



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

**ALOKA SOCIAL SERVICE FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Aloka Social Service Foundation

*Presented by Hon. S. M. Marikkar, M. P. for Colombo District
on 21st September, 2016*

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Aloka Social Service Foundation
(Incorporation)

AN ACT TO INCORPORATE THE ALOKA SOCIAL SERVICE FOUNDATION

WHEREAS a Foundation called and known as the “Aloka Social Service Foundation” has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Foundation according to the rules agreed to by its members:

Preamble.

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 said application.

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

1. This Act may be cited as the Aloka Social Service Foundation (Incorporation) Act, No. of 2016.

Short title.

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the “Aloka Social Service Foundation” (here in after referred to as the foundation) 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 “Aloka Social Service Foundation” (hereinafter referred to as “the Cooperation”) 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 Aloka Social Service Foundation.

(2) The Corporation shall be deemed to be a Voluntary Social Service Organization within the meaning, and for the purpose of the Voluntary Social Service Organizations (Registration of the Supervision) Act, No. 31 of 1980 and the provisions of the Act shall apply to and in relation to the management of the affairs of the Corporation.

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

General
objects of the
Corporation.

- 5 (a) to uplift the standard of living of the people living in the Colombo District in keeping with their social cultural economic and political aspiration;
- (b) to provide leadership and guidance to the youth of the Colombo District to achieve their goals by improving their skills;
- 10 (c) to help reduce youth unemployment especially those within the age 15 - 29 years who have passed and not passed the G.E.C. (O/L) Examination by thereby meaningful steps through this concept;
- 15 (d) to identify the social, economic, political and cultural aspiration of the youth within the District for the general improvement of their standards;
- (e) to coordinate with Government institutions with a view to ensure the provisions of better infrastructure facilities to the public;
- 20 (f) to help promote the optimum use of the capital in development activities in a effective manner and to have a proper assessment of such activities to reach its final goal;
- 25 (g) to promote regional, religious and cultural development and coexistence among the people in the Colombo District;
- (h) to identify the low income group in the District and to promote projects will help to increase their day to day household income;
- 30 (i) to provide guidance in the correct use of the internet facilities and to operate youth generations which will complete effectually in the world;

- 5 (j) to improve, develop, foster and maintain talents and abilities of people in the Colombo District in entrepreneurship, research and training in business, technology and management and concepts of income generating and self-employment ventures and enterprises.

(2) In the implementation of the objects specified in subsection (1) the Corporation shall ensure that such implementation shall be carried out without any distinction
10 based on race, political opinion, place of birth or any of such ground.

15 **4.** The objects of the Corporation shall be carried out in such manner so as not to create any conflict between the work of the Corporation and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council.

Corporation to ensure no conflict with work of Ministry of Department of Government or Province.

20 **5.** (1) Management and Administration of the establishment shall be in accordance with the regulation of the Act. The post which could be appraised under the subsection (7) of the Act whereas it should be carried out by executive board comprised of a number of members prescribed in accordance with the subsection (8) of this Act.

Management of the affairs of the Corporation.

25 (2) The Board of the Foundation that holds office on the day immediately preceding the date of commencement of this Act. Shall function as the executive Board of the Corporation until the first Board appointed or elected in the manner provided for the rules made under the subsection (7).

30 (3)(a) The patrons and advisors including every designated appointees of the executive board should be appointed or selected for a period of five years, such designated appointees are qualified to select the patron and advisor once again.

(b) on the instruction of the patron, the president has the full power vested in him to appoint the existing executive board once again for another term or revoke and appoint a new working committee or change.

5 (c) When there is a vacancy falls in the office due to death, resignation, inability or removal from the post of an office bearer, a person to be selected or should be selected by the executive board in order to fill such vacancy paying consideration to the regulation of the establishments. The
10 chairmen has the power for such action on the instruction of the patron,

(d) The person elected or appointed under paragraph (c) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds

15 **6.** 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 as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power:—

20 (a) to purchase, rent, construct, renovate lands or
buildings which may be required for the purposes
of the corporation and to deal with or dispose of the
same as may be deemed expedient with a view to
promoting the objects of the Corporation;

25 (b) to borrow or raise funds with or without securities
and to receive grants, gifts or donations in cash or
kind:

30 Provided that the Board shall obtain the prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance in respect of all foreign grants, gifts or donations made to the Corporation;

- 5 (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, maintain, and close accounts in any bank;
- (d) to invest any funds that are not immediately required for the purposes of the Corporation, in such manner as the Board may determine;
- 10 (e) to undertake, accept, execute, perform and administer any lawful trust or any real or personal property with a view to promoting the objects of the Corporation;
- 15 (f) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- 20 (g) to organize lectures, seminars and conferences with a view to promoting the objectives of the Corporation;
- (h) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the Corporation;
- 25 (i) to train personnels in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Rules of the Corporation.

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

(4) The rules made under this section shall be published in the *Gazette*.

5 **8.** Akola Social Service Foundation Executive Committee following these designation. Patron, President, Secretary, Treasurer, Organizer, Vice President, Deputy Secretary, Deputy Treasurer and an Executive Committee Member. Board shall maintain a register of members in which
10 name, address and other essential details of the members shall be inscribed.

Executive committee & Registry of members.

9. (1) The Corporation shall have its own fund.

Fund of the Corporation.

15 (2) All moneys received by way of gifts, bequest, donation, subscription, contribution, fees or grant for and on account of the Corporation shall be deposited in one or more banks approved by the Board to the credit of the Corporation.

20 (3) There shall be paid out of the fund, all sums of money as are required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under the Act.

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

Accounts and Auditing.

25 (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.

30 (3) The accounts of the Corporation shall be audited annually by the Auditor General or a qualified auditor appointed by the Auditor General in terms of Article 154 of the Constitution.

(4) For the purposes of this section, “qualified auditor” means,

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Annual
Report.

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Debts due by
and payable
to the
foundation.

5 **13.** Subject to the provisions of this Act, 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 purpose of this Act and subject to the rules of the Corporation made under section 7, with power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation
may hold
property
movable and
immoveable.

10 **14.** The moneys and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to the members of the Corporation.

Application
of moneys
and property.

20 **15.** (1) The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence two members of the Board 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.

(2) The seal of the Corporation shall be in the custody of an office bearer of the Board as may be decided by such Board.

25 **16.** (1) 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 any other institution having objects similar to those of the Corporation and which, is by the rules thereof prohibited from distributing any income or property among its members.

Property
remaining on
dissolution.

35 (2) For the purpose of subsection (1) the appropriate institution shall be determined by the members of the Corporation immediately before the dissolution at a general meeting by the majority of votes of the members present.

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17. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporate. Savings of the rights of the Republic and others.

5 **18.** 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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