

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

Part II of July 16, 2021

SUPPLEMENT

(Issued on 19. 07. 2021)



**SOUTH LANKA ACADEMY FOR TERTIARY
EDUCATION AND LEADERSHIP (INCORPORATION)**

(Private Members' Bill)

A

BILL

**to incorporate the South Lanka Academy for
Tertiary Education and Leadership**

*To be presented in Parliament by Hon. Buddhika Pathirana, M. P.
for Matara District*

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*South Lanka Academy for Tertiary Education
and Leadership (Incorporation)*

AN ACT TO INCORPORATE THE SOUTH LANKA ACADEMY FOR
TERTIARY EDUCATION AND LEADERSHIP.

WHEREAS an Academy called and known as the Preamble
“South Lanka Academy for Tertiary Education and
Leadership” has heretofore been created for the purpose of
effectually carrying out and transacting all objects and
5 matters connected with the said Academy according to the
rules agreed to by its members:

AND WHEREAS the said Academy has heretofore
successfully carried out and transacted the several objects
and matters for which it was established and has applied to
10 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 South Lanka Academy Short title
15 for Tertiary Education and Leadership (Incorporation) Act,
No. of 2021.

2. From and after the date of commencement of this Incorporate
Act, such and so many persons as now are members of the the South
“South Lanka Academy for Tertiary Education and Lanka
Leadership” (hereinafter referred to as “the Academy”) or Academy for
20 shall hereafter be admitted as members of the Corporation Tertiary
hereby constituted, shall be a body corporate with perpetual Education
succession under the name and style of the “South Lanka and
Academy for Tertiary Education and Leadership” (herein Leadership
25 after referred to as “the Corporation”) and by that name may
sue and be sued and shall have full power and authority to
have and use a common seal and to alter the same at its
pleasure.

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

General
objects of the
Corporation

- 5 (a) to conduct academic lectures, seminars, exhibitions related to intellectual development of people executive action guidance and to organize relevant exhibitions, educational and propaganda activities;
- 10 (b) to establish library facilities and conduct training programs of all types in the field of mass communication (television, radio, internet, newspapers and publications) and maintain such units;
- 15 (c) to identify the inherent talents of students and youth at rural, district and provincial levels in areas such as sports, literature and art and to encourage them to excel in them by providing the required infrastructure;
- 20 (d) to identify projects suitable for young school leavers and assist them by carrying out such projects with a view to training such youth to meet the competitive demands for future employment;
- 25 (e) to conduct awareness programmes for youth in order to promote a tobacco, alcohol and a drug free society and build a healthy, disciplined, patriotic and human generation;
- (f) to take active measures for the preservation of environment and balanced development;
- (g) to encourage the farmers, fishermen and establish young farmers, and fishermen's organizations;

- (h) to utilize the labour of youth and adults for the welfare of the general public and during emergencies and national disasters;
- 5 (i) to foster and promote mutual understanding, a spirit of national consciousness, goodwill and friendship among the citizens of Sri Lanka and to promote peace and harmony among the Sinhala, Tamil, Muslim and Burgher communities in Sri Lanka;
- 10 (j) to promote religious harmony, mutual understanding, peaceful co-existence, spiritual development and friendship among the people of Sri Lanka through religious, cultural, social and economic interactions;
- 15 (k) to organize and mobilize people to deploy them in voluntary activities in order to find solutions to shortcomings in infrastructure;
- 20 (l) to facilitate the exchange of delegations with other international organizations having similar objects with a view to building friendship and understanding between Sri Lanka and other countries;
- 25 (m) to assemble and mobilize all groups under this Academy with a view to promoting national harmony and peace within Sri Lanka; and
- (n) to do all such other acts, matters and things as are incidental or conducive to the attainment of the objectives of the corporation.

4. Subject to the provisions of this Act and any other Powers of the
30 written law, the Corporation shall have the power to— Corporation

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- (a) open, operate and close bank accounts;
- (b) borrow or raise money with or without security and to receive or collect grants and donations;
- 5 (c) invest any funds of the Corporation which are not immediately required for the purpose of the Corporation in a way that may be determined by the Committee of Management;
- 10 (d) purchase, acquire, give on lease or hire, sell or otherwise obtain any movable or immovable property which may be required for the purpose of the Corporation and which may lawfully be acquired for those purposes and to deal with or dispose of the same, as it may deem expedient with a view to promoting the objects of the Corporation;
- 15 (e) appoint, employ and dismiss the employees required for the carrying out of the objects of the Corporation and pay them such remuneration as may be determined by the Corporation;
- 20 (f) enter into, perform or carry out, whether directly or through any officer or agent authorized in that behalf of the Corporation, all such contracts or agreements as may be necessary for the attainment of the objects of the exercise of the powers of the Corporation;
- 25 (g) appoint, advisory councils, committees or sub committees as and when necessary to carry out any functions of the Corporation as may be determined by the Committee Management.

5. (1) The management of the affairs of the Corporation shall be subject to the rules of the Corporation, be done by a Committee of Management consisting of not more than six office bearers inclusive of the Chairman /
5 Managing Director, Secretary, Treasurer and such number of members as may be provided or in rules and elected in accordance therewith.

Management
of the affairs
of the
Corporation

(2) No act or proceeding of the Committee of Management shall be deemed to be invalid by reason only of the existence
10 of a vacancy among its members or any defect on the election or nomination of a member thereof.

(3) 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
15 of this Act and shall continue to hold office until a new Committee of Management is elected in accordance with the rules made under section 6 of this Act.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by a majority of not less
20 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 members and the admission, resignation or expulsion of members;
- 25 (b) the election of the office-bearers, the resignation from, vacation of or removal from office of office-bearers, and their powers, conduct and duties;
- (c) the election of the members of the Committee of Management and its powers, duties and conduct
30 and the terms of office of members of the Committee of Management;

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- (d) the powers, duties, functions and conduct of the officers, agents and servants of the Corporation;
- 5 (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;
- 10 (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) the management of the affairs of the Corporation, and the accomplishment of its objects.

(2) Any rule made by the Corporation may be amended, altered, added or rescinded at a like meeting and in the like
15 manner, as a rule made under subsection (1).

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

7. The Secretary of the Committee of Management shall
keep and maintain a register containing the names of the
20 members of the Corporation.

Register of the members of the Corporation

8. Subject to the provisions of this Act, the Corporation shall be able and capable in law to acquire and hold any property both movable and immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary
25 disposition or otherwise, and all such property shall be held by the Corporation for the purpose of this Act and subject to the rules of the Corporation made under section 6, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold movable and immovable property

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5 **9.** (1) The Corporation shall have its own fund and all monies heretofore or hereafter to be received by way of gifts, testamentary dispositions, grants, donations or contributions or fees on behalf of the Corporation shall be deposited to the credit of the Fund of the Corporation in one or more banks as the Committee of Management may determine.

Fund of the
Corporation

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

10 (3) There shall be paid out of the Fund all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

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

20 **10.** All debts and liabilities of the Academy existing on the day proceeding 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 Academy on that day shall be paid to the Corporation for the purpose of this Act.

Debts due by
and payable
to the
Academy

25 **11.** No member of the Corporation shall for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount due from such member as membership fees.

Limitation of
liabilities of
members

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

Accounts and
Audit

30 (2) The accounts of the Corporation shall be audited by a qualified auditor.

(3) In this section, “qualified auditor” means —

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

15 **13.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman/Managing Director 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

20 **14.** If upon the dissolution of the Corporation, there remains any property whatsoever, after the satisfaction of all debts and liabilities, 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 are by its rules prohibited from distributing any income or property among its or their members. Such institution or institutions may be determined by the members of the Committee of Management on or before the dissolution of the Corporation.

Property
remaining on
dissolution

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

Savings of
the rights of
the Republic
and others

35 **16.** 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

