



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

**MUDITHA SOCIAL SERVICE FOUNDATION
(INCORPORATION) ACT, No. 21 OF 2007**

[Certified on 21st June, 2007]

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L.D.—O. INC 12/2005

AN ACT TO INCORPORATE THE MUDITHA SOCIAL SERVICE FOUNDATION

WHEREAS a Foundation called and known as “Muditha Social Service Foundation” has heretofore been formed at Kurunegala 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 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 Muditha Social Service Foundation (Incorporation) Act, No. 21 of 2007.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are the members of the “Muditha Social Service 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 “Muditha Social Service 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 Muditha Social Service Foundation.

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

General objects of the Corporation.

- (a) to help children of any social, religious and ethnic background ;

2 *Muditha Social Service Foundation
(Incorporation) Act No. 21 of 2007*

- (b) to provide shelter, food, clothing, education and security for the poor children ;
- (c) to grant funds to establish homes for children in Sri Lanka and to upgrade them as Vocational Training Centres ;
- (d) to maintain the vocational training centres for the benefit of the unemployed youths of different ethnic and religious groups ; and
- (e) to do all such other acts and things as are conducive or incidental to the attainment of all or any of the objects of the Corporation.

General 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 as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power to open, operate and close bank accounts, to borrow or raise money, with or without security, to receive or collect grants and donations, to invest its funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

Management of
the affairs of the
Corporation.

5. (1) The affairs of the Corporation shall be administered by an Executive Committee consisting of the office bearers and such other persons as may be provided for in rules to be made under section 6 of this Act and elected in accordance therewith.

(2) The first Executive Committee of the Corporation shall be the Executive Committee of the Foundation holding office on the day immediately preceding the date of commencement of this Act.

6. (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 other written law, for all or any of the following matters :—

Rules of the Corporation.

- (a) the classification of membership and 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 Executive Committee and its powers, conduct and duties and the terms of office of the members of the Executive Committee ;
- (d) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation ;
- (e) the procedure to be observed at, and the summoning and holding of meetings of the Executive Committee, the times, places, notices and agenda of such meetings, the quorum therefore 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) All members of the Corporation shall be subject to the rules of the Corporation.

4 *Muditha Social Service Foundation
(Incorporation) Act No. 21 of 2007*

Debts due by
and payable to
the Foundation.

7. 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, and subscriptions and contributions payable to, the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

Corporation may
hold property
movable and
immovable.

8. The Corporation shall be 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 it shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

The seal of the
Corporation.

9. 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.

Saving of the
rights of the
Republic and
others.

10. 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.

Sinhala text to
prevail in case of
inconsistency.

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

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