



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

**NATIONAL FILM CORPORATION TRUST FOR
FILM ARTISTES AND TECHNICIANS
ACT, No. 3 OF 1986**

(Certified on 18th February, 1986)

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*National Film Corporation Trust for Film
Artistes and Technicians
Act, No.3 of 1986*

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L.D.—O. 8/83

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A TRUST CALLED THE NATIONAL FILM CORPORATION TRUST FOR FILM ARTISTES AND TECHNICIANS ; TO SPECIFY ITS OBJECTS AND POWERS AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

1. This Act may be cited as the National Film Corporation Trust for Film Artistes and Technicians Act, No 3 of 1986. Short title.

2. (1) There shall be established a Trust which shall be called the National Film Corporation Trust for Film Artistes and Technicians (hereinafter referred to as "the Trust"). Establishment of the National Film Corporation Trust for Film Artistes and Technicians.

(2) The Trust shall, by the name assigned to it by subsection (1), be a body corporate and shall have perpetual succession and a common seal and may sue and be sued in such name.

3. (1) The administration, management and control of the Trust shall be vested in a Board of Trustees constituted as hereinafter provided. Board of Trustees of the Trust.

(2) The Board of Trustees of the Trust (hereinafter referred to as "the Board") shall consist of—

(a) the Chairman of the Film Corporation, who shall be the Chairman of the Board ;

(b) the General Manager of the Film Corporation ; and

(c) five other members (hereinafter referred to as "appointed members"), who shall be appointed by the Minister of whom—

(i) one member shall be the first-named Director, or in his absence the second-named Director, of two Directors of the Film Corporation, to be designated in the act of appointment as member and alternate member, respectively, of the Board ;

(ii) one member shall be a representative of the General Treasury ; and

(iii) three members shall be persons from the film industry, representing the film artistes, film technicians and film directors, respectively.

(3) The Minister may, if he considers it expedient so to do, remove any appointed member of the Board without assigning any reason therefor and such removal shall not be called in question in any Court.

(4) An appointed member of the Board may, at any time, resign his office by letter addressed to the Minister.

(5) Where an appointed member of the Board is, by reason of ill-health, other infirmity, absence from Sri Lanka or any other cause, temporarily unable to perform the duties of his office, the Minister may, having due regard to the provisions of paragraph (c) of subsection (2) appoint another person to act in his place.

(6) Every appointed member of the Board shall, unless he vacates office earlier, hold office for a period of three years :

Provided that a member appointed by the Minister to fill a vacancy in the office of an appointed member of the Board, shall, unless he vacates office earlier, hold office for the unexpired portion of the term of office of the member when he succeeds.

(7) Any appointed member of the Board who vacates office shall, unless he has been removed from office under subsection (3), be eligible for reappointment.

(8) An appointed member of the Board shall be deemed to have vacated his office—

- (a) on his resignation or removal from membership of the Board ; or
- (b) on his resignation or removal as a Director of the Film Corporation ; or
- (c) on the expiry of his term of office as a member of the Board or as a Director of the Film Corporation.

(9) The Chairman of the Board shall preside at all meetings of the Board. In the absence of the Chairman from any meeting, the member or alternate member, referred to in paragraph (c) (i) of subsection (2), present at the meeting shall preside.

(10) The person presiding at any meeting of the Board shall, in addition to his own vote, have a casting vote.

(11) In the event of any difference of opinion between the members of the Board, the decision of the majority shall be binding and effectual.

(12) The quorum for a meeting of the Board shall be four members.

(13) Subject to the provisions of subsection (12) the Board may regulate the procedure in regard to its meeting and the transaction of business at such meetings.

(14) The Board may act notwithstanding a vacancy among its members.

(15) All or any of the members of the Board may be paid such remuneration, allowances and other expenses as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

4. The seal of the Trust—

Seal of
the Trust.

(a) shall be in the custody of such persons as may be determined by the Board from time to time ;

(b) may be altered in such manner as may be determined by the Board ; and

(c) shall not be affixed to any instrument or document except with the sanction of the Board and in the presence of two members of the Board who shall sign the instrument or document in token of their presence.

5. The objects of the Trust shall be—

The objects
of the
Trust.

(1) to formulate contributory pension schemes, establish benevolent funds, savings funds, savings or thrifts societies and other similar schemes designed to assist film artistes and technicians ;

(2) to grant to an eligible film artiste or technician upon application made to the Board—

(a) a pension, loan, an allowance, housing facilities or any other similar benefit upon his reaching the age of sixty years, whether or not he continues to engage in his occupation after he reaches that age,

(b) any financial assistance if he is under any physical or mental disability and is unable to engage in his occupation ;

(3) to grant, in the event of the death of an eligible film artiste or technician, upon application made to the Board—

(a) any financial assistance in respect of funeral expenses,

(b) financial or other assistance to the spouse, parent or minor child of that eligible film artiste or technician.

Powers,
duties and
functions
of the
Trust.

6. (1) The Board shall, in the name of the Trust, have subject to the provisions of this Act and any other written law, the power to do all such acts as are necessary for, or conducive or incidental to, the carrying out of the objects of the trust.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Board may exercise and discharge the following powers and functions :—

(a) to raise funds or receive grants, gifts or donations in cash or kind, whether from local or foreign sources ;

(b) to acquire, hold, take or give on lease or mortgage, pledge, sell or otherwise dispose of, movable or immovable property ;

(c) to enter into or perform, either directly or through officers and servants or agents authorized in writing in that behalf by the Board, all such contracts and agreements as may be necessary for the exercise discharge and performance of the powers, functions and duties, and for the carrying out of the objects of the Trust ;

(d) subject to the provisions of this Act, to appoint, employ and remunerate officers and servants of the Trust and to make rules regarding the appointment, promotion, remuneration and disciplinary control of its employees and the grant of leave and other benefits to them ;

- (e) to invest funds belonging to the Trust at the discretion of the Board in any such investments as are authorized by law for the investment of Trust money and to recall, reinvest and vary such investments at the discretion of the Board and to collect income accruing from such investments ;
- (f) to make rules in relation to all matters connected with the administration of the Trust ; and
- (g) to do such other acts and things as the Board may consider necessary or conducive for the attainment of the objects of the Trust.

7. (1) There shall be established a Fund called the National Film Corporation Trust Fund (hereinafter referred to as "the Fund").

Establishment of the National Film Corporation Trust Fund.

(2) The Board shall have the power to manage, control and operate the Fund.

(3) As soon as convenient after the date of commencement of this Act, the Film Corporation shall make a payment of one million rupees as an initial grant to the Fund.

(4) It shall be lawful for the Film Corporation, commencing in the year next succeeding the year in which the initial grant referred to in subsection (3) is made, to make an annual grant to the Fund.

8. There shall be paid into the Fund—

Payment into the Fund.

- (a) any fund raised, or grants, gifts or donations received or moneys realised or collected under paragraph (a) of subsection (2) of section 6 ;
- (b) the initial grant and the annual grants made by the Film Corporation under section 7 ; and
- (c) any income from investments or other receipts due to the Trust.

9. There shall be paid out of the Fund—

Payments out of the Fund.

- (a) expenses necessary for the working establishment and maintenance of the Trust ;
- (b) the payment of salaries to officers, servants and other employees ; and
- (c) all such other payments as are approved by the Board as being necessary for the purpose of carrying out the objects of the Trust.

Financial
year of the
Trust.

10. The financial year of the Trust shall be the calendar year.

Accounts
and Audit.

11. (1) The Board shall cause proper books of accounts to be kept of the income and expenditure and all other transactions of the Trust.

(2) The Board shall cause its books to be balanced as on the thirty-first day of December in each year and shall, before the thirty-first day of March next, cause to be prepared, an income and expenditure account and balance sheet containing a summary of the assets and liabilities of the Trust made up to the first-mentioned date.

(3) The income and expenditure account and the balance sheet shall be signed by the members of the Board authorized to do so by a resolution passed by the Board.

(4) The Auditor-General shall audit the accounts of the Trust every year in accordance with Article 154 of the Constitution.

Protection
for action
taken under
this Act or
on the
direction of
the Board.

12. (1) No suit or prosecution shall be instituted against any member of the Board or against any officer, servant or agent of the Trust appointed for the purposes of this Act, for any act which in good faith is done or purported to be done by him under this Act or on the direction of the Board.

(2) Any expense incurred by the Trust in any suit or prosecution brought by or against the Trust shall be paid out of the funds of the Trust, and any costs paid or recovered by the Trust in any such suit or prosecution shall be credited to the funds of the Trust.

(3) Any expense incurred by any such person as is referred to in subsection (2) in any suit or prosecution brought against him before any court in respect of any act which is done or purported to be done by him under this Act or on the direction of the Board shall, if the court holds that such act was done in good faith, be paid out of the funds of the Trust unless such expense is recovered by him in such suit or prosecution.

No writ to
issue against
person or
property of a
member of
the Board or
officer &c. of
the Trust.

13. (1) No writ against person or property shall be issued against any member of the Board or any officer or servant of the Trust in any action brought against the Trust.

(2) Any expense incurred by the Trust in any suit or prosecution brought by or against the Trust shall be paid out of the funds of the Trust, and any costs paid to or recovered by the Trust in any such suit or prosecution shall be credited to the funds of the Trust.

14. All officers and servants of the Trust shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

Officers and servants of the Trust deemed to be public servants under the Penal Code.

15. The Trust shall be deemed to be a scheduled institution within the meaning of the Bribery Act and the provisions of that Act shall accordingly apply.

Trust deemed to be a scheduled institution within the meaning of the Bribery Act.

16. In this Act, unless the context otherwise requires –

Interpretation.

“eligible film artiste or technician” means a film artiste or technician who has been engaged on a contractual basis, (other than a lyric writer, lighting technician or play-back singer to whom such requirement shall not be applicable) in the production of a minimum of three films as a result of which he has earned credit titles during a period of not less than ten years ;

“film artiste or technician” includes any actor, film director, script writer, lyric writer, music director, play-back singer, make-up artiste, art director, cameraman, editor or lighting technician, who was or is engaged directly in the production of films in Sri Lanka ;

“Film Corporation” means the National Film Corporation of Sri Lanka established under the National Film Corporation Act, No. 47 of 1971.