



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

**HUMAN RIGHTS ORGANIZATION
(INCORPORATION)**

A

BILL

to incorporate the Human Rights Organization

*Presented by Hon. Hunais Farook M.P. for Vanni District
on 09th October, 2013*

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Human Rights Organization (Incorporation)

AN ACT TO INCORPORATE THE HUMAN RIGHTS ORGANIZATION

WHEREAS an Organization called and known as the “Human Rights Organization” has heretofore been formed in No. 10, Mosque Lane, Galle Road, Colombo 3 for the purpose of effectually carrying out its objects and transacting all matters connected with the said Organization according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Organization 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 expedient to grant the said 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 Human Rights Organization (Incorporation) Act, No. of 2013.

Short title.

2. From and after the date of commencement of this Act, such and so many person as now are members of the Human Rights Organization (hereinafter referred to as the “Organization”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate, with perpetual succession, under the name and style of the “Human Rights Organization” (hereinafter referred to as the “Corporation”) and by that name may sue and be sued, with full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation of the Human Rights Organization.

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

General objects of the Corporation.

(a) to protect and make known human rights, humanities and fundamental rights ;

2 *Human Rights Organization (Incorporation)*

- (b) to promote and encourage humanities, sports and social services ;
- 5 (c) to facilitate in providing various relief facilities to those affected by the natural disasters and man made disasters ;
- (d) to conduct seminars, dialog and various programmes of religious, social and cultural important locally and internationally ;
- (e) to organise leadership programmes ;
- 10 (f) to provide various support services to lower income and poor people ;
- (g) to lead a committee of patrons comprising of religious leaders representing all communities ;
- 15 (h) to establish and conduct libraries, to assist in printing and publishing of books, magazines, souvenirs, journals, cassettes, compact Disks and software and to provide other services necessary to the attainment of the objectives of the Corporation.
- 20 (i) to do acts in collaboration with institutions or organizations local or foreign, having similar objects to those of the Corporation ; and
- (j) to do all such other acts and things as are necessary for and incidental or conducive to the attainment of the above objects.
- 25 **4.** (1) The management, control and administration of the Corporation shall, subject to the provision of this Act and the rules in force for the time being of the Corporation, vested in a Board of Directors (hereinafter referred to as the "Board") consisting of the office bearers and such other
30 persons as may be provided for in such rules and elected in accordance therewith.
- Management
of the
Corporation.

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

5 **5.** Subject to the provision 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, operate and close bank accounts, to
10 borrow or raise moneys with or without security, to receive or collect grants or donations, to invest its funds, to erect any building or structure 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
15 the Corporation.

General
Powers 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, to make rules, not inconsistent with the provision of this Act or any other
20 written law, for all or any of the following matters:—

Rules of the
Corporation.

- (a) the classification of membership, fees payable by each class of members and admission, withdrawal, expulsion or resignation of members and for the maintaining of register of members ;
- 25 (b) the election of office bearers of the Board or vacation of or removal from, office and the powers, duties and functions of the office bearers ;
- 30 (c) the appointment, powers, duties and functions and conditions of the various officers, agents and servants of the Corporation ;
- 35 (d) the procedure to be followed at the summoning and holding of meetings of the Board, the Corporation and any sub-committee thereof, including the quorum therefore and the conduct of business thereat ;

4 *Human Rights Organization (Incorporation)*

(e) the qualifications and disqualifications for members of the Board and the Corporation ; and

5 (f) the administration and management of the property of the Corporation for the accomplishment of the objects of the Corporation.

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

10 (3) The members of the Corporation shall at all time be subject to rules of the Corporation made under this section.

15 (4) The rules of the organization in force on the day preceding to date of commencement of this Act, shall in so far as they are not inconsistent with the provisions of this Act or any other written law, be deemed to be rules of the Corporation made under this section.

7. The Executive Chairman and the Chairman, Co-ordinator or appointed Member shall have the authority in the Government and Non Government institute to—

Rights to engage in dialog with concern parties with a view to solve the dispute.

20 (a) engage in negotiation with the concerned parties in order to solve their dispute whatsoever, with good intention of solving such disputes in the Government organisations for the benefit of the people ;

25 (b) engage in dialog with concern authorities in any Police Station within any administrative District in Sri Lanka, for the welfare of the people, in order to solve the dispute where an injustice has taken place ; and

30 (c) act with the corporation of Honourable Members and Minister of Parliament of the Democratic Socialist Republic of Sri Lanka, the Provincial Council Members, the Pradeshiya Sabha Members

and the Government and Non Government Organization upon any complain or request made any members in the society for their benefit in a manner stated in paragraph (a) above.

5 **8.** The Corporation shall have its own Fund. All moneys received by way of gift, bequest, donation, transfer, subscription, contribution or fees shall be deposited to the credit of the Corporation in one or more Banks as the Board of Management shall determine. Fund of the Corporation.

10 (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.

15 **9.** 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 property shall be held by the Corporation for the purposes of this Act, and subject to the rules in force for the time being of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same. Corporation may hold property movable and immovable.

25 **10.** No member of the Corporation shall, for the purpose discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of annual subscription payable by him to the Corporation. Limitation of liability of members.

30 **11.** 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 institute or institutes having objects similar to those of the Corporation, and which Property remaining on dissolution.

is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such institution or institutions shall be determined by the Board at or immediately before the dissolution of the Corporation.

5 **12.** (1) The financial year of the Corporation shall be the calendar year. Accounts and
Audit of the
Corporation.

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

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

In this section, "Qualified Auditor" means —

15 (a) an individual who 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 by the Council of such institute; or

20 (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
25 institute.

13. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of such number of person as may be duly authorized by the Board who shall sign their names on the instrument in token of
30 their presence and such signing shall be independent of the signing of any person as witness. Seal of the
Corporation.

14. 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 person, except such as are mentioned in this Act and those claiming by, from or under them.

Saving of the rights of the Republic and others.

5 **15.** 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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