

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

ANURADHAPURA SRI PUSHPADANA

DEVELOPMENT FOUNDATION

(INCORPORATION) ACT, No. 34 OF 2011

[Certified on 22nd August, 2011]

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Foundation (Incorporation) Act, No. 34 of 2011

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ANACT TO INCORPORATE THE ANURADHAPURA SRI PUSHPADANA

DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as Preamble.

“Anuradhapura Sri Pushpadana Development Foundation”

has heretofore been formed in Anuradhapura in Sri Lanka

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 formed and has applied to be

incorporated and it will be expedient 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 Anuradhapura Short title.

Sri Pushpadana Development Foundation (Incorporation)

Act, No. 34 of 2011.

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

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

Anuradhapura

“Anuradhapura Sri Pushpadana Development Foundation”

Sri Pushpadana

(hereinafter referred to as the “Foundation”) or shall hereafter Development

be admitted members of the Corporation hereby constituted, Foundation.

shall be a body corporate (hereinafter referred to as the

“Corporation”) with perpetual succession, under the name

and style of “Anuradhapura Sri Pushpadana Development

Foundation” and by that name may sue and be sued, with

full power and authority to have, and use a common seal and

alter the same at its pleasure.

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

constituted are hereby declared to be— of the

Corporation.

(a) to safeguard the Buddhist cultural heritage within

the sacred area in Anuradhapura;

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(b) to make arrangements for free distribution of flowers

among the Buddhist devotees who arrive in to the

sacred area in Anurdhapura;

(c) to offer “dana” (mid day meal) and “gilanpasa”

(evening meal) to the visiting Bhikku (Monks),

Upasaka, Upasika, paupers and travelers on each

and every full moon day;

(d) to make arrangements for conducting Seela and

Meditation classes and Dhamma sermon for

Buddhist devotees in the sacred area in

Anuradhapura;

(e) to make arrangements for the protection of the

personal belongings of pilgrims on special festive

occasions and to provide them with other necessary

facilities;

(f) to publish Damma books and leaflets for the

promotion of the Buddhism and to establish a

Buddhist Library Service;

(g) to assist Buddhist monks and needy Buddhist

children in their studies and organize scholarships

for them; and

(h) to undertake activities in co-ordination with other

Buddhist institutions whose objectives are similar

to that of the Corporation.

Powers of the 4. Subject to the provisions of this Act, and any other

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

perform and execute all such acts matters and things

whatsoever of the objects of the Corporation or one of them,

including the power—

(a) to purchase, acquire, rent, construct or otherwise

obtain land or building which may be required for

the purposes of the Corporation;

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(b) to receive grants, gifts or donation, in cash or kind

whether from local or foreign sources;

(c) to erect or cause to be erected, any building or

structure on any land belonging to, or held by the

Corporation;

(d) to make, draw, accept, discount, endorse, negotiate,

buy, sell and issue bills of exchange, cheques,

promissory note and other negotiable instruments

and to open, operate, maintain and close current,

saving and deposit account in any bank;

(e) to invest any funds not immediately required for

the purposes of the Corporation in such manner as

the Committee may think fit;

(f) to undertake, accept, execute, perform and

administer lawful trusts and conditions affecting

any movable or immovable property;

(g) to 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; and

(h) to train personnel in the matters required to be

done for the implementation of the objects of the

Corporation.

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

the affairs of the

the other provisions of this Act, be administered by a

Corporation.

Committee consisting of a Chief Chairman, seven Vice

Chairmen, a Chief Secretary, Vice Secretary, a Treasurer

and Auditor and Nineteen other Committee Members as

may be provided for in the rules made under section 8 and

elected in accordance therewith.

(2) The first Committee of the Corporation shall consist

of the members of the Committee of the Foundation holding

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office on the day immediately preceding the date of

commencement of this Act and who shall hold office until a

new committee is elected under the rules of the Corporation.

Register of 6. (1) The Board shall cause to be maintained a register

members. in which every person who on the date of commencement of

this Act, is a member of the Corporation, and every person

thereafter duly admitted as member of the Corporation shall

have inscribed in such register his name.

(2) The register shall contain the following particulars:—

(a) name, address and occupation of the each Member

of the Corporation;

(b) the date on which the name of the member was

inscribed in the register; and

(c) the date on which any person ceased to be member.

Cancellation of 7. Cancellation of membership may cause due to one of

membership. the following reasons:—

(a) at the death of the member;

(b) resignation;

(c) mental incapacity; and

(d) violation of any rules.

Rules of the 8. (1) It shall be lawful for the Corporation, from time

Corporation. 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 all or any of the

following matters:—

(a) the classification of membership, the admission,

withdrawal or expulsion of members;

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(b) the election of the office bearers, the resignation

from, or vacation of, or removal from, office of office

bearers, and their powers, conduct and duties;

(c) the election of the members of the Committee and

their powers, conduct and duties, and the terms of

office of members of the Corporation;

(d) the powers, conduct, duties and function of the

various officers, agents and servants of the

Corporation;

(e) the procedure to be observed and the summoning

and holding of meeting of the Committee, the times,

places, notices and agenda of such meetings, the

quorum thereof and the conduct of business thereat;

and

(f) 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 at a like meeting and in like

manner as a rule made under subsection (1).

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

the rules of the Corporation.

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

monies heretofore or hereafter received by way of gift, Corporation.

bequest, donation, subscription shall be deposited to the

credit of the Corporation in one or more banks as the

Committee shall determine.

(2) There shall be paid out of the fund, any expenditure

incurred by the Corporation in the exercise, performance

and discharge of its powers, duties and functions of this Act.

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Debts due by 10. All debts and liabilities of the Foundation existing

and payable to on the day immediately preceding the date of commencement

the Foundation.

of this Act, shall be paid by the Corporation hereby

constituted and all debts due to, subscriptions and

contribution payable to, the Foundation on that day shall

be paid to the Corporation for the purposes of this Act.

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

Audit. 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

the Council of such Institute;

(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 the Council

of such Institute.

Corporation 12. The Corporation shall be able and capable in law,

may hold to acquire and hold any property, movable or immovable

property

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

movable and

immovable. grant, gift, testamentary disposition or otherwise, and all

such property shall be held by the Corporation for the purpose

of this Act and subject to the rules of the Corporation made

under section 8, with full power to sell mortgage, lease,

exchange or otherwise dispose of the same.

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

Corporation.

any instrument whatsoever except in the presence of the

Chief Chairman and the Chief Secretary or the Treasurer

who shall sign their names to the instrument in token of the

their presence, and such signing shall be independent of the

signing of any person as a witness.

14. 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 object similar to those of the Corporation,

and which is or are by the rules there of prohibited from

distributing any income or property among its or their

members. Such Institution or Institutions shall be determined

by the Corporation immediately before, the dissolution of

the Corporation.

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

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

Republic and

corporate. other.

16. 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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