

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

Part II of December 04, 2015

SUPPLEMENT

(Issued on 07. 12. 2015)



**ABHIMANI SOCIAL DEVELOPMENT AND
CULTURAL FOUNDATION
(INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Abhimani Social Development and Cultural Foundation

*To be presented in Parliament by Hon. (Mrs.) Hirunika Premachandra,
M. P. for Colombo District*

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*Abhimani Social Development and
Cultural Foundation (Incorporation)*

AN ACT TO INCORPORATE THE ABHIMANI SOCIAL DEVELOPMENT AND
CULTURAL FOUNDATION

WHEREAS a Foundation called and known as the "Abhimani Social Development and Cultural Foundation" has heretofore been formed 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 Abhimani Social Development and Cultural Foundation (Incorporation) Act No. of 2016.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the "Abhimani Social Development and Cultural Foundation" (hereinafter referred to as the "Foundation") or shall hereafter be admitted as members of the Corporation hereby constituted shall be and become a body corporate (hereinafter referred to as the "Corporation") with perpetual succession under the name and style of the "Abhimani Social Development and Cultural 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 Abhimani Social Development and Cultural Foundation.

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

The General objects of the Corporation.

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- (a) To promote, peace, goodwill, understanding and cooperation among all communities of Sri Lanka;
- 5 (b) To assist school children to develop and establish their educational, philosophical, religious, cultural and scientific activities;
- (c) To give assistance, prizes and scholarships to needy school children to enable them to continue their education without disturbances, and to encourage them to attend school regularly;
- 10 (d) To assist suitable and needy school children as the Foundation may deem fit, to improve their social, economical and educational status by promoting welfare;
- 15 (e) To promote and protect human rights, human values, and knowledge in social ethics, fundamental freedom, democracy and rights in Sri Lankan citizens;
- 20 (f) To give assistance, prizes and scholarships as the Foundation may deem fit, to suitable and needy school children to continue their higher education without interruption;
- 25 (g) To assist and encourage needy school children who are following their higher education by awarding scholarships and in other suitable ways, to improve their education and for researches;
- (h) To improve mental and economic status of women, children and the persons subjected to social discrimination and assist in the implementation of projects to empower them;

- (i) To take steps to promote and encourage humanitation, sports, literature, aesthetic and spiritual activities among school children;
- 5 (j) To take steps to provide food, shelter, temples etc. to the venerable buddhist priests and for their development;
- 10 (k) To take steps for the spiritual development and improvement of the society by conducting programmes for alms giving, observing sil and meditation with the participation of venerable buddhist priests;
- 15 (l) To establish and maintain information technology centers island wide for the advancement and development of scientific knowledge of school children and conduct educational programmes for them;
- 20 (m) To arrange to implement and maintain self employment development projects to improve social and economic conditions of persons who need assistance;
- (n) To liaise and coordinate with other local and foreign institutions which have similar objects;

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 including the Chairman and Secretary, Treasurer elected in accordance with such rules;

Management of the affairs of the Corporation.

30 (2) The founder member of the Foundation Reverend Mawarale Bhaddiya Thero shall be the Chairman of the Board of Directors for life and the Chairman shall be the Chief Executive Officer of the Corporation thereafter a

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nominee by Reverend Mawarale Bhaddiya Thero shall be the Chairman of the Board of Directors.

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

(4) A member of the Board of Directors other than the Chairman shall, unless he vacates his office earlier by death or resignation, hold office for a period of four years. Where
10 due to death or resignation a vacancy occurs in the Board of Directors a new member shall be appointed by the Board of Directors to fill such vacancy and such new member shall hold office for the remainder of such period of four years of his predecessor.

15 **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 as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including
20 the power to open, operate and close bank accounts, to borrow or raise moneys with or without security, to receive or collect grants and donations and to engage, employ and dismiss servants required for the carrying out of the objects of the corporation.

General powers of the Corporation.

25 **6.** (1) it shall be lawful for the Corporation, from time to time at any General Meeting of the members and by votes of at least two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act, or any other written law, for all or any of the following
30 matters;

Rules of the Corporation.

- (a) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable;
- 5 (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Board of Directors, the quorum for such meetings and the exercise and performance of their powers and duties;
- 10 (c) the appointment, powers, duties and functions of the various offices, agents and servants of the Corporation;
- (d) qualifications required to become a member of the Corporation and of the Board of Directors; and
- 15 (e) the administration and management of the property of the Corporation.

(2) Any rule made by the Corporation may be altered, added to, amended or rescinded in like manner at a like meeting as a rule made under subsection (1).

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

25 **7.** 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 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.

30 **8.** (1) The corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Board of Directors shall determine. Fund of the Corporation

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

5 **9** The Corporation shall be able and capable in law to acquire and hold any prpoerty, movable or immovable which may become vested in it by virtue of any purchase, grant, lease, gift, testamentary disposition or otherwise and all such property shall be held by the Corporation for the purpose of
10 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
15 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 liabilities of members.

11. If upon the dissolution of the Corporation there remains, after the satisfaction of all its debts and liabilities
20 any property whatsoever such property shall not be distributed among the members of 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 rules prohibited from distributing an income
25 or property among its members.

Property remaining on dissolution.

12. (1) The Board of Directors of the Corporation shall cause proper accounts to be kept of all moneys received and spent by the Corporation.

Audit and Accounts.

(2) The financial year of the of the Corporation shall be
30 the calendar year.

(3) The accounts of the Corporation shall be examined and audited at least once in every year by an auditor or auditors appointed by the Board of Directors.

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13. The Seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Chairman and one member of the Board of Directors who shall sign their names to the instrument in token of their
5 presence and such signing shall be independent of the signing of any person as a witness.

Seal of the Corporation.

14. Nothing contained in this Act 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
10 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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