# THE GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Part II of February 25, 2021

#### **SUPPLEMENT**

(Issued on 01.03.2021)



## "MATARA SEASON" ORGANIZATION (INCORPORATION)

(Private Members' Bill)

A

#### **BILL**

#### to incorporate the "Matara Season" Organization

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

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#### An Act to incorporate the "Matara Season" Organization

WHEREAS an organization called and known as the "Matara Preamble Season" Organization has heretofore been created for the purpose of effectually carrying out and transacting all objects and matters connected with the said Organization according to the rules agreed to by its members:

AND WHEREAS the said Organization has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be incorporated and it will be for the public advantage to 10 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 "Matara Season" Short title Organization (Incorporation) Act, No. of 2021.
- 2. From and after the date of commencement of this Act, such and so many persons as now are members of the "Matara Season" Organization (hereinafter referred to as "the Organization") 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 "Matara Season" Organization (hereinafter referred to as the "Corporation") and by that name may sue and be sued and shall have full power and authority to have and use a common seal and to alter the same at its pleasure.

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

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General objects of the Corporation

(a) to provide for displaying and evaluating skills of school children and university students and to confer awards and certificates to children with talents in order to promote thier cultural skills;

- (b) to implement special training programmes which will enable the creation of a young generation who appreciate and practice values, norms and ethics;
- (c) to conduct leadership camps and workshops for senior students of schools and universities in order to mould them for leadership and to educate them for successfull living;
- (d) to implement practical programmes for promoting physical capabilities of student population through
  sanitation and health programmes and sports cum physical exercise programmes;
  - (e) to organize and operate educational tours, shramadana campaigns and workshops in order to inculcate feelings on Sri Lankan heritage, environment, wildlife, population and patriotism;
  - (f) to extend support to services rendered by senior citizens organizations and to encourage such organizations;
- (g) to encourage farmers engaged in traditional and export agricultural activities and to carry out various awareness programmes for them;

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- (h) to take action to provide required assistance and support and training to unemployed youths in order to enable them to engage in self employment activities;
- (i) to work in collaboration with local and foreign organizations with objectives similar to those of the Corporation;
- (*j*) to do all such other acts, matters and things as are incidental or conductive to the attainment of the objectives of the Corporation.

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- **4.** Subject to the provisions of this Act and any other Powers of the written law, the Corporation shall have the power to—
  - (a) open, operate and close bank accounts;
- (b) borrow or raise money with or without security andto receive or collect grants and donations;
  - (c) invest any funds of the Corporation which are not immediately required for the purpose of the Corporation in a way that may be determined by the Committee of Management;
- (d) purchase, acquire, give on lease or hire, sell or otherwise obtain any movable or immovable property which may be required for the purpose of the Corporation and which may lawfully be acquired for those purposes and to deal with or dispose of the same, as it may deem expedient with a view to promoting the objects of the Corporation;
  - (e) appoint, employ and dismiss the employees required for the carrying out of the objects of the Corporation and pay them such remuneration as may be determined by the Corporation;

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- (f) enter into, perform or carry out, whether directly or through any officer or agent authorized in that behalf of the Corporation, all such contracts or agreements as may be necessary for the attainment of the objects of the exercise of the powers of the Corporation; and
  - (g) appoint advisory councils, committees or sub committees as and when necessary to carry out any functions of the Corporation as may be determined by the Committee of Management:

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Provided that the Corporation shall obtain prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance in respect of all foreign grants, gifts or donations.

5. (1) The management of the affairs of the Corporation Management shall be subject to the rules of the Corporation, be of the affairs administered by Committee of Management consisting of of the not more than six office bearers inclusive of the Chairman/ 10 Managing Director, Secretary, Treasurer and such number of members as may be provided or in rules and elected in accordance therewith.

Corporation

- (2) No act or proceeding of the Committee of Management shall be deemed to be invalid by reason only of the existence 15 of a vacancy among its members or any defect on the election or nomination of a member thereof.
- (3) The first Committee of Management shall consist of the members of the Committee of Management holding office on the day immediately preceding the date of commencement 20 of this Act and shall continue to hold office until a new Committee of Management is elected in accordance with the rules made under section 6 of this Act.
- 6. (1) It shall be lawful for the Corporation, from time Rules of the to time, at any general meeting by a majority of not less than Corporation 25 two-thirds of the members present to make rules not inconsistent with the provisions of this Act, or any other written law, on all or any of the following matters:—

- (a) the classification of members and the admission, withdrawal or expulsion of members;
- 30 (b) the election of the office-bearers, the resignation from, vacation of or removal from office of officebearers and their powers, conduct and duties;

- (c) the election of the members of the Committee of Management and its powers, duties and conduct and the terms of office of members of the Committee of Management;
- 5 (d) the powers, duties, functions and conduct of the officers, agents and servants of the Corporation;

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- (e) the procedure to be observed at and the summoning and holding of meetings of the Committee of Management, the times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereat;
- (f) the administration and management of the property of the Corporation, the custody of its funds, and the maintenance and audit of its accounts; and
- 15 (g) the management of the affairs of the Corporation, and the accomplishment of its objects.
  - (2) Any rule made by the Corporation may be amended, altered, added 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 20 the rules of the Corporation.
  - 7. The Secretary of the Committee of Management shall Register of keep and maintain a register containing the names of the the Members members of the Corporation.

Corporation

25 **8.** Subject to the provisions of this Act, the Corporation Corporation shall be able and capable in law to acquire and hold any may hold property both movable and immovable, which may become movable and vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and all such property shall be held 30 by the Corporation for the purpose of this Act and subject to the rules of the Corporation made under section 6, with full

of the same.

power to sell, mortgage, lease, exchange or otherwise dispose

immovable property

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- 9. (1) The Corporation shall have its own fund and all Fund of the moneys heretofore or hereafter to be received by way of gifts, testamentary dispositions, grants, donations, contributions or fees on behalf of the Corporation shall be deposited to the 5 credit of the credit of the Fund of the Corporation in one or more banks as the Committee of Management may determine.
  - (2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.
- 10 (3) There shall be paid out of the Fund all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.
- (4) The financial year of the Corporation shall be the 15 calender year.
- 10. All debts and liabilities of the Organization on the Debts due by day preceding the date of commencement of this Act, shall and payable be paid and discharged by the Corporation hereby to the Organization constituted and all debts due to, subscriptions and 20 contributions payable to the Organization on that day shall be paid to the Corporation for the purpose of this Act.

11. No member of the Corporation shall for the purpose Limitation of of discharging the debts an liabilities of the Corporation liability of or for any other purpose, be liable to make any contribution 25 exceeding the amount due from such member as membership fees.

- 12. (1) The Corporation shall cause proper accounts to Accounts and be kept of its income and expenditure, assets and liabilities Audits and all other transactions of the Corporation.
- (2) The accounts of the Corporation shall be audited by 30 a qualified auditor.

(3) In this section, "qualified auditor" means —

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- (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 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 of practice as an Accountant, issued by the Council of such institute.
- 13. (1) The Seal of the Corporation shall not be affixed Seal of the 15 to any instrument whatsoever except in the presence of the President and the Secretary or two other members of the Corporation as may be decided by the committee of Management who shall sign their names to the instrument 20 in token of their presence and such signing shall be independent of the signing of any person as a witness.

14. If upon the dissolution of the Corporation, there Property remains any property whatsoever, after the satisfaction of all remaining on debts and liabilities, such property shall not be distributed 25 among the members of the Corporation, but shall be given or transferred to some other institution having objects similar to those of the Corporation, and which is or are by its rules prohibited from distributing any income or property among its or their members. Such institution or institutions may be 30 determined by the members of the Committee of Management on or before the dissolution of the Corporation.

dissolution

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15. Nothing contained in this Act shall prejudice or Savings of affect the rights of the Republic or of any body politic, or the rights of corporate or of any other person, except such as are mentioned in this Act and those claiming by from or under mentioned in this Act and those claiming by, from or under 5 them.

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in consistency

16. In the event of any inconsistency between the Sinhala text Sinhala and Tamil texts of this Act, the Sinhala text shall to prevail in prevail.

