



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

**PANNIPITIYA, DEPANAMA, SRI DEVRAM
MAHA VIHARASTHA SASANARAKSHAKA
SANWARDHANA SABHAWA
(INCORPORATION) ACT, No. 53 OF 2007**

[Certified on 12th November, 2007]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of November 16, 2007

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 7.00

Postage : Rs. 5.00

*Pannipitiya Depanama Sri Devram Maha Viharastha
Sasanarakshaka Sanwardhana Sabhawa
(Incorporation) Act, No. 53 of 2007*

[Certified on 12th November, 2007]

LD.—O. Inc. 23/2005

AN ACT TO INCORPORATE THE PANNIPITIYA DEPANAMA SRI DEVRAM
MAHA VIHARASTHA SASANARAKSHAKA SANWARDHANA SABHAWA

WHEREAS an Association called and known as the “Pannipitiya, Depanama, Sri Devram Maha Viharastha Sasanarakshaka Sanwardhana Sabhawa” has heretofore been formed in Sri Lanka for the purpose of carrying out and transacting all matters connected with the said Association according to the rules of the Association :

Preamble.

AND WHEREAS the said Association 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 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 Pannipitiya, Depanama, Sri Devram Maha Viharastha Sasanarakshaka Sanwardhana Sabhawa (Incorporation) Act, No. 53 of 2007.

Short Title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Pannipitiya, Depanama, Sri Devram Maha Viharastha Sasanarakshaka Sanwardhana Sabhawa” (hereinafter referred to as “the Sabhawa”), and such other persons as shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of “Pannipitiya, Depanama, Sri Devram Maha Viharastha Sasanarakshaka Sanwardhana Sabhawa” (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 will and pleasure.

Incorporation of
the
Pannipitiya,
Depanama, Sri
Devram Maha
Viharastha
Sasanarakshaka
Sanwardhana
Sabhawa.

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General objects
of the Corpora-
tion

3. The general objects of the Corporation are declared to be —

- (a) to maintain the shrine room, dharma salawa, residential quarters of bhikkus, relic chamber building pagoda, bodhi enclosure and all other buildings of the Pannipitiya Depanama Sri Devram Maha Viharaya;
- (b) to reorganization and manage the “Foundation for the recording of the Thripitaka in stone inscription” established for the purpose of recording Thripitaka Stone inscriptions.
- (c) to construct and maintain an appropriate approach road to the Viharaya and to develop the premises belonging to the Viharaya ;
- (d) to maintain friendly relations with other Buddhist Organizations within and outside Sri Lanka ;
- (e) to provide the resident bhikkus of the Sri Devram Maha Viharaya, with educational facilities and to help them with their daily needs ;
- (f) to engage in the dissemination of the dharma among Buddhists;
- (g) to encourage Buddhists to live a life according to the teachings of Buddha ;
- (h) to provide education for Buddhists, by establishing and maintaining pirivena and schools by granting scholarships ;
- (i) to establish and maintain, libraries, information and research centre to subscribe for and issue books, journals, souvenirs and periodicals;

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- (j) to promote, arrange, organize and hold exhibitions, lectures, seminars, symposia, workshops, classes, debates, conferences, tours and excursions only for those who adhere to buddhism ;
- (k) to promote, preserve Buddhist ceremonial customs, ways of offering practices and traditional usages; and
- (l) to reorganize and manage the Budhumaga organization.

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

General powers
of the
Corporation.

- (a) 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 ;
- (b) to sell, mortgage, lease, exchange or otherwise dispose of any such property ;
- (c) to appoint, employ, remunerate, exercise disciplinary control and power of dismissal over, such officers and servants as may be necessary for the purpose of carrying out the objects of the Corporation ;
- (d) to receive grants, gifts or donations in cash or kind whether from local or foreign sources ;
- (e) to open, operate and close bank accounts and to borrow or raise money with or without security ; and
- (f) to invest moneys belonging to the Corporation in such securities as may be determined by the Committee of Management.

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Accounts and
Audit.

5. (1) The financial year of the Corporation shall be the calendar year.

(2) The Committee of Management of the Corporation shall cause proper accounts to be kept of the 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 who shall be a member of the institute of Chartered Accountants of Sri Lanka.

Application of
income and
property of the
Corporation.

6. The income and property of the Corporation 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 by way of profit, to the members of the Corporation.

Management of
the affairs of the
Corporation.

7. (1) The management, control and administration of the affairs of the Corporation shall, subject to the other provisions of this Act and the rules made under Section 8 of the Corporation, be administered by a Committee of Management consisting of the President, the Secretary, the Assistant Secretary, the Treasurer and not less than six other members elected in accordance with such rules.

(2) The first Committee of Management of the Corporation shall consist of the members of the Committee of Management of the Sabhawa holding office on the day immediately preceding the commencement of this Act.

Rules of the
Corporation.

8. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by 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 and the admission, withdrawal, resignation 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, functions and duties ;
- (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 ;
- (e) the procedure to be observed for the summoning and holding of meetings of the Committee of Management, the times, place, notices and agenda of such meeting the quorum therefor and the conduct of business thereat ;
- (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 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 monies received by way of gift, testamentary dispositions, grants, donations, contributions, of fees shall be deposited in the name of the Corporation in one or more banks as may be decided by the Committee of Management.

Funds of the Corporation.

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(2) 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.

(3) All expenses borne by the Corporation in the exercise and discharge of the powers and functions of the Corporation shall be paid out of the fund.

Debts due by
and payable to
the Association.

10. All debts and liabilities of the Association existing on the day preceding the commencement of this act, shall be paid by the Corporation hereby constituted, and all debts due to and subscriptions and contributions payable to the said Association on that day, shall be paid to the Corporation hereby constituted.

Corporation
may hold
property
movable or
immovable.

11. The Corporation shall be capable in law to 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, with full power to sell, mortgage, rent, lease, exchange or otherwise dispose of the same.

How the seal of
the Corporation
is to be affixed.

12. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the President and the Secretary or the Treasurer who shall 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.

Property
remaining on
dissolution.

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 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

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is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such institution or institutions shall be determined by the Committee of Management at, or immediately before, the dissolution of the Corporation.

14. Nothing in this act contained shall prejudice or affect the rights of the republic or any body politic or Corporation.

Saving of the rights of the Republic and others.

15. 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.

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