



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

**SRI SIDDHARTHA FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Sri Siddhartha Foundation

*Presented by Hon. Vidura Wickramanayaka, M. P. for
Kalutara District on 06th June, 2013*

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[Bill No. 249]

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Sri Siddhartha Foundation (Incorporation)

AN ACT TO INCORPORATE THE SRI SIDDHARTHA FOUNDATION

WHEREAS a Foundation called and known as “the Sri Siddhartha Foundation” has heretofore been established by its members at Thalagala, Gonapola Junction, Horana. For the purpose of effectually carrying out and transacting
5 all objects and matters connected with the said Foundation according to the rules agreed to by its members:

Preamble.

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
10 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 Sri Siddhartha Foundation (Incorporation) Act, No. of 2013.

Short Title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Sri Siddhartha Foundation (hereinafter referred to as “Foundation”), or shall hereafter be admitted as members of
20 the Corporation hereby constituted, shall be a body corporate (hereinafter referred to as “the Corporation”) with perpetual succession under the name and style of the “Sri Siddhartha Foundation”, and by that name may sue and be sued, with full power and authority to have and use a common seal and
25 to alter the same at its pleasure.

Incorporation of the Sri Siddhartha Foundation.

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

General objects of the Corporation.

(a) organizing and conducting of all activities for the improvement of Buddhist Culture and moral
30 development;

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- (b) to establish and maintain educational institutes, Hostels for male and female Students and to advance and promote the education of needy children;
- 5 (c) to grant financial aid and award scholarships to needy students;
- (d) to provide necessary aid to victims of natural disasters;
- (e) to engage in social services;
- 10 (f) to provide medical facilities, nutritious food, clothing and housing to the poor, the orphans and the sick;
- (g) to provide welfare facilities to the deaf, dumb and the blind;
- 15 (h) to establish and maintain elders' home;
- (i) to engage in cultural activities;
- (j) to promote the education of the clergy and the laity by conducting courses of study in Sinhala, Pali, Sanskrit, Buddhism and Ayurvedic Medicine;
- 20 (k) to conduct sermons, Buddha pujas, Chethiya pujas, Bodhi pujas, Meditation classes, discussions, seminars, lectures and tours;
- (l) to promote the education of Ayurvedic and Indegenous Medicine;
- 25 (m) to promote the mutual understanding and harmony among the people irrespective of race or religion;
- (n) to promote and maintain projects necessary for the protection, management and preservation of environment;

- (o) to provide courses of vocational training to the youths in Sri Lanka;
- 5 (p) to provide training in small industries to students and to assist them financially or other wise to become useful citizens;
- (q) to promote and uplift education by establishment and maintenance of schools and other educational institution;
- 10 (r) to establish and maintain an Institute of Community Development Education and to formulate and impliment project in relation to Community development;
- (s) to establish and maintain branches of rural societies of Sri Siddhartha Foundaion;
- 15 (t) to engage in any industry, trade or import and export enterprises with a view to giving technial knowledge to the people, to promote and carry out agriclutural, industrial and commercial interprises, to help and assist any person to engage in such enterprises and to conduct trainng programmes and
20 to organize services and propaganda compaigns;
- (u) to give aid by scholarships or otherwise to volunteers and other persons engaged in the furtherence of the objects of the Corporation;
- 25 (v) to establish and maintain libraries, to subscribe for and issue books, journals, souvenirs and periodicals and to provide such other services as may be deemed desirable for attaining the objects of the Corporation;
- 30 (w) to promote, organize and hold exhibition, lectures, seminars, symposia, workshops, classes, debates, conferences, tours, excursions or any other activity in furtherence or the objects of the Corporation;

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(x) to co-operate and associate with other societies, associations or organizations having objects similar to that of the Corporation; and

5 (y) to do all such other acts and things as are incidental or conducive to the attainment of the above objects or any one of them.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power:— Powers of the Corporation.

10 (a) to accept grants or donations, from persons, or bodies of persons in or outside Sri Lanka;

(b) to open and maintain current, savings and deposit accounts in any bank and invest its funds in such securities as it may think fit;

15 (c) to enter into and perform, all such contracts and agreements as may be necessary for the attainment of the objects of the Corporation;

(d) to borrow money for the purposes of the Corporation, with or without security;

20 (e) to appoint such officers and servants as may be necessary for the purposes of the Corporation and to dismiss and take disciplinary action against, any officer or servant so appointed; and

(f) to do all such acts and things as may be necessary for the attainment of the objects of the Corporation.

25 **5.** (1) The Corporation shall be a non-profit making organization and shall function as such and no share of profits or dividends shall be distributed among the members of the Corporation. Corporation to be a non profit making organization.

30 (2) In the event of the Corporation being wound up, the assets remaining after settling the debts and liabilities of the Corporation shall be utilized solely for the benefit of a fund or organization established for charitable or other Educational purposes.

5 **6.** (1) The affairs of the Corporation shall, subject to the Management of the affairs of the Corporation.
the rules in force for the time being of the Corporation, be administered by a Board of Management consisting of the office bearers and such other persons as may be provided for in the such rules and elected in accordance therewith.

(2) The first Board of Management of the Corporation shall be the Board of Management of the Foundation, who name appear in the Schedule hereto holding office on the day preceding the date of commencement of this Act.

10 **7.** (1) The Corporation shall have its own fund and all Fund of the Corporation.
moneys heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on accounts of the Corporation shall be deposited to the credit of the Corporation in one or more
15 banks as the the Council may determine.

(2) The Corporation may create any depreciation fund, reserve or sinking fund for the rehabilitation, improvement and development of the property of the Corporation.

20 (3) There shall be paid out of the fund all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

25 **8.** (1) It shall be lawful for the Corporation, from time 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 of the Corporation.
rules, not in consistence with the provisions of this Act or other written law, for all or any of the following matters:—

- (a) the classification of membership and the admission withdrawal or expulsion of members;
- 30 (b) the election of the office-bearers, the resignation from or vacation of, or removal from, office or, office- bearers and their powers, conduct and duties;

- (c) the election of the members of the Board of Management, and its powers, conduct and duties and the terms of office of members of the Board of Management;
- 5 (d) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation;
- 10 (e) the procedure to be observed at and the summoning and holding of meetings of the Board of Management the times, places, notices and agenda of such meetings, the quorum therefor 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.

(2) Any rule by the Corporation may be amended altered, added to or rescinded at a like meeting and in like manner
20 as a rule make under subsection (1).

(3) The rules of the Foundation in force on the day preceding the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act or other written law, be deemed to be the rules made
25 under this section.

(4) All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

9. All debts and liabilities of the Foundation 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 subscription and contributions payable to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

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Debts due by and payable to the Foundation.

10. The Corporation shall be able and capable in law to acquire 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 and it shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

The Corporation may hold movable and immovable property.

11. The seal of the Corporation shall be in the custody of the Chairman of the Board of Management and it shall not be affixed to any instrument whatsoever, except with the approval of the Board of Management and in the presence of two members of the Board of Management who shall write and sign their names to 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.

12. 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 persons, 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.

13. 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.

SCHEDULE

[Section 6(2)]

Board of Management

Director General	—	Rev. Thalagala Sumanarathane
Secretary	—	Mr. K. S. Perera
Treasurer	—	Mr. P. H. Leelaratne
Other Members	:	Mr. B.P. Jayathunge Mr. M. R. Karunathilake Mr. Gamini Jayantha Abeywickrama Mr. W. D. Abeysekera Mr. Jayasena Jayakody.

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