

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

*————————*

**HECTOR APPUHAMY HELPING HAND**   
**CHARITY FOUNDATION (INCORPORATION)**

**A**

**BILL**

**to incorporate the Hector Appuhamy Helping Hand Charity Foundation**

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*Presented by Hon. J. C. Alawathuwala, M.P. for*   
*Kurunegala District on 09th of November 2021*

(Published in the Gazette on October 18, 2021)

*Ordered by Parliament to be printed*

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**[Bill No. 86]**

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

**Price : Rs. 18.00**  **Postage : Rs. 15. 00**

*This Bill can be downloaded from* www.documents.gov.lk 

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| *Hector Appuhamy Helping Hand Charity* | 1 |

*Foundation (Incorporation)*

AN ACTTOINCORPORATETHE HECTOR APPUHAMY HELPING   
HAND CHARITY FOUNDATION

WHEREAS a Foundation called and known as the Preamble.

“Hector Appuhamy Helping Hand Charity Foundation” heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters 5 connected with the said Foundation according to the rules agreed by its members:

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 10 incorporated, and it will be expedient to grant the said application:

BE it therefore, enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

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| 15 | **1.** | This Act may be cited as the Hector Appuhamy | Short title. |
| Helping Hand Charity Foundation (Incorporation) Act, | |

No. of 2021.

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| 20 | **2.** | From and after the date of commencement of this Act, | Incorporation |
| such and so many persons as now are members of the “Hector | | of the Hector |
| Appuhamy |
| Appuhamy Helping Hand Charity Foundation” (hereinafter | | Helping |
| referred to as the “Foundation”) or shall hereafter be admitted | | Hand Charity |
| Foundation. |
| as members of the Corporation hereby constituted shall be a | |

body corporate with perpetual succession under the name and style of the “Hector Appuhamy Helping Hand Charity Foundation” (hereinafter referred to as the “Corporation”) and 25 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.

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  *Foundation (Incorporation)*

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| **3.** | The general objects for which the Corporation is | General  objects of the Corporation. |
| constituted are hereby declared to be— | |
| (*a*) | to provide medical aid and food to the poor, the |

destitute and the sick;

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| 5 | (*b*) | to conduct special services for needy school children |

and to offer assistance by way of scholarships, library   
facilities and other necessary educational support   
for students;

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| 10 | (*c*) | to conduct classes for the students sitting for year |
| five scholarship, GCE (O/L) and GCE (A/L) |

examinations by experts in the particular field of   
education;

(*d*) to support and encourage the services provided by   
 senior citizens’ organizations;

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| 15 | (*e*) | to develop pre-schools for early childhood |

development of the needy children;

(*f*) to give aid by way of scholarships to any officer or   
 servants engaged in the furtherance of the objects   
 of the Corporation;

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| 20 | (*g*) | to promote understanding, co-operation and |

friendship with similar institutions within and   
outside Sri Lanka;

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| 25 | (*h*) | to organize employees of small and medium scale |
| (*i*) | industries and enterprise services and working |
| towards their future advancement; |
| to initiate and implement economic, social, cultural |

and environmental development activities in   
Sri Lanka and providing guidance necessary for it;

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| 30 | (*j*) | to combat waste and corruption and utilize all |
| resources belonging to our community in a very |

useful manner;

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  *Foundation (Incorporation)*

(*k*) to design and implement social mobilization   
 programmes for the development of children and   
 women and implementing education and training   
 programmes for this purpose;

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| 5 | (*l*) | to initiate and implement technical, industrial and |

computer vocational training institutions and   
programmes so that young men and women from   
families of low social strata can gain self   
employment opportunities;

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| 10 | (*m*) | to provide training necessary for young men and |

women engaged in agriculture and guiding them   
towards export crops cultivation, organizing local   
and foreign marketing activities necessary for it,   
and providing space necessary for cultivation;

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| 15 | (*n*) | to provide assistance in times of natural disasters, |

emergencies and accidents;

(*o*) to provide training in fields of engineering, technology, carpentry, masonry and computing to young men and women who do not get access for 20 higher education and directing them towards such vocations and starting training centres necessary for it;

(*p*) to do all or several such other acts and things as are   
 necessary for and incidental or conducive to the

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| 25 | attainment of the above objects. | | Powers of the |
| **4.** | Subject to the provisions of this Act and any other |
| written law, the Corporation shall have the power to do, | | Corporation. |

perform and execute all such acts and matters as necessary or desirable for the promotion or furtherance of the objects of 30 the Corporation or any one of them, including the power:—

(*a*) to raise funds and receive grants, gifts or donations,   
 in cash or kind;

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  *Foundation (Incorporation)*

(*b*) to acquire, in any manner whatsoever and hold, take or give on lease or hire, rent, sell or otherwise dispose of, any movable or immovable property and construct, maintain and alter any buildings or works 5 necessary or convenient for the business of the Corporation;

(*c*) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments 10 and to open, operate and close bank accounts and borrow or raise money with or without security;

(*d*) to invest any funds not immediately required for   
 the purposes of the Corporation in such manner as   
 the Board of Management may determine;

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| 15 | (*e*) | to enter into agreement or contracts with any person, |

or body of persons whether incorporated in Sri Lanka   
or abroad or with any Government Department,   
Corporation, Board, Provincial Council or Local

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| 20 | (*f*) | Authority for the achievement of the objects of the |
| Corporation; |
| to determine the fees to be paid in respect of |

registration of different categories of membership;   
and

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| 25 | (*g*) | to appoint, employ, dismiss or terminate the services |
| of officers and servants of the Corporation and to |

pay them such salaries, allowances and gratitutes as   
may be determined by the Corporation.

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| 30 | **5.** | (1) The affairs of the Corporation shall, subject to the | Management |
| other provisions of this Act and the rules in force for the time | | of the |
| Corporation. |
| being of the Corporation, be administered by a Board of | |

Directors consisting of the Director General, the Deputy Chairman, the Secretary, Deputy Secretary and Treasurer and not less than seven other members elected in accordance with such rules.

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(2) The first Board of Directors of the Corporation shall consist of the members of the Board of Directors of the day immediately preceding the date of commencement of this Act.

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| 5 | **6.** | (1) It shall be lawful for the Corporation, from time | Rules of the |
| to time, at any general meeting and by the votes of not less | | Corporation. |

than 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 the admission, withdrawal or expulsion 10 of members, the election of the Board of Management, for the conduct of the duties of the office bearers, agents, officers and servants of the Corporation, for the procedure to be followed in the transaction of business by the Corporation

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| 15 | and the Board of Management and generally, for the management of the affairs of the Corporation and the |

accomplishment of its objects. Such rules when made may at a like meeting and in like manner, be altered, added to, amended or rescinded.

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| 20 | (2) The members of the Corporation shall be subject to | | Funds of the |
| the rules of the Corporation. | |
| **7.** | (1) The Corporation shall have its own Fund. All |
| moneys received by way of gifts, bequests, donations, | | Corporation. |

transfers, subscriptions, contributions or fees shall be

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| 25 | deposited to the credit of the Corporation in one or more Banks as the Board of Management shall determine. |

(2) There shall be paid out of the Fund of the Corporation, all such sums of money as may be required to defray any expenditure incurred by the Corporation in carrying out the objects of the Corporation.

30 (3) The moneys and property of the Corporation whosesoever derived shall be applied solely towards the promotion of the objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the 35 Corporation.

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  *Foundation (Incorporation)*

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| **8.** | (1) The financial year of the Corporation shall be the | Accounts and Audit of the  Corporation. |
| calendar year. | |

(2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities 5 and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Board.

In this section, “qualified auditor” means—

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| 10 | (*a*) | an individual who, being a member of the Institute |
| of Chartered Accountants of Sri Lanka, or any other |

institute established by law, possesses a certificate   
to practice as an Accountant, issued by the Council   
of such Institute; or

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| 15 | (*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 the Council   
of such Institute.

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| 20 | **9.**  The seal of the Corporation shall not be affixed to any | Seal of the |
| instrument whatsoever, in the presence of the Director General | Corporation. |

and the Secretary who shall sign their names on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

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| 25 | **10.** | All debts and liabilities of the Foundation existing | Debts due by |
| on the day preceding the date of commencement of this Act, | | and payable |
| to the |
| shall be paid by the Corporation hereby constituted, and all | |
| Foundation. |
| debts due to, and subscriptions and contributions payable | |

to the Foundation on that day shall be paid to the Corporation 30 for the purpose of this Act.

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  *Foundation (Incorporation)*

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| 5 | **11.**  The Corporation shall be able and capable in law, to | Corporation |
| take and hold any property movable or immovable which | may hold |
| property |
| may become vested in it by virtue of any purchase grant, gift, |
| movable and |
| testamentary disposition or otherwise, and all such property | immovable. |
| 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.

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| 10 | **12.** | If upon the dissolution of the Corporation there | Property |
| remains after the satisfaction of all its debts and liabilities, | | remaining on |
| dissolution. |
| any property whatsoever, such property shall not be | |

distributed among the members of the Corporation but shall be given or transferred to some other Foundation or Foundations having objects similar to those of the 15 Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such Foundation or Foundations shall be determined by the Board at or immediately before the dissolution of the Corporation.

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| 20 | **13.** | Nothing in this Act contained shall prejudice, or | Saving of the |
| affect the rights of the Republic or anybody politic or | | rights of the |
| Republic and |
| corporate or of any other person, except such as are | |
| others. |
| mentioned in this Act and those claiming by, from or under | |

them.

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| 25 | **14.** | In the event of any inconsistency between the | Sinhala text |
| Sinhala and Tamil texts of this Act, the Sinhala text shall | | to prevail in |
| case of |
| prevail. | |
| inconsistency. |

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| 8 | *Hector Appuhamy Helping Hand Charity* |

*Foundation (Incorporation)*

Department of Government Printing