

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

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**HESHA FRIENDSHIP FOUNDATION**  
 **(INCORPORATION)**

**A**

**BILL**

**to incorporate the Hesha Friendship Foundation**

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*Presented by the Hon. Harshana Rajakaruna, M. P.*

*for Gampaha District on 06th of September, 2023*

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**[Bill No. 202]**

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| *Hesha Friendship Foundation (Incorporation)* | 1 |

AN ACTTOINCORPORATETHEHESHA FRIENDSHIP FOUNDATION

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| 5 | WHEREAS an Association called and known as the“Hesha Friendship Foundation” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members: | Preamble |
| 10 | AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated and it will be for the public advantage to grant such 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 Hesha Friendship  Foundation (Incorporation) Act, No. of 2023. | | Short title |
| **2.**  From and after the commencement of this Act, such and so many persons as now are members of the “Hesha Friendship Foundation” (hereinafter referred to as the“Foundation”) 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“Hesha Friendship Foundation” (hereinafter referred to as the “Corporation”) and by that name may sue and be sued and have full power and authority to have and use a common seal and alter the same at its pleasure. | | Incorporation |
| of the |
| 20 | Hesha |
| Friendship |
| Foundation |
| 25 | **3.**  The general objects for which the Corporation is  constituted are hereby declared to be— | | General |
| objects of the |
| 30 | Corporation |
| (*a*) | to provide provision to protect, maintain discipline and cultural ethics; |
| (*b*) | to extend support to services rendered by senior citizens organizations and to encourage such organization: |

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| 5 | 2 | *Hesha Friendship Foundation* | Management of the affairs of the  Corporation |
| *(Incorporation)* | |
| (*c*) | to implement social mobilization programs and |
| educational and training programs for the | |
| development of the children and women; | |
| (*d*) | to liaise and co-ordinate with other local or foreign |
| institutions which have similar objects. | |
| **4.**  (1) The management of the affairs of the Corporation  shall, subject to the rules corporation, be administered by | |
| Committee of Management consisting of not more than | |
| eleven office bearers inclusive of the Chairman, Secretary, | |
| 10 | Treasurer and such number of members as may be provided | | General |
| or in rules and elected in accordance therewith. | |
| (2) The first Committee of Management shall consist of | |
| 15 |
| the members of the Committee of Management holding office | |
| on the day immediately preceding the date of commencement | |
| of this Act and shall continue to hold office until a new | |
| Committee of Management is elected in accordance with | |
| the rules in section 6 of this Act. | |
| **5.**  Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts, matters and things whatsoever as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power to acquire and hold property movable, to open, operate and close bank accounts, to borrow or raise moneys with or without security, to erect any building or structures on any land held by the Corporation and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation. | |
| 20 | Powers of the |
| Corporation |
| 25 |
| 30 | **6.**  **(**1) It shall be lawful for the Corporation, from time to time, at any general meeting of the members and by a majority of not less than two-thirds of the members present to make rules, not inconsistant with the provisions of this Act or any other written law, on all or any of the following matters:— | | Rules of the |
| Corporation |

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| (*a*) | *Hesha Friendship Foundation* | 3 |
| *(Incorporation)*  the classification of membership, admission, | |

withdrawal, expulsion or resignation of members;

(*b*) the election of office bearers, the resignation from,   
 vacation of or removal from office bearers and their

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| 5 | (*c*) | powers, conduct and duties; |
| the election of the members of the Committee of |

the Management and its powers, duties and conduct   
and the terms of office of members of the Committee   
of Management;

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| 10 | (*d*) | the powers, duties and functions and conduct of |

the officers, agents and servents of the Corporation;

(*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 15 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

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| 20 | (*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 to or rescinded at a like meeting and in like manner as a rule made under subsection (1).

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| 25 | (3) Every member of the Corporation shall be subject to the rules of the Corporation. |

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| 5 | 4 | *Hesha Friendship Foundation* | Debts due by and payable to the  Foundation |
| *(Incorporation)* | |
| **7.**  All debts and liabilities of the Foundation on the  day preceding the date of commencement of this Act, shall | |
| be paid and discharged by the Corporation hereby | |
| constituted and all debts due to, subscriptions and | |
| contributions payable to the Foundation on that day shall | |
| 10 | be paid to the Corporation for the purposes of this Act. | | Fund of the |
| **8.** | (1) The Corporation shall have its own fund and all |
| moneys heretofore or hereafter to be received by way of | | Corporation |
| gifts, bequests, donations, subscriptions, contributions, fees | |
| or grants for and on account of the Corporation shall be | |
| 15 | deposited to the credit of the Corporation in one or more | | Corporation |
| banks as the Board of Directors shall determine. | |
| (2) There shall be paid out of the fund, all sums of money | |
| required to defray any expenditure incurred by the | |
| Corporation in the exercise, performance and discharge of | |
| its powers, duties and functions under this Act. | |
| **9.** | Subject to the provisions of this Act, the |
| 20 | Corporation shall be able and capable in law | | may hold |
| property |
| to acquire and hold any property movable and immovable, | |
| movable and |
| which may become vested in it by virtue of any purchase, | |
| immovable |
| 25 | grant, lease, gift, testamentary disposition or otherwise, | | Property |
| and all such property shall be held by the Corporation | |
| for the purposes of this Act and subject to the rules of the | |
| Corporation made under section 06, with full power to sell, | |
| mortgage, lease, exchange or otherwise dispose of the same. | |
| **10.** | If upon the dissolution of the Corporation there |
| 30 | remains after the satisfaction of all debts and liabilities any | | remaining on |
| dissolution. |
| property whatsoever, such property shall not be distributed | |
| among the members of the Corporation, but shall be given | |
| or transferred to some other institution or institutions having | |
| objects similar to those of the Corporation and which, is or | |
| are by its or their rules prohibited from distributing any | |
| income or property among their members. | |

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| 5 | *Hesha Friendship Foundation* | | 5 | Accounts and |
| *(Incorporation)* | | |
| **11.** | (1) The Financial year of the Corporation shall be | |
| Audit of the |
| the calender year. | | |
| Corporation |
| (2) The Corporation shall cause proper accounts to be | | |
| kept of its income and expenditure, assests and liabilities | | |
| and transactions of the Corporation. | | |

(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 -

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| 10 | (*a*) | | An individual who, being a member of the | Seal of the |
| Institute of Chartered Accountants of Sri Lanka, | | |
| 15 | 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 | | |
| 20 | 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. | | |
| **12.** The Seal of the Corporation shall not be affixed to | | |
| any instrument whatsoever except in the presence of the | | | Corporation |
| 25 | President and the Secretary or two other members of the | | | Saving of the rights of the Republic and others |
| Corporation as may be decided by the Committee of | | |
| Management 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. | | |
| **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 persons. | | |

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| 6 | *Hesha Friendship Foundation* | Sinhala text  to prevail in case of  inconsistency |
| *(Incorporation)*   **14.**  In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | |

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| *Hesha Friendship Foundation (Incorporation)* | 7 |

Department of Government Printing