



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

**SRI LANKA CULTURAL FOUNDATION FOR THE
BUILDING OF CULTURE AND MORALS
(INCORPORATION)**

A

BILL

**to incorporate the Sri Lanka Cultural Foundation for the Building of
Culture and Morals**

*Presented by Hon. Dilip Wedaarachchi, M. P. for Hambantota District
on 06th June, 2013*

(Published in the Gazette on May 27, 2013)

Ordered by Parliament to be printed

[Bill No. 248]

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

Price : Rs. 8.00

Postage : Rs. 5.00

2—PL 007327—850 (06/2013)

*Sri Lanka Cultural Foundation for the Building
of Culture and Morals (Incorporation)*

AN ACT TO INCORPORATE THE SRI LANKA CULTURAL FOUNDATION
FOR THE BUILDING OF CULTURE AND MORALS

WHEREAS a Foundation called and known as “Sri Lanka Cultural Foundation for the building of Culture and Morals” has been established for the purpose of effectually carrying out and transacting all objects and 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 the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Sri Lanka Cultural Foundation for the Building of Culture and Morals (Incorporation) Act, No. of 2013.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now presently are members of the “Sri Lanka Cultural Foundation for the Building of Culture and Morals” (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 “Sri Lanka Cultural Foundation for the Building of Culture and Morals” 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
Sri Lanka
Cultural
Foundation
for the
Building of
Culture and
Morals.

2 *Sri Lanka Cultural Foundation for the Building
 of Culture and Morals (Incorporation)*

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

General
objects of the
Corporation.

- 5 (a) to resolve and encourage member unions for the promulgation of relief services functions, and to prevent the poverty stricken situations from which men suffer;
- 10 (b) to form and foster a union for cultural services in every country and to provide for incentives and promotion and to establish the policies of the main organization within this union;
- 15 (c) to create and assist the projects for pre-disaster preparation, at the national, regional and international level;
- 20 (d) to establish and utilize the required resources for social services, cultural restoration activities and personality development;
- 25 (e) to treat all nationals with equality, respecting their cultures, protecting all wayward artists and providing relief work to them, as much as possible;
- 30 (f) to organize with close cooperation of the national unions and member unions in accordance with the common aims of the Corporation as well as coordinating and operating;
- (g) to provide an efficient organizational framework and information distribution infrastructure facilities at the national and regional level;
- (h) to present certificates of skills esteemed certificates of incentives, esteemed incentives, honorary consol awards, training artists and conducting programmes, creating the required background for them and its continuous maintenance;

- (i) to conduct cultural programmes with national and regional organizations and to form and conduct a web site;
- 5 (j) to obtain the cooperation of philanthropists and to develop relationships with other organizations and solicit their help and assistance;
- 10 (k) to issue of an identity card to those members of the Foundation for social and cultural services enriching them to conduct matters as privileged citizens;
- (l) to develop friendship, inter action and coordination among national members of organizations in keeping with the common aims of the Corporation;
- 15 (m) to inculcate the importance of mankind to the varied human groups, to re-enliven and proclaim the culture of our past glory, and thereby contribute to the growth of a humble and righteous society;
- (n) to legislate, promote and popularize people friendly laws when ever required; and
- 20 (o) to do all such other acts and things as are necessary, conducive or incidental to the attainment of the objects of the Corporation.

4. (1) The affairs of the Corporation shall subject to the other provisions of this Act and the rules in force for the time
25 being of the Corporation, be administered by a Superior Committee consisting of the Chairman / Director General, Administrative Secretary, Senior Vice Chairman, Vice Chairman, Regional Organizer and Deputy Director General to be elected in accordance with such rules in force for the
30 time being of the Corporation.

Management
of the affairs
of the
Corporation.

4 *Sri Lanka Cultural Foundation for the Building
 of Culture and Morals (Incorporation)*

(2) Notwithstanding anything to the contrary in sub-section (1) of this section Mr. Nimal Chandana Weeratunga shall be the Director General of the Corporation and shall be the Director General for life, and he shall
5 nominate a successor who shall also hold office for life.

(3) The successor so nominated shall consist of the members of the Superior Committee of the Foundation holding office on the day preceding the date of commencement of this Act.

- 10 **5.** Subject to the provisions of this Act and any other written law the Corporation shall have the powers—
- General
Powers of the
Corporation.
- (a) to borrow and raise money for the purpose of the Corporation;
- 15 (b) 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 bank accounts;
- 20 (c) to invest any funds which are not immediately required for the purposes of the Corporation in such manner as the Superior Committee may think fit;
- (d) to solicit and receive subscription, grants, donations and gifts of all kinds;
- 25 (e) to enter into agreements or contracts with any person, company or body of persons;
- (f) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any movable or immovable property;
- 30 (g) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;

- (h) to train personnel in Sri Lanka or abroad for purposes of the Corporation; and
- (i) to do all other things necessary or expedient for the carrying out of the objects of the Corporation.

5 **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.

- 10 (a) classification of membership, fees payable by each class of members, their admission, withdrawal or expulsion or resignation;
- 15 (b) election of the Superior Committee, the resignation from, vacation of, or removal from office of the office bearers and powers, duties and conduct of the Superior Committee;
- 20 (c) appointment, dismissal, powers, duties, functions and conduct of the various officers, agents and servants of the Corporation;
- 25 (d) the procedure to be observed or the summoning and holding of meetings of the Superior Committee, the Corporation or any sub-Committee thereof, filling of vacancies, notices and agendas of such meetings, the quorum therefore and the conduct of business thereat;
- 30 (e) the qualifications and disqualification for membership in the Superior Committee of the Corporation;
- 30 (f) the administration and management of the property of the Corporation; and

6 *Sri Lanka Cultural Foundation for the Building
 of Culture and Morals (Incorporation)*

(g) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

5 (2) The rules of the Foundation in force on the preceding date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act or any other written law be deemed to be the rules of the Corporation and may be amended, altered, added to, or rescinded at a like meeting and in like manner as rules made under this section.

10 (3) The members of the Corporation shall at all times be subject to the rules in force for the time being of the Corporation.

15 7. All debts and liabilities of the Foundation 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 and all subscriptions and fees payable to the Foundation on that day shall be paid to the Corporation for the purpose of this Act. Debts due by and payable to the Foundation.

20 8. 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 purchase, grant, gift, testamentary disposition or otherwise, and subject to the rules of the Corporation made under Section 6, all such property shall be held by the Corporation for the purposes of this Act, with full power to mortgage, lease, exchange or otherwise dispose of the same. All property belonging to the Foundation on the date of commencement of this Act shall be vested in the Corporation. Corporation may hold property movable and immovable.

9. (1) The Corporation shall have its own Fund. Fund of the Corporation.

30 (2) All moneys heretofore or hereafter received by way of gift, bequest, donations, subscriptions, contributions, fees or grants for and on account of the Corporation shall be

*Sri Lanka Cultural Foundation for the Building
of Culture and Morals (Incorporation)* 7

deposited to the credit of the Corporation in one or more banks as the Superior Committee determine.

5 (3) There shall be paid out of the fund any expenditure incurred by the Corporation in the exercise, performance and discharge of powers, duties and functions under this Act.

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

(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 Superior Committee.

(4) In this section "Qualified Auditor " means —

- 15 (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 practice as an Accountant issued by such institute ; or
- 20 (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 any other institute established by law, possesses a certificate to practice as an Accountant issued by such
- 25 institutes.

30 **11.** The seal of the Corporation shall be in the custody of the Secretary and shall not be affixed to any instrument whatsoever, except in the presence of the President and the Secretary of the Corporation who shall sign their names on 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.

8 *Sri Lanka Cultural Foundation for the Building
 of Culture and Morals (Incorporation)*

12. 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
5 be given or transferred to Association or Associations having objects similar to the objects of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or profit among the members. Such Association or Associations shall be determined by the members of the
10 Corporation at or immediately before the time of dissolution of the Corporation.

Property remaining on dissolution.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic of Sri Lanka or of any body politic or corporate or any other person except such as are
15 mentioned in the Act and those claiming by, from, or under them.

Saving of the rights of the Republic and others.

14. 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.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.