

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

Part II of November 20, 2015

SUPPLEMENT

(Issued on 23. 11. 2015)



CASIMI FOUNDATION (INCORPORATION)

(Private Member's Bill)

A

BILL

to incorporate the Casimi Foundation

*To be presented in Parliament by Hon. Ali Zahir Moulana Seyed, M. P. for
Batticaloa District*

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Casimi Foundation (Incorporation)

AN ACT TO INCORPORATE THE CASIMI FOUNDATION

WHEREAS a Foundation called and known as the “Casimi Foundation” has heretofore been established 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:

AND 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 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 “Casimi Foundation” (Incorporation) Act, No. of 2015.

2. From and after the commencement of this Act, such and so many persons as presently are members of the Casimi 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 the “Casimi 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.

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

(a) to provide education on narcotics, natural disasters, information technology and health;

2 *Casimi Foundation (Incorporation)*

- (b) to arrange special preparation programmes for GCE (O/L) and GCE (A/L) students and Grade 5 students;
- 5 (c) to conduct workshops and discussions to train teachers of Dhamma Schools and pre-schools;
- (d) to provide instruments, equipments ect. for fishing and agriculture;
- (e) to induce youths towards traditional games of the country and to find career development for them;
- 10 (f) to give opportunity and priority to the women community in all sectors;
- (g) to create, facilitate and provide training on self employment projects for women;
- 15 (h) to provide legal facilities and assistance on discrimintaion for women of getting their equal rights;
- (i) to respect and provide priority services to the senior citizens and war heroes;
- 20 (j) to safeguard and make awareness on child rights; and
- (k) to provide all necessary facilities for the achievement of all or any of the above objects.

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

- 25 (a) to purchase, acquire, rent, construct or otherwise obtain lands or buildings which may be required for the purpose of the Corporation;

Powers of the Corporation to acquire property, invest funds, and raise loans etc..

- 5 (b) to borrow or raise money from the Government approved banks and other institutions or to receive grants and donations (local or foreign) for the purposes of the Corporation with the approval of the Governing Body;
- 10 (c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate and close bank accounts;
- 15 (d) to invest any funds of the Corporation which are not immediately required for the purposes of the Corporation, in such a manner as the Governing Body may think fit;
- 20 (e) to solicit and receive subscription, grants, donations and gifts of all kinds;
- (f) to enter into agreements or contracts with any person, company or body of persons;
- (g) to undertake, accept, execute, perform and administer the lawful trusts and conditions affecting any real or personal property;
- 25 (h) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all such other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

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

Rules of the Corporation.

- (a) the classification of membership, their admission, expulsion or resignation;
- 10 (b) the election of the Governing Body or vacation of, or removal from office as office bearers and powers, duties and conduct of the Governing Body;
- (c) appointment, powers, duties, functions and conduct of the various officers, agents and servants of the Corporation;
- 15 (d) the procedure to be observed at and the summoning and holding of meetings of the Governing Body, the Corporation or any sub-committees thereof, filling of vacancies, notices and agenda of such meetings, the quorum thereof and the conduct of business thereat;
- 20 (e) the qualifications and disqualifications for membership in the Governing Body and the Corporation; and
- 25 (f) the administration and management of the property of the Corporation and the accomplishment of the object of the Corporation.

(2) The rules of the Foundation in force on the day preceding the date of commencement of this Act shall insofar as they are not inconsistent with the provisions of this Act or any other written law be deemed to be the rules of the Corporation and may be amended, altered, added to or rescinded at a like meeting and in like manner, as a rule made under subsection (1) of this section.

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

5 **6.** (1) The Corporation shall have its own fund and the financial year shall be from 1st January, to 31st December of the every year. Fund of the Corporation.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution fees or grants for and on accounts of the Corporation shall be deposited in a bank approved by the Governing Body to the credit of the Corporation.

10 **7.** All debts and liabilities of the Foundation existing on the day immediately preceding the date of commencement of this Act, shall be paid and discharged by the Corporation and all debts due to, and subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purpose of this Act. Debts due by and payable to the Foundation.

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

20 (2) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Governing Body.

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

25 (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

30 (b) a firm of Accountants each of the resident partners being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law possesses a certificate or practice as an Accountant issued by the Council of such Institute.

- 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
5 be given or transferred to an institution or institutions having objects similar to those of the Corporation and which is, or are, by its or their rules prohibited from distributing any income or property among the members. Property remaining on dissolution.
- 10.** The seal of the Corporation shall not be affixed to
10 any instrument whatsoever except in the presence of the Secretary, the Chairman and the Treasurer who shall sign their names on 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.
- 11.** Nothing in this Act contained shall prejudice or
15 affect the rights of the Republic, or any body corporate or any other persons except such as are mentioned in this Act, and those claiming by, from, or under them. Savings of the rights of the Republic and others.
- 12.** In the event of any inconsistency between the
20 Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

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