

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

Part II of June 08, 2012

SUPPLEMENT

(Issued on 11. 06. 2012)



**SRI GUNARATHANA INTERNATIONAL
FOUNDATION (INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Sri Gunarathana International Foundation

*To be presented in Parliament by Hon. Sriyani Wijewickrama, for
Digamadulla District*

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*Sri Gunarathana International Foundation
(Incorporation)*

AN ACT TO INCORPORATE THE SRI GUNARATHANA INTERNATIONAL
FOUNDATION

WHEREAS a Foundation called and known as the Preamble.
“Sri Gunarathana International Foundation” has heretofore
been formed in Sri Lanka for the purpose of effectually
carrying out its objects and transacting all matters connected
5 with the said Foundation according to the rules agreed to by
its members:

AND WHEREAS the said Foundation has heretofore
successfully carried out and transacted the several objects
and matters for which it was established, and has applied to
10 be incorporated, and it will be expedient to grant the said
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 Sri Gunarathana Short title.
15 International Foundation (Incorporation) Act, No. of
2012.

2. From and after the date of commencement of Incorporation
of the Sri
Gunarathana
International
Foundation.
this Act, such and so many persons as now are members
of the Sri Gunarathana International Foundation
20 (hereinafter referred to as the “Foundation”) or 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 the
“Sri Gunarathana International Foundation” (hereinafter
25 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 pleasure.

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

General
objects of the
Corporation.

- (a) to take necessary action for the extension and protection of Buddhism;
- 5 (b) to assist in the establishment of Dhamma schools, to establish and conduct of centres for this purpose;
- (c) to take action for the conservation and the protection of social values;
- 10 (d) to establish institutions which are actively involved in eradication social unrest;
- (e) to formulate systematic and effective programmes for eradicating poverty;
- 15 (f) to organize activities for the social welfare and development, using physical resources and knowledge which are inherent to Sri Lanka;
- (g) to promote mutual understanding and co-operation as social and national level in the human society;
- 20 (h) to plan and implement community welfare, educational and social development projects in Sri Lanka;
- 25 (i) to promote education, health, recreation, culture and agriculture, to provide grants, scholarships, gifts, donations and financial assistance for the improvement, extension and publicize knowledge and to establish institutions for this purpose;
- (j) to promote areas relating to traditional knowledge and establish institutions for this purpose;
- (k) to commence and maintain projects for the protection and conservation of the environment;

- (l) to grow and maintain herbal plants and other plants required to produce indigenous medicine;
- (m) to commence herbal parks and gardens and to provide assistance for this purpose;
- 5 (n) to open and maintain sales outlets to purchase, distribute and sell ayurvedic medicines;
- (o) to import and export ayurvedic medicines;
- (p) to award scholarships to local and foreign students, to send students for foreign scholarships and matters connected thereto;
- 10 (q) to provide education of university level on various languages and various subjects and to award certificates and to establish institutions for this purpose;
- 15 (r) to assist for the uplift of the visually-impaired, sound-impaired, disabled, destitute, those suffering from incurable diseases and mentally-retarded, to establish and maintain centres for this purpose;
- 20 (s) to establish and maintain affiliated institutions for the attainment of the objectives of the corporation and do other things required for the purpose;
- (t) to engage in an industry, trade or export or import enterprise and to assist persons to conduct agricultural, industrial and commercial enterprises and industries, to extend training programmes for providing technology and techniques and to organize propaganda;
- 25 (u) to assist in scholarship, cash or kind for the voluntary employees and other employees who are engaged in the attainment of the objectives of the Corporation;
- 30

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- 5 (v) to establish and conduct libraries, to assist in printing and publishing of books, magazines, souvenirs, journals, cassettes, compact disks and software and to provide other services necessary to the attainment of the objectives of the Corporation ;
- (w) to promote the Sri Lankan oriental and western aesthetic fields and to establish and conduct institutions for the purpose;
- 10 (x) to promote, organize and conduct of exhibitions, projects, lectures, seminars, discussions, workshops, classes, debates, conferences, journeys, excursions and other activities in Sri Lanka and abroad for the attainment of the objectives of the Corporation and
- 15 to establish research institutes;
- (y) to do acts in collaboration with institutions or organizations local or foreign, having similar objects to those of the Corporation; and
- 20 (z) to do all such other acts and things as are necessary for and incidental or conducive to the attainment of the above objects.

25 **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 as necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power—

General powers of the Corporation.

- (a) to raise funds and receive grants, gifts or donations, in cash or kind;
- 30 (b) to acquire, in any manner whatsoever and hold, take or give on lease or hire, rent, sell or otherwise dispose of , any movable or immovable property

and construct, maintain and alter any buildings or works necessary or convenient for the business of the Corporation;

- 5 (c) to make, draw, accept, discount, endores, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate and close bank accounts and borrow or rais money with or without security;
- 10 (d) to invest any funds not immediatly required for the purposes of the Corporation in such manner as the Board of Management may determine;
- 15 (e) to enter into agreement or contracts with any person, or body of persons whether incorporated in Sri Lanka or abroad or with any Government Department, Corporation, Board, Provincial Council or Local Authority of the achievement of the objects of the Corporation;
- 20 (f) to determine the fees to be paid in respect of registration of different categories of membership; and
- (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 determind by the Corporation.

25 **5.** (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation, be administered by a Board of Directors consisting of the Director General, the Deputy Chairman, the Secretary, Deputy Secretary and Treasurer
30 and not less than seven other members elected in accordance with such rules.

Management
of the
Corporation.

(2) Notwithstanding anything to the contrary in subsection (1) on this section Ven. Doctor Colombisse

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Gunarathana there shall be the Director General of the Corporation for life and he shall nominate his successor to be Director General of the Corporation after him. Such succeeding Director General shall also hold the office of
5 Director General for life.

(3) The Board of Directors of the Corporation shall consist of the members of the Board of Directors of the day immediately preceding the date of commencement of this Act.

10 **6.** (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes of not less than two thirds of the members present and voting, to make rules, not inconsistent with the provision of this Act or any other written law, for the admission, withdrawal or expulsion
15 of members, the election of the Board of Management, for the conduct of the duties of the office bearers, agents, officers and servants of the Corporation, for the procedure to be followed in the transaction of business by the Corporation and Board of Management and generally, for the
20 management of the affairs of the Corporation and the accomplishment of its objects. Such rules when made may at a like meeting and in like manner, be altered, added to, amended or rescinded.

Rules of the Corporation.

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

7. (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
30 have inscribed in such register his name.

Register of members.

(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.

5 **8.** (1) The Corporation shall have its own Fund. All Fund of the Corporation.
moneys received by way of gift, bequest, donation, transfer, subscription, contribution or fees shall be deposited to the credit of the Corporation in one or more Banks as the Board of Management shall determine.

10 (2) There shall be paid out of the Fund of the Corporation, all such sums of money as may be required to defray any expenditure incurred by the Corporation in carrying out the objects of the Corporation.

15 (3) The moneys and property of the Corporation whosoever 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, to any member of the Corporation.

20 **9.** (1) The Corporation shall cause proper accounts to Accounts and Audit.
be kept of all moneys received and expensed by the Corporation.

25 (2) The accounts of the Corporation shall be examined and audited at least once in every year and the correctness of the income and expenditure account and the balance sheet shall be certified by the auditor or auditors appointed by the Corporation.

30 **10.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Director General and the Secretary 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.

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11. All debts and liabilities of the Foundation existing on the day 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 purpose of this Act.

Debts due by and payable to the Foundation.

12. The Corporation shall be able and capable in law, to take 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 subject to the rules in force for the time being of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable and immovable.

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 Foundation or Foundations having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such Foundation or Foundations shall be determined by the Board at or immediately before the dissolution of the Corporation.

Property remaining on dissolution.

14. 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 person, 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.

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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