



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

**ROYAL CHARITY FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Royal Charity Foundation

*Presented by Hon. M. T. Hasen Ali M. P.
on 07th March, 2014*

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Royal Charity Foundation (Incorporation)

AN ACT TO INCORPORATE THE ROYAL CHARITY FOUNDATION

WHEREAS a Foundation called and known as the “Royal Charity Foundation” has heretofore been formed for the purpose of effectually carrying out and transacting the 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 which it was established, and has applied to be incorporated and it will be for the public advantage to grant such application:

BE it therefore, connected by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as The Royal Charity Foundation (Incorporation) Act, No. of 2014.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Royal Charity Foundation” (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 “Royal Charity 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 have and use a common seal and to alter the same at its pleasure.

Incorporation of the Royal Charity Foundation.

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

General objects of the Corporation.

(a) to establish and maintain orphanages and homes for the aged and to establish social welfare centres;

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- (b) to provide wheel chairs, crutchers and spectacles for the poor and destitute;
- (c) to assist low income families in the construction of new houses or completion of existing ones;
- 5 (d) to assist low income families;
- (e) to distribute essential dry rations among low income families;
- (f) to hold workshops in order to promote positive thinking and to reduce extreme situations in life;
- 10 (g) to assist and give advice to cultivators and small scale businessmen;
- (h) to provide sanitary facilities and water supply for needy people;
- (i) to provide artificial limbs for those who need them;
- 15 (j) to hold medical clinics;
- (k) to arrange weddings for extremely poor persons; and
- (l) to create projects for providing computer knowledge for youth.

20 **4.** (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 constituting of Chairman, Secretary, Treasurer and another eleven more members elected in accordance with such rules.

Management
of the affairs
of the
Corporation.

25 (2) The first Board of Directors of the Corporation shall consist of the members of the Board of administration of the Foundation holding office on the day immediately preceding the date of commencement of this Act.

5. 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 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 moneys with or without security, invest the money of the Corporation and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

General powers of the Corporation.

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

Rules of the Corporation.

- (a) the admission, resignation or expulsion of members;
- (b) the election of the office-bearers, the registration 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 Board of Directors and its powers conduct and duties and the terms of office of the members of the Board of Directors and the filling of vacancies of the members of the Board of Directors;
- (d) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation;
- (e) the procedure to be observed for the summoning and holding of meetings of the Board of Directors, the times, places, notices and agenda of such meetings, the quorum therefore and the conduct of business thereat;

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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.

5 (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) Every members of the Corporation shall be subject to the rules of the Corporation.

10 **7.** 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 hereby constituted and all debts due to, subscriptions and contributions payable to the Foundation on that date shall
15 be paid to the Corporation for the purpose of the Act.

Debts due by and payable to the Foundation.

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donations, subscription, contributions, fees or grants for and on account of the Corporation shall be deposited to
20 the credit of the Corporation in one or more banks as the Board of Directors shall determine.

Fund of the Corporation.

 (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
25 its powers, duties and functions under this Act.

9. The Corporation shall be able and capable in law, to take and hold any property, movable and immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and all such
30 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.

10. 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 such membership fees as may be due from him to the Corporation.

Limitation of liability of members.

11. 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 institute or institutes 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 institution or institutions shall be determined by the Board at or immediately before the dissolution of the Corporation.

Property remaining on dissolution.

12. (1) The financial year of the Corporation shall be the calendar year.

Accounts and Audit.

(2) The Corporation shall cause proper accounts to be kept of 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 as may be determined by the Board.

(4) In this section “qualified auditor” means—

(a) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or any other Institute established by law, possesses a certificate to practice as an Accountant issued by the Council of such Institute; or

(b) 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 Accountant issued by the Council of such Institute.

13. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman and Secretary who shall sign their names on the instrument in token of their presence and such signing shall
5 be independent of the signing of any person as a witness.

Seal of the Corporation.

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 persons, except such as are mentioned in this Act, and those claiming by, from or under
10 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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