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

*————————*

**SIW WANAK ARANA FOUNDATION (INCORPORATION)**

**A**

**BILL**

**to incorporate the Siw Wanak Arana Foundation**

*——————*

*Presented by the Hon. (Prof.) Charitha Hearath , M.P.*   
*on 02nd of April, 2024*

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*Ordered by Parliament to be printed*

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**[Bill No. 249]**

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| *Siw Wanak Arana Foundation (Incorporation)* | 1 |

AN ACTTOINCORPORATETHE SIW WANAK ARANA   
FOUNDATION

WHEREAS A Foundation called and known as the “Siw Preamble Wanak Arana 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   
5 Foundation according to the rules agreed to by the members:

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 10 such 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 Siw Wanak Arana Short title Foundation (Incorporation) Act, No. of 2024.

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

of the Corporation hereby constituted shall be a body corporate 20 with perpetual succession under the name and style of “Siw Wanak Arana 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.

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| 25 | 3**.** The general objects for which the Coporation is | | General |
| constituted are hereby declared to be:– | | objects of the |
| corporation |
| (1) | to conduct motivation programmes to encourage |

school children;

2 *Siw Wanak Arana Foundation (Incorporation)*

(2) implementation of enviromental protection schemes;

(3) to promote peace,goodwill, understanding and   
cooperation among all communities and people of   
Sri Lanka;

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| 5 | (4) | to give assistance to develop worship places; |
| (5) | to establish information technology centers for the |

advanancement of scienific studies; and

(6) to work towards to protect and develop all rights of   
women and children.

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| 10 | **4.** (1) The of the affairs of the Corporation shall, subject | Management |
| to the other provisions of this Act and the rules in force for | of the affairs |
| of the |
| the time being of the corporation be administered by a |
| Corporation |

Committee of Management consisting of not more than eleven members including Chairman, Secretary, Treasurer 15 elected in accordance with such rules.

(2) The first Committee of Management shall consist of the members of the Committee of Management of the foundation holding office on the day immediately preceding the date of commencement of this Act.

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| 20 | **5.** | Subject to the provisions of this Act and any other | General |
| written law, the Corporation shall have the power to do, | | Powers of the |
| Corporation |
| perform and execute all such acts, matters and things | |

whatsoever as are necessary or desirable for the promotion or furtherance of all and any object of the Corporation or 25 any one of them, including the power to open, operate and close bank accounts, to borrow or raise moneys with or without security or collect or accept grants and donations, to invest its funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of 30 the corporation.

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| *Siw Wanak Arana Foundation (Incorporation)* | 3 | Rules of the Corporation |
| **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 inconsistent with the provisions of this 5 Act or any other written law, on all or any of the following matters:-

(*a*) the classification of members, and the admission,   
 withdrawal, resign, expulsion of members;

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| 10 | (*b*) | the election of office bearers, the resignation from, |
| vacation of or removal from office bearers and their |

powers, conduct and duties;

(*c*) the election of the members of the Committees of   
 the Management and its powers, conduct duties and   
 term of the committee members;

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| 15 | (*d*) | the powers, conduct, duties and functions of the |

various officers, agents and servants of Corporation;

(*e*) the procedure to be observed at and the summoning and holding of meetings of the Committee of Management or Sub Committee and of the time, 20 places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereof;

(*f*) the administrations 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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| 25 | (*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).

4 *Siw Wanak Arana Foundation (Incorporation)*

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

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| 5 | **7.** | All debts and liabilities of the Foundation on the day | Debts due by |
| preceding the date of commencement of this Act, shall be | | and payable |
| paid and discharge by the Corporation hereby constituted | | to the |
| Foundation |
| and all debts due to, subscriptions and contributions payable | |

to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

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| 10 | **8.** | (1) The Corporation shall have its own fund and all | Fund of the |
| monyes heretofore or hereafter to be received by way of | | Corporation |
| gifts, bequest, donation, subscription, contribution, fees or | |

grants for and on account of the corporation shall be deposited to the credit of the Corporation in one or more banks as the Committee of Management shall determine.

15 (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.

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| 20 | **9.**  The Corporation shall be able and capable in law to | Corporation |
| acquire and hold any property, movable and immovable | may hold |
| property |
| which may become vested in it by virtue of any purchase, |
| movable and |
| grant, lease, gift, testamentary disposition or otherwise and | immovable |

all such property shall be held by the Corporation for the

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| 25 | purposes of this Act and subject to the rules of the Corporation made under section 6, with power to sell, mortgage, lease, |

exchange or otherwise dispose of the same.

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| 30 | **10.** | 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 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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| *Siw Wanak Arana Foundation (Incorporation)* | | 5 | Audit and  accounts of  the  Coporation |
| **11.** | (1) The financial year of the Corporation shall be | |
| the calendar year.  (2) The Corporation shall cause proper accounts to be | | |

kept of its income and expenditure, assets and liabilities and 5 all other transaction of the Corporation.

(3) The accounts of the Corporation shall be audited in every year by the Auditor-General or a qualified auditor appointed by the Auditor-General.

(4) In this section “qualified auditor” means–

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| 10 | (*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 practice as an Accountant, issued by the Council   
of such Institute; or

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| 15 | (*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 any other institute   
established by law, possesses a certificate to practice   
as an Accountant, issued by the Council of such

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| 20 | Institute. | | Seal of the |
| **12.** | The Seal of the Corporation shall not be affixed to |
| any instrument whatsoever except in the presence of two | | Corporation |

members of the Committee of Management, who shall sign their names to the instrument in token of their presence and 25 such signing shall be independent of the signing of any person as a witness.

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| **13.** | Nothing in this Act contained shall prejudice or | Saving of the Rights of the Republic and others |
| affect the rights of the Republic or of any body politic, or corporate or of any other persons. | |

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| 6 | *Siw Wanak Arana Foundation (Incorporation)* | | Sinhala text  to prevail in case of  inconsistancy |
| **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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| *Siw Wanak Arana Foundation (Incorporation)* | 7 |

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