

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

Part II of February 12, 2021

SUPPLEMENT

(Issued on 16.02.2021)



**WHITE ROSE FOUNDATION
(INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the White Rose Foundation

*To be presented in Parliament by Hon. Buddhika Pathirana, M. P.
for Matara District*

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White Rose Foundation
(Incorporation)

AN ACT TO INCORPORATE THE WHITE ROSE FOUNDATION

WHEREAS an Association called and known as the “White Rose Foundation”, has heretofore been formed in Colombo for the purpose of effectually carrying out and transacting the objects and matters connected with the said Association according to the rules agreed to by its members :

Preamble

AND WHEREAS the said White Rose 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 :

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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 White Rose Foundation (Incorporation) Act, No. of 2021.

Short title

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “White Rose 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 “White Rose 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 alter the same at its pleasure.

Incorporation of the White Rose Foundation

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

General objects of the Corporation

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(a) to impact the lives of children and youth by providing them with opportunities to learn creative arts to bring about a positive change in their mental and physical wellbeing;

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- (b) to provide opportunities and financial assistance to individuals with varied talents to grow their full potential;
- 5 (c) to provide opportunities for youth to learn new skills and receive on job training and assist them to set up small scale businesses within their communities;
- (d) to provide accounting, financial, legal and other professional support and advise to any community in Sri Lanka, to help them manage their lives in a better way;
- 10 (e) to promote social, spiritual and cultural activities to intergrate the different communities in the country and increase awareness and understanding among them about each other;
- 15 (f) to establish island-wide information technology centres for the advancement of scientific studies and development of the country;
- (g) to provide facilities for the agricultural and fisheries industries where necessary;
- 20 (h) to provide assistance to governmental and non governmental agencies for generating employment amongst youth;
- (i) to obtain and provide grants and other forms of financial assistance for the commencement and advancement of the above mentioned projects;
- 25 (j) to co-ordinate with like minded persons and organizations both local and foreign, and to organize meetings, seminars, conferences etc. for the advancement of the above mentioned project;

5 (k) to promote arrange and organize exhibitions, lectures, seminars, discussions, workshops and other activities with a view to accomplishing the objectives of the White Rose Foundation and to print, publish and distribute such books, journals, bulletins and newspapers;

(l) to do all such other acts as may be necessary for the carrying out of all or any of the aforesaid objects.

10 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 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 acquire and hold property
15 movable or immovable, to open, operate and close bank accounts, to borrow or raise money with or without security to receive or collect grants, donations, to invest its funds, to erect any building or structures on any land held by the Corporation and to engage, employ, dismiss officers and
20 servants required for the carrying out of the objects of the Corporation.

General Powers of the Corporation

25 5. (1) The affairs of the Corporation shall, subject to other provisions of this Act and the rules in force for the time being of the Corporation, be administered by a Board of Directors (hereinafter referred to as the "Board") consisting of a Chairman, Vice Chairman, Managing Director, Secretary and Treasurer and a maximum of seven other Directors elected in accordance with the rules of the Corporation.

Management of the Affairs of the Corporation

30 (2) The First Board of Directors of the Corporation shall consist of the members of the Board of the Association holding office on the day immediately preceding the date of commencement of this Act. Such Board shall hold office until a Board of Directors is elected in accordance with the rules of the Corporation.

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6. (1) It shall be lawful for the Corporation from time to time, at any general meeting and by a majority of votes of not less than two-thirds of the members present, to make rules not inconsistent with the provisions of this Act, or any other written law, for all or any of the following matters and any other matter in relation to the management of the affairs of the Corporation and accomplishment of its objects:—

Rules of the Corporation

(a) the classification of members and membership fees, their admission, withdrawal or expulsion from membership;

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(b) the election of the members to the Board of Directors and their powers and duties;

(c) the election of office bearers, their term of office, resignation from, vacation of or removal from office and their powers and duties;

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(d) the procedure to be followed in the summoning and holding of meetings of the Council, the quorum therefore and the conduct of business thereat;

(e) the administration and management of the property of the Corporation, including funds.

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

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

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7. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, testamentary dispositions, fees, grants, donations or contributions in cash or kind from local or foreign institutions and individuals, members and non-members.

Funds of the Corporation

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(2) All monies received shall be deposited in the name of the Corporation in one or more banks and be invested in any suitable manner as the Board shall determine.

5 (3) All expenditure incurred by the Corporation in the exercise, performances and discharge of its powers, duties and functions of the Corporation shall be paid out of the Funds of the Corporation.

15 **8.** All debts and liabilities of the Association 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, subscription and contribution payable to the Association on that day shall be paid to the Corporation for the purpose of this Act.

Debts due by and payable to the foundation

15 **9.** 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 due from such member as membership fees.

Limitation of liabilities of members

20 **10.** The Corporation shall be able and 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, trust or otherwise and all such property shall be held by the Corporation for the purpose 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, and in the case of a trust, the Corporation shall deal with it in the manner provided for by the trust.

Corporation may hold property movable and immovable

30 **11.** The seal of the Corporation shall not be fixed to any instrument whatsoever, except in the presence of such number of persons as may be provided for in the rules in force for the time being of the Corporation, 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
35 a witness.

Seal of the Corporation

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12. 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 mentioned in this Act and those claiming by, from or under them.

Saving of the rights of the Republic and others

5 **13.** 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

