



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

**PANDU BANDARANAIKE HELA JANA FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Pandu Bandaranaike Hela Jana Foundation

*Presented by the Hon. Shehan Semasinghe, M.P. for
Anuradhapura District on February 23, 2012*

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Pandu Bandaranaike Hela Jana Foundation
(Incorporation)

AN ACT TO INCORPORATE THE PANDU BANDARANAIKE HELA JANA
FOUNDATION

WHEREAS an Foundation called and known as the “Pandu Preamble.
Bandaranaike Hela Jana Foundation” has heretofore been
formed in for the purpose of effectually for the purpose of
effectually carrying out and transacting all objects and matters
5 connected with the said Association 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
10 incorporated and it will be for the public advantage to grant
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 “Pandu Bandaranaike Short title.
15 Hela Jana Foundation (Incorporation)” Act, No. of 2012.

2. From and after the date of commencement of this Act, Incorporation
such and so many persons as now are members of the “Pandu of the Pandu
Bandaranaike Hela Jana Foundation” (hereinafter referred to as Bandaranaike
the “Foundation”) or shall hereafter be admitted members of the Hela Jana
20 Corporation hereby constituted, shall be and become a body Foundation.
corporate, (hereinafter referred to as the “Corporation”) with
perpetual succession under the name and style of the “Pandu
Bandaranaike Hela Jana Foundation” and by that name may
sue and be sued in all courts, with full power and authority to
25 have and use a common seal and alter the same at its pleasure.

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

(a) to promote mutual understanding and goodwill among
all ethnic groups ;

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- (b) to encourage and assist students faced with economic or Financial difficulties to pursue higher education ;
- (c) to provide pre school, primary, secondary and tertiary school facilities to needy children who lack educational facilities ;
- (d) to protect, appreciate, provide facilities, encourage and promote wellbeing of the artistes in order to protect traditional cultural arts ;
- (e) to provide vocational training to youth to make maximum use of their talents by encouraging their leadership and ability ;
- (f) to provide facilities to make efficient and fruitful use of young labour and ability for the development of the nation ;
- (g) to provide financial and technical assistance to athletes from backward areas by identifying their natural talents and abilities to bring them upto national and international levels ;
- (h) to initiate environmental management systems with the participation of the people ;
- (i) to promote and encourage small and medium scale industries and also to promote enterpreneurships ; and
- (j) to introduce programmes led by women to strengthen the economy of low income families;

4. (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation be administered by a Board of Directors consisting of Chairman and a Secretary, Treasurer and another six members elected in accordance with such rules.

Management
of the affairs
of the
Corporation.

(2) The founder member of the Foundation, Honourable C. P. D. Bandaranaike shall be the Chairman of the Board of Directors for life and thereafter, the Family member of the person who was holding office as the Chairman shall become
5 the next Chairman of the Board of Directors.

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

10 (4) A member of the Board of Directors other than the Chairman shall unless he vacates his office earlier by death or resignation, hold office for a period of four years. Where due to death or resignation a vacancy occurs in the Board of Directors a new members shall be appointed to fill such
15 vacancy and such a new member shall hold office for a period of four years.

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 and matters and things as
20 are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power to open, operate and close bank accounts, to borrow or raise money with or without security, to receive or collect grants and donations, to invest its funds
25 and to engage, employ servants required for the carrying out of the objects of the Corporation.

General
Powers of the
Corporation.

6. (1) It shall be lawful for the Corporation, from time to time at any general meeting of the members and by votes of at least two-thirds of the members present and voting, to
30 make rules, not inconsistent with the provisions of this Act, or any other written law, for all or any of the following matters:—

Rules of the
Corporation.

(a) classification of membership, admission, withdrawal, expulsion or resignation of members
35 and membership fees payable ;

5

- (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Board of Directors, the quorum for such meetings and the exercise and performance of their powers and duties ;
- (c) the appointment, powers, duties and functions of the various officers, agents and servants of the Corporation ;
- (d) qualifications required to become a member of the Corporation and of the Board of Directors ; and
- (e) the administration and management of the property of the Corporation.

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

25 **8.** (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, contribution, 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) The 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 powers, duties and functions under this Act.

5 **9.** The Corporation shall be able and capable in law to Corporation
acquire and hold any property, movable or immovable, which may hold
may become vested in it by virtue of any purchase, grant, property
gift, testamentary disposition or otherwise, and all such movable and
property shall be held by the Corporation for the purposes immovable.
10 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.

15 **10.** No member of the Corporation shall for the purpose Limitation of
of discharging the debts and liabilities of the Corporation of liabilities of
for any other purpose, be liable to make any contribution members.
exceeding the amount of such membership fees as may be
due from him to the Corporation.

20 **11.** If upon the dissolution of the Corporation there Property
remains after the satisfaction of all its debts and liabilities, remaining on
any property whatsoever, such property shall not distributed dissolution.
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 and income or
25 property among its members.

12. (1) The Board of Directors of the Corporation shall Audit and
cause proper accounts to be kept of all moneys received and accounts of
expent by the Corporation. the
Corporation.

30 (2) The financial year of the Corporation shall be the
calendar year.

(3) The Accounts of the Corporation shall be examined
and audited at least once in every year by auditor or auditors
appointed by the Board of Directors.

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13. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman and a member of the Board of Director as may be provided for in the rules in force for the time being of the Corporation, 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.
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.
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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