



**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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*Anuradhapura Sri Pushpadana Development
Foundation (Incorporation) Act, No. 34 of 2011*

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AN ACT TO INCORPORATE THE ANURADHAPURA SRI PUSHPADANA
DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as “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:

Preamble.

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 Sri Pushpadana Development Foundation (Incorporation) Act, No. 34 of 2011.

Short title.

2. From and after the date of commencement of this Act such and so many persons as now are members of the “Anuradhapura Sri Pushpadana Development Foundation” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted members of the Corporation hereby constituted, 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.

Incorporation of the Anuradhapura Sri Pushpadana Development Foundation.

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

General objects 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 Anuradhapura;
- (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 Corporation.

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 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;

- (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 the other provisions of this Act, be administered by a 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.

Management of
the affairs of the
Corporation.

(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 members.

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

7. Cancellation of membership may cause due to one of the following reasons:—

- (a) at the death of the member;
- (b) resignation;
- (c) mental incapacity; and
- (d) violation of any rules.

Rules of the Corporation.

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, 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;

- (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 monies heretofore or hereafter received by way of gift, bequest, donation, subscription shall be deposited to the credit of the Corporation in one or more banks as the Committee shall determine.

Fund of the
Corporation.

(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
and payable to
the Foundation.

10. All debts and liabilities of the Foundation existing on the day immediately preceding the date of commencement 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
Audit.

11. (1) The financial year of the Corporation shall be 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
may hold
property
movable and
immovable.

12. 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 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 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 their presence, and such signing shall be independent of the signing of any person as a witness. Seal of the Corporation.
- 14.** 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 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. Property remaining on dissolution.
- 15.** Nothing in this Act contained shall prejudice or affect the rights of the Republic, or of any body politic, or corporate. Saving of the right of the Republic and other.
- 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 any inconsistency.

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