



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

**GAMAGE ARTHUR PERERA FOUNDATION
(INCORPORATION) ACT, No. 26 OF 2009**

[Certified on 21st April, 2009]

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Gamage Arthur Perera Foundation (Incorporation)
Act, No. 26 of 2009

[Certified on 21st April, 2009]

L. D. —O. (Inc.) 38/2005

AN ACT TO INCORPORATE THE GAMAGE ARTHUR PERERA FOUNDATION

WHEREAS a Foundation called and known as the “Gamage Arthur Perera 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.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the objects and matters for which it was formed and has applied to be incorporated and it will be for the public advantage to grant the application :

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

1. This Act may be cited as the Gamage Arthur Perera Foundation (Incorporation) Act, No. 26 of 2009.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as are members of the “Gamage Arthur Perera Foundation” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members of the Corporation hereby constituted shall and become a body corporate with perpetual succession under the name and style of Gamage Arthur Perera Foundation (hereinafter referred to as “the Corporation”) 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.

Incorporation
of the Gamage
Arthur Perera
Foundation.

3. The general objects for which the Corporation is constituted are hereby declared to be —

General
Objects of the
Corporation.

- (a) to establish and maintain orphanages and homes for the aged in the name of Gamage Arthur Perera and to establish social welfare centres;

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- (b) to provide medical aid, food and housing to the poor, the destitute and the sick ;
- (c) to co-operate and associate with other associations, societies or organizations having objects similar to those of the Corporation ;
- (d) to sponsor and conduct conferences, seminars workshops, group studies and lectures in Sri Lanka and elsewhere, in furtherance of the objects of the Corporation; and
- (e) to print, publish and distribute books, journals, leaflets, newspapers and magazines which the Corporation may consider desirable for the promotion and advancement of its objects.

Management of the affairs of the Corporation.

4. (1) The affairs of the Corporation shall subject to the rules of the Corporation be administered by a Committee of Management of not less than seven members including the President, Honorary Secretary, two Vice-Presidents and Treasurer to be elected in accordance with the rules in force for the time being of the Corporation.

(2) The first Committee of Management of the Corporation 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. Such first Committee of Management may hold office until holding of the first Annual General Meeting of the Corporation.

Powers of the Corporation.

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 of them, including the power to open, operate or close bank accounts, to borrow or raise moneys, with or without security, to receive

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or collect 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 the Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting and by a majority of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act or other written law, for all or any of the following matters :—

Rules of the Corporation.

- (a) the classification of membership and the admission, withdrawal or expulsion of members ;
- (b) the election of the office-bearers, the resignation from or vacation of or removal from, office of office bearers and their power, conduct and duties ;
- (c) the election of the members of the Committee of Management and its powers, conduct and duties and the terms of office of members of the Committee of Management ;
- (d) the powers, conduct, duties and functions of the various officers, agents and servants of the Corporation ;
- (e) the procedure to be observed for the summoning and holding of meetings of the Committee of Management, the times, places, notices and agenda of such meetings, the quorum therefore 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
- (g) generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

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(2) Any rule made by the Corporation may be amended, altered, added to or rescinded at a like manner as a rule may be made under sub-section (1).

(3) The members of the Corporation shall be subject to the rules of the Corporation.

Debts due by
and payable to
the Association.

7. All debts and liabilities of the Foundation existing 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 and subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation hereby constituted.

Corporation may
hold property
movable and
immovable.

8. The Corporation shall be able and capable in law to acquire and hold any property movable or immovable, which may become vested in it by virtue of any purchase, grant, gift or testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of this Act and subject to the rules of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of, encumber or charge the same.

Funds of the
Corporation.

9. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution, fees or grants for or on account of the Corporation shall be deposited in one or more banks as the Corporation shall determine.

(2) There shall be paid out from the fund, all sums of moneys as are required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers and functions under this Act.

Accounts and
Auditing.

10. (1) The Corporation shall cause proper accounts to be kept of all moneys received and expended by the Corporation.

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(2) The Accounts of the Corporation shall be examined and audited at least once in every year and the correctness of Income, Expenditure and the Balance Sheet certified by the Auditor or Auditors who shall be an associate member or members of the Institute of Chartered Accountants of Sri Lanka appointed by the Corporation.

11. If upon the dissolution of the Corporation, there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to 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 the members.

Property
remaining on
dissolution.

12. The seal of the Corporation shall not be affixed to any instrument whatsoever except under the authority of the Committee of Management and in the presence of the President and the Secretary or a member 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.

Seal of the
Corporation.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or any body politic or corporate or of any other persons.

Saving of the
rights of the
Republic and
others.

14. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text
to prevail in
case of
inconsistency.

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