



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

**LASALLIAN COMMUNITY EDUCATION SERVICES
(INCORPORATION)**

A

BILL

to incorporate the Lasallian Community Education Services

*Presented by the Hon. K. K. Piyadasa, M.P. for Nuwara Eliya District
on 09th August, 2016*

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*Lasallian Community Education Services
(Incorporation)*

AN ACT TO INCORPORATE THE LASALLIAN COMMUNITY
EDUCATION SERVICES

WHEREAS an organization called and known as the Preamble.
“Lasallian Community Education Services ” has heretofore
been established in Sri Lanka for the purpose of effectually
carrying out and transacting all objects and matters connected
5 with the said organization according to the rules agreed to
by its members:

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
10 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 Lasallian Community Short title.
15 Education Services (Incorporation) Act, No. of 2016.

2. From and after the date of commencement of this Act, Incorporation
such and so many persons as now are members of the Lasallian of the
Community Education Services (hereinafter referred to as the Lasallian
“organization”) or shall hereafter be admitted as members of Community
20 the Corporation hereby constituted, shall be a body corporate, Education
(hereinafter referred to as the “Corporation”) with perpetual Services.
succession, under the name and style of the “Lasallian
Community Education Services” and by that name may sue
and be sued in all courts with full power and authority to have
25 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) providing the vocational training with collaboration
of the National Apprentice and Industrial Training

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Authoritly (NAITA) and Tertiary and Vocational Education Commission (TVEC) and Vocational Training Authority (VTA) for youths between the age of 16 - 25 years who have left the school education;

- 5 (b) providing the kindergarten school service for the children of the poor parents;
- (c) implementing rehabilitation programs for the freshers who are addicted to drugs;
- 10 (d) educating the children of the underdeveloped society living in slums who are not schooling;
- (e) giving meals to non-schooling children who are suffering from hunger due to poverty and nourish them and direct them to obtain education;
- 15 (f) implementing the group programs engaging the children through child focused community development (CFCD) and promoting them for better adulthood;
- (g) providing nutritious program for infants, pregnant and feeding mothers;
- 20 (h) implementing suitable group programs for the children who are mentally retarded;
- (i) implementing volunteer employment program to the needy mothers by giving them loans, aid and providig them with necessary counseling (SHG-Self Help Group);
- 25 (j) awareness program to the children through such activities as religious, cultural and sports.

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

- (a) obtaining of donations, gifts or awards in cash or in any other form from local and foreign sources;
- 5 (b) developing relationships with local and foreign institutions which have similar objects and obtaining their assistance;
- (c) investing, withdrawing or reinvesting of money or assets belonging to the Corporation in accordance with the decisions made by the Board of Directors;
- 10 (d) for carrying out the activities or the Corporation appointing the officers and other workers and occupying them in service, paying salaries or allowances, controlling their discipline and dismissing from service according to the decision taken by the Board of Directors;
- 15 (e) opening, operating and closing bank accounts in and outside Sri Lanka including preparing, writing, accepting, giving discounts, negotiating, purchasing, selling and issuing of bills of exchange, cheques, promissory notes and other negotiable instruments;
- 20 (f) borrow or raise money with or without security; and
- (g) generally do all such other acts and things as are necessary for and incidental or conducive to the carrying out of the objects of the Corporation.
- 25

5. (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force be administered by a Board of Directors elected by Rev. Bro. Provincial in accordance with such rules. Management of the affairs of the Corporation.

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(2) The first Board of directors of the Corporation shall consist of the members of the Board of Directors of the Institute holding office of the day immediately preceding the date of commencement of this Act.

5 (3) The present Executive Director of the Institution shall be the first Executive Director of the Corporation. All services and development activities shall be carried out as per such discretion and the fullest co-operation shall be extended in the fulfillment of the roles and responsibilities of the aforesaid
10 office that has been appointed at the discretion of the Rev. Bro. Provincial of the congregation.

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-third of the members present and voting, to make
15 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 or expulsion of member;
- 20 (b) The election of the members of the Board of Directors, the resignation from, or vacation of or removal from office and their powers, conduct and duties;
- 25 (c) The powers, conduct duties and functions of the various officers, agent and servants of the Corporation;
- (d) The procedure to be observed for the summoning and holding of meetings of the Board of Directors, the times, places, notices and agenda of such meeting, and the conduct of business;

(e) The administration and management of the property of the Corporation; and

(f) Generally, for the management of the affairs of the Corporation and the accomplishment of its objects.

5 (2) Any rule made by the Corporation may be amended, altered, added to or repealed in like manner at a like meeting as a rule made under subsection (1).

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

10 **7.** (1) The Corporation shall have its own Fund. and all monies heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants on behalf of the Corporation shall be deposited to the credit of the fund of the Corporation in one or more Banks as the Board of Directors may determine. Fund of the Corporation.

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

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

25 **8.** (1) The Board of Directors of the Corporation shall cause proper accounts to be kept of all money received and expended by the Corporaton. Accounts and Audit.

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

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9. All debts and liabilities of the organization existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation, hereby constituted and all debts, subscriptions and contributions payable to the organization on that day shall be paid to the Corporation for the purpose of this Act.
- 5
10. 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, lease, gift, agreement, 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.
- 10
11. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any property whatsoever, it shall go to the Rev. Bro. Provincial of the congregation of the De La Salle and may be given or transferred to some other institute or institutes having objects similar to those of the Corporation, and which is, or are, by rules thereof prohibited from distributing any income or property among its or their members.
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12. The seal of the Corporation shall be kept in the custody of the Executive Director of the Corporation and it shall be used by the Executive Director in terms of the effective rules of the Corporation.
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13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporate or of any other person, except such as are mentioned in this Act and those claiming by, from or under them.
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14. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
- Debts due by and payable to the Organization.
- Corporation may hold property movable and immovable.
- Property remaining on dissolution.
- Seal of the Corporation.
- Saving of the rights of the Republic and others.
- Sinhala text to prevail in case of inconsistency.

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