

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

**Part II of September 29, 2017**

**SUPPLEMENT**

*(Issued on 02.10. 2017)*



**HESHA FRIENDSHIP FOUNDATION  
(INCORPORATION)**

*(Private Member's Bill)*

**A**

**BILL**

**to incorporate the Hesha Friendship Foundation**

*To be presented in Parliament by Hon. Bandula Lal Bandarigoda, M. P.  
for Galle District*

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*Hesha Friendship Foundation*  
(Incorporation)

AN ACT TO INCORPORATE THE HESHA FRIENDSHIP FOUNDATION

WHEREAS a Association called and known as the Preamble.  
“Hesha Friendship 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  
5 Foundation according to the rules agreed to by its 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 Hesha Friendship Short title.  
Foundation (Incorporation) Act, No. of 2017.

15 2. From and after the commencement of this Act, such  
and so many persons as now are members of the “Hesha  
Friendship Foundation” (hereinafter referred to as the  
“Foundation”) or shall hereafter be admitted as members of  
the Corporation hereby constituted shall be a body corporate  
20 with perpetual succession, under the name and style of  
“Hesha Friendship 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  
constituted are hereby declared to be— General  
objects of the  
Corporation.

(a) to provide education, grant scholarships, assist pre-  
school children;

(b) to provide provision to protect, maintain discipline  
30 and cultural ethics;

(c) to promote education and research;

(d) to implement academic and training programs relevant for environment conservation of rural areas;

5 (e) to extend support to services rendered by senior citizens organizations and to encourage such organization:

(f) to establish information technology centres for the advancement of scientific studies;

10 (g) to implement social mobilization programs and educational and training programs for the development of the children and women;

(h) to assist in the development of educational, religious, cultural, aesthetic and sports facilities without any reference to race, religion or cast;

15 (i) to take necessary steps to promote artistic creation, sport skills and technical knowledge of school leavers and to set up vocational training centers; and

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

**4.** (1) The management of the affairs of the Corporation shall, subject to the rules corporation, be administered by Committee of Management consisting of not more than eleven office bearers inclusive of the Chairman, Secretary, Treasurer and such number of members as may be provided or in rules and elected in accordance therewith.

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(2) The first Committee of Management shall consist of the members of the Committee of Management holding office on the day immediately preceding the date of commencement of this Act and shall continue to hold office until a new Committee of Management is elected in accordance with the rules section 6 of this Act.

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Management of the affairs of the Corporation.

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 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 for the carrying out of the objects of the Corporation.

General  
Powers of the  
Corporation.

15       **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 to make rules, not inconsistent with the provisions of this Act or any other written law, on all or any of the following matters:—

Rules of the  
Corporation.

- (a) the classification of membership, admission, withdrawal, expulsion or resignation of members;
- 20       (b) the election of office bearers, the resignation from, vacation of or removal from office bearers and their powers, conduct and duties;
- 25       (c) the election of the members of the Committee of the Management and its powers, duties and conduct and the terms of office of members of the Committee of Management;
- (d) the powers, duties and functions and conduct of the officers, agents and servants of the Corporation;
- 30       (e) the procedure to be observed at and the summoning and holding of meetings of the Committee of Management, the times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereat;

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

7. All debts and liabilities of the Foundation 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, subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for purposes of this Act.

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, contributions, 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 required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its power, duties and functions under this Act.

9. Subject to the provisions of this Act, 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

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Corporation may hold property movable and immovable.

for the purposes of this Act and subject to the rules of the Corporation made under section 06, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

5       **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 or transferred to some other institution or institutions having objects similar to those of the Corporation and which, is or  
10       are by its or their rules prohibited from distributing any income or property among their members.

Property  
remaining on  
dissolution.

11. (1) The Financial year of the Corporation shall be the calender year.

Audit and  
Accounts of  
the  
Corporation.

15       (2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assests and liabilities and transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Board.

(4) In this section "qualified auditor" means -

20       (a) An individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, any other institute established by law, possesses a certificate to practice as an Accountant, issued by the Council of such Institute; or

25       (b) A firm of Accountants, each of the resident partners of which, 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  
30       by the Council of such institute.

- 12.** The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the President and the Secretary or two other members of the Corporation as may be decided by 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 of 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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