



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

**RAJAPAKSE MEMORIAL, EDUCATIONAL,
CULTURAL AND SOCIAL SERVICES
FOUNDATION (INCORPORATION)
ACT, No. 23 OF 1998**

[Certified on 19th May, 1998]

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*Rajapakse Memorial, Educational, Cultural and
Social Services Foundation (Incorporation)
Act, No. 23 of 1998*

[Certified on 19th May, 1998]

L.D.—O. 17/93.

AN ACT TO INCORPORATE THE RAJAPAKSE MEMORIAL,
EDUCATIONAL, CULTURAL AND SOCIAL SERVICES FOUNDATION

WHEREAS an Association called and known as the
"Rajapakse Memorial, Educational, Cultural and Social
Services Foundation" has heretofore been established in Sri
Lanka for the purpose of effectually carrying out its objects
and transacting all matters connected with the said Association
according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Association has heretofore
successfully carried out and transacted the several objects
and matters for which it was established, and has applied to
be incorporated and it will be for the public advantage to
grant the 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 Rajapakse Memorial,
Educational, Cultural and Social Services Foundation
(Incorporation) Act, No. 23 of 1998.

Short title.

2. From and after the date of commencement of this Act,
such and so many persons as now are members of the
Rajapakse Memorial, Educational, Cultural and Social
Services 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 "the Rajapakse
Memorial, Educational, Cultural and Social Services
Foundation", and by that name may sue and be sued in all
courts, with full power and authority to have, and use, a
common seal and alter the same at its pleasure.

Incorporation of
the Rajapakse
Memorial,
Educational,
Cultural and
Social Services
Foundation.

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General objects of
the Corporation.

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

- (a) to undertake, the execution of road development and housing schemes, the construction and improvement of hospitals, Aesthetic Educational Centres, Mass Media Centres such as Radio and Television Centres and Educational Centres schools, community centres and such other activities with a view to developing towns and villages ;
- (b) to afford children in indigent circumstances an opportunity to prepare for, to enter upon, or to engage in, a trade, occupation or service and to provide them with clothing, instruction fees or such other facilities ;
- (c) to conduct the Sisura Educational Scholarship and to award grant and provide bursaries, scholarships, prizes, donations, financial aid and assistance in other forms, for the advancement, and promotion of knowledge, the furtherance of education, the establishment and maintenance of libraries and cultural centres ;
- (d) to help to preserve and disseminate the Buddhist philosophy and the Buddhist way of life ;
- (e) to establish and maintain friendly relations with other Buddhist organizations, in Sri Lanka and abroad ;
- (f) to conduct vocational training courses for youth in Sri Lanka ;
- (g) to train students in small industries and to assist them, financially or otherwise, to establish themselves as useful citizens ;
- (h) to promote education by establishing and maintaining pirivenas, schools and other educational institutions and by granting scholarships ;

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- (i) to provide medical aid, food and housing to the poor, the destitute and the sick ;
- (j) to establish and maintain orphanages and homes for the aged and to establish social welfare centres ;
- (k) to provide welfare facilities for the deaf, dumb and the blind and disabled persons and to establish welfare homes ;
- (l) to assist financially by granting scholarships or otherwise to the voluntary workers and others who are engaged in the attainment of the objects of the Corporation ;
- (m) 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 ;
- (n) to establish and maintain a Rajapakse Memorial Holiday Resort and a Botanical Garden ;
- (o) to promote, arrange, organize and hold exhibitions, lectures, seminars, symposia, workshops, classes, debates, conferences, tours excursions or any other activities in the furtherance of the objects of the Corporation ;
- (p) to co-operate and associate with other associations, societies or organizations having objects similar to those of the Corporation ;
- (q) to sponsor and conduct conferences, seminars, workshops, group studies and lectures in Sri Lanka and elsewhere, in furtherance of the objects of the Corporation ;
- (r) to print, publish and distribute books, journals, leaflets, newspapers and magazines which the Corporation may consider desirable for the promotion and advancement of its objects ; and
- (s) to do such other acts and things as may be necessary, incidental or conducive to the accomplishment of all or any of the objects of the Corporation.

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Management of
the affairs of the
Corporation.

4. (1) The management, control and administration of the Corporation shall, subject to the provisions of the this Act and the rules in force for the time being of Corporation, vest in a governing Council (hereinafter referred to as "the il") consisting of such number of governors elected from among the members in accordance with the rules in force for the time being of the Corporation.

(2) The members of the governing Council of the Foundation whose names are set out in the Schedule to this Act, and holding office on the day precedings the date of commencement of this Act, shall be deemed to be the members of the first Council of the Corporation.

Register of
members.

5. The Council shall cause to be kept a register of members in which, every person who on the day preceding the date of commencement of this Act is a member of the Foundation and every person thereafter duly admitted a member of the Corporation, shall have his name inscribed.

Powers of the
Corporation.

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

- (a) to borrow or raise money for the purposes of the Corporation ;
- (b) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close bank accounts ;
- (c) to invest any funds not immediately required for the purposes of the Corporation in such manner as the Council may think fit ;
- (d) to solicit and receive subscriptions, grants, donations and gifts of all kinds ;
- (e) to enter into agreements or contracts, with any person, or body of persons ;
- (f) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any real or personal property ;

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- (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 ;
- (h) to train personnel in Sri Lanka or abroad for the purpose of the Corporation ; and
- (i) to do all other things necessary or expedient for the carrying out of the objects of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting of this 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, and any other written law for all or any of the following matters :—

Rules of the Corporation.

- (a) classification of membership fees payable by each class of member, their admission, withdrawal, expulsion or resignation ;
- (b) election of the Council, resignation from, vacation of , or removal from office as office bearers and powers, duties and conduct of the Council ;
- (c) appointment, dismissal, powers, duties, functions and conduct of the various officers, agents and servants of the Corporation ;
- (d) the procedure to be observed at, and the summoning and holding of , meetings of the Council, the Corporation or any sub-committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum therefor and the conduct of business thereat ;
- (e) the qualifications and disqualifications for membership in the council and Corporation ;

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- (f) the administration and management of the property of the Corporation ; and
- (g) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) 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 of the Corporation and may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under this section.

(3) The members of the Corporation shall be subject to the rules of the Corporation.

Fund of the
Corporation.

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution fees or grants for and on behalf of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Council may determine.

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

Accounts and
Audit.

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

(2) The accounts of the Corporation shall be examined and audited at least once in every year.

Debts due by and
payable to the
Foundation.

10. All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation and all debts due to, and subscriptions 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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11. The Corporation shall be able and capable in law to acquire and hold any property movable or immovable, upon or by virtue of any instrument of purchase, grant, gift or lease, or upon or by virtue of any 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 for the time being of the Corporation, or otherwise for the purposes of and upon the trust, in and subject to the conditions in the relative instrument of disposition with full power subject to the provisions of any written law relating to trusts and of the relative instrument of disposition to sell, mortgage, lease, exchange or otherwise dispose of encumber or charge the same.

Corporation may hold property movable and immovable.

12. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of a member of the Council and the Secretary or such other person as may be duly authorised by the Council 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.

13. 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.

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 objects similar to those of the Corporation, and which is or are by its as their rules prohibited from distributing any income or property among its or their members.

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, 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.

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Sinhala text to
prevail in case of
inconsistency.

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

SCHEDULE

[section 4 (2)]

Mr. Chamal Rajapakse (Chairman)
Mr. Mahinda Rajapakse (Vice Chairman)
Mr. Basil Rajapakse
Mr. Gothabhaya Rajapakse
Mrs. Prithi Rajapakse
Mrs. Vichithra Rajapakse
Mr. Lalith Chandradasa (Treasurer)
Mr. Thusuth Ranavaka
Mr. W. Gunasekera
Mr. U. Wijesinghe (Secretary)
Mrs. Chandra Wijewardena
Mrs. Shirantha Wickramasinghe
Mrs. Ramya Hettiarachchi
Mr. Ayoma Peiris
Mrs. Pushpa Wickramasinghe
Mr. Sathindra Perera
Mr. Shainda Rajapakse
Mr. Saminda Rajapakse
Mr. Himal Rajapakse
Miss Rangani Hettiarachchi
Miss Thejani Rajapakse
Mr. Chaminda Rajapakse
Mr. Henri Dissanayake
Mr. Vernan Samarakoon
Mr. Nihal Gunasekara
Mr. N. Ratnayake
Mr. Sarath Amaraweera
Mr. A. Weeraratna
Mr. J. P. Ratnayake

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SCHEDULE

[section 4 (2)]

Mr. J. Amarawickrama
Mr. Upul Dissanayake
Mr. Wishva Dissanayake
Mr. Udayanga Weerathunga
Miss Dulari Dissanayake
Mr. Kithsiri Sepala
Mr. Keerthi Dissanayake
Mr. Dushyantha Roopasinghe
Mr. Sanjeewa Roopasinghe
Mr. Jaliya Wickramasinghe
Mr. Anura Goonaratne
Mr. S. Jayasundara
Mr. K. M. A. Godawatta
Mr. P. H. G. Premasiri
Mr. Mendis Rohandeera
Mr. T. Jayasinghe
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