



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

**CANCER RESEARCH FOUNDATION OF
SRI LANKA (INCORPORATION)
ACT, No. 67 OF 2009**

[Certified on 17th November, 2009]

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*Cancer Research Foundation of Sri Lanka
(Incorporation) Act, No. 67 of 2009*

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L.D.—O. (INC.) 3/2005.

AN ACT TO INCORPORATE THE CANCER RESEARCH FOUNDATION OF
SRI LANKA

WHEREAS a Foundation called and known as the “Cancer Research Foundation of Sri Lanka” 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 Board of Management of the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which the said Foundation was established, and has applied to be incorporated, and it will be for the public advantage to grant such application :

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

1. This Act may be cited as the Cancer Research Foundation of Sri Lanka (Incorporation) Act, No.67 of 2009.

Short title .

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Cancer Research Foundation of Sri Lanka (hereinafter referred to as the “Foundation”) or shall hereafter be admitted as members of the corporation hereby constituted shall be a body corporate with perpetual succession, under the name and style of the Cancer Research Foundation of Sri Lanka (hereinafter referred to as the “Corporation”) and by that name may sue and be sued and shall have full power and authority to have and to use a common seal and to alter the same at its discretion

Incorporation of
the Cancer
Research
Foundation of
Sri Lanka.

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General objects
of the
Corporation.

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

- (a) to accept ethically approved research proposals on oncology from clinicians practicing in Sri Lanka and to promote and fund such researches under the guidance and observations of the Board of Management;
- (b) to grant financial support to persons or organizations involved in cancer research in Sri Lanka to carry out researches; and
- (c) to grant financial assistance to cancer patients who are in need of such assistance.

Management of
the affairs of the
Corporation.

4. (1) The affairs of the Corporation shall, subject to the provisions of this Act and the rules to be made under section 6, be administered by a Board of Management consisting of the Chairman and not less than four members of the Corporation who shall have qualifications and experience in the field of medicine or science.

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

General powers
of the
Corporation.

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

- (a) utilize the funds belonging to the Corporation in order to achieve the objects of the Corporation, in a manner determined by the Board of Management;
- (b) open, maintain and close bank accounts in any bank or banks as may be determined by the Board of Management;

- (c) employ and dismiss officers and servants required for the carrying out of the objects of the Corporation ; and
- (d) do all other acts and things as are incidental or conducive to the attainment and furtherance of the objects of the Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any General Meeting or at a Special General Meeting to make rules not inconsistent with the provisions of this Act or any other written law for all or any of the following matters :—

Rules of the Corporation.

- (a) the election of the office bearers, their term of office, resignation from, or vacation of, or removal from office and their powers and duties;
- (b) the election and the terms of office of members of the Board of Management other than the office bearers, and the powers and duties of the Board of Management;
- (c) the administration and management of the property of the Corporation, the custody of its funds and the maintenance and audit of its accounts;
- (d) the procedure to be followed at any meeting of the Board of Management and the quorum therefor and the conduct of business thereat; and
- (e) the management of the affairs of the Corporation and the accomplishment of its objects.

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

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

Corporation may hold movable and immovable property.

7. Subject to the provisions of this Act, the Corporation shall be able and capable in law to acquire and hold any property both movable and immovable by way of purchase, grant, gift or 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.

The Fund of the Corporation.

8. (1) The Corporation shall have its own Fund and all monies heretofore received or hereafter to be received by way of gift, bequest, donation, subscription, contribution or grants on behalf of the Corporation shall be deposited to the credit of the Fund of the Corporation in one or more banks as the Board of Management may determine.

(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.

Expenses to be paid out of the Fund.

9. (1) Any expenses incurred by the Corporation in any suit or prosecution brought by or against the Corporation before any court, shall be paid out of the Fund of the Corporation and any costs paid or recovered by the Corporation in any such suit or prosecution shall be credited to the Fund of the Corporation.

(2) Any expenses incurred by any member, officer or any servant of the Corporation in any suit or prosecution brought by or against such person before any court in respect of any act or omission which is done or purported to be done by such person in good faith for the purpose of carrying out the provisions of this Act shall, if the court holds that such Act or

omission was done in good faith, be paid out of the Fund of the Corporation, unless such expenses are recovered by him in such suit or prosecution.

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

(2) The Accounts of the Corporation shall be audited by a qualified auditor appointed by the Board of Management.

(3) For the purposes of this section “qualified auditor ” means —

- (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 the Council of such Institute; or
- (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 the Council of such Institute.

11. The seal of the Corporation shall not be affixed to any instrument except in the presence of the Chairman and two members of the Corporation as may be decided by the Board of Management, 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. Seal of the Corporation.

12. If upon the dissolution of the Corporation there remains any property after the satisfaction of all debts and liabilities, any property whatsoever shall not be distributed among members of the Corporation, but shall be given or transmitted to some other institution or institutions having Property remaining on dissolution.

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objects similar to those of the Corporation, and which is or are by its rules prohibited from distributing any income or property among its or their members. Such institution or institutions may be determined by the Board of Management on or before the dissolution of the Corporation.

Saving of the
rights of the
Republic and
others.

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

Sinhala text to
prevail in case of
inconsistency.

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

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