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

**Part II of April 22, 2022**

**SUPPLEMENT**

(*Issued on 25.04.2022*)



**JAYAMAGA DEVELOPMENT, SOCIAL SERVICES AND CHARITY FOUNDATION (INCORPORATION)**

(*Private Members’ Bill*)

**A**

**BILL**

**to incorporate the Jayamaga Development, Social Services and Charity Foundation**

*To be presented in Parliament by Hon. Hector Appuhamy, M.P.*

*for Puttalam District*

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| *Jayamaga Development, Social Services and Charity Foundation (Incorporation)* | 1 |

AN ACTTOINCORPORATETHE JAYAMAGA DEVELOPMENT,   
SOCIAL SERVICESAND CHARITY FOUNDATION

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| 5 | WHEREAS an Society called and known as the | Preamble |
| “Jayamaga Development, Social Services and Charity |
| Foundation” has heretofore been formed in Sri Lanka for the |
| purpose of effectually carrying out its objects and transacting |
| all matters connected with the said Foundation according to |
| 10 | the rules agreed to 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 |
| incorporated and it will be for the public advantage 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 Jayamaga Development,  Social Services and Charity Foundation (Incorporation) Act, | Short title |
| 20 | No. of 2022. | Incorporation |
| **2.**  From and after date of commencement of this Act, such  and so many persons as now are members of the “Jayamaga |
| of the |
| Jayamaga |
| Development, Social Services and Charity Foundation” |
| Development, |
| (hereinafter referred to as the “Foundation”) or shall hereafter |
| Social |
| be admitted as members of the Corporation hereby constituted, | Services and |
| Charity |
| shall be a body corporate, with perpetual succession, under the |
| Foundation |
| name and style of the “Jayamaga Development, Social Services |
| 25 | and Charity Foundation” (hereinafter referred to as the | General |
| “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. |
| **3.**  The general objects for which the Corporation is  constituted are hereby declared to be— |
| objects of the |
| Corporation |

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| 2 | *Jayamaga Development, Social Services and Charity Foundation (Incorporation)* |

(*a*) to support and encourage the services provided by senior citizens movements;

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| 5 | (*b*) to give aid by way of scholarships to any officer or servants engaged in the furtherance of the objects of the Corporation; |

(*c*) to promote understanding, co-operation and friendship with similar institutions within and outside Sri Lanka;

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| 10  15  20 | (*d*) to organize employees of small and medium scale industries and enterprises and working towards their future advancement;  (*e*) to design and implement social mobilization programmes for the development of children and women and implementing education and training programmes for this purpose;  (*f*) to provide training in fields of engineering, technology, carpentry, driving and computing to young men and women who do not get access for higher education and directing them towards such vocations and starting training centres necessary for it; and |

(*g*) to do all such other acts and things as are necessary for, and incidental or conducive to the attainment of the above objects.

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| 25 | **4.** | Subject to the provisions of this Act and any other | Powers of the Corporation |
| written law, the Corporation shall have the power to do, | |
| perform and execute all such acts and matters as necessary | |
| or desirable for the promotion or furtherance of the objects | |
| of the Corporation or any one of them, including the power— | |

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| *Jayamaga Development, Social Services and Charity Foundation (Incorporation)* | 3 |

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

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

(*c*) to make, draw, accept, discount, endorse, negotiate,

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| 10 | buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments |

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 15 Board of Management may determine;

(*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,

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| 20 | Corporation, Board, Provincial Council or Local Authority for the achievement of the objects of the |

Corporation;

(*f*) to determine the fees to be paid in respect of   
registration of different categories of membership;   
and

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

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

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| 5 | 4 | *Jayamaga Development, Social Services and* | Management of the  Corporation |
| *Charity Foundation (Incorporation)* | |
| **5.** | (1) The affairs of the Corporation shall, subject to the |
| other provisions of this Act and the rules in force for the time | |
| 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 | |
| 10 | and not less than seven other members elected in accordance | | Rules of the  Corporation |
| with such rules. | |
| (2) The 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. | |
| **6.** | (1) It shall be lawful for the Corporation, from time to |
| 15 | time, at any general meeting and by the votes not less than | |
| two-thirds of the members present and voting, to make rules, | |
| not inconsistent with the provision of this Act or any other | |
| 20 | 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 | |
| and servants of the Corporation, for the procedure to be | |
| followed in the transaction of business by the Corporation | |
| and Board of Management and generally, for the | |
| 25 | 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. | |

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

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| 30 | **7.** | (1) The Corporation shall have its own fund. All | Fund of the  Corporation |
| moneys received by way of gifts, bequests, donations, | |
| 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. | |

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| *Jayamaga Development, Social Services and Charity Foundation (Incorporation)* | 5 |

(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.

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| 5 | (3) The moneys and property of the Corporation | Accounts and Audit |
| whosesoever derived shall be applied solely towards the |
| 10 | 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. |
| 15 | **8.**  (1) The financial year of the Corporation shall be the  calendar year. |
| (2) The Corporation shall cause proper accounts to be |
| kept of income and expenditure, assets and liabilities 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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| 20 | (*a*) | an individual who being a member of the |
| Institute of Chartered Accountants of Sri Lanka, |
| (*b*) | or any other institute established by law, |
| possesses a certificate to practice as an |
| Accountant issued by the Council of such |
| 25 |
| institute; or |
| a firm of Accountants each of the resident |
| 30 | 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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| 6 | *Jayamaga Development, Social Services and* | Seal of the  Corporation |
| *Charity Foundation (Incorporation)* | |
| **9.** | The seal of the Corporation shall not be affixed to |
| any instrument whatsoever, except in the presence of the | |

Director-General and the Secretary who shall sign their names on the instrument in token of their presence and such 5 signing shall be independent of the signing of any person as a witness.

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| 10 | **10.** | All debts and liabilities of the foundation existing | Debts due by and payable to the  Corporation |
| on the day preceding the date of commencement of this Act, | |
| shall be paid by 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.

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| 15 | **11.** | The Corporation shall be able and capable in law, | Corporation may hold  property  movable and immovable |
| to take 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 and subject to the rules in force for the time being of the Corporation, with full power to sell, mortgage, lease

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| 20 | exchange or otherwise dispose of the same. | | Property  remaining on dissolution |
| **12.** | If upon the dissolution of the Corporation there |
| remains after the satisfaction of all its debts and liabilities, | |
| any property whatsoever, such property shall not be distributed | |

among the members of the Corporation but shall be given or

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| 25 | transferred to some other Foundation or Foundations having objects similar to those of the Corporation, and which is or |

are, by its 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 30 immediately before the dissolution of the Corporation.

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| 5 | *Jayamaga Development, Social Services and* | 7 | Saving of the Rights of the Republic and others |
| *Charity Foundation (Incorporation)* | |
| **13.**  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 person, except such as are mentioned in this Act and those claiming by, from or under them. | |
| **14.**  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 |

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| 8 | *Jayamaga Development, Social Services and Charity Foundation (Incorporation)* |

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