

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

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**MY DREAM JAFFNA FOUNDATION (INCORPORATION)**

**A**

**BILL**

**to incorporate the My Dream Jaffna Foundation**

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*Presented by the Hon. Sarathi Dushmantha, M.P.*   
*for Kegalle District on 09th of November, 2023*

(Published in the Gazette on October 30, 2023)

*Ordered by Parliament to be printed*

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**[Bill No. 215]**

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING, SRILANKA   
TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU, COLOMBO5

**Price : Rs. 18.00**  **Postage : Rs. 150.00**

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

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| *My Dream Jaffna Foundation (Incorporation)* | 1 |

AN ACTTOINCORPORATETHE MY DREAM JAFFNA FOUNDATION

WHEREAS an Organization called and known as the Preamble “MY Dream Jaffna 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   
5 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 be incorporated and it will be expedient to grant the said

10 application:

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

**1.** This Act may be cited as the My Dream Jaffna Short title Foundation (Incorporation) Act, No. of 2023.

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| 15 | **2.** | (1) From and after the date of commencement of this | Incorporation |
| Act, such and so many persons as now are members of the | | of the MY |
| My Dream Jaffna Foundation (hereinafter referred to as the | | Dream Jaffna |
| “Foundation”) or shall hereafter be admitted as members of | | Foundation |

the Corporation hereby constituted, shall be a body corporate

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| 20 | with perpetual succession, under the name and style of the My Dream Jaffna Foundation (hereinafter referred to as the |

“body corporate”) and by that name may sue and be sued, in all courts with full power and authority to have and use a common seal and alter the same at its pleasure.

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| 25 | (2) The body corporate shall be deemed to be a Voluntary Social Service Organization within the meaning, and for the |

purpose of the Voluntary Social Services Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the

30 management of the affairs of the Corporation.

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| 2 | *My Dream Jaffna Foundation (Incorporation)* | Body  corporate  operates as a not-for-profit |
| **3.** | The body corporate shall operates exclusively as a |
| not-for profit Organization and it is solely for the benifit of the society and its members. | |

Organization

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| 5 | **4.** | (1) The general objects for which the body corporate | The General |
| is constituted are hereby declared to be– | | objects of the |
| body |
| (*a*) | to provide all necessary facilities to the public, | corporate |

having given priority to the development of   
education;

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| 10 | (*b*) | to give a helping hand to the renaissance in the |
| field of agriculture, fisheries and livestock |

Development;

(*c*) to take constructive measures to build up a   
 physically and mentally healthiest society;

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| 15 | (*d*) | to give a helping hand for development of language, |
| (*e*) | arts, culture, heritage and litrature; |
| to contribute in building up a technologically |

centralized society;

(*f*) to implement socio-welfare programmes with the   
 aim of creating a knowledgeable and strong future

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| 20 | (*g*) | young generation; |
| to take all other constructive measures in order to |

develop the economy of the people; and

(*h*) to implement all other necessary activities to   
 achieve the above socio-welfare projects.

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| 25 | (2) | In the implementation of the objects specified in |

subsection (1), the Corporation shall ensure that such

*My Dream Jaffna Foundation (Incorporation)*  3

implementation shall be carried out without any discrimination based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

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| 5 | **5.** The objects of the body corporate shall be carried out | | Body |
| in such manner so as not to create any conflict between the | | corporate to |
| ensure no |
| work of the Corporation and any work being carried out | |
| conflict with |
| 10 | simultaneously by any Ministry or Department of the | | work of |
| Ministry or |
| Government, any Provincial Council or Local Government | |
| Department |
| Bodies. | | of the Central |
| Government |
| **6.** | (1) Subject to the provisions of this Act the body |
| Management |
| of the affairs |
| corporate shall be carried out by a Board of Management | |
| of the body |
| (hereinafter referred to as “the Board”) consisting of such | | corporate |

number of office bearers as may be specified by the rules made under section 8.

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| 15 | (2) (*a*) The Board of Management of the Foundation that holds office on the day immediately preceding the date of |

commencement of this Act, shall function as the Board of the body corporate until the first Board is appointed or elected in the manner provided for by rules made under section 8.

20 (*b*) The first Board of the body corporate shall be appointed or elected within one year of the date of commencement of this Act.

(3) (*a*) Every office bearer of the Board including the patrons and advisors, shall be appointed or elected for a period 25 of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(*b*) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office 30 bearer, the Board shall having regard to the rules of the Corporation, elect or appoint a person to fill such vacancy.

4 *My Dream Jaffna Foundation (Incorporation)*

(*c*) The person elected or appointed under paragraph (*b*) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

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| 5 | **7.** | Subject to the provisions of this Act and any other | Powers of the |
| written law, the body corporate shall have the power to do, | | body |
| corporate |
| perform and execute all such acts and matters as are necessary | |

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

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| 10 | (*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   
expedient with a view to promoting the objects of   
the body corporate;

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| 15 | (*b*) | to raise funds and receive grants, gifts or donations |

in cash or kind or without security:

Provided that, the Committee shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned 20 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, buy, sell and issue bills of exchange, cheques, 25 promissory notes and other negotiable instruments and to open, operate and close accounts in any banks;

(*d*) to invest any funds not immediately required for the purposes of the body corporate in such manner 30 as the Committee may determine;

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(*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;

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| 5 | (*f*) | to appoint, employ, dismiss or terminate the services |

of officers and servants of the body corporte and   
exercise disciplinary control over them and to pay   
them such salaries, allowances and gratuities as may   
be determined by the body corporate;

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| 10 | (*g*) | to do all other things as are necessary or expedient |

for the proper and effective carrying out the objects   
of the body corporate.

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| 15 | **8.** (1) It shall be lawful for the body corporate, from time | Rules of the |
| to time, at any general meeting and by the votes of not less | body |
| corporate |
| 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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| 20 | (*b*) | and fees payable by members; |
| the election of office bearers of the or Board |

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

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| 25 | (*c*) | the terms and conditions of appointment, powers, |

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

6 *My Dream Jaffna Foundation (Incorporation)*

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

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| 5 | (*e*) | thereat; |
| the qualifications and disqualifications to be a |

members of the Board and the body corporate;

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

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| 10 | (*g*) | the management of the affairs of the body corporate |

and the accomplishment of its’ objects and   
dissolution of the Corporation.

(2) The rules made by the body corporate may be amended, altered, added to or rescinded at a like meeting and in like 15 manner, as a rule made under subsection (1).

(3) The members of the body corporate shall at all times be subject to rules of the body corporate.

(4) The rules made under this section shall be published in the Government *Gazette*.

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| 20 | **9.** The Board shall maintain a register of members in | Register of |
| which name, address and other essential details of the | members |

members be inscribed.

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| 25 | **10.** | (1) The body corporate shall have its own Fund. | Fund of the |
| (2) All moneys received by way of gifts, bequests, | | body |
| corporate |
| donations, subscriptions, contributions, fees or grants for | |

and on account of the body corporate shall be deposited in one or more banks approved by the Board to the credit of the Corporation.

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(3) There shall be paid out of the Fund all sums of money as are required to defray any expenditure incurred by the body corporate in the exercise, performance and discharge of its powers, duties and functions under this Act.

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| 5 | **11.** | (1) The financial year of the body corporate shall be | Accounts and |
| the calendar year. | | the Auditing |

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

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

(4) For the purposes of this section “a qualified auditor”means–

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| 15 | (*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 practise 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 practise as an Accountant issued by the Council 25 of such Institute.

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| 8 | *My Dream Jaffna Foundation (Incorporation)* | Annual  Report |
| **12.** | (1) The Board shall prepare a report of the activities |
| of the body corporate for each financial year and submit | |

such report together with the audited statement of accounts

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| 5 | to the Secretary of the Ministry of the Minister assigned the subject of Social Services and to the Registrar of Voluntary |

Social Services Organizations appointed under the Voluntary Social Services Organization (Registration and Supervision) Act, No. 31 of 1980 before the expiration of six months of the year succeeding the year to which such 10 report relates.

(2) A separate accounts relating to the foreign and local moneys received by the body corporate during the financial year shall be attached to the report referred to in subsection (1).

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| 15 | **13.** | 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 |
| 20 | all debts due to, and subscriptions and contributions payable | |
| to the Foundation on that day shall be paid to the body | |
| corporate for the purposes of this Act. | |
| 25 | Body |
| **14.** | Subject to the provisions of this Act,the body |
| corporate shall be able and capable in law, to take and hold | | corporate |
| may hold |
| any property, movable or immovable, which may become | |
| property |
| vested in it by virtue of any purchase, grants, gifts, | | movable and |
| testamentary dispositions or otherwise and all such property | | immovable |

shall be held by the body 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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| 30 | **15.** | The moneys and property of the body corporate | Application |
| however derived shall be applied solely towards the | | of money |
| and property |
| promotion of the objects of the body corporate and no | |

portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members 35 of the body corporate.

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| *My Dream Jaffna Foundation (Incorporation)* | | 9 | Seal of the  body  corporate |
| **16.** | (1) The Seal of the body corporate shall not be | |
| affixed to any instrument whatsoever, except in the presence of two members of the Board who shall sign their names to | | |

the instrument in token of their presence and such signing 5 shall be independent of the signing of any person as a witness.

(2) The Seal of the body corporate shall be in the custody of an office bearer of the Board as may be decided by the such Board.

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| 10 | **17.** | (1) If upon the dissolution of the body corporate | Property |
| there remains after the satisfaction of all its debts and | | remaining on |
| dissolution |
| liabilities, any property whatsoever, such property shall not | |

be distributed among the members of the body corporate, but shall be given or transferred to any other institution having objects similar to those of the body corporate, and 15 which is by the rules thereof, prohibited from distributing any income or property among its members.

(2) For the purposes of subsection (1), the appropriate institution shall be determined by the members of the body corporate immediately before the dissolution at a general

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| 20 | meeting by the majority of votes of the members present. | | Saving of the |
| **18.** | Nothing in this Act contained shall prejudice or |
| 25 | affect the rights of the Republic or of any body politic or | | Rights of the |
| Republic and |
| corporate. | |
| others |
| **19.** | 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. | |
| inconsistancy |

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| 10 | *My Dream Jaffna Foundation (Incorporation)* |

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