

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

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**ANANDA ALUTHGAMAGE DEVELOPMENT, SOCIAL SERVICES AND CHARITY**   
**FOUNDATION (INCORPORATION)**   
**A**

**BILL**

**to incorporate the Ananda Aluthgamage Development, Social Services and Charity Foundation**

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*Presented by Hon. Rohana Bandara, M.P.*

*for Anuradhapura District on 16th of November 2021*

(Published in the Gazette on November 08, 2021)

*Ordered by Parliament to be printed*

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**[Bill No. 93]**

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

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| 2- | **Price : Rs. 18.00** | **Postage : Rs. 15. 00** |
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| *Ananda Aluthgamage Development, Social* | 1 |

*Services and Charity Foundation (Incorporation)*

AN ACTTOINCORPORATETHE ANANDA ALUTHGAMAGE   
DEVELOPMENT, SOCIAL SERVICESAND CHARITY FOUNDATION.

WHEREAS a Foundation called and known as the Preamble

“Ananda Aluthgamage Development, Social Services and Charity Foundation” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and 5 transacting all matters 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 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 Ananda Aluthgamage | Short title |
| Development, Social Services and 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 Ananda | | of the |
| Ananda |
| Aluthgamage Development, Social Services and Charity | |
| Aluthgamage |
| Foundation (hereinafter referred to as the “Foundation”) or | | Development, |
| shall hereafter be admitted as members of the Corporation | | Social |
| Services and |
| hereby constituted, shall be a body corporate with perpetual | |
| Charity |
| succession, under the name and style of the “Ananda | | Foundation |

Aluthgamage Development, Social Services and Charity 25 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 to alter the same at its pleasure.

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 *Services and Charity 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;

5 (*b*) to conduct special services for needy school children and to offer assistance by way of scholarships, library facilities and other necessary support for students;

(*c*) to conduct classes for the students sitting for Year Five Scholarship, GCE (O/L) and GCE (A/L) 10 examinations by experts in the particular field of education;

(*d*) to support and encourage the service facilities   
 rendered by senior citizens organizations;

(*e*) to work for the development of pre-schools for the 15 early childhood development of needy children;

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

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| 20 | (*g*) to promote co-operation and friendship with similar institutions within and outside Sri Lanka; |

(*h*) to organize employees of small and medium scale   
industries and enterprises and working towards their   
future advancement;

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| 25 | (*i*) to initiate and implement economic, social, cultural and environmental development activities in |

Sri Lanka and providing guidance necessary for it;

(*j*) to combat waste and corruption and utilize all   
resources belonging to our community in a very   
useful manner;

*Ananda Aluthgamage Development, Social*  3   
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(*k*) to design and implement social mobilization   
programmes for the development of children and   
women and implementing educational and training   
programmes for this purpose;

5 (*l*) to initiate and implement technical, industrial and computer vocational training institutions and programmes so that young men and women from families of lower 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 aids and assistance in times of natural |
| (*o*) | disasters, emergencies and accidents; |
| to provide training in fields of engineering, |

technology, carpentry, masonary, driving and computing to young men and women who do not 20 get qualified for higher education and directing them towards such vocations and starting training centres necessary for it; and

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| 25 | (*p*) | to do everything and else as are necessary, incidental | Powers of the |
| or conducive to the attainment of the above objects | |
| or serveral of them. | |
| **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

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| 30 | desirable for the promotion or furtherance of the objects of 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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(*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 agreements 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 Authority for the achievement of the objects

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| 20 | (*f*) | 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

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and not less than seven other members elected in accordance with such rules.

(2) The Board of Directors of the Corporation shall consist

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| 5 | of the members of the Board of Directors of the day immediately preceding the date of commencement of this |

Act.

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| 10 | **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 of members, the election of the Board of Management, for the conduct of the duties of the office bearers, agents, officers

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| 15 | and servants of the Corporation, for the procedure to be followed in the transaction of business by the Corporation |

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

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| 20 | at a like meeting and in like manner, be altered, added to, amended or rescinded. |

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

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| 25 | **7.** | (1) The Corporation shall have its own Fund. All | Fund of the |
| moneys received by way of gifts, bequests, donations, | | Corporation. |
| transfers, subscriptions, contributions or fees shall be | |

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,

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| 30 | 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.

(3) The moneys and property of the Corporation whosesoever derived shall be applied solely towards the

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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 Corporation.

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| 5 | **8.** | (1) The financial year of the Corporation shall be the | Accounts and |
| calendar year. | | Audit. |

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

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

(4) In this section, “qualified auditor” means—

(*a*) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or any other 15 institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute; or

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| 20 | (*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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| 25 | **9.**  The seal of the Corporation shall not be affixed to any | Seal of the |
| instrument whatsoever, except in the presence of the Director | Corporation. |

General 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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| 30 | **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. |

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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.

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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, |
| movable and |
| gift, testamentary disposition or otherwise, and all such |
| immovable. |

property shall be held by the Corporation for the purposes of this Act, and subject to the rules in force for the time being of 10 the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

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| 15 | **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 Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among 20 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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| 25 | **13.** | Nothing in this Act contained shall prejudice or | Saving of the |
| affect the rights of the Republic or of any body 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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| 30 | **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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*Services and Charity Foundation (Incorporation)*

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