

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

*————————*

**RAIGAMPURA COMMUNITY**   
**DEVELOPMENT FOUNDATION**   
**(INCORPORATION)**

**A**

**BILL**

**to incorporate the Raigampura Community Development Foundation**

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*Presented by the Hon. Kumara Welgama, M.P.*   
*for Kalutara District on 12th of August, 2022*

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| *Raigampura Community Development Foundation* | 1 |

*(Incorporation)*

AN ACTTOINCORPORATETHE RAIGAMPURA COMMUNITY   
DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as the Preamble

“Raigampura Community Development Foundation” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters

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| 5 | connected with the said Trust 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

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| 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 Raigampura Community | Short title |
| Development Foundation(Incorporation) Act, No. of 2022. | |
| 20 | **2.** | From and after the date of commencement of this Act, | Incorporation |
| such and so many persons as now are members of the Raigam | | of the |
| Raigam |
| Community Development Foundation (hereinafter referred | |
| Community |
| to as the “Foundation”) or shall hereafter be admitted as | |
| Development |
| members of the Corporation hereby constituted, shall be a | | Foundation |
| body corporate with perpetual succession, under the name | |

and style of the “Raigampura Community Development Foundation” (hereinafter referred to as the “body corporate”) and by that name may sue and be sued, in all Courts with full

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| 25 | power and authority to have and use a common seal and alter | | The general objects of  the body  corporate |
| the same at its pleasure. | |
| **3.** | (1) The general objects for which the body corporate |
| 30 | is constituted are hereby declared to be— | |
| (*a*) | to formulate schemes for self-employment, to |
| implement and to direct such schemes; | |

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(*b*) to implement development activities such as road   
 development and construction of housing, hospitals   
 and community centres and to carry out their   
 maintenance activities;

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| 5 | (*c*) | promotion of indoor welfare activities of the |

children, women and orphans as well as looking   
after the interests of the street children;

(*d*) motivating the youth to engage in a self-employment   
 by providing training, loan facilities and a market

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| 10 | (*e*) | for their products; |
| working towards a sustainable development by |

utilizing natural resources available in that areas of   
rural and remote villages;

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| 15 | (*f*) | enhancing the agriculture, plantation and fisheries |
| sectors with the utility of sophisticated |

technological devices in order to promote better yield;

(*g*) establishment of Information Technological centres   
 to develop science education and thereby to devolop   
 the country;

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| 20 | (*h*) | to assist the implementation of government |

development activities in a way more benefits go to   
people while preventing the wastage;

(*i*) motivating and promoting human sports, literature,   
 aesthetics and spiritual activities;

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| 25 | (*j*) | donating for the educational, religious, art and sports |

facility enhancement held without racial, religious   
and caste differences as well as organizing various   
festivals and competitions;

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(*k*) provisions of medical relief and donations to the   
 poor and the needy; establishing elders’ homes to   
 the elderly and displaced persons and maintaining   
 of them; establishing children’s homes as well as

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| 5 | (*l*) | childcare and eldercare day care centres; |
| work in collaboration with similar interest local and |

foreign organizations.

(2) specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without 10 any discrimination based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

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| **4.** | (1) The Body corporate shall have its own Fund. | Fund of the body  Corporate |
| (2) All moneys received by way of gift, bequest, donation, | |

subscription, contribution, fees or grants for an account of

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| 15 | the body corporate shall be deposited in one or more banks approved by the Board to the credit of the Corporation. |

(3) By utilizing that fund the following payments could be made:–

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| 20 | (*a*) | the payments that shall be made under the |
| expenditure heads in carrying out activities of the |

board of directors of the foundation and providing   
services;

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| 25 | (*b*) | the allowancs for the staff; |
| (*c*) | payments made by the officials and volunteers for |
| (*d*) | some activities of the fund; |
| payments made for the postage, telegramme, |

telephone charges, stationery and for the printing   
expenses;

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(*e*) payments made to charities out of the monies set   
 aside by the board of directors;

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| 5 | (*f*) | audit fee; |
| (*g*) | monies shall be paid for the office furniture. Further |
| a vehicle or several vehicles could be purchased or |

else shall be hired;

(*h*) bank accounts of the fund shall be maintained by   
 Chairman and the Treasurer two officials of the fund   
 and the powers to sign cheques shall be held by

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| 10 | them. | | Accounts and |
| **5.** | (1) The financial year of the body corporate shall be |
| the calendar year. | | Auditing |

(2) The body corporate shall cause proper accounts to be kept of income and expenditure, assets and liabilities and 15 all other transactions of the body corporate.

(3) The accounts of the body corporate shall be audited by a qualified auditor appointed by Auditor General in terms of Article 154 of the Constitution.

(4) For the purpose of this section “qualified auditor”

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| 20 | means— | an individual who being a member of the |
| (*a*) |

Institute of Chartered Accountants of Sri Lanka, or any other institute established by law, possesses a certificate to practice as an 25 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

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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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| 5 | **6.** | Subject to the provision of this Act, the body corporate | Body |
| 10 | shall be able and capable in law, to take and hold any property | | corporate |
| may hold |
| movable or immovable which may become vested in it by | |
| property |
| virtue of any purchase, grant, gift, testamentary disposition | | movable and |
| or otherwise, and all such property shall be held by the Body | | immovable |
| corporate for the purposes of this Act, and subject to the | |

rules of the Body corporate made under section 7, with power to sell, mortgage, lease, exchange or otherwise dispose of the same.

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| 15 | **7.** | The Chairman and the board of directors shall hold | Appointing |
| the right to appoint sub-committees for the following type | | of sub- |
| committees |
| of activities:– | |
| (*a*) | labour help community work, community camps, |

educational seminars, saving and loan transactions,   
public stalls, exhibitions, children’s welfare

20 activities, excursions, planting activities, horticulture and such economic development projects;

(*b*) conducting of inquiries when charges such as   
 misconduct or abuse of the position by an office

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| 25 | (*c*) | bearer are posed by any member; |
| any other matter that in conformity of the objectives |

of the Fund;

(*d*) at least three members of the board be included in   
 such sub-committee and the rest could be appointed

30 from the membership;

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(*e*) the Chairman and the Board of Directors are vested   
 in the powers to dissolve any sub-committee and to   
 appoint a new one instead;

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| 5 | (*f*) | further, a representative from any Divisional |
| Secretariat area of the Fund or other members of the |

District could be appointed to serve them through   
an action committee.

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| 10 | **8.** | (1) It shall be lawful for the body corporate, from | Rules of the |
| time to time, at any general meeting and by the votes of not | | body |
| corporate |
| less 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 all or any of the following matters:–

(*a*) the classification of membership, admission,   
 withdrawal, expulsion or resignation of members

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| 15 | (*b*) | and fees payable by members; |
| the election of office bearers of the Board or |

vacation of or removal from office of office bearers   
and the powers, duties and functions of the office   
bearers;

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| 20 | (*c*) | the terms and conditions of appointment, powers, |

functions and duties of the various officers, agents   
and servants of the body corporate;

(*d*) the procedure to be followed at the summoning and holding of meetings of the Board, or any 25 sub-committee thereof, notices and agenda of such meetings, the quorum and the conduct of business thereat;

(*e*) the qualification and disqualification to be a   
 members of the Board and the body corporate;

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| 30 | (*f*) | the administration and management of the property |
| of the body corporate; and |

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| 5 | (*g*) | the management of the affairs of the body corporate | Powers of the |
| and the accomplishment of its’ objects and | |
| dissolution of the body corporate. | |
| (2) | The rules made by the body corporate may be |
| amended, altered, added to or rescinded at a like meeting | |
| 10 | and in like manner as a rule made under subsection (1). | |
| (3) | The members of the body corporate shall at all time |
| be subject to rules of the body corporate. | |
| (4) | The rules made under this section shall be published |
| in the Government *Gazette*. | |
| **9.** | Subject to the provisions of this Act and any other |
| written law, the body corporate shall have the power to do, | | body |
| corporate |
| perform and execute all such acts and matters as necessary | |

or desirable for the promotion or any one of them, including 15 the power—

(*a*) to purchase, acquire, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purpose of the body corporate and to deal with or dispose of the same as may be deemed 20 expedient with a view to promoting the objects of the body corporate;

(*b*) to raise funds and receive grants, gifts or donations, in cash or kind with or without security:

Provided that, the Board shall obtain the prior 25 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 made to the body corporate;

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

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| 30 | buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments |

and to open, operate and close accounts in any banks;

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

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| 5 | (*e*) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with |

a view to promoting the objects of the body   
corporate;

(*f*) to appoint, employ, dismiss or terminate the services   
of officers and servants of the body corporate and

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| 10 | exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may |

be determined by the body corporate;

(*g*) to do all other things as are necessary or expedient for the proper and effective carrying out the objects

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| 15 | of the body corporate. | | Management |
| **10.** | (1) The affairs of the Corporation shall, subject to |
| the rules in force for the time being of the Corporation be | | of the body |
| corporate |
| administered by a Council (hereinafter referred to as “the | |

Council”) consisting of a Chairman, Secretary, Treasurer 20 and eleven (11) other members elected or appointed in accordance with the rules of the Corporation.

(2) Mr. Luxman Cooray, the founder member and the incumbent Chairman shall be the life Chairman of the Foundation and any member of his family shall take over

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| 25 | the position thereafter. | | Functions of |
| **11.** | Functions of the Board of Directors– |

the Board of

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| 30 | (1) | Chairman: | | Directors |
| (*a*) | taking the chair of meetings; |
| (*b*) | checking of all the functions of the |
| Corporation; | |

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(*c*) presentation of decisions of the   
 board to the annual general meeting;

(*d*) eviction of members on the   
 decisions taken upon by the board.

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| 5 | (2) | Secretary: | |
| (*a*) | calling of the annual general |

meeting and board meetings, maintenance of records of the Corporation and the board, placing 10 signature in the documents of the Foundation and any other duty entrusted by the board;

(*b*) keeping all the records of the   
 Corporation and their protection;

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| 15 | (3) | (*c*) | calling of the annual general |
| meeting before December each year. | |
| Treasurer: | |
| (*a*) | executing expenses under the |

direction of the board and the

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| 20 | Chairman as well as to hold the safe security of the monies of the |

Corporation;

(*b*) keeping proper books on the   
 receipts and payments;

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| 25 | (*c*) | keeping of the inventories of all the |

equipment and assets of the   
Corporation;

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(*d*) depositing of all proceeds of the   
 Foundation in a bank account   
 acceptable to the board and to utilize   
 such monies for the activities of the

|  |  |  |
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| 5 | (*e*) | Corporation; |
| to audit the annual statement of |

accounts and to submit it to the   
board and for the annual general   
meeting.

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| 10 | **12.** | 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 body corporate hereby constituted, and | |
| Foundation |
| all debts due to, and subscriptions and contributions payable | |

to the Foundation on that day shall be paid to the body

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| 15 | corporate for the purpose of this Act. | | Property  remaining on dissolution |
| **13.** | (1) If upon the dissolution of the body corporate |
| 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 body corporate, 20 but shall be given or transferred to any other institution having objects similar to those of the body corporate, and which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purpose of this subsection (1) the appropriate

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| 25 | institution shall be determined by the members of the body corporate immediately before the dissolution at a general |

meeting by the majority of votes of the members present.

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| 30 | **14.** | (1) The seal of the Body corporate shall not be | Seal of the |
| affixed to any instrument whatsoever, except in the presence | | Body |
| corporate |
| of the chairman and another one of members of the Board | |
| who shall sign their names to 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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(2) The seal of the Body corporate shall be in the custody of an office bearer of the Board as may be decided by such Board.

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| 5 | **15.** | Nothing in this Act contained shall prejudice or | Saving of the |
| affect the rights of the Republic or of anybody politic or | | Rights of the |
| Republic and |
| corporate. | |
| others |
| **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 |
| case of |
| prevail. | |
| inconsistency |

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