

PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

RATHANATISSA PEACE FOUNDATION (INCORPORATION)

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to incorporate the Rathanatissa Peace Foundation

Presented by the Hon. U. K. Sumith Udukumbura, M. P. for Kurunegala District on 20th of January, 2021

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Rathanatissa Peace Foundation (Incorporation)

AN ACT TO INCORPORATE THE RATHANATISSA PEACE FOUNDATION

WHEREAS a Foundation called and known as the Preamble. "Rathanatissa Peace 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 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 Rathanatissa Peace Short title. Foundation (Incorporation) Act, No. of 2021.
- 2. From and after the date of commencement of this Act, Incorporation 15 such and so many persons as now are members of the of the "Rathanatissa Peace Foundation" (hereinafter referred to as Peace the "Foundation") or shall hereafter be admitted as members Foundation. of the Corporation hereby constituted, shall be a body 20 corporate with perpetual succession under the name and style of the "Rathanatissa Peace 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.

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

objects of the Corporation.

- (a) to provide assistance to religious places;
- (b) to provide assistance to pirivenas;

2 Rathanatissa Peace Foundation (Incorporation)

- (c) to organize leadership programmes;
- (d) to assist in the development of educational, religious, cultural, aesthetic and sports facilities without any reference to race, religious or caste;
- (e) setting free of cattle destined for slaughter. 5
- 4. (1) The affairs of the Corporation shall, subject to the Management other provisions of this Act and the rules in force for the time of the affairs being of the corporation be administered by a Committee of Corporation. Management consisting of Chairman, Secretary and Treasurer 10 elected in accordance with such rules.

- (2) The founder member of the Foundation, Deshamanya Ven. Eriyawe Rathanatissa Thero shall be the Chairman of the Board of Directors for life.
- (3) The first Committee of Management shall consist of 15 the members of the Committee of Management holding office on the day immediately preceding the date of commernement of this Act.
- 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 20 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 any one of them, including the powers to open, operate or close bank accounts, to borrow or rais moneys with or without 25 security, to receive or collect or accapt 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 Corporation.

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

- (a) the Classification of members, and the admission, expulsion, removal or withdrawal of members;
- (b) the election of office bearers, the resignation from 10 vacation of or removal from office of office bearers and their powers, conduct and duties;
 - (c) the election of the members of the Committees of the Management and its powers, conduct and duties;
 - (d) 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, placse, notices, and agenda of such meetings, the quorum thereof and the conduct of business thereof;

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- (e) the powers conduct, duties and functions of the 20 various officers, agents and servants of the Corporation;
 - (f) the administrations and management of the property of the Corporation; and
- the management of the affairs of the Corporation, 25 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),
- (3) Every member of the Corporation shall be subject to 30 the rules of the Corporation.
 - 7. All debts and liabilities of the Foundation on the day Debts due by preseding the date of commencement of this act, shall be and payable paid and discharge by the Corporation hereby constituted to the and all debts due to, subscriptions and contributions payable

Organization.

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

4 Rathanatissa Peace Foundation (Incorporation)

8. (1) The Corporation shall have its own fund and all Fund of the moneys heretofore or hereafter to be received by way of 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 Corporation shall determine.

Corporation.

- (2) There shall be paid out of the fund, all sums of money as are required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its 10 powers, duties and functions under this Act.
- 9. The Corporation shall be able and capable in law to Corporation acquire and hold any property, movable and immovable may hold which may become vested in it by virtue of any purchase, movable and grant, gift, testamentaty disposition or otherwise and all such immovable. 15 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 fill powers to sell, mortgage, lease, exchange or otherwise dispose of the same.

10. If upon the dissolution of the Corporation there Property 20 remains after the satisfaction of all its debts and liabilities, remaining on 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, 25 is or are by its or their rules prohibited from distributing any

income or property among their members.

dissolution.

11. (1) The financial year of the Corporation shall be Audit of the calendar year;

accounts of the Corporation.

(2) The Corporation shall case proper accounts to be kept 30 of its income and expenditure assets and liabilities and all other transactions of the Corporation.

- (3) The accounts of the Corporation shall be audited annually by the Auditor General or a qualified auditor appointed by the Auditor General in terms of Article 154 of the Constitution.
- 5 (4) In this section "qualified auditor" means-

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- (a) An individule 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 Counil of such Institute; or
- (b) A firm Accountants, each of the resident partners of which, being a member of the Instite 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.
- 12. The seal of the Corporation shall not be affixed to Seal of the any instrument whatsoever except in the presence of two Corporation. member of the Corporation, who shall sign their names to the 20 instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

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 corporate.

Republic and others.

14. In the event of any inconsistency between the Sinhala text 25 Sinhala and the Tamil texts of this Act, the Sinhala text shall to prevail in prevail.

case of inconsistency.

