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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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(Published by Authority)

PART I: SECTION (I) – GENERAL

Government Notifications

Rules

Rules made by Heart to Heart Trust Fund (hereinafter referred to as the body corporate) under Section 7 of the Heart to Heart Trust Fund (Incorporation) Act, No. 10 of 2024 (hereinafter referred to as the principal enactment).

1. Name

The name of the body corporate shall be Heart to Heart Trust Fund.

2. Address

The official address of the body corporate shall be Sri Jayawardenapura General Hospital, Thalapathpitiya, Nugegoda, Sri Lanka.

3. General Objects

The general objects of the body corporate shall be -

- (1) to promote the awareness of the general public on all matters pertaining to heart diseases including the cause and prevention of such diseases by organizing lectures, seminars, and other pertinent programmes; and
- (2) to provide financial assistance to heart patients in need of funds who seek treatments, particularly at any hospital in Sri Lanka.



4. Powers of the body corporate

The powers of the body corporate shall be -

- (a) to purchase, rent, construct, renovate, and otherwise obtain lands or buildings which may be required for the purpose of the body corporate and to deal with or dispose of the same as determined by the Board of Trustees with a view to promoting the objects of the body corporate;
- (b) to enter into and perform or carry out, whether directly or through any officer or agent authorized on that behalf by the body corporate, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the body corporate;
- (c) to borrow or raise funds with or without securities and to receive grants, gifts, or donations in cash or kind for the attainment of the objects of the body corporate;
Provided that, the Board of Trustees shall obtain the prior written approval of the Department of External Resources in respect of all foreign grants, gifts, or donations made to the body corporate.
- (d) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close accounts in any bank;
- (e) to invest any funds that are not immediately required for the purposes of the body corporate, in such manner as the Board of Trustees determine;
- (f) to undertake, accept, execute, perform, and administer any lawful trust having objects similar to the body corporate or any real or personal property with a view to promoting the objects of the body corporate;
- (g) to appoint, employ, dismiss, or terminate the services of officers and servants of the body corporate and exercise disciplinary control over them and to pay them such salaries, allowances, and gratuities, as may be determined by the body corporate in terms of rules made under section 7 of the Act;
- (h) to organize lectures, seminars, and conferences with a view to promoting the objects of the body corporate;
 - (1) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the body corporate;
 - (2) to train officers and servants in Sri Lanka or abroad for the purposes of the body corporate;
- (i) generally to do all such acts and things authorized by this Act for the achievement of the objects of the body corporate.

5. Management of the affairs of the body corporate

- (1) Management of the affairs of the body corporate shall be carried out by a Board of Trustees consisting of the following office bearers -
 - (a) Two Co-Chairpersons;
 - (b) Trustee in charge of the administrative and secretarial affairs;
 - (c) Trustee in charge of the financial affairs;
 - (d) Trustee in charge of the national and international affairs;
 - (e) Trustee in charge of the legal affairs; and
 - (f) A committee consisting of twenty Trustees.

(2) The Board of Trustees may meet as often as necessary. However, the Board of Trustees shall meet at least once in every two months.

(3) The quorum for any meeting of the Board of Trustees shall be seven.

6. Appointment of Trustees

(1) An incumbent Trustee may nominate any person of eminence and integrity who has distinguished himself in public or professional life to be appointed as a Trustee.

(2) The nomination referred to in subsection (1) shall be made at a meeting of the Board of Trustees, in writing, and along with the Curriculum Vite of the nominee.

(3) Where the Board of Trustees unanimously approves the nomination, the nominee shall be appointed as a Trustee of the body corporate.

7. Appointment of Volunteer Members

(1) The Board of Trustees may appoint such number of Volunteer Members in order to get the assistance and expertise of such Volunteer Members for various projects undertaken by the body corporate.

(2) Appointment and regulation of the affairs pertaining to Volunteer Members shall be specified by sub-rules.

8. Appointment of sub-committees

(1) The Board of Trustees may appoint such number of sub committees consisting of Trustees and Volunteer Members, for the purposes of the body corporate.

(2) The chairperson of a sub-committee appointed under paragraph (1) shall be a Trustee.

9. Fund of the body corporate

(1) The body corporate shall have its own Fund.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution, fees or grant for and on account of the body corporate shall be deposited in one or more banks approved by the Board of Trustees to the credit of the body corporate subject to the provisions of section 6(c) of the principal enactment.

(3) There shall be paid out of the Fund, all sums of money as are required to defray and expenditure incurred by the body corporate in the exercise, performance, and discharge of its powers, duties, and functions under the principal enactment and the rules made thereunder.

(4) (1) All cheques to be issued by the body corporate shall be signed by one of the Co-chairpersons and the Trustee in charge of the financial affairs.

(3) Where the Trustee in charge of the Financial Affairs is not available, the two Co-chairpersons may sign the cheques.

- (5) For the purposes of this rule bank means a bank licensed under the provisions of the Banking Act, No.30 of 1988.

10. Accounts and Auditing

- (1) The financial year of the body corporate shall be the calendar year.
- (2) The body corporate shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the body corporate.
- (3) The accounts of the body corporate shall be audited annually by the Auditor-General or a qualified auditor appointed by the Auditor-General in terms of provisions of Article 154 of Constitution and be certified by the Auditor-General or such qualified auditor.
- (4) For the purposes of this section a 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 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. Annual General Meeting

- (1) The Annual General Meeting of the body corporate shall be held on or before 31st day of July of each year.
- (2) The notice of the Annual General Meeting shall be given to the members in writing by at least 14 days prior to the date appointed for the meeting.
- (3) Any resolution to be moved at the Annual General meeting shall be given to the Trustee in charge of Administrative and Secretarial Affairs in writing at least (07) days prior to the date appointed for such meeting.

12. Special General Meeting

- (1) The Board of Trustees may on its own motion or at a written request of any five (05) Trustees stating business to be transacted, convene a Special General Meeting of the body corporate.
- (2) The Board of Trustees shall within two weeks of receiving the written request referred to in paragraph (1) convene the meeting.
- (3) No other business other than the business for which the meeting is convened shall be discussed at a Special General Meeting.
- (4) The volunteer members may be invited for the Annual General Meeting or a Special General Meeting and they may express their views at the meeting but they shall have no voting rights.

13. Quorum

Quorum for the Annual General Meeting and for a Special General Meeting shall be Seven Trustees.

14. Procedure at the meetings of the body corporate

- (1) Any one of the Chairpersons shall preside all meetings of the body corporate. In the absence of both the chairpersons from any meeting, a member elected by the Trustees present shall preside at such meeting.
- (2) All questions for decisions at any meeting of the body corporate shall be decided by the vote of majority of the Trustees present. In the case of an equality of votes, the chairperson or the Trustee presiding at such meeting shall, in addition to his own vote, has a casting vote.
- (3) Subject to the provisions of rule 14(i) and 14(ii), the body corporate may regulate the procedure in regard to the meetings and the transaction of business at such meetings.
- (4) For the Purposes of this rule a meeting of the body corporate includes a meeting of the Board of Trustees, the Annual General Meeting or a Special General Meeting of the body corporate.

15. Remote Participation

- (1) A Trustee may participate in a meeting by means of an electronic device.
- (2) Participation in a meeting via an electronic device shall be construed as participation in persons at the meeting.

16. Amendment of the Rules

- (1) Any Rule hereof may be amended only at a duly convened Annual General Meeting or a Special General Meeting and approving such amendment by not less than Two Third (2/3) of the Trustees present and entitled to vote.
- (2) A Trustee proposing amendments to the Rules shall give at least Seven days notice in writing to the Trustee in charge of the Administrative and secretarial affairs.

17. Appointment of Auditor

Subject to the provisions of Rule 10, an Auditor shall be appointed by the Trustees at the Annual General Meeting.

18. Interpretation

- (1) The Board of Trustees shall have the power and authority to interpret any term or provision of these Rules.
- (2) Any interpretation given by the Board of Trustees shall be final and conclusive and be bound by the general membership.

Dr. Rajitha Y de Silva,
Co. Founder

Dr. Ruvan Ekanayaka,
Co. Founder

Sri Jayawardenapura Hospital,
Talapathpitiya.
05th December, 2024.

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