



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

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**D. M. DASSANAYAKE SOCIAL SERVICES AND  
CHARITY FOUNDATION (INCORPORATION)**

**A**

**BILL**

**to incorporate the D. M. Dassanayake Social Services and  
Charity Foundation**

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*Presented by the Hon. Victor Antony , M. P. for Puttalam District  
on 04th May, 2011*

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*Ordered by Parliament to be printed*

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**[Bill No. 105]**

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*D. M. Dassanayake Social Services and  
Charity Foundation (Incorporation)*

AN ACT TO INCORPORATE THE D. M. DASSANAYAKE SOCIAL  
SERVICES AND CHARITY FOUNDATION

WHEREAS a Foundation called and known as the “D. M. Dassanayake Social Services and Charity 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 by its members:

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects 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 “D. M. Dassanayake Social Services and Charity Foundation” (Incorporation) Act, No.    of 2011.

Short Title.

2. From and after the date of the commencement of this Act, such and so many persons as now are members of the “D. M. Dassanayake Social Services and Charity Foundation” (hereinafter referred to as “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 D. M. Dassanayake Social Services and Charity 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 D. M. Dassanayake Social Services and Charity Foundation.

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

General objects of the Corporation.

(a) to nurture the people through development required for eliminating poverty of the Sri Lankan people;

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- (b) to guide people towards a tranquil life by minimizing restlessness in them by promoting consolatory teaching for mental and emotional strains encountered by the human kind;
- 5        (c) to redeem the Sri Lankan people from petty differences by promoting cooperation and co-existence through the realization of clear knowledge of life gained through Buddhism for persons of any age whether they be juvenile, young  
10        or elderly;
- (d) to convert the family and society to a self-reliant unit, identifying the social personality which is helpful for a virtuous society devoid of racial and religious differences;
- 15        (e) to make maximum contribution for the development of personality of poverty-stricken children by offering financial and physical provisions for their physical and mental development;
- 20        (f) to provide theoretical and practical knowledge to necessary personnel for the effective maintaining of agricultural and economic strategies;
- (g) to promote physical and human resources required for steering the children receiving school education for the guidance and additional support of Sri  
25        Lankan academics with the aim of developing their literacy and helping them to face public examinations;
- (h) to assist to develop a good economic condition in the family by providing the required vocational training, physical and financial resources for young  
30        people interested in self employment;

- 5 (i) to establish relations with local and foreign institutions which have similar aims and objectives of those of the above Foundation and exchange resources when necessary and working in collaboration with those institutions;
- (j) to print and publish books, journals, hand-outs, newspapers, magazines and distribute the same as per necessities;
- 10 (k) to extend full sponsorship and maintain conferences, seminars, workshops and group study activities in Sri Lanka and outside for mental, physical, social, moral and intellectual development activities required for leading a full life;
- 15 (l) to volunteer promptly to provide whatever service required by patients in hospitals and other infirmaries by visiting them and offering them physical, mental relief;
- 20 (m) to intervene immediately for the physical and mental wellbeing of the Sri Lankan people suffer from various disasters including natural disasters and make active contribution promptly in whatever recovery efforts;
- 25 (n) to promote individuality by developing attitudes and skills required for stronger, resolute and focused public life by identifying potential powers of man and paying attention to utilizing such potentials for the social and personal advancement;
- 30 (o) to organize welfare activities for the betterment of families of departed soldiers and make available the facilities required for them;
- (p) to do all such acts and things as may be necessary for the accomplishment of all or any of the objects of the Corporation.

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4. (1) The affairs of the Foundation shall, subject to the rule of the Corporation for the time being in force, be administered by a Governing Council consisting of the Chairman of the Foundation, Mrs. Indrani Dassanayake who is a Provincial Councilor of the Northwestern Provincial Council, Secretary, Treasurer, two assistant secretaries and six committee members.

Management  
of the affairs  
of the  
Corporation.

(2) The first Governing Council of the Corporation shall consist of the members holding office in the Foundation on the day preceding the date of commencement of this Act.

(3) The incumbent Chairman of the foundation Mrs. Indrani Dassanayake shall be the lifelong Chairman of the Corporation unless she resigns from her post prematurely.

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

General  
powers of the  
Corporation.

- (a) to buy, acquire, rent, construct or obtain otherwise any land or building required for the purpose of the Corporation;
- (b) to obtain loans or take money from state or approved banks and institutions for the purpose of the Corporation or to receive grants and donations (local or foreign) with the approval of the Governing Council;
- (c) to make, write, accept, offer discounts, transact, purchase, sell, issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, maintain and close bank accounts;
- (d) to invest any fund deemed as not required for the purpose of the Corporation in a manner deemed suitable by the Governing Council;
- (e) to appeal for and receive contributions, endowments, grants and donations all types of gifts;

- (f) to enter into agreements or contracts with an individual, any company or a body of personnel;
- (g) to receive, accept, execute, perform and administer legitimate trusts and conditions relevant to any immovable property or private property;
- (h) to appoint, employ, transfer and dismiss and terminate services of officers and servants of the Corporation required for realizing the objects of the Corporation and to pay salaries and allowances and gratuity as determined by the corporation;
- (i) to train Sri Lankan or foreign employees for the purpose of the Corporation; and
- (j) to do all such acts and things as may be necessary, incidental or beneficial to fulfill and accomplish the objects of the Corporation.

6. (1) It shall be lawful for the Corporation to make rules with regard to the matters listed below for or any of them, 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 such rules, as are not inconsistent with the provisions of this Act or any other written law—

Rules of the  
Corporation.

- (a) categorization of members, their admission and expulsion or their resignation;
- (b) election of the Governing Council, resignation or expulsion of office bearers and the powers, functions and conduct of the Trust;
- (c) appointment of various office bearers, agents and employees of the Corporation and their powers, roles, function and conduct;

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- 5            (d) the procedure to be adopted in convening and holding the meetings of the Governing Council, Corporation and the Management Committee, the time, venue, notices, agenda, quorum and the general conduct of such meetings;
- (e) qualifications and disqualifications for the membership of the Governing Council and the Corporation; and
- 10            (f) administration and management of property of the Corporation and realization of its objectives.

              (2) The rules of the Foundation in force on the day immediately preceding the 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  
15 be rules of the Corporation made under this section and any such rule when made under subsection (1) above, may at a like meeting and in like manner be altered, added to, amended or rescinded.

              (3) The members of the Corporation shall be subjected to  
20 the rules of the Corporation.

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

25 (2) All gifts, devised transfers, donations, subscriptions, contributions, fees or grants accepted for and on behalf of the Corporation shall be deposited to the credit of the Corporation a bank approved by the Governing Council.

30 8. All debts and liabilities of the Foundation 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 all subscription 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 Foundation.

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

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

In this section “qualified auditor ” means —

- (i) 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  
10 certificate to practice as an Accountant issued by such institute ; or
- (ii) 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  
15 institute established by law, possesses a certificate to practice as an Accountant issued by any one of such institute.

**10.** If upon the dissolution of the Corporation, there remains, after the satisfaction of all its debts and liabilities,  
20 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 the objects of the Corporation, and which is or are, by the rules thereof  
25 prohibited from distributing any income or property among its or their members. Property remaining on dissolution.

**11.** The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Secretary, Chairman and Treasurer of the Corporation who  
30 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.



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

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

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