

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

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**J. C. ALAWATHUWELA FOUNDATION**   
**(INCORPORATION)**

**A**

**BILL**

**to incorporate the J. C. Alawathuwela Foundation**

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*Presented by the Hon. Hector Appuhamy, M.P.*   
*for Puttlam District on05th of June, 2024*

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*Ordered by Parliament to be printed*

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**[Bill No. 264]**

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| *J. C. Alawathuwela Foundation (Incorporation)* | | 1 |
| AN ACTTOINCORPORATE | THE J. C. ALAWATHUWELA |

FOUNDATION

WHEREAS a Centre called and known as the “J. C. Preamble Alawathuwela 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 J. C. Alawathuwela 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 “J. C. | of the J. C. |
| Alawathuwela |
| Alawathuwela Foundation” (hereinafter referred to as the |
| Foundation |
| “Foundation”) or shall hereafter be admitted as members of |

the corporation hereby constituted shall be a Corporation with 20 perpetual succession under the name and style of “J. C. Alawathuwela 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 |
| ( *a*) | to promote ethics and culture, create necessary |

resources and maintain.

2 *J. C. Alawathuwela Foundation (Incorporation)*

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

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| --- | --- | --- | --- |
| 5 | (*c*) | to laise and co-ordinate with other local and foreign | Management |
| institutions which have similar objects. | |
| **4.** (1) The of the affairs of the Corporation shall, subject | |
| of the affairs |
| to the other provisions of this Act and the rules in force for | |
| of the |
| the time being of the corporation be administered by a | | Corporation |

Committee of Management consisting of Chairman, 10 Secretary, Treasurer elected in accordance with such rules.

(2) The founder member of the Foundation, Honourable Member J. C. Alawathuwela shall be the Chairman of the Board of Directors for life thereafter, the family members of the person who was holding office as the Chairman shall 15 become the next Chairman of the Board of Directors.

(3) The first Committee of Management shall consist of the members of the Governors board 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 |
| Powers of the |
| written law, the Corporation shall have the power to do, | |
| Corporation |
| 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 any one of 25 them, to open, operate and close bank accounts, to borrow or raise moneys with or without security to receive or collect or accept grants and donations to invest its funds to the Corporation and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the 30 Corporation.

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| *J. C. Alawathuwela 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, 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   
 duration of term of office;

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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 and of the time, places, notices and 20 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).

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(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 Corporation on the | Debts due by |
| day preceding the date of commencement of this act, shall | | and payable |
| be paid and discharge by the Corporation hereby constituted | | to the |
| Corporation |
| and all debts due to, subscriptions and contributions payable | |

to the Corporation 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 Body Corporate 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 function under this Act.

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| 20 | **9.**  Subject to the provisions of this Act, the Corporation | Corporation |
| shall be able and capable in law to acquire and hold any | may hold |
| property |
| property, movable and immovable which may become vested |
| movable and |
| in it by virtue of any purchase, grant, lease, gift, testamentary | immovable |

disposition or otherwise and all such property shall be held

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| 25 | by the Corporation for the purposes of this Act and subject to the rules of the Corporation made under section 06, 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

35 distributing any income or property among their members.

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| *J. C. Alawathuwela 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 transactions of the Corporation.

(3) The accounts of the Corporation shall be audited annually by the Auditor General or qualified auditor appointed by the Auditor General in the terms of Article 154 of the Constitution.

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

(*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 15 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 of Chartered

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| 20 | 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.

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| 25 | **12.** | The Seal of the Corporation shall not be affixed to | Seal of the |
| 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 such signing shall be independent of the signing of any person as a witness.

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| 30 | **13.** | Nothing in this Act contained shall prejudice or | Saving of the |
| affect the rights of the Republic or of any body politic, or | | Rights of the |
| Republic and |
| corporate or of any other persons. | |
| others |

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| 6 | *J. C. Alawathuwela 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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| *J. C. Alawathuwela Foundation (Incorporation)* | 7 |

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