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SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of July 22, 2021

SUPPLEMENT

(Issued on 26. 07. 2021)



**SAMADHI COMMUNITY DEVELOPMENT
FOUNDATION (INCORPORATION)**

(Private Members' Bill)

A

BILL

to incorporate the Samadhi Community Development Foundation

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

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*Samadhi Community Development Foundation
(Incorporation)*

AN ACT TO INCORPORATE THE SAMADHI COMMUNITY
DEVELOPMENT FOUNDATION

WHEREAS an Foundation called and known as the Preamble
“Samadhi Community Development Foundation” has been
established in Sri Lanka for the purpose of effectually
carrying out and transacting all objects and matters
5 connected 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 for the public advantage to
grant the 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 Samadhi Community Short title
15 Development Foundation (Incorporation) Act, No. of 2021.

2. From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the of the
Samadhi Community Development Foundation (hereinafter Samadhi
referred to as “the Foundation”) or shall hereafter be admitted community
20 members of the Corporation hereby constituted, shall be a Development
body corporate (hereinafter referred to as “the Corporation”) Foundation
with perpetual succession under the name and style of the
“Samadhi Community Development Foundation”, and by
that name may sue and be sued in all courts, with full power
25 and authority to have and use a common seal and to alter the
same at its pleasure.

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

(a) to organize maintain and uplift the educational
30 activities and pre training programmes for the poor
children and young those who have no educational
facilities;

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 (Incorporation)

- (b) to utilize the youth labour for the welfare of the general public;
- (c) to encourage the farmers and establish young farmers organisations;
- 5 (d) to grant opportunities for training in pre-vocational education, in the fields of sports, computer training, massmedia, leadership, learning of Tamil, English and other Languages;
- 10 (e) to conduct lectures, seminars, exhibitions and to organise educational propaganda activities;
- (f) to establish library facilities;
- (g) to preservation of environment and comparative development ; and
- 15 (h) to do all such other acts, matters and things as are incidental or conducive to the attainment of the objectives of the corporation.

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
20 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 enter into all contracts directly or through a representative as may be necessary, to borrow or raise money
25 with or without security, to receive or collect grants and donations and payment of interests thereto, to invest its fund in local, foreign investments with the view of raising funds of the Corporation, to engage, employ and dismiss officers and servants required for the carrying out of the objects of
30 the Corporation.

Powers of the Corporation

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5 **5.** (1) The management of the affairs of the Corporation shall be subject to the rules of the Corporation, be administered by an Executive Council (hereinafter referred to as the “Council”) consisting of not more than six office bearers inclusive of the Chairman/Managing Director, Secretary, Treasurer and such number of members as may be provided or in rules and elected in accordance therewith. Management of the affairs of the Corporation

10 (2) The first Executive Council of the Corporation shall be the Executive Council of the Foundation holding office on the day preceding the date of the Commencement of this Act.

15 **6.** (1) It shall be lawful for the Corporation from time to time at a general meeting and by majority of not less than two-third 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 matters:— Rules of the Corporation

 (a) the election, appointment or nomination of the members of the Board of Management and their powers and duties and terms of office;

20 (b) the powers, conduct of duties and functions of various officers, agents and servants of the Corporation;

25 (c) the procedure to be observed at the, summoning and holding of meetings of the Corporation and of the Committee of Management, the time place, notice and agenda of such meetings, the quorum therefore and the conduct of business thereat;

 (d) the qualifications and disqualifications for membership of Committee of Management and of the Corporation;

30 (e) the administration and management of the property of the Corporation the custody of its funds and maintenance and audit of the account; and

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(f) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule made under subsection (1) may it a like meeting and in like manner to or rescinded be amended,
5 altered, added.

(3) The rules of the Foundation in force on the day immediately preceding the date of commencement of the Act shall insofar, as they are not inconsistent with the provisions of this Act, or any other written law, be deemed
10 to be rules made under this section.

(4) all members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

7. All debts and liabilities of the Foundation on the day preceding the date of commencement of this Act shall be
15 paid to 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

8. The Corporation shall be able and capable in law to
20 acquire 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 with full power to sell, mortgage, lease, exchange
25 or otherwise dispose of them. Corporation may hold property movable and immovable

9. The seal of the Corporation shall be affixed to any instrument whatsoever except in the presence of such number
of office bearers as may be provided for in the rules of the Corporation who shall sign their names to the instrument in
30 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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10. Nothing in this Act contained shall prejudice or affect the rights of the Republic or any body corporate or 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

5 **11.** 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

