

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

Part II of November 20, 2015

SUPPLEMENT

(Issued on 23.11.2015)



**JAYANTHIPURA SUBASADAKA SANGAMAYA
(INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Jayanthipura Subasadaka Sangamaya

*To be presented in Parliament by Hon. (Mrs.) Sriyani Wijewickrama M. P. for
Digamadulla District*

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*The Jayanthipura Subasadaka Sangamaya
(Incorporation)*

AN ACT TO INCORPORATE THE JAYANTHIPURA SUBASADAKA SANGAMAYA

WHEREAS the Sangamaya called and known as “The Jayanthipura Subasadaka Sangamaya”, Battaramulla, has been established in the year 1969 in the District of Colombo for the purpose of effectually carrying out and transactions all objects and matters connected with the said Sangamaya according to the rules agreed to by the members who constituted the said Sangamaya :

Preamble.

AND WHEREAS the said Sangamaya, heretofore successfully carried out and transacted the several objects and matters for which the said Sangamaya was established, and has applied to be incorporated as “The Jayanthipura Subasadaka Sangemaya Incorporated”, and it will be for public interest and 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 Jayanthipura Subasadaka Sangamaya (Incorporation) Act, No. of 2015.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the said “The Jayanthipura Subasadaka Sangamaya” (hereinafter referred to as the “Sangamaya”) or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate (hereafter referred to as the “Corporation”) with perpetual succession under the name, description and style of “The Jayanthipura Subasadaka Sangamaya (Incorporated)” and by that name may sue and be sued in all Courts of the Democratic Socialist Republic of Sri Lanka, with full power and authority to use a common seal and to alter the same at its pleasure.

Incorporation
of the
Jayanthipura
Subasadaka
Sangamaya.

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3. The general objects for which “The Jayanthipura Subasadaka Sangamaya Incorporated” hereafter referred to as the “Corporation” is constituted, are hereby declared to be as hereunder,—

The General
Objects of the
Corporation.

- 5 (a) to induce, foster and promote the mutual welfare of its members and their dependents, recognizing the multi-faceted composition of the residents of Jayanthipura ;
- 10 (b) to protect and safeguard the rights, liberty and privileges of its members and their families ;
- 15 (c) to protect and ensure that the environment in which the members reside is not adversely affected and that the natural surroundings, greenery and wetlands are not wantonly damaged, destroyed or willfully interfered with or encroached upon and that the congenial atmosphere in which they reside is not adversely affected ;
- 20 (d) to protect, safeguard and give succour to the members, their families and the General Public during natural calamities, floods, cyclones, earthquakes, fire and all such other natural disasters ;
- 25 (e) to ensure that the health and hygiene of the members is not affected due to factors beyond their control and ensure that all the relevant administrative authorities carry out their tasks and responsibilities effectively, in the best interests of the members, and the general public in the region ;
- 30 (f) to promote, provide and ensure that health insurance, life insurance, social insurance, accident insurance and group housing insurance schemes against fire, floods or natural disasters are jointly or severally made available to the members ;

- 5 (g) to initiate steps and also seek assistance of governmental and non-governmental organizations (NGOO) for an ambulance service and establishment of a commiuntty centre, a Day-Care centre, a nursery school and a gymnasium, a Home for Elders and senior citizens of the said region ;
- 10 (h) to hold periodical clinics to check on prevalence of health hazards and also assist members and their families to obtain health facilities and material free of charge or at concessionary rates from governmental and non-governmental establishments ;
- 15 (i) to create a Fund for buliding a spacious and fully equipped Headquarters for the Corporation with donations from members, well-wishers and also with the assistance from government, local government and non-government organiaztions, and such Headquarters shall contain:—
- 20 (i) an office, a library and a reading room, auditorium and a hall for cultural activities, social gatherings, and indoor games ;
- (ii) a computer and IT Centre to train school leavers, unemployed and educated youth in the region to seek gainful employment and for self-employment projects;
- 25 (j) to organize and encourage vocational training schemes for the benefit of school leavers and educated unemployed youth of members and the residents of Battaramulla Kaduwela Region ;
- 30 (k) to promote home gardening as a supplementary source of income for all residents in the region :—
- (i) to assist retirees and pensioners and senior citizens to get them selves duly organized to

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 obtation their dues and assist them to rectify any anomalies in their gratuities, pensions, provident fund dues etc. ;

5 (ii) to carry forward the Death Donation Scheme already established by the Corporation and assist the bereaved families in every possible way.

 (l) to urge the relevant authorities to further develop the Jayanthipura Housing Scheme by providing proper lighting, maintenance of the roads, and other facilities.

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 (m) to do, perform and execute all such activities, matters and actions as are necessary and incidental or conducive to the carrying out, or, the attainment of the objects and aims of the Sangamaya, now know as the Corporation.

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4. (1) The affairs of the Corporation shall, subject to the rules stipulated by the Corporation, be administered by a Board of Management consisting of such number of office bearers and other members duly elected in accordance with the provisions of this Act and rules of the Corporation at a General or Special General meeting of the members of the Corporation.

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Management
of the affairs
of the
Corporation.

(2) The First Board of Management of the Corporation shall be the Managing Committee of the Sangamaya holding office on the day preceding the date of commencement of this Act.

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(3) in the event of the removal, resignation or death of a member of the Board of Management, the vacancy so created shall be filled in accordance with the provisions of this Act and the rules for the time being of the Corporation.

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

Powers of the Corporation to acquire property, invest funds and raise loans etc.

- 5 (a) to purchase, acquire, rent, construct and otherwise obtain lands or building which may be required for the purposes of the Corporation ;
- (b) to borrow or raise money from the Government approved Banks and Institutions (foreign and local) for the purposes of the Corporation without prejudice to any property of the Corporation ;
- 10 (c) to employ , engage, dismiss or terminate the service of officers, employees or servants of the Corporation and to pay them such salaries, allowances, and gratuities etc. as may be determined by the Corporation from time to time ;
- 15 (d) to seek aid, assistance and co-operation from any governmental, semi-governmental, provincial government, or non-governmental organizations both local and international for achieving any or all the objects of the Corporation and welfare of the members of the said Corporation ;
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- (e) to provide such social services beneficial to members of the Corporation and the general public needing such services ;
- (f) to enter into agreements or contracts with any person or persons, body of persons, institutions, companies, Corporations etc.
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- (g) to charge fees for the enrolment of members or re-enrolment of a person or persons who had been members of the Sangamaya (Corporation) on terms and conditions stipulated.
- 30
- (h) to open, operate, maintain and close bank accounts ;

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- (i) to invest any funds not immediately required for the purposes of the Corporation, in such manner as the Board may think fit ;
- 5 (j) to solicit and receive subscriptions, grants, donations and gifts of all kinds ; and
- (k) to perform all such acts, activities necessary or expedient and conducive for the effective carrying out of any or all of the objects of the Corporation.
- 10 **6.** (1) It shall be lawful for the Corporation from time to time, at any 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 the following matters :— Rules of the Corporation.
- 15 (a) the classification of membership, fees payable by each class of members, their admission, withdrawal, expulsion or resignation ;
- 20 (b) election of the Board of Management or vacation of, or removal from office as office-bearers and delegation of powers, duties and conduct of the Board of Management ;
- (c) appointment, delegation of powers, duties, functions and conduct of the various, committees, sub committees, agents and servants of the Corporation ;
- 25 (d) the procedure to be observed at the summoning and holding of meetings of the Corporation, the Board of Management of the Corporation or any subcommittee thereof, filling of vacancies, notices and agenda of such meetings, the quorum therefore, and the conduct of business threat ;
- 30

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(e) the qualifications and disqualifications for membership the Board of Management and the Corporation ; and

5 (f) the administration and management of the property and generally for the management of the affairs of the Corporation and the accomplishment of the objects of the Corporation.

(2) No rules of the Corporation for the time being in force or any rule which may hereafter be passed, shall altered,
10 added to, amended or rescinded except by the votes of not less than two-thirds of the members present and voting at a special or general meeting of the Corporation.

(3) The rules of the Corporation in force on the day preceding the date of commencement of this Act, shall be
15 deemed to be rules made under this section, insofar as such rules are not inconsistent with the provisions of this Act or any other written law.

(4) The members of the Corporation shall be subject to the rules for the time being in force of the Corporation.

20 7. (1) The Corporation shall have its own Fund and all moneys received by way of donations, gifts, testamentary dispositions, transfers, contributions, or fees shall be deposited in the name of the Corporation in one or more Banks as the Board of Management shall determine. Fund of the Corporaion.

25 (2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation, development or improvement of the property of the Corporation.

(3) The expenses incurred by the Corporation in the exercise and discharge of powers and functions of the
30 Corporation shall be paid out of the Fund.

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8. (1) The Board of Management shall cause proper Accounts and
accounts to be kept of all income and expenditure by the Auditing.
Corporation.

5 (2) The Accounts of the Corporation shall be audited
annually by an Auditor who shall be either a Chartered
Accountant or a Registered Auditor or a Firm of Chartered
Accountants appointed by the Board of Management.

10 **9.** The moneys and property of the Corporation Application
wheresoever derived, shall be applied solely towards the of moneys
promotion of its objects as setforth herein and no portion and property
thereof shall be paid or transferred directly or indirectly by
way of dividend, bonus, profit or otherwise howsoever to the
members of the Corporation.

15 **10.** The Seal of the Corporation shall not be affixed to Seal of the
any instrument except by the authority of a resolution of the Corporation.
Board of Management in the presence of two members of the
Board of Management and the Genetal Secretary or such
other office-bearer as the Board of Management may appoint
for the purpose, and the Members of the Board of Management
20 and the General Secretary or other office-bearer as aforesaid
shall sign every instrument to which the Seal of the
Corporation is so affixed in their presence.

25 **11.** In the event of the dissolution or winding up of the Dissolution
Corporation, if there remains after the satisfaction for all its or winding
debts and liabilities and outgoings, any perperty whatsoever, up.
such property shall not be distributed among the members of
the Corporation, but the same shall be given or transferred to
an institution or institutions having objects similar to the
objects of the Corporation and which is or are by rules thereof
30 prohibited from distributing any income or property, among
the members of such institution or institutions and at the
discretion of the Board of Management of the Corporation. If
any property or any part thereof cannot be disposed of in
accordance with the foregoing provisions of this section,
35 such property or part thereof shall be applied to some
charitable object which shall be determined by the Board of
Management.

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

5 **13.** 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.

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