



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

**LEO AND JOSEPHINE DE ALMEIDA
MEMORIAL FOUNDATION
(INCORPORATION) ACT, No. 17 OF 2007**

[Certified on 08th May, 2007]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of May 11, 2007

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 1

Price : Rs. 8.25

Postage : Rs. 5.00

*Leo and Josephine De Almeida Memorial
Foundation (Incorporation) Act, No. 17 of 2007*

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AN ACT TO INCORPORATE THE LEO AND JOSEPHINE DE ALMEIDA
MEMORIAL FOUNDATION

WHEREAS a Foundation called and known as “Leo and Josephine De Almeida Memorial 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 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 the 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 Leo and Josephine De Almeida Memorial Foundation (Incorporation) Act, No. 17 of 2007.

Short title.

2. From and after the date of commencement of this Act such and so many persons as presently are members of the Leo and Josephine De Almeida Memorial Foundation (hereinafter referred to as the “Foundation”) or shall hereafter be admitted member of the Corporation hereby constituted, shall be a body Corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “Leo and Josephine De Almeida Memorial 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 to alter the same at its pleasure.

Incorporation of the Leo and Josephine De Almeida Memorial Foundation.

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

General objects of the Corporation.

- (a) to establish homes for the elders to provide care for destitute or needy elders and to provide for their

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physical, mental and intellectual needs and also to provide opportunities for them to participate in social, religious and recreational activities,

- (b) to provide and maintain homes for elders and destitutes and hospitals to care for the sick, infirm and disabled;
- (c) to render educational services and vocational training for people ;
- (d) to establish and maintain centres to help disabled persons to lead a normal life as far as possible ;
- (e) to otherwise render educational, social and other charitable services ;
- (f) to establish and maintain libraries with lending and reference facilities for students and to promote reading habits in the adult population ;
- (g) to provide scholarships for needy students who are successful at public examinations ;
- (h) to provide medical facilities, clothing and shelter for needy orphans and the sick ;
- (i) to provide welfare facilities, for the usually handicapped, the physically handicapped, the mentally retarded and for persons whose hearing is impaired ;
- (j) to identify the socio-economic, religious and cultural needs of the community and to formulate and implement appropriate projects and programmes to meet such needs, and to undertake any other project that is conducive to the general welfare of the community ;

- (k) to promote, arrange, organize and hold exhibitions, lectures, seminars, workshops, classes and conferences in furtherance of the objects of the Corporation ;
- (l) to promote, peace, goodwill, understanding and co-operation among all communities and people of Sri Lanka ;
- (m) to promote the upliftment of youth, who are economically and socially disadvantaged ;
- (n) to promote the advancement of education and knowledge and to provide scholarships, grants or other forms of financial assistance to scholars, researchers and to recognized institutions or organizations;
- (o) to promote and encourage cultural, literary and charitable activities ;
- (p) to organize and hold public lectures, seminars, workshops, conferences, debates, short term educational courses for youth, with a view to advancing their knowledge and enabling them to secure employment ;
- (q) to promote and encourage publications on matters of national and international interest; and
- (r) to establish and maintain educational institutions, libraries, museums and hospitals ;

4. The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation, be administered by a Committee of management elected in

Rules of the
Corporation.

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accordance with the rules of the Corporation. Subject to the provisions of this Act, the Committee of Management shall make rules for, and in respect of, all or any of the following matters :—

- (a) the terms and conditions of service including remuneration of the officers and servants of the Corporation ;
- (b) the schemes of recruitment and procedures for appointment of the officers and servants of the Corporation ;
- (c) the annual programme and plan of work, the annual budget, the annual report and accounts of the Corporation and the manner in which such programme and plan of work, budget, report and accounts are to be prepared ; and
- (d) such other matters or in respect of which rules are required or authorized by this Act to be made.

Powers of the Corporation.

5. The Corporation shall, subject to the provisions of this Act, have the following powers :—

- (a) to acquire and hold property, movable or immovable, by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and subject to any trust attaching to such property, to sell, mortgage, lease, exchange or otherwise dispose of the same;
- (b) to enter into and perform, all such contracts as may be necessary for carrying out the objects of the Corporation ;
- (c) to receive or collect gifts, grants or donations, in cash or kind, from local or foreign persons or organizations ;

- (d) to make, draw, accept, endorse, negotiate, buy, sell and issue, bills of exchange, cheques, promissory notes and other negotiable instruments and to open and maintain, current, savings and deposit accounts in any bank or banks ;
- (e) to borrow, with or without security, moneys necessary for carrying out its objects ;
- (f) to invest any moneys belonging to the Corporation including any unapplied income as determined by the Committee of Management ;
- (g) to appoint such officers and servants as may be necessary for carrying out its objects ; and
- (h) to make rules in relation to all matters connected with the working of the Corporation and to make such rules as are not inconsistent with the provisions of this Act or any other written law, and to alter, vary, rescind them.

6. (1) The Corporation shall have its own fund (hereinafter called and referred to as the “Fund”).

Funds of the Corporation.

(2) There shall be credited to the Fund—

- (a) all such sums of money as may be received by the Corporation in the exercise, discharge and performance of its powers, functions and duties under this Act ; and
- (b) all such sums of money as may be received by the Corporation, by way of loans, donations, gifts or grants from any source, whether in Sri Lanka or abroad.

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(3) There shall be paid out of the Fund of the Corporation—

- (a) all such sums of money as are required to defray any expenditure incurred by the Corporation in the exercise, discharge and performance of its powers, duties and functions under this Act ; and
- (b) all such sums of money as are required to be paid out of such Fund, by or under this Act.

The Committee of Management to cause proper books of accounts to be kept.

7. (1) The Committee of Management shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Corporation.

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

(3) The Accounts of the Corporation shall be audited by qualified Auditors.

(4) In this Act unless the context otherwise requires “qualified Auditor” shall have the same meaning as in Article 154(8) of the Constitution.

Seal of the Corporation.

8. The Seal of the Corporation—

- (a) shall be in the custody of such person as the Committee of Management may from time to time determine ;
- (b) may be altered in such manner as may be determined by the Committee of Management ; and
- (c) shall not be affixed to any document except with the sanction of the Committee of Management and in the presence of two members of the Committee of Management who shall sign the document in token of their presence.

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9. 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 some other Association or Associations having objects similar to the objects of the Corporation, and which is or are by the rules prohibited from distributing any income or property among its or their members of the Corporation at, or immediately before, the time of the dissolution of the Corporation.

Property
remaining on the
dissolution.

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

Saving of the
rights of the
Republic and
others.

11. 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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