

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

Part II of July 08, 2016

SUPPLEMENT

(Issued on 11.07.2016)



**HAND TO STAND FOUNDATION
(INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Hand to Stand Foundation

*To be presented in Parliament by Hon. (Dr.) Kavinda Heshan Jayawardana
M.P. for Gampaha District*

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. 10.00

Hand to Stand Foundation (Incorporation)

AN ACT TO INCORPORATE THE HAND TO STAND FOUNDATION

WHEREAS an Association called and known as the “Hand to Stand Foundation” has heretofore been formed in Colombo for the purpose of effectually carrying out and transacting the objects and matters connected with the said Association according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said “Hand to Stand 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 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 Hand to Stand Foundation (Incorporation) Act, No. of 2016.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Hand to Stand 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 “Hand to Stand Foundation” (hereinafter referred to as “the Corporation”) and by that name may sue and be sued in all courts, with full power and authority to have and use a common seal and alter the same at its pleasure.

Incorporation of the Hand to Stand Foundation.

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

The general objects of the Corporation.

(a) to assist the relevant institutions to promote sustainable development in the country by providing assistance and opportunities to the under privileged unemployed persons secure employment;

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- 5 (b) to assist the relevant institutions to establish and maintain schools, homes and other organizations that assist and foster love and provide protection, covering and education to needy children including the differently abled;
- 10 (c) to assist the relevant institutions to provide relief to those affected by natural disasters;
- 10 (d) to assist the relevant institutions to help the needy youth by providing them with opportunities to learn creative arts that would assist in bringing out a positive change in their mental and physical wellbeing;
- 15 (e) to assist the relevant institutions to organize free medical camps and clinics and distribution of free medicine to the needy and under privileged persons;
- 20 (f) to assist the relevant institutions to provide land, housing and schooling facilities to needy families;
- 20 (g) to assist the relevant institutions to provide land and buildings to schools which do not have adequate infrastructure facilities;
- 25 (h) to promote, arrange and organize exhibitions, lectures, discussions, workshops, panel discussion and other similar activities and to print, publish and distribute books, journals, bulletins etc. with a view to promoting the objectives of the Hand to Stand Foundation; and;
- 25 (i) to do all such other acts as may be necessary for the carrying out of all or any of the aforesaid objects.

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 or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power to acquire and hold property movable or immovable, to open, operate and close bank accounts to borrow or raise money with or without security to receive or collect grants, donations, to invest its funds, to erect any building or structures on any land held by the Corporation and to engage employ dismiss officers and servants required for the carrying out of the objects of the Corporation.
5. (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 (hereinafter referred to as the “Board”) consisting of a Chairman, Vice Chairman, Managing Director, Secretary and Treasurer and a maximum of seven other Directors elected in accordance with such rules of the Corporation.
- (2) The first Board of Directors of the Corporation shall consist of the members of the Board of Association holding office of the day immediately preceding the date of commencement of this Act. Such Board shall hold office until a Board of Directors is elected in accordance with the rules of the Corporation.
6. (1) It shall be lawful for the Corporation from time to time, at any general meeting and by a majority of votes of not less than two-thirds of the members present, to make rules not inconsistent with the provisions of this Act, or any other written law, for all or any of the following matters and any other matter in relation to the management of the affairs of the Corporation and accomplishment of its objects:—
- (a) the classification of members and membership fees, their admission, withdrawal or expulsion from membership;
- General powers of the Corporation.
- Management of the affairs of the Corporation.
- Rules of the Corporation.

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- (b) the election of the members of the Board of Directors and their powers and duties;
- (c) the election of office bearers, their term of office, resignation from, vacation of or removal from office and their powers and duties;
- (d) the procedure to be followed in the summoning and holding of meetings of the Council, the quorum therefore and the conduct of business;
- (e) the administration and management of the property of the Corporation, including funds.

(2) Any rule made by the Corporation may be altered, added to, amended or repealed 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.

7. (1) The Corporation shall have its own Fund and all moneys heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, testamentary dispositions, fees, grants for donations or contributions in cash or kind from local or foreign institutions and individuals, members and non-members.

Fund of the Corporation.

(2) All monies received shall be deposited in the name of the Corporation in one or more banks and be invested in any suitable manner as the Board shall determine.

(3) All expenditure incurred by the Corporation in the exercise, performances and discharge of its powers, duties and functions of the Corporation shall be paid out of the Fund of the Corporation.

8. All debts and liabilities of the Fund existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation, hereby constituted and all debts, due to subscription and contribution payable to the Fund on that day shall be paid to the Corporation for the purpose of this Act.
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9. No member of the Corporation shall for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose be liable to make any contribution exceeding the amount due from such member as membership fees.
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10. The Corporation shall be able and capable in law, to acquire and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition, trust or otherwise and all such property shall be held by the Corporation for the purpose 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 and in the case of a trust, the Corporation shall deal with it in the manner provided for by the trust.
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11. The seal of the Corporation shall be fixed to any instrument whatsoever, except in the presence of such number of persons 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 witness.
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12. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic or corporate or of any other persons, except such as mentioned in this Act and those claiming by, from or under them.
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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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- Debts due by and payable to the Fund.
- Limitation of liabilities of members.
- Corporation may hold property movable and immovable.
- 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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