



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

**SRI DHAMMALANKARA SOCIAL SERVICES
FOUNDATION (INCORPORATION)
ACT, No. 51 OF 2011**

[Certified on 16th December, 2011]

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*Sri Dhammalankara Social Services Foundation
(Incorporation) Act, No. 51 of 2011*

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L. D.—O.(Inc.) 3/2008.

AN ACT TO INCORPORATE SRI DHAMMALANKARA SOCIAL SERVICES
FOUNDATION

WHEREAS a Foundation called and known as the “Sri Dhammalankara Social Services Foundation” has heretofore been formed 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.

WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be incorporated and it will be for the public advantage to grant such application:

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as Sri Dhammalankara Social Services Foundation (Incorporation) Act, No. 51 of 2011.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Sri Dhammalankara Social Services Foundation (hereinafter referred to as “the Foundation”) or shall hereafter be admitted as members 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 “Sri Dhammalankara Social Services 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
Sri
Dhammalankara
Social Services
Foundation.

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General objects
of the
Foundation.

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

- (a) to maintain Sri Jayasumanaramaya of Alakolamada, the Sri Dhammadhara Pirivena, Sri Dhammadhara Dhamma School and the Ruwan Children's Park affiliated to the Foundation;
- (b) to construct and repair houses of the needy in the area;
- (c) to grant financial assistance for the treatment of persons and to build, establish and provide clinics for the treatment of such persons;
- (d) to promote the cultural, social, economic and religious development for the public advantage;
- (e) to grant assistance for the opening of libraries and for the conduct of study courses and provide facilities to promote the education of children;
- (f) to provide sports materials and other facilities for the promotion of sports skills of the youth;
- (g) to provide homes for the needy and indigent elders and disabled and orphaned children;
- (h) to provide relief and welfare services to persons during natural disasters;
- (i) to award scholarships for higher education in foreign countries to youth, in the fields of technology, science and engineering;
- (j) to provide recreational facilities for the needy ; and
- (k) to provide industrial training for the youth.

(2) In the implementation of the above objects the Corporation shall ensure that such implementation is carried out without distinction baded on race, cast, religion, language, sex or political opinion.

4. 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 furtherance of its objects or any one of them, including the power to open and close bank accounts, to borrow or raise money with or without security, to receive or collect grants or donations, to invest its funds 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.

5. (1) The affairs of the Corporation shall, subject to the provisions of this Act and the rules made under section 6, be administered by a Board of Management. The Board of Management shall consist of the Chief Incumbent of the Sri Dhammalankara Social Service Foundation who shall be the Director-General (hereinafter referred to as the “Director-General”) and the Chairman, the Secretary and the Treasurer and such other committee members who may be elected in accordance with the rules of the Corporation under section 6.

Management
of the affairs
of the
Corporation.

(2) The Director-General shall preside at every meeting of the Board of Management. In the absence of the Director-General from any meeting of the Board of Management, the Chairman shall preside at such meeting.

(3) Subject to the provisions of this Act and any rules made thereunder, the Board of Management may regulate the procedure in regard to its meetings and the transaction of business at such meetings.

(4) No act or proceeding of the Board shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect in the election or nomination of a member thereof.

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

Rules of the
Corporation.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes of not less than two-thirds of the members present and voting at such meeting to make rules not inconsistent with the provisions of this Act or any other written law, for the performance of the duties of the Board and the various officers and servants of the Corporation, for specifying the procedure to be followed in the transaction of business at meetings of the Corporation and of the Board of Management and otherwise generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

(2) No rule of the Corporation shall be altered, added to, amended or rescinded except by the votes of not less than two-thirds of the members present and voting at a general meeting of the Corporation.

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

Fund of the
Corporation.

7. (1) The Corporation shall have its own Fund. All monies received by way of gift, bequest, transfer, subscription, contribution fees or donation shall be deposited to the credit of the Corporation in one or more banks as the Board of Management shall determine.

(2) There shall be paid out of the Fund of the Corporation, all such sums of money as may be required to defray any expenditure incurred by the Corporation in carrying out the objects of the Corporation.

(3) The monies and property of the Corporation wheresoever derived shall be applied solely towards the promotion of the objects as set forth herein and no portion

thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the Corporation.

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

Audit of
accounts.

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

(3) The accounts of the Corporation shall be audited annually by a qualified auditor appointed by the Corporation.

(4) In this section “qualified auditor” means-

- (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
- (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 to practice as an Accountant issued by the Council of such institute.

9. All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted and all debts due to and subscriptions and contributions payable to the Foundation on this day shall be paid to the Corporation for the purpose of this Act.

Debts due by
and payable to
the Foundation.

10. The Corporation shall be able and capable in law, to take and hold any property movable or immovable which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such

Corporation
may hold
property
movable and
immovable.

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property shall be held by the Corporation for the purposes 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.

Seal of the
Corporation.

11. The Seal of the Corporation shall be in the custody of the Board of Management and it shall not be affixed to any instrument whatsoever, except in the presence of a member of the Board of Management and the Secretary or any other person authorized by the Board 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.

Property
remaining on
dissolution.

12. 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 institution having objects similar to those of the Corporation and which is by its rules prohibited from distributing any income or property among its members.

Saving of the
rights of the
Republic and
others.

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

Sinhala text to
prevail in case of
inconsistency.

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

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