



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

**MAITHRIPALA SENANAYAKE
FOUNDATION (INCORPORATION)**

A

BILL

to incorporate the Maithripala Senanayake Foundation

*Presented by Hon. Mrs. Sriyani Wijewickrama M. P. for
Digamadulla District on 09th February, 2011*

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Maithripala Senanayake Foundation
(Incorporation)

AN ACT TO INCORPORATE THE MAITHRIPALA SENANAYAKE
FOUNDATION

WHEREAS a Foundation called and known as the “Maithripala Senanayake Foundation” has been established at “Siri Medura”, Kiulekada, Kebithigollewa in Medawachchiya electorate, Anuradhapura district, Sri Lanka 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 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 Maithripala Senanayake Foundation (Incorporation) Act, No. of 2011.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the “Maithripala Senanayake Foundation” (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 “Maithripala Senanayake 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 to alter the same at its pleasure.

Incorporation of the Maithripala Senanayake Foundation.

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

General objects of the Corporation.

(a) social development associations namely Lanka Lakshmi Kantha Sanvidanaya and Senuri Minuri

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Foundation will be affiliated to the Maithripala Senanayake Foundation;

- 5 (b) organizing and conducting educational workshops and programmes essential for students to improve their knowledge and perception as well as skills within the educational sector of Sri Lanka, creating scholarship programmes up to university education for students with exceptional talents and granting them with gifts, certificates and other awards and
- 10 extending assistance to improve Dhamma Schools and pre-schools;
- 15 (c) contributing and encouraging promotion of religious and cultural activities related to Buddhism, Hinduism, Catholicism and Islam as much as possible, while working to establish mutual understanding, trust and unity among people belonging to all faiths;
- 20 (d) educating the people living in urban, rural and in estate regions on basic hygienic requirements and organizing programs to create awareness of the virtues of preserving the natural environment while providing facilities as much as possible to preserve the environment and to enable a healthy life pattern;
- 25 (e) organizing and conducting programmes for empowering deprived families while minimizing poverty and introducing self employment generating projects while helping sickly persons in low income families and assisting during special events in those families such as funerals and
- 30 weddings;
- 35 (f) organizing programmes to exchange knowledge and perception related to matters of national and cultural heritages of Sri Lanka while preserving those heritages and obtaining assistance of the state institutions and non government organizations to launch above activities successfully;

- (g) establishing a legal assistance service to help those who are in need of legal services;
- 5 (h) to assist the citizens by intervening when assistance is requested by them to protect their rights under the fundamental rights and human rights asserted in the Constitution of the Democratic Socialist Republic of Sri Lanka and the human rights proclaimed in the UN charter of human rights;
- 10 (i) organizing workshops to enhance professional and intellectual skills of the youth, while providing education in the field of modern science and technology and acclaiming novel efforts of those who are engaged in the field;
- 15 (j) creating training opportunities for the youth in the fields that have good demand in the employment market such as technical, construction, information technology, computer and mobile phones, and registering them after the conclusion of training and directing them towards potential local and
20 overseas employment opportunities;
- (k) encouraging those who are engaged in the fields of fine arts such as painting, sculpturing, carving, music, dance, plays, tele-dramas and films while providing media facilities for the acclamation of
25 their achievements;
- (l) creating skilled athletes to achieve national and international goals by launching a programme named “Kreedha Saviya” and working to preserve traditional sports while organizing traditional sports
30 events to conserve them as national heritages; and
- (m) training and establishing an Elite Task Force for disaster management consisting of hundred capable youth that would provide active intervention during regional as well as national level outbreaks.

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4. Subject to the provisions of this Act, or any other written law, the Corporation shall have the power—

General Powers of the Corporation.

- 5 (a) to purchase, acquire, rent, construct or otherwise obtain lands or buildings which may be required for the purposes of the Corporation;
- (b) to open, maintain and close bank accounts;
- (c) to obtain financial loans with or without security or to collect money;
- 10 (d) to accept and collect local or foreign financial or other, grants and donations;
- (e) to recruit, employ, discipline and dismiss the services of the relevant officers and servants; and
- 15 (f) to establish necessary committees to enhance or develop the objects of the Corporation or some of the objects of the Corporation appropriately or to execute any and every kind of suitable action and to perform and implement necessary things.

5. (1) The Management of the affairs of the Corporation subject to the other provisions of this Act and the rules in force for the time being of the Corporation be administered by a Management Board consisting of Chairperson Secretary, Treasurer, Assistant Secretary, Vice Chairperson, Organizer and the Chairperson of the Advisory Board.

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Management of the affairs of the Corporation.

(2) The Management Board, when executing affairs of the Corporation, should be referred to as the “Board of Directors”. The Chairperson of the Management Board, shall be the Director General of the Corporation and the Board of Directors shall appoint one member from the Board of Directors as the Director for Administrative Affairs of it. The Treasurer shall be the Director for Accounts of the Corporation while the Vice Chairperson, the Assistant Secretary, Organizer and the Chairperson of the Advisory Committee shall be the other members of the Board of Directors.

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(3) Notwithstanding anything to the contrary in the subsection (1) of this Article, Hon. Tissa Wijayarethne Karalliyadda, M. P., presently residing at “Siri Medura”, Kiulekada, Kebithigollewa who is the founder of the
5 Foundation shall be the Chairperson of this Corporation for life. If he has not appointed a successor, the Board of Directors shall appoint a person for it.

(4) The first Management Board of the Corporation shall consist of the members who had been the office-bearers of
10 the Maithripala Senanayake Foundation holding office on the day preceding the date of commencement of this Act.

6. The Corporation consists of an Advisory Board. The members of the Advisory Board may participate in the meetings of the Management Board and in general meetings.
15 This Board may provide guidance to the advancement of the Corporation while it may present its views in the above gatherings. However, Advisory Board has no power to move proposals or vote to second proposals.

The Advisory Board.

7. (1) It shall be lawful for the Corporation, at any general
20 meeting and by a majority of two-thirds of the members present and voting to make rules from time to time, not inconsistent with the provisions of this Act, and other written law, for all or any of the following matters :—

Rules of the Corporation.

(a) subscription to be paid by the members, their
25 admission, expulsion and resignations;

(b) election of the Management Board, vacation of, or removal from office as office bearers and powers, duties and conduct of the Management Board;

(c) formulating various positions, appointing officials, agents and servants for the relevant positions, by
30 the Management Board, when it finds it to be necessary for the efficient and productive functioning of the Corporation and determining their responsibilities, powers, tasks, missions, wages, allowances or remuneration etc.;
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- 5 (d) the procedure to be observed at and the summoning and holding of meetings of the Management Board or the Corporation, filling of vacancies, notices and agenda of such meetings, the quorum thereof and the conduct of business thereat;
- (e) the qualifications and disqualifications for memberships in the Management Board, Advisory Board and of the Corporation itself; and
- 10 (f) the administration and management of the property of the Corporation and the accomplishment of the objects of the Corporation.

 (2) The rules of the Foundation in force on the day preceding the date of commencement of this Act shall insofar as they are not inconsistent with the provisions of this Act or
15 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 a rule made under subsection (1) of this section.

 (3) The members of the Corporation shall be subject to
20 the rules of the Corporation,

8. (1) The Corporation shall have its own Fund and the financial year shall be from 1st January to 31st December of every year. Fund of the Corporation.

 (2) All moneys received by way of gift, bequest, donation,
25 subscription, contribution fees or grants for and on account of the Corporation shall be deposited in a bank approved by the Management Board to the credit of the Corporation.

9. (1) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities
30 and all other transactions of the Corporation. Audit and Accounts.

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

In this section “qualified auditor” means—

- 5 (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
- 10 (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 practice as an Accountant issued by such Institutes.

15 **10.** The Seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Chairperson and the Secretary, or two persons from the Management Board who are duly authorized by the Corporation who shall sign their names on the instrument in
20 token of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the Corporation.

11. The relevant Constitution may be revised with the two third majority consent of the members of the Maithripala Senanayake Foundation.

Revising the Constitution.

25 **12.** The Corporation could be dissolved upon the unanimous consent of the Management Board. Currently available assets, if any, may be donated to an appropriate charity institution or to a government institution, under the supervision of the Public Trustee.

Property remaining on dissolution.

30 **13.** Nothing in this Act contained shall prejudice or affect the rights of the Republic, or of any body politic or corporate.

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

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