



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

**COMMUNITY RECOVERY
AND DEVELOPMENT FOUNDATION
(INCORPORATION) ACT, No. 23 OF 2007**

[Certified on 05th July, 2007]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of July 6, 2007

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 6.00

Postage : Rs. 5.00

*Community Recovery and Development
Foundation (Incorporation) Act, No. 23 of 2007*

[Certified on 05th July 2007]

L.D.—O. INC 11/2005.

AN ACT TO INCORPORATE THE COMMUNITY RECOVERY AND
DEVELOPMENT FOUNDATION

WHEREAS a Society called and known as the “Community Recovery and Development Foundation” has heretofore been formed for the purpose of effectually carrying out its objects and transacting all matters connected with the said Society according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Society has heretofore successfully carried out and transacted the several objectives and matters for which it was formed and has applied to be incorporated and it will be for the public advantage 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 Community Recovery and Development Foundation (Incorporation) Act, No. 23 of 2007.

Short title.

2. From and after the date of Commencement of this Act, such and so many persons as now are members of the Community Recovery and Development 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 “Community Recovery and Development Foundation” 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 Community Recovery and Development Foundation.

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General objects
of the
Corporation.

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

- (a) to work for the recovery, growth and development of person by encouraging “healthy living” and physical, mental, emotional, psycho-social and higher-mental well-being ;
- (b) to maintain a caring, rehabilitation, recovery and relief home called and known as “Sahana Sevana” for the benefit of psycho-socially victimized, psychologically traumatized persons, physically or mentally disabled persons of different age groups ;
- (c) to conduct study programmes and research work on psycho-socially victimized persons, children, suicide prevention and to forward constructive suggestions to the relevant authorities and policy makers, for the benefit of such persons and the society at large;
- (d) to disseminate education and knowledge relating to different psychological and social disciplines, mental relief work, rehabilitation, counseling and guidance;
- (e) to set up mental relief and counselling centres, guidance centres, for the benefit of needy children, adolescents, youth, adults, and elderly with a view to setting goals in the lives of such persons, for the prevention of suicides, uplifting personality and self-reliance ;
- (f) to encourage ethnic groups to gain at least speaking ability in the Sinhala, Tamil and English languages and raise awareness on understanding of the four major religions, with a view of enabling peace, harmony, enhancing human moral values among the communities of Sri Lanka ;

- (g) to encourage youth and families to undertake home-based income generating activities in addition to their main source of income, with a view to uplifting the economic standards of the people ;

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 of desirable for the promotion and furtherance of the objects of the Corporation or any one of them, including the power to open, maintain and close bank accounts, to borrow or raise moneys with or without security, to receive or collect grants and 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 of the Corporation, be administered by an Executive Committee elected in accordance with the rules of the Corporation.

Management of
the affairs of the
Corporation.

(2) The first Executive Committee of the Corporation shall be the Executive Committee of Foundation holding office on the day preceding the date of commencement 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 than two thirds of the members present and voting, to 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) the admission, classification and withdrawal or expulsion of members ;
- (b) the election of office bearers, the resignation, vacation of or removal from office, of office-bearers, and their powers, duties and functions ;
- (c) the election of the members of the Executive Committee and their powers, conduct and duties ;

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- (d) the powers, duties and functions of the various officers and servants of the Corporation ;
- (e) the procedure to be followed in the transaction of business at the meeting of the Corporation and the Executive Committee, the times, places, notices and agenda of such meetings ; the quorum therefor and the conduct of business thereat ;
- (f) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audit of the accounts ; and
- (g) generally, for the management of the affairs of the Corporation.

(2) Any rule 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).

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

Corporation may hold property movable and immovable.

7. The Corporation shall be able and capable in law, to acquire and hold property, both movable and 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.

Debts due by and payable to the Corporation.

8. All debts and liabilities of the Foundation existing on the day preceding 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 Foundation on that day shall be paid to the Corporation for the purposes of this Act.

9. (1) The financial year of the Corporation shall be the year beginning on the first day of April to 31st March every year and ending on the thirty first day of March of such year ;

Audit and
Accounts.

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

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

In this section, “qualified auditor” means —

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

10. The seal of the Corporation shall not be affixed to any instrument, except in the presence of the President of the Corporation or in his absence, a Vice President and of the Treasurer or Secretary, 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.

11. Where upon dissolution of the Corporation, there remains after the satisfaction of all its debts and liabilities, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some

Property
remaining on
dissolution.

other Institution 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.

Saving of the rights of the republic and others.

12. 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 persons.

Sinhala text to prevail in case of inconsistency.

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

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