



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

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**KANDY DHARMARAJA COLLEGE PAST PUPILS'  
ASSOCIATION (INCORPORATION)**

**A**

**BILL**

**to incorporate the Kandy Dharmaraja College Past Pupils' Association**

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*Presented by the Hon. Eric Prasanna Weerawardhana,  
M. P. for Kandy District on 22nd May, 2013*

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*Ordered by Parliament to be printed*

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**[Bill No. 241]**

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*Kandy Dharmaraja College Past Pupils’  
Association (Incorporation)*

AN ACT TO INCORPORATE THE KANDY DHARMARAJA COLLEGE  
PAST PUPILS’ ASSOCIATION

WHEREAS an Association called and known as the Preamble.  
“Kandy Dharmaraja College Past Pupils’ Association” has  
heretofore been formed at No. 35, Anagarika Dharmapala  
Mawatha, Kandy for the purpose of effectually carrying out  
5 its objects and transacting all matters connected with the  
said Association according to the rules agreed to by its  
members:

AND WHEREAS the said Association has heretofore  
successfully carried out and transacted the several objects  
10 and matters for which it was established, and has applied to  
be incorporated, and it will be expedient to grant the said  
application:

BE it therefore enacted by the Parliament of the Democratic  
Socialist Republic of Sri Lanka as follows:—

15 **1.** This Act may be cited as the Kandy Dharmaraja Short title.  
College Past Pupils’ Association (Incorporation) Act,  
No. of 2013.

**2.** From and after the date of commencement of this Incorporation  
Act, such and so many persons as now are the members of of the Kandy  
20 the Kandy Dharmaraja College Past Pupils’ Association Dharmaraja  
(hereinafter referred to as the “Association”) or shall hereafter College Past  
be admitted as members of the Corporation hereby Pupils’  
constituted, shall be a body corporate with perpetual Association.  
25 Dharmaraja College Past Pupils’ Association” (hereinafter  
referred to as the “Corporation”) 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.

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

General  
objects of the  
Corporation.

- 5            (a) to assist the Dharmaraja College, Kandy for the purpose of educational, cultural, social, health and spiritual development of Buddhist;
- (b) to assist for the development individuals’ skills to be used for their benefit;
- (c) to implement projects and programmes and to collect resources for the development organization;
- 10          (d) to conduct study circles, seminars, workshops, lectures, discussions, debate, dhamma schools and poya-day programmes;
- (e) to grant donations, scholarships, financial assistance and gifts for the education;
- 15          (f) to accept and collect gifts, donations, and contributions in cash or kind;
- (g) to assist the students who need help;
- (h) to established and maintain libraries, reading rooms and study centers;
- 20          (i) to collect print, publish and distribute books, journals and magazines;
- (j) to maintain cordial relationship with other organizations having similar objects;
- (k) to act as guardian and management of resources;
- 25          (l) to develop and promote Dharmaraja College, Kandy; and
- (m) to do all such other acts and things as are necessary for and incidental or conducive to the attainment of the above objects.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things whatsoever as are necessary or desirable for the furtherance of its objects 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 or donations, to invest its funds, to erect any building or structure on any land held by the Corporation, and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

General powers of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the provision of this Act, and such rules as are made under section 6, be administered by a Board of Management consisting of the Hon. President, Hon. Secretary, Hon. Treasurer and committee members consisting not less than twenty-five other members elected in accordance with the rules of the Corporation in force for the time being of the Corporation.

Management of the affairs of the Corporation.

20 (2) The first Board of Management of the Corporation shall consist of the members of the Board of Management of the Association holding office on the day preceding the date of commencement of this Act. Any vacancies in the first Board of Management be filled from among the members of the Association with the consent of the other members. The first executives be elected from among the members of the Board.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes 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:—

Rules of the Corporation.

- (a) the classification of membership, and the admission, withdrawal, resignation or expulsion of members;

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- (b) the election of office bearers, the resignation from or vacation of or removal from office of office bearers and their powers, function and duties;
- 5            (c) the election of the members of the committee of Management and the powers, functions and duties and the terms of office of members of the Committee of Management;
- (d) the powers, conduct, duties and functions of the officers, agents and servants of the Corporation;
- 10          (e) the procedure to be observed for the summoning and holding of meeting of the Committee of Management the time, place, notice and agenda of such meeting, the quorum therefore and the conduct of business thereat;
- 15          (f) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audit of its accounts; and
- (g) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.
- 20          (2) The rules 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 at all time be subject to rules of the Corporation made under this section.
- 25          (4) The rules of the Institute in force on the day preceding to date of commencement of this Act, shall in so far as they are not inconsistent with the provisions of this Act or any other written law, be deemed to be rules of the Corporation made under this section.

7. (1) The Corporation shall have its own Fund. All moneys received by way of gift, bequest, donation, transfer, subscription, contribution or fees shall be deposited to the credit of the Corporation in one or more Banks as the Board of Management shall determine. Fund of the Corporation.

(2) There shall be paid out of the Fund of the Corporation, all such sums of money as may be required to defray any expenditure incurred by the Corporation in carrying out the objects of the Corporation.

10 (3) The money and property of the Corporation whosoever derived shall be applied solely towards the promotion of the objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the Corporation. Fund of the Corporation.

(4) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

8. (1) The financial year of the Corporation shall be the calendar year. Accounts and Audit of the Corporation.

(2) The Corporation shall cause proper accounts to be kept of income and expenditure, assets and liabilities and all other transactions of the Corporation.

25 (3) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Board.

In this section "qualified auditor" means—

30 (a) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute ; or

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5 (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.

10 **9.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman and the Secretary or 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. Seal of the Corporation.

15 **10.** No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of annual subscription payable by him to the Corporation. Limitation of liability of members.

20 **11.** All debts and liabilities of the Association existing 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 Association on that day shall be paid to the Corporation for the purpose of this Act. Debts due by and payable to the Foundation.

25 **12.** The Corporation shall be able and capable in law, to take and hold any property movable or immovable which may become vested in it by virtue of any purchase grant, gift, testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of this Act, and subject to the rules in force for the time being of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same. Corporation may hold property movable and immovable.

30 **13.** 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 Property remaining on dissolution.

distributed among the members of the Corporation but shall be given or transferred to some other Foundation or Foundations having objects similar to those of the Corporation, and which is or are by the rules thereof  
5 prohibited from distributing any income or property among its or their members. Such Foundation or Foundations shall be determined by the Board of Management at or immediately before the dissolution of the Corporation.

10 **14.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate or of any other person, except such as are mentioned in this Act and those claiming by, from or under them. Saving of the Rights of the Republic and others.

15 **15.** No person shall be liable in any suit or other legal proceeding for any act done, or purporting to be done, in good faith in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act. Indemnity for acts done in good faith.

20 **16.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.



8 *Kandy Dharmaraja College Past Pupils'  
Association (Incorporation)*

**BOARD OF MANAGEMENT UNDER 5(2)**

President : Mr. K. M. R. Kulathunga

Secretary : Priyantha Abeykoon

Treasurer : Mr. Thissa Jayasinghe

1. Mr. Senarath Jayasundara
2. Mr. Sarath Fernando
3. Mr. N. W. Weerakoon
4. Mr. Ajith Narampanawa
5. Mr. Aather Silva
6. Mr. Ananda Jayasundara
7. Mr. Seevali Abeysekara
8. Mr. Walter Ranasinghe
9. Mr. Sadara Thennakoon
10. Mr. Jegath Samarasinghe
11. Mr. Mahinda Senawiratna
12. Mr. Sanjaya Edirasooriya
13. Mr. C. S. Ekanayake
14. Mr. K. B. Samarakoon
15. Mr. A. B. Samarakoon
16. Mr. Mahinda Pethiyagoda
17. Mr. Udaya Yatawara
18. Mr. S. B. Herath
19. Mr. Sarath Munaweera
20. Mr. Yasas Chandrasekara
21. Mr. Prasath Withanage
22. Mr. Saman Ratnayake

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