

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

Part II of September 18, 2015

SUPPLEMENT

(Issued on 21. 09. 2015)



**SUJEEWA SENASINGHE FOUNDATION
(INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Sujeeva Senasinghe Foundation

*To be presented in Parliament by Hon. Nalin Bandara Jayamaha , M.P.
for Kurunegala District*

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 6.00

Postage : Rs. 10.00

Sujeewa Senasinghe Foundation
(Incorporation)

AN ACT TO INCORPORATE THE SUJEEWA SENASINGHE FOUNDATION

WHERE a Foundation called and known as the “Sujeewa Senasinghe Foundation” has heretofore been establish 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 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 Sujeewa Senasinghe Foundation (Incorporation) Act, No. of 2015.

Short title.

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

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

General objects of the Corporation.

(a) to give assistance and scholarships to needy children enable them to continue their education, encourage them to attend school regularly;

(b) to give assistance and funds to public (Home) and private orphanages, for food programmes;

(c) to provide relief and welfare services in natural disasters, distress and unsuspected incidents;

5 (d) to give assistance and funds to public schools for constructions and repairs of buildings and training of teachers;

(e) to provide sports materials, construct sports facilities and grant programmes for the development of teaching sports skills of the youth;

10 (f) to create any activities (small industries or services) that can generate, on a non-profit base, the revenues to finance all actions in accordance to the above objects;

15 (g) to promote, arrange and organize events, festivals, artistic shows, publish newsletter or books to achieve these objects; and

(h) to liaise and co-ordinate with other local and foreign institutions or foundations which have similar objects.

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4. (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation be administered by a Board of Directors consisting of a Chairman, and Secretary, Treasurer and eight other members elected in accordance with such rules.

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(2) The Founder member of the Foundation Honourable Sujeewa Senasinghe shall be the Chairman of the Board of Directors for life. And thereafter the close family member of the person who was holding office as the Chairman shall become the next Chairman of the Board of Directors.

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Management of the affairs of the Corporation.

(3) The first Board of the Corporation shall consist of the members of the Board of Administration of the Foundation holding office on the day immediately preceding the date of commencement of this Act.

- 5 **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 one
10 of them, including the power to acquire and hold property movable, to open, operate and close bank accounts, to borrow or raise moneys with or without security, to erect any building or structures on any land held by the Corporation and to engage, employ and dismiss officers and servants required
15 for the carrying out of the objects of the Corporation.

General
powers 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 and voting, to make rules, not inconsistent with the
20 provisions of this Act or any other written law, for all or any of the following matters:—

Rules of the
Corporation.

- (a) classification of membership, admission withdrawal, expulsion or resignation of members and membership fees payable;
- 25 (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Board of Directors, the quorum for such meetings and the exercise and performance of their powers and duties;
- 30 (c) the appointment, power, duties and functions of the various officers, agents and servants of the Corporation;
- (d) qualification required to become a member of the Corporation and of the Board of Directors; and

(e) the administration and management of the property of the Corporation.

(2) Any rules 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).

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

7. (1) The Corporation shall have its own fund and all moneys hereafter to be received by way of gift, 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 Board of Directors shall determine.

(2) There shall be paid out of the fund, all sums of money
15 required to defray any expenditure incurred by the
Corporation in the exercise, performance and discharge of its
power, duties and function under this Act.

8. The Corporation shall be able and capable in law to acquire and hold any property, movable and immovable which may become vested in it by virtue of any purchase, grant, lease, gift, 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 in force for the time being of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

9. No member of the Corporation there remains after the satisfaction of all its debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

Limitation of liability of members.

10. If upon the dissolution of the Corporation there remains after the satisfaction of all debts and liabilities any property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given
5 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.

Property remaining on dissolution.

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

Audit and accounts of the Corporation.

(2) The financial year of the Corporation shall be the calendar year.

(3) The accounts of the Corporation shall be examined
15 and audited at least once in every year by an auditor or auditors appointed by the Board of Directors.

12. The Seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of such number of person as may be provided for in the rules in force
20 for the time being of the Corporation, 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
25 affect the rights of the Republic or of any body politic, or corporate or of any other persons except such as are mentioned in this Act and those claiming by, from or under them.

Saving of the Rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

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