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Part II of January 05, 2018

SUPPLEMENT

(Issued on 08. 01. 2018)



**NIMAL RUPASINGHE FRIENDSHIP FOUNDATION
(INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Nimal Rupasinghe Friendship Foundation

*To be presented in Parliament by Hon. Ishak Rahuman, M.P.
for Anuradhapura District*

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Nimal Rupasinghe Friendship Foundation
(Incorporation)

AN ACT TO INCORPORATE THE NIMAL RUPASINGHE FRIENDSHIP
FOUNDATION

WHEREAS an society called and known as the “Nimal Rupasinghe Friendship Foundation” has heretofore been formed 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 formed and has applied to be incorporated and it will be for the public advantage to grant such 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 Nimal Rupasinghe Friendship Foundation (Incorporation) Act, No. of 2018.

Short title.

2. From and after the date of commencement of this Act, such and so may persons as now are members of the Nimal Rupasinghe Friendship Foundation (hereinafter referred to as the “Foundation”) or shall hereinafter be admitted as members of the “Nimal Rupasinghe Friendship Foundation” (hereinafter referred to as the “Corporation”) 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 the Nimal Rupasinghe friendship Foundation.

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

The general objects of the Corporation.

(a) To implement programmes and to give guidance to create a good atmosphere to build up peace and harmony in all communities and ethnic groups to live as Sri Lankans;

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- (b) to implement programmes to educate the Sri Lankan society of the field of Law without any discrimination giving priority to the fact that “Ignorance of the Law is not an excuse” ;
- 5 (c) to provide necessary educational equipments and other relevant facilities for the improvement of the educational knowledge of the children, through the programme of Sisu Sahana Mavupiya Kapakaru Shisya Adara wedasatahana”;
- 10 (d) printing publication and distribution of books, Magazines in order to promote the Education;
- (e) to provide educational facilities and also to give knowledge for the education of the Pre-school children;
- 15 (f) to provide Library facilities including books for the learning children to gain knowledge;
- (g) to organize seminars and workshops for the G.C.E. O/L and A/L students to improve their knowledge of education;
- 20 (h) to provide facilities for the education of the children with special needs;
- (i) to conduct lectures, seminars, discussions exhibitions and carnivals to promote the objects of the corporation.
- 25 (j) to liaise and co-ordinate with other local and foreign institutions which have similar objectives.

4. Subject to the provisions of this Act and any other 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 futherance of the objects of the corporation or any of them including the powers to open operate or close bank accounts to borrow or raise moneys with or without security to receive or collect or accept grants and donations to invest its funds to the corporation and to engage employ and 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 Consisting of Chairman and Secretary, Treasurer and another eleven members elected in accordance with such rules.
- 15 (2) The Executive committee which held the office of the corporation before the date of implementation of the Act, shall be the first Executive committee of the corporation.
- 20 6. (1) It shall be lawful for the Corporation, from time to time, at any General Meeting of the Corporation 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 :—
- 25 (a) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable ;
- General powers of the Corporation.
- Management of the affairs of the Corporation.
- Rules of the Corporation.

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- 5 (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Executive committee the quorum of such meetings and the exercise and performance of their powers and duties ;
- (c) the appointment, power, duties and functions of the various officers, agents and servants of the Corporation ;
- 10 (d) qualification required to become a member of the Corporation and the executive committee; and
- (e) the administration and management of the property of the Corporation.

 (2) Any rule made by the Corporation may be amended, altered, added to or replace at a like meeting and in like
15 manner as a rule made under subsection (1) of this Section.

 (3) Every member of the Corporation shall be subject to the rules of the Corporation.

7. All debts and liabilities existing on the day preceding the date of commencement of this Act shall be
20 paid and discharged by the Corporation hereby constituted and all debts due to and subscriptions and contribution payable to the Foundation on that date shall be paid to the Corporation hereby constituted.

Debts due by and payable to the Corporation.

8. The Corporation shall be able and capable in law to
25 acquire and hold any property, movable and 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 purposes of this Act and subject to the rules in force for the time being
30 of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable and immovable.

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5 **9.**(1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, contribution, fees or grants for or and on account of the corporation shall be deposited in one or more banks as the Corporation shall determine.

Funds of the Corporation.

(2) There shall be paid out from the fund, of the Corporation all sum of money incurred from by the corporation in the exercise of its objects.

10 **10.** The seal of the Corporation shall not be affixed to any instrument whatsoever, in the presence of the President, Secretary or the Treasurer of the Corporation and shall sign their names to the instrument in taken of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the Corporation.

20 **11.** No member of the Corporation of there remains after the satisfaction of all its debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the among of scuh membership fees as may be due from him to the Corporation.

Limitation of liabilities of members.

25 **12.** If upon the dissolution of the Corporation there remains after the corporation there remains after the satisfaction of all its debts and liabilities and property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other foundation or foundations having objects similar to those of the Corporation and which, is or are by its rules thereof prohibited from distributing any income or property among its or their members. Such foundation or foundations shall be determined by the Board at or immediately before the dissolution of the corporation.

Property remaining on dissolution.

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13. (1) The financial year of the Corporation shall be Accounts and
the calendar year. Audit.

(2) The Corporation shall cause proper accounts to
be kept of income and expenditure asset and liabilities and
5 all other transactions of the corporation.

(3) The accounts of the Corporation shall be
audited by a qualified auditors as may be determined by the
Board.

In this section “Qualified auditor” means:-

10 (a) An individual who 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
Accountant issued by the Council of such
15 institute; or

(b) A firm of Accountant 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
20 by Law, possesses a certificate to practice as
an Accountant issued by the council of such
institute.

14. Nothing in this Act contained shall prejudice or Saving of the
affect the rights of the Republic or of anybody politic, or Rights of the
25 corporate or of any other persons, except such as are Republic and
mentioned in this Act, and those claiming by, from or under others.
them.

15. In the event of any inconsistency between the Sinhala text
Sinhala and Tamil texts of this Act, the Sinhala text shall to prevail in
30 prevail. case of
inconsistency.

