

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

OLAGANGALA MAHA SUDARSHANA

PAROPAKARI FOUNDATION

(INCORPORATION) ACT, No. 37 OF 2011

[Certified on 23rd August, 2011]

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Foundation (Incorporation) Act, No. 37 of 2011

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L.D.—O. (INC.) 13/2007.

ANACT TO INCORPORATE THE OLAGANGALA MAHA SUDARSHANA

PAROPAKARI FOUNDATION

WHEREAS a foundation called and known as the Preamble.

“Olagangala Maha Sudarshana Paropakari Foundation” has

heretofore been established 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

for which it was established and has applied to be

incorporated and it will be for the public advantage to grant

the 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 Olagangala Maha Short title.

Sudarshana Paropakari Foundation (Incorporation) Act,

No. 37 of 2011.

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

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

Maha

“Olagangala Maha Sudarshana Paropakari Foundation” Sudarshana

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

be admitted as 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 “Olagangala Maha Sudarshana Paropakari

Foundation” 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—PL 005277—3090 (10/2010)

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

of the constituted are hereby declared to be—

Corporation.

(a) to promote and foster practices and moral values

needed for the spiritual development of the

adherents of the Buddhist faith;

(b) to minimize the tension experienced by Buddhist

by practicing the teachings of Buddha for relieving

the mental and emotional stress faced by them and

thereby guiding them to a quiet life style;

(c) to rescue the adherents of the Buddhist faith from

petty controversies by developing co-operation and

co-existence so that a wider representation is

achieved in the community through the

understanding of the human nature obtained from

Buddhist teachings by persons of whatever age limit,

whether young or old;

(d) to make the Buddhist family and society a self

sufficient unit after identifying the social

individuality that could bring about a disciplined

society free of caste or religious differences;

(e) to raise through the forest dwelling sect a Bhikku

Society well versed in Tripitaka Dhamma suitable

in implementing programmes for the dissemination

of Dhamma centred on the villages of Sri Lanka and

to ensure achievement of the above objects through

dedication;

(f) to develop Dhamma Research Institutes containing

Tripitaka Dhamma Books and Buddhist literature

for the benefit of the learned, both lay and clergy in

Sri Lanka, and to direct them to use the natural

environment with existing caves for the practice of

mindful meditation while providing them the

necessary facilities;

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(g) to provide maximum contribution for the personality

development of the Buddhist children faced with

poverty by donating financial and material

allocations for their physical and mental

development;

(h) to provide modern theoretical and practical

knowledge for those who need it in order to maintain

agricultural and economic strategies productively;

(i) to develop physical and human resources needed to

guide Buddhist school children to get advise and

extra assistance from professionals in the field of

education in facing public examinations while at

the same time increasing their literacy rate;

(j) to assist the Buddhist youth interested in pursuing

self-employment livelihoods to manage their

family economics better by providing them with

vocational training and physical and financial

resources needed in this regard;

(k) to act in co-operation with local and foreign

institutions having aims and objectives similar to

those of the above corporation, and to exchange

resources and to act jointly with those institutions,

whenever necessary;

(l) to print and publish books, magazines, bulletins,

newspapers and periodicals needed for the

accomplishment of the objectives of the corporation

and to distribute these as required;

(m) to extend full sponsorship to conduct, in Sri Lanka

or overseas, seminars, discussions, workshops and

group educational activities for the promotion of

physical, mental, social, ethical and intellectual

development activities necessary to lead a perfect

life;

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(n) to conduct Buddhist religious practices with the

participation of patients undergoing treatment at

hospitals and other similar institutions thereby

giving them physical and mental relief and to

volunteer to render any service necessary for their

well being;

(o) to intervene instantly to restore the pysical and

mental stability of adherents of the Buddhist faith

facing various calamities including natural disasters

and to actively participate in whatever measure

needed to restore them to normalcy;

(p) to promote personal independence by developing

attitudes and skills needed for a stronger,

determined and targeted community life by directing

attention towards the use of identified potentials

of human beings for social and individual

development; and

(q) to organise the welfare activities and provide

facilities for the upliftment of families of the

deceased soldiers who are adherents of the Buddhist

faith.

Management of 4. (1) The Management of the affairs of the Corporation

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

Corporation.

of the Corporation made under section 6, be administered by

a Governing Body consisting of the residential Chief

Incumbent of the Olagangala Maha Sudarshana Aranya

Senasanaya and the President, the Secretary, the Treasurer,

the Assistant Secretary, the Vice President and seven

Committee members who shall be elected at the general

meeting by a majority of not less than two thirds of the

members present and voting.

(2) The first Governing Body of the Corporation shall

consist of the members of the Governing body of the

Foundation, holding office on the day preceding the date of

commencement of this Act.

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

written law, the Corporation shall have the power— Corporation to

acquire property,

invest funds and

(a) to purchase, acquire, rent, construct and otherwise raise loans, etc.

obtain lands or buildings which may be required for

the purposes of the Corporation;

(b) to borrow or raise money from Government

approved Banks and other institutions (foreign and

local) for the purposes of the Corporation with the

approval of the governing body;

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

buy, sell and issue bills of exchange, cheques,

promissory notes and other negotiable instruments

and to open, operate, maintain and close bank

accounts;

(d) to invest any funds not immediately required for

the purposes of the Corporation, in such a manner

as the Governing body may think fit;

(e) to solicit and receive subscription, grants, donations

and gifts of all kinds;

(f) to enter into agreements or contracts with any person,

company or body of persons;

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

administer the lawful trusts and conditions affecting

any real or personal property;

(h) 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

(i) to train personnel in Sri Lanka or abroad for the

purpose of the Corporation.

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

Corporation. 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 other

written law, for all or any of the following matters:—

(a) classification of membership, their admission,

withdrawal, expulsion or resignation;

(b) election of the Governing Body or vacation of, or

removal from office as office-bearers and powers,

duties and conduct of the governing body;

(c) appointment, dismissal, powers, duties, functions

and conduct of the various officers, agents and

servants of the Corporation;

(d) the procedure to be observed at and the summoning

and holding of meetings of the Governing Body,

the Corporation or any sub-committee thereof,

filling of vacancies, notices and agenda of such

meetings, the quorum therefore and the conduct of

business thereat;

(e) the qualifications and disqualifications for

membership in the Governing Body and the

Corporation; and

(f) the administration and management of the property

of the Corporation and the accomplishment of the

objects of the Corporation.

(2) The rules made by the Corporation may be amended,

altered, added to, or rescineded at a like meeting and in like

manner, as a rule made under subsection (1) of this section.

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

rules of the Corporation.

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7. The Corporation shall have its own fund and all Fund of the

moneys received by way of gift, bequest, donation, Corporation.

subscription, contribution, fees or grants for and on account

of the Corporation shall be deposited in the name of the

Corporation in one or more banks approved by the Governing

Body.

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

and payable to

on the day immediately preceding the date of commencement

the Foundation.

of this Act, shall be paid and discharged by the Corporation

hereby constituted and all debts due to, and subscriptions

and contributions payable to the Foundation on such day

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

9. (1) The Governing Body of the Corporation shall Accounts and

cause proper books of accounts to be kept of the income and Audit.

expenditure, assets and liabilities and all other transactions

of the Corporation.

(2) The Accounts of the Corporation shall be audited and

certified by a qualified auditor.

(3) The financial year of the Corporation shall be the

calendar year.

(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 ; 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 the Council

of such institute.

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Property 10. 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 some other institution or institutions

having objects similar to those of the Corporation and which

is, or are, by its rules prohibited from distributing any income

or property among its members.

Seal of the 11. The seal of the Corporation shall not be affixed to

Corporation. any instrument whatsoever except in the presence of

the Secretary, the President and Treasurer 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.

Savings of the 12. Nothing contained in this Act shall prejudice or

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

Republic and

corporate.

others.

Sinhala text to 13. In the event of any inconsistency between the

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

inconsistency.

prevail.

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