

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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SOCIAL SERVICE FOUNDATION OF

WICKRAMASHILA DHARMAYATHENAYA

IN BANDARAGAMA (INCORPORATION)

ACT, NO. 48 OF 2009

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[Certified on 24th September, 2009]

Printed on the Order of Government

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

Socialist Republic of Sri Lanka of September 25, 2009

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING,SRILANKA

TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU,COLOMBO5

Price : Rs. 6.00 Postage : Rs. 5.00

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Dharmayathenaya in Bandaragama (Incorporation)

Act, No. 48 of 2009

[Certified on 24th September, 2009]

L. D.—O. (Inc.) 4/2008.

ANACT TO INCORPORATE THE SOCIAL SERVICE FOUNDATION OF

WICKRAMASHILA DHARMAYATHENAYAIN BANDARAGAMA

WHEREAS an Institute called and known as the “Social Preamble.

Service Foundation of Wickramashila Dharmayathenya” 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:

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 Short title.

Foundation of Wickramashila Dharmayathenaya in

Bandaragama (Incorporation) Act, No. 48 of 2009.

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

such and so many persons as now are members of the “Social the Social

Service

Service Foundation of Wickramashila Dharmayathenaya in

Foundation of

Bandaragama” (hereinafter referred to as the “Foundation”) Wickramashila

or shall hereafter be admitted members of the Corporation Dharmayathenaya

hereby constituted, shall be and become a body corporate in Bandaragama.

(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 authorityto have, and use of common seal

and alter the same at its pleasure.

PL 004184 — 3,150 (07/2009)

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General Objects 3. (1) The general objects for which the Corporation is

of the

constituted are hereby declared to be—

Corporation.

(a) to supply the necessaries maintenance of the

following and to contiure 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, Appointment of

Treasurer and the Accountant of the Corporation shall be in Officials.

accordance with the rules made hereunder.

5. (1) The affairs of the Corporation shall, subject to Management of

the affairs of the

the rules of the Corporation, made under section 7, be

Corporation.

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.

(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 6. Subject to the provision of the Act, any other written

Corporation. 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 7. (1) It shall be lawful for the Corporation, from time to

Corporation. 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 Fund of the

moneys heretofor or hereafter received by way of gift, Corporation.

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.

(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, perfomance and discharge of its

powers, duties and functions under this Act.

9. All debts and liabilities of the Foundation on the day Debts due by

and payable to

preceding the date of commencement of this Act shall be

the Foundation.

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 pruposes of this Act.

10. The seal of the Corporation shall not be affixed to How the seal of

the Corporation

any instrument whatsoever, except in the presence of such

is to be affixed.

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.

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

accounts. 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 Accounant issued by any one of

such Institutes.

Property 12. If upon the dissolution of the Corporation there

remaining on

remains after the satisfaction of all its debts and liabilities,

dissolution.

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 membes. 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 Saving of the

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

Republic.

corporation.

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

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

case of

prevail. inconsistency.

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Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180

(Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF

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

December each year in respect of the year following.