



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

**DAMBADENIYA DEVELOPMENT
FOUNDATION (INCORPORATION)
ACT, No. 65 OF 1992**

[Certified on 16th December, 1992]

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(Incorporation) Act, No. 65 of 1992**

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L. D.—O. 46/91

**AN ACT TO INCORPORATE THE DAMBADENIYA
DEVELOPMENT FOUNDATION.**

WHEREAS a Trust called and known as the "Dambadeniya Development Foundation" has heretofore been created for the achievement of the several objects for which the said Trust was created :

Preamble.

AND WHEREAS the affairs and objects of the said Trust have heretofore been managed and carried out by a Board of Trustees appointed in accordance with the deed creating such trust :

AND WHEREAS the said Board of Trustees 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 Dambadeniya Development Foundation (Incorporation) Act No. 65 of 1992.

Short title.

2. From and after the date of commencement of this Act, the members for the time being of the Board of Trustees of the Dambadeniya Development Foundation (hereinafter referred to as "the Trust") or shall hereafter, be admitted as members of the Board of Trustees of the Corporation hereby constituted shall be a body corporate with perpetual succession under the name and style of the "Dambadeniya Development Foundation" (hereinafter referred to as "the Corporation") and by that name may sue and be sued in all courts with full power and authority to use a common seal and to change and alter the same at its will and pleasure.

Incorporation of the Dambadeniya Development Foundation.

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

General objects of the Corporation.

- (i) to encourage the economic, social and cultural development and the human resources development, of the area comprising the Assistant Government Agent's Divisions of Alawwa and Narammala (hereinafter referred to as the "Dambadeniya electorate");

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- (ii) to assist in the establishment of projects generating employment and to provide managerial assistance to such projects ;
- (iii) to develop housing, utility services and amenities in the Dambadeniya Electorate ;
- (iv) to award scholarships and bursaries to deserving persons in the Dambadeniya Electorate, for education and vocational training ;
- (v) to promote physical training and sports activities in the Dambadeniya Electorate ;
- (vi) to improve health care, sanitation and general welfare of the residents of the Dambadeniya Electorate.

**Management
of the
affairs
of the
Corporation.**

4. (1) The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation be vested in a Board of Trustees (hereinafter referred to as "the Board") consisting of such number of members as may be provided for in such rules and appointed, elected or nominated as the case may be, in accordance with such rules.

(2) The members of the Board of Trustees of the Trust holding office on the day preceding the date of commencement of this Act, shall be deemed to be members of the first Board.

**Rules
of the
Corporation.**

5. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of the members 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 or the deed creating the trust, for all or any of the following matters :—

- (a) the election, appointment or nomination of the members of the Board, and their powers, and duties and the terms of office of members of the Board ;
- (b) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation ;

- (c) the procedure to be observed at, and the summoning and holding of meetings of the Board, the times, places, notices and agendas of such meetings, the quorum therefor and the conduct of business thereat ;
- (d) the administration and management of the property of the Corporation, the custody of its funds, and the maintenance and audit of its accounts ; and
- (e) 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 rules of the Trust 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 or the deed creating the Trust, be deemed to be rules made under this section.

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

6. (1) The Fund of the Corporation shall consist of—

Fund
of the
Corporation.

- (a) all money vested in the trustees of the Trust on the day preceding the date of commencement of this Act which shall vest in the Corporation on such date; and
- (b) all money that may accrue to the Corporation after the date of commencement of this Act.

(2) All money lying to the credit of the Fund shall be utilised only to defray the expenses incurred in connection with the management of the affairs of the Corporation and the accomplishment of its objects.

7. (1) Subject to the provisions of this Act and any other written law, and the deed creating the trust, the Board shall in the name of the Corporation have the power to do all things as are necessary—

Power
of the
Corporation.

- (a) to acquire, hold and develop any property movable or immovable which may become vested in it by virtue of any purchase, grant, gift, devise or otherwise :

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- (b) to sell, mortgage, lease, or grant, convey, assign, exchange or otherwise dispose of any such property ;
- (c) to invest money belonging to the Corporation in such securities as may be determined by the Board ;
- (d) to open, operate and close bank accounts and to borrow or raise money with the property of the Corporation as security, or without such security, for the purposes of the Corporation ;
- (e) to raise funds and receive grants, gifts or donations in cash or kind ;
- (f) to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation ; and
- (g) to do all such other acts and things as may be necessary for the attainment of the objects of the Corporation.

Seal
of the
Corporation.

8. The seal of the Corporation shall be in the custody of a member of the Board designated by the Board and may be altered in such manner as may be determined by the Board. The seal shall not be affixed to any instrument whatsoever, except with the sanction of the Board and in the presence of two members of the Board who shall write and sign their names to the instrument in token of their presence. Such signing shall be independent of the signing of any person as a witness.

Savings of
the rights of
the Republic
and others.

9. 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 mentioned in this Act and those claiming by, from or under them.

Sinhala text
to prevail
in case of
inconsistency.

10. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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