



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

**AMBALANGODA DESHAPREMI
SANVIDHANAYA
(INCORPORATION)
ACT, No. 47 OF 1992**

[Certified on 21st October, 1992]

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Ambalangoda Deshapremi Sanvidhanaya
(Incorporation) Act, No. 47 of 1992

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AN ACT TO INCORPORATE THE AMBALANGODA DESHAPREMI
SANVIDHANAYA

WHEREAS an Association called and known as the "Ambalangoda Deshapremi Sanvidhanaya" has heretofore been established for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Association 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 Ambalangoda Deshapremi Sanvidhanaya (Incorporation) Act, No. 47 of 1992.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Ambalangoda Deshapremi Sanvidhanaya (hereinafter called and referred to as "the Association") and such other persons as shall hereafter be admitted 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 "Ambalangoda Deshapremi Sanvidhanaya", 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 Ambalangoda Deshapremi Sanvidhanaya.

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

General objects of the Corporation.

(a) to promote and engage in the implementation of community welfare, cultural and social development projects within Sri Lanka;

- (b) to undertake, the execution of road development and housing schemes, the construction and improvement of hospitals, educational centres, schools, community centres and other development activities;
- (c) to afford children in indigent circumstances, an opportunity of preparing for, entering upon or engaging in, any trade, occupation or service, by the provision of out fits, the payment of fees for instruction and other such means;
- (d) to award, grant and provide, bursaries, scholarships, prizes, donations, financial aid and assistance in any other form, for the advancement, dissemination and propagation of education and knowledge, including the establishment of schools, libraries and cultural centres;
- (e) to engage in any industry or trade or in any export or import business, to aid and assist persons to commence and operate agricultural, industrial and commercial ventures and to undertake training programmes and extension services;
- (f) to collaborate, or amalgamate with any other institution or organisation, whether foreign or local, having objects similar to those of the Corporation;
- (g) to sponsor and conduct conferences, seminars, workshops, group studies and lectures within or outside Sri Lanka, for the purposes of achieving the objects of the Corporation;
- (h) to print, publish and distribute books, journals, leaflets, news papers and magazines which the Corporation may consider desirable for the promotion and advancement of its objects;
- (i) to train personnel within Sri Lanka or outside Sri Lanka for the benefit of the Corporation; and
- (j) to perform such acts, deeds and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Corporation.

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 and furtherance of the objects of the Corporation or any one of them, including the power to open, maintain, operate and close bank accounts within and outside Sri Lanka, to borrow or raise moneys with or without security, to receive or collect subscriptions, grants or 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 rules in force for the time being of the Corporation, be administered by a Committee of Management consisting of—

Management of the affairs of the Corporation.

(a) Mr. Deluwatta Hewa Buddhika Sarath Kurukularatne, who shall be the President of the Corporation for life, unless he earlier resigns from the said office;

(b) two Vice-Presidents, a General Secretary, an Assistant Secretary and Treasurer and four other members who shall be elected in accordance with the rules of the Corporation in force for the time being.

(2) The first Committee of Management of the Corporation shall be the members of the Committee of Management of the Association 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 of the members and by a majority of not less than two-thirds of the members present and entitled to vote to make rules not inconsistent with the provisions of this Act or any other written law, for the admission, expulsion or withdrawal of members, for the election of members of the Committee of Management, for the conduct of the duties of the Committee of Management and of the various officers, agents and servants of the Corporation, for the procedure to be followed in the transaction of business at meetings of the Corporation and the Committee of Management and

Rules of the Corporation.

otherwise generally, for the management of the affairs of the Corporation and the attainment of its objects. Such rules when made may at a like meeting and in like manner, be altered, added to, amended or rescinded.

(2) Every member of the Corporation shall at all times be subject to the rules in force for the time being of the Corporation.

(3) No rules of the Corporation for the time being in force nor any rule which may hereafter be passed, shall be altered, added to, amended or rescinded except by the votes of two-thirds of the members present and voting at a general meeting of the Corporation:

Provided however that no such alteration addition, amendment or rescission shall have effect unless approved by the Committee of Management.

(4) The rules of the Association in force on the day preceding the date of commencement of this Act shall be deemed to be the rules of the Corporation made under this section in so far as they are not inconsistent with the provisions of this Act or any other written law.

Accounts
of the
Corporation.

7. (1) The Committee of Management of the Corporation shall cause proper books of account to be kept of the income and expenditure of the Corporation.

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

(3) In this section, "qualified auditor" means—

(a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute; or

(b) 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 to practise as an Accountant issued by the Council of such Institute.

8. (1) The Corporation shall be able and capable in law to acquire by purchase, gift, bequest, grant, devise, disposition, exchange or in any other manner and to hold any movable or immovable property and to dispose of any such property acquired or held by the Corporation.

Power of
to acquire
property
and raise
money.

(2) The Corporation shall have the power to borrow or raise money necessary for the furtherance of its objects on any security and to secure the discharge of any debt or obligation of the Corporation in such manner as may be deemed fit.

(3) The Corporation may raise funds and receive subscriptions, grants, donations, and gifts in cash or kind, whether from local or foreign sources.

(4) All property movable and immovable, acquired or held by the Corporation and all moneys paid to or received by the Corporation under this Act or rules made thereunder shall be held, used and applied by the Corporation in accordance with the rules, for the furtherance of its objects.

9. The seal of the Corporation shall be kept in the custody of the President of the Corporation and shall not be affixed to any instrument whatsoever, except in the presence of the President and any officer of the Corporation authorised in that behalf in accordance with 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.

10. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter received by way of gift, 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 Committee of Management shall determine.

Fund
of the
Corporation.

(2) There shall be paid out of the funds all sums of money to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and functions under this Act.

Application
of income
and property,
of the
Corporation.

11. The income and property of the Corporation howsoever derived shall be applied solely towards the promotion of the objects as set forth herein, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise by way of profit, to the members of the Corporation.

Debts due by
and payable
to the
Association
to be
paid to
the
Corporation.

12. (1) All debts and liabilities of the Association existing on the day preceding the date of commencement of this Act shall be paid and discharged by the Corporation and all debts due to, and subscriptions and contributions payable to, the Association on that day shall be paid to the Corporation for the purposes of this Act.

(2) Contracts entered into by the Association shall be deemed to be contracts of the Corporation.

Liability
of members
of the
Corporation.

13. 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 towards discharging such debts and liabilities exceeding the amount of such annual subscriptions as may be due from him to the Corporation.

Property
remaining on
dissolution.

14. 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 some other Association or Associations having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such Association or Associations shall be determined by the members of the Corporation at or immediately before the dissolution of the Corporation.

Saving
of the
right of the
Republic and
others.

15. 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, except such as are mentioned in this Act and those claiming by, from, or under, them.

Sinhala
text
to prevail
in case of
inconsistency.

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

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