



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

**PALITHA THEWARAPPERUMA FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Palitha Thewarapperuma Foundation

*Presented by Hon. Anura Sidney Jayarathne, M.P. for
Polonnaruwa District on 24th January, 2017*

(Published in the Gazette on December 19, 2016)

Ordered by Parliament to be printed

[Bill No. 157]

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. 10. 00

Palitha Thewarapperuma Foundation
(Incorporation)

AN ACT TO INCORPORATE THE PALITHA THEWARAPPERUMA
FOUNDATION

WHEREAS a Board called and known as the “Palitha Thewarapperuma Foundation” has heretofore 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 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 Palitha Thewarapperuma Foundation (Incorporation) Act, No. of 2017.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Palitha Thewarapperuma Foundation” (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of “Palitha Thewarapperuma Foundation” 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 Palitha Thewarapperuma Foundation.

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

General objects of the Corporation.

(a) to participate in social, cultural and economic development of the country;

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- (b) to advise and assist all communities in Sri Lanka to live in peace and harmony;
- (c) to implement leadership programmes;
- 5 (d) to provide the houses, health facilities and drinking water to the poor and needy people;
- (e) to provide the necessary educational equipment and facilities and facilities of the poor school children for their advancement;
- 10 (f) to improve nutritional level of students, youths and elders who are in the low income group and by enhancing their sports skills to reach upto the national level;
- (g) to provide education and grant scholarships to assist pre-school children;
- 15 (h) to establish centers to promote education, culture and research;
- (i) to assist affected people in disaster situations to uplift their lifestyle and providing legal assistance for needy vulnerable people when necessary;
- 20 (j) to grant scholarships to low income school children to enable them to effectively continue their education;
- (k) to assist in the development of educational, religious, cultural, aesthetic and sports facilities without any reference to race, religion and cast; and
- 25 (l) to liaise and co-ordinate with other local or foreign institutions which have similar objects.

4. (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, Vice Chairman, Secretary
5 and another eleven members elected in accordance with such rules.

Management
of the affairs
of the
Corporation.

(2) The founder member of the Foundation, shall be the Chairman of the Board of Directors for life thereafter, and the family members of the person who was holding office as
10 the Chairman shall become the next Chairman of the Board of Directors.

(3) The first Board of the Corporation shall consist of the members of the Board of Administration of the Foundation holding office on the day immediately preceding the date of
15 commencement of this Act.

5. 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
20 or furtherance of the objects of the Corporation or any one of them, including operate and close bank accounts, to borrow or raise moneys with or without security, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

General
Powers of the
Corporation.

25 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 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
30 following matters:—

Rules of the
Corporation.

- (a) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable;

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 (Incorporation)

- 5 (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Board of Directors, the quorum for such meetings and the exercise and performance of their powers and duties;
- (c) the appointment, powers, 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 of the Board of Directors; and
- (e) the administration and management of the property of the Corporation.

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

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

20 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 subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and payable to the Corporation.

25 8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequests, donations, subscriptions, contributions, 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 Board of Directors shall determine.

Fund of the Corporation.

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

9. 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, lease, gift, testamentary disposition or otherwise and all such
5 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. If upon the dissolution of the Corporation there
15 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 institution or institutions having objects similar to those of the Corporation and which,
15 is or are by its or their rules prohibited from distributing any income or property among their members.
11. (1) The Board of Directors of the Corporation shall
cause proper accounts to be kept of all moneys received and
expended by the Corporation.
- 20 (2) The financial year of the Corporation shall be the calendar year.
- (3) 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.
- 25 12. The seal of the Corporation shall not be affixed 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
30 signing shall be independent of the signing of any person as a witness.

Corporation
may hold
property
movable and
immovable.

Property
remaining
after
dissolution.

Audit and
accounts of
the
Corporation.

Seal 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 persons except such as are mentioned in this Act and those claiming by, from or under
5 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.

Be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

Incorporation
of the Palitha
Thewarapperuma
Foundation.

General
objects of the
Corporation.

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.