVERNMENT INFORMATION, NO. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th

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