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SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of October 22, 2021

SUPPLEMENT

(Issued on 25.10.2021)



**SHAILI EDUTAINMENT FOUNDATION
(INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the Shaili Edutainment Foundation

To be presented in Parliament by Hon. (Dr.) (Ms.) Harini Amarasuriya, M. P.

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Shaili Edutainment Foundation (Incorporation)

AN ACT TO INCORPORATE THE SHAILI EDUTAINMENT FOUNDATION

WHEREAS a Foundation called and known as the “Shaili Edutainment Foundation” has heretofore been formed in Sri Lanka for the purpose of patronage and co-ordination of above tasks and transacting all matters connected with said Foundation according to the rules agreed to by its members: 5

Preamble

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted several objects and matters for which it was established, and has applied to be incorporated and it will be expedient to grant the said application for public benefit; 10

AND WHEREAS it is expected to make youth and children mentally and physically fit, having capacity to show the identity of ancient cultural heritage and to grow higher aesthetic education in the community through creative and performing activities; 15

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 Shaili Edutainment Foundation (Incorporation) Act, No. of 2021.

Short title

20 2. From and after the date of commencement of this Act, such and so many persons as now are members of the Shaili Edutainment 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 “Shaili Edutainment Foundation” (hereinafter 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 alter the same at its pleasure. 25

Incorporation of Shaili Edutainment Foundation

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3. (1) The general objects for which the Corporation is constituted are hereby declared to be— General
objects of the
Corporation

- 5 (a) to open new avenues for gaming wisdom and to assist to develop the personality of the children, elders and differently abled (Hearing impaired, visually impaired, mentally and physically unsound) in Sri Lanka through the commencement, promotion, patronage and co-ordination of educational creative activities, vocational activities and performing activities;
- 10
- (b) to make a background which is suitable for the development of both mental and physical conditions of the children, youth, elders and differently abled as to fit to their requirements;
- 15 (c) to train children, youth and the community to become balanced persons who are contended and conversant with their own cultural heritage and identity;
- 20 (d) to establish peace among the multiple ethnic groups in Sri Lanka and to join and to do acts in collaboration with the other institutions having similar objects to those of the Corporation including the object of providing facilities in order to exchange ideas, knowledge and experience;
- 25 (e) to open a National Centre for studies in various fields for conducting Research, Professional trainings, workshops and for improving of the creative and professional performing skills. And either along or in collaboration of local and International institution (Approved by University Grant Commission) award certificate, diploma and degrees and prizes in connection therewith;
- 30

- 5 (f) to conserve the forklore, to organize the programmes for exchanging of local and foreign knowledge and experience which are essential the improvement of knowledge of children, young and differently abled; and
- (g) to do all such other acts and things as are necessary for and incidental or conducive to attainment of the above objects.

10 **4.** Subject to the provisions of this Act or 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 engage, employ and dismiss, officers and servants required for the carrying out of
15 the objects of the Corporation.

General powers of the Corporation

20 **5.** (1) The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation, be administered by a Management Council consisting of five members as may be, provided for in the said rules who shall be elected in accordance with such rules. The term of office of the Management Council shall be two years.

Management of the Corporation

(2) Three family members of the late Mr. Wimalasiri de Mel, the Founder of this Foundation, shall be included in the above Management Council consisting five members.

25 (3) The first Management Council shall consist of the members of the Management Council holding office on the date of commencement of this Act. An elected or appointed member of that Management Council shall hold office in accordance with the rules for the time being.

30 **6.** (1) Membership of the Corporation shall consist of ordinary members and associate members.

Membership of the Corporation

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(2) However, those who are not qualified for the admission as ordinary members and associate members with some privileges which may be stipulated by the Management Council subject to the rules in force for the time being of the Corporation, may be admitted as collective members;

(3) A separate register shall be maintained for the associate members and notwithstanding they shall not be qualified for casting votes at the meetings of the Corporation, they shall enjoy some privileges as ordinary members do.

10 7. (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 who are qualified for casting votes, to make rules, not inconsistent with the provisions of this Act or any other written law for the management of the affairs of the Corporation such as holding meetings, carrying out its business at such meetings and preparation of Annual Reports etc. and the accomplishment of its object.

Rules of the Corporation

20 (2) The rules of the Foundation in force on the day preceding the date of commencement of operation of this Act shall be deemed to be the rules of the Corporation made under this section in so far as they are not inconsistent with the provisions of this Act or any other written law and such rules when made in like manner under the subsection (1), be altered, amended or rescinded.

25 (3) Any rule made by the Corporation may be altered, added to, amended or rescinded in like manner under subsection (2).

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

30 8. The Corporation shall be able and capable in law—
(a) to acquire and hold, any property, movable or immovable which may be conveyed by way of any purchase, donation, transfer gift, testamentary disposition or to acquire or hold;

Corporation may hold movable or immovable property

(b) to construct a building in any immovable property which was transferred to, acquired by or held by the Corporation; and

5 (c) to sell, grant, transfer, mortgage, lease, exchange or otherwise dispose of the same,

subject to the provisions of this Act and the rules in force for the time being.

9. It shall be lawful for the Corporation to change any amount of fee or contribution from its members for the service, rendered by the Corporation as it deems fit. Power to charge contribution and fees

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

15 (2) The Corporation shall cause proper accounts to be kept of its 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.

(4) In this connection "Qualified Auditor" means –

20 (a) an individual who 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 an Accountant issued by such Institute; or

25 (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 an Accountant issued by such Institute.

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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. (1) The Corporation shall have its own Fund. All moneys heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution, 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

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

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

Limitation of liability of members

14. (1) 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

- 5 **15.** (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman and a member of the Board 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. Seal of the Corporation
- 10 **16.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporate or of any other person, except such are mentioned in this Act and those claiming by, from or under them. Saving of the Rights of the Republic and others
- 17.** 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

