



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

**JANA SAHANA FOUNDATION
(INCORPORATION)
ACT, No. 71 OF 1992**

[Certified on 31st December, 1992]

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L. D.—O. 41/91

AN ACT TO INCORPORATE THE JANA SAHANA FOUNDATION

WHEREAS an Association called and known as the "Jana Sahana Foundation" has heretofore been established at Hasa-laka in the Central Province of Sri Lanka for the purpose of effectually carrying out and transacting all matters connected with the said Association according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Association has heretofore successfully carried out and transacted the several 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 said 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 *Jana Sahana Foundation (Incorporation) Act, No. 71 of 1992.*

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the *Jana Sahana Foundation* (hereinafter referred to as the "Foundation") or shall hereafter be admitted 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 "*Jana Sahana 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 *Jana Sahana Foundation*.

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

General objects of the Corporation.

- (a) to uplift economic, social and cultural standards of the people;
- (b) to formulate and implement schemes to promote the educational health and social welfare activities;
- (c) to study the transport problems of the people;
- (d) to implement schemes for the development of housing and to assist in the construction of houses;

- (e) to formulate and implement schemes for cottage industries and self employment;
- (f) to implement schemes to assist the poor and for the eradication of poverty;
- (g) to promote mutual understanding and co-operation among people, irrespective of race and religion;
- (h) to promote agriculture in Hasalaka area by providing irrigational facilities;
- (i) to provide water for drinking purposes;
- (j) to establish and maintain projects for the protection, management and conservation of the environment;
- (k) to the promotion and welfare activities of children and women; and
- (l) to do all such other acts and things as are conducive or incidental to the attainment of all or any of the objects of the Corporation.

General
power of
the Cor-
poration.

4. 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 furtherance of its objects or any one of them, including the power to open, operate and close bank accounts, to borrow or raise moneys with or without security, to receive or collect grants or donations, to invest its funds, to erect any building or structure on any land held by the Corporation, and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

Manage-
ment of
the affairs
of the Cor-
poration.

5. (1) The affairs of the Corporation shall, subject to the rules of the Corporation, be administered by a Board of Management elected in accordance with the rules of the Corporation.

(2) The first Board of Management of the Corporation shall be the Board of Management of the Foundation holding office on the day preceding the date of commencement of this Act.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes not less than two-third of the members present and voting, to make rules, not inconsistent with the provisions of this Act and any other written law for the admission, withdrawal or expulsion of members, the election of the Board of Management, for the conduct of the duties of the office bearers, agents, officers and servants of the Corporation, for the procedure to be followed in the transaction of business by the Corporation and the Board of Management and generally for the management of the affairs of the Corporation and the accomplishment of its objects. Such rules when made may at a like meeting and in like manner, be altered, added to, amended or rescinded.

Rules of
the Cor-
poration.

(2) The members of the Corporation shall be subject to the rules of the Corporation.

7. (1) The Board of Management shall establish a fund called the "Jana Sahana Foundation Fund" (hereinafter referred to as the "Fund").

Fund
of the Cor-
poration.

(2) All moneys heretofore, or hereafter to be, received by way of subscriptions, contributions, fees or grants, borrowings, gifts, bequests, devises, donation for, and on account of, and for the purposes of the Corporation shall be deposited to the credit of the Fund in one or more banks as the Board of Management shall determine.

(3) There shall be paid out of the Fund all sums of money required to defray any expenditure incurred by the Corporation in the exercise of its powers, under this Act.

8. (1) The Board of Management shall cause proper books of accounts to be kept of the 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 annually by a qualified auditor appointed by the Board of Management.

9. The Corporation shall be capable in law to take and hold any property, movable or 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 of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation
may hold
property
movable
and im-
movable.

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Debts due by
and payable
to the
Foundation.

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

How the
seal of the
Corporation
is to be
affixed.

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

Saving of
the rights
of the
Republic and
others

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

Sinhala
text to
prevail in
case of
inconsis-
tency.

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

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