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## The Gazette of the Democratic Socialist Republic of Sri Lanka

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### PART II — LEGAL

(Separate paging is given to each language of every Part in order that it may be filed separately)

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*Note.-Akurana Baithuz Zakath (Incorporation) Bill was published as a supplement to the part II of the Gazette of the Democratic Socialist Republic of Sri Lanka of April 01, 2016*

#### IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY "GAZETTE"

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after **three months** from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* Notices for publication in the weekly *Gazette* of 10th June 2016, should reach Government Press on or before 12.00 noon on 27th May 2016.

#### Electronic Transactions Act, No. 19 of 2006 - Section 9

"Where any Act or Enactment provides that any proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the Gazette, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the Gazette."

W. A. A. G. FONSEKA,  
Government Printer (*Acting*).

Department of Govt. Printing,  
Colombo 08,  
01st January, 2016.

*This Gazette can be downloaded from [www.documents.gov.lk](http://www.documents.gov.lk)*



## Miscellaneous Notices

### ACT TO INCORPORATE THE "SATHYA SRI GHANAPATHI BHAKTHI JANA SEWA FOUNDATION"

I, J. M. Ananda Kumarasiri, do hereby give notice under the Standing Order No.48 of the Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka, that I propose to introduce in Parliament a Bill entitled "**Act to incorporate the Sathya Sri Ghanapathi Bhakthi Jana Sewa Foundation**"

The aim of the Bill is to incorporate the said "**Sathya Sri Ghanapathi Bhakthi Jana Sewa Foundation**" which has the following General Objects:-

- (a) To reconstruct the Sathya Sri Jungle Ghanapathi Temple and its premises;
- (b) To construct a Pilgrims' Rest and other infrastructure facilities to provide free accommodation to the devotees; and
- (c) To conduct vocational training to the unemployed youths through the well-wishers attached to the Temple and to direct them for employment opportunities, etc.

J.M. ANANDA KUMARASIRI,  
Member of Parliament,  
District of Monaragala.

05-519

### AN ACT TO INCORPORATE THE LASALLIAN COMMUNITY EDUCATION SERVICES

I, Kalalugoda Kamkanamge Piyadasa do hereby give notice under standing Order No. 48 (1) of the Parliament of the Democratic Socialist Republic of Sri Lanka that I propose to introduce in Parliament a Bill entitled An Act to incorporate the **Lasallian Community Education Services**.

The aim of the Bill is to incorporate the said **Lasallian Community Education Services** which has the following general objects:-

1. Providing the Vocational training with collaboration of the National Vocational Training Authority (NVTa) for

youths between the age 16-25 years who have left from school education,

2. Providing the Kindergarten school services for the children of the poor parents,
3. Implementing the rehabilitation programs for the freshers who addict to drugs in order to get rid of them from using of drugs,
4. Nourishing the infant and pregnant mothers on physical Health.etc

K. K. PIYADASA,  
Member of Parliament,  
Nuwara Eliya District.

05-662.

### P.HARRISON COMMUNITY DEVELOPMENT FOUNDATION [ESTABLISHED THROUGH P. HARRISON COMMUNITY DEVELOPMENT FOUNDATION (INCORPORATION) ACT NO. 44 OF 2014]

#### Set of Governing Rules

#### Introduction

THESE rules are the known as the Set of Governing Rules passed and enacted on 20<sup>th</sup> April 2016 by the General Council of the P. Harrison Community Development Foundation (hereinafter referred to as the 'Foundation') in accordance with the provisions of section seven of the P. Harrison Community Development Foundation (Incorporation) Act No. 44 of 2014 passed by the Parliament of the Democratic Socialist Republic of Sri Lanka.

#### 01 Rule on membership

##### 1.1 Classification of Membership :

- (a) Members of the Foundation are classified into two groups as life members and associate members.
- (b) The number of life members of the Foundation shall not exceed fifty.
- (c) Life members shall be the members of the General Assembly of the Foundation.

- (d) Associate members are recruited by the Board of Directors on the recommendation of the President of the Foundation.
- (b) The Board is vested with powers either to accept or reject a request made as per (a) above.
- (c) If the Board accepts the resignation, it shall be conveyed to the relevant person by the Secretary to the Board.
- 1.2 Admission of members :
- (a) The power to admit life members shall be executed by the Board of Directors on the recommendation of the President.
- (b) The power to admit associate members is vested with the President.
- 1.3 Life members :
- (a) Mr. and Mrs. P. Harrison and the children of the couple over eighteen years of age are life members.
- (b) All those who held membership of the Foundation as at 24th November 2014, the date on which the Foundation was incorporated are members of the Foundation.
- (c) On the recommendation of the President of the Foundation and with the approval of the Board of Directors, life members can be admitted.
- (d) However, the number of members shall not exceed fifty and the approval of the General Assembly is required to amend the rules to exceed this number.
- 1.4 Associate members :
- The President is vested with powers to enroll any person as a member who volunteers for the achievement of the aims and objectives of the Foundation.
- 1.5 Removal of life members :
- (a) if any life member acts in such manner detrimental to the advancement and future wellbeing of the Foundation, the Board is vested with powers to terminate his/her membership subsequent to a summary inquiry.
- (b) There is no need to show cause for the removal from life membership.
- 1.6 Removal and expulsion from the associate membership shall be at the discretion of the President.
- 1.7 Resignation from membership :
- (a) Life member can resign voluntarily and the request of resignation shall be conveyed in writing to the Secretary of the Board.
- 1.8 Expiration of membership
- The membership shall expire on account of the following reasons. :
- (a) Death of the member,
- (b) Member becoming mentally deranged or in such weal physical condition that he/she is unable actively participate in the activities of the Foundation.
- (c) Imprisonment consequent to being convicted of a criminal act.
- 1.9 Membership fees :
- (a) Every life member should pay one off payment of Rs.1000/- as membership fee to the Foundation.
- (b) No member is entitled to a refund of this membership fee on account of resignation, expulsion from and expiration of membership.
- 02. General Assembly of the Foundation**
- 2.1 Composition and functioning of the General Assembly :
- 2.1.1 The General Assembly of the Foundation consists of its life members.
- 2.1.2 The person who is elected as President of the Foundation as per Rule 3.2 (a) shall be the President of the General Assembly.
- 2.1.3 The Secretary to the Board of Directors/ Director (Development and Members' Affairs) appointed as per Rule 03 (b) shall be the Secretary of the General Assembly.
- 2.2 Powers of the General Council :**
- 2.2.1 Enacting rules pertaining to the administration, management and functions of the Foundation and timely amendment and / or repeal of the existing rules.
- 2.2.2 Approving annual budget,
- 2.2.3 Approving the annual action and development plans,

- 2.2.4 Filling the vacancies that occur in the Board as per the provisions of the rules,
- 2.2.5 Reviewing and approving annual reports, accounts and audit reports.
- 2.3 General Meeting :
- 2.3.1 The annual anniversary general meeting shall be held within 06 months of the conclusion of accounting year.
- 2.3.2 Special general meetings can be called on a decision taken by the Board of Directors and/ or at the discretion of the President.
- 2.3.3 The quorum of a general meeting is 1/3 of the members of the General Assembly.
- 2.3.4 The right of the casting vote in respect of proposals of the general meeting lies with the President.
- 3.3.2 When a post of a member of the Board of Directors appointed as per 3.3.1 above by the General Council falls vacant, the Board of Directors may appoint one of the members to fill the vacant post in the Board of Directors subject to the covering approval of the General Assembly. At the subsequent general meeting, action should be taken to seek covering approval for such appointment. The term of office a member of the Board of Directors thus appointed to fill a vacancy shall be in accordance with the provisions of Section 2.3 (c) of the Act.
- 3.3.3 [The official term of directors appointed as per Rule 3.2 (a) shall be 03 years and the President has the authority to remove any of them and fill the vacancy from among the other life members. Notwithstanding, the term of office those appointed to vacant posts shall be in accordance with provisions of section 2.3 (c) of the Act.
- 3.0 Board of Directors of the Foundation**
- 3.1 The Board of Directors of the Board shall consist of at least seven members and the maximum number shall not exceed fifteen.
- 3.2 The composition of the Board of Directors of the Foundation is as follows. :
- (a) Mr. P. Harrison is the ex-officio President and the Managing Director of the Foundation.
- (b) The President shall appoint two of the life members as members of the Board of Directors for the following posts. :
1. Secretary/Director (Development and Members' Affairs)
  2. Director/ Treasurer (Finance)
- (c) The General Council shall elect the other members of the Board of Directors from among the membership.
- (d) The power to assign duties to the members of the Board of Directors lies with the President.
- 3.3 Term of office of the Board of Directors :
- 3.3.1 The official term of office of the members of the Board of Directors appointed by the General Assembly is 03 years.
- 3.4 Powers of the Board of Directors :
- 3.4.1 The executive power of the Foundation lies with the Board of Directors and the Board may delegate its powers to the President and the members of the Board of Directors.
- 3.4.2 The power to execute the decisions of the Board of Directors is entrusted to the President / Managing Director.
- 3.5 Meetings of the Board of Directors :
- 3.5.1 The Board of Directors shall meet at least once every three months.
- 3.5.2 The Secretary of the Foundation shall also be the Secretary of the Board of Directors and he/she shall convene the meetings of the Board in due manner and cause minutes to be recorded properly.
- 3.5.3 The meetings of the Board of Directors shall be chaired by the President / Managing Director and in his absence the pro tem President.
- 3.5.4 The quorum of a meeting of the Board of Directors shall be 1/3 of the total number of members of the Board.

3.5.5 The President has the right for the casting vote in respect of the decisions of the Board of Directors.

respect of them.

3.7.9 Acquisition, sale mortgage of assets on behalf of the Foundation and entering into agreements in respect of them.

3.6 Expiration of the membership of the Board of Directors :

#### 04. President of the Foundation

The term of office shall expire on account of the following reasons.

4.1 Mr. P. Harrison shall be the lifelong President of the Foundation.

3.6.1 Expiration of term of office of three years.

4.2 When Mr. P. Harrison is unable to serve as President, either his spouse or a child of over 18 years shall become the President of the Foundation. On such an occasion, the Secretary to the Board shall be informed as to who the President is and the Secretary in turn shall inform the General Assembly.

3.6.2 Resignation as per due procedure.

3.6.3 Death of the member

3.6.4 The member becoming mentally deranged or physically too weak to carry out duties.

4.3 The President is also the Managing Director of the Board.

3.6.5 Applicable only to Directors appointed as per 2.3 (c) 'Removal from the Board of Directors'.

4.4 The executive powers of the Foundation lie with the President and Managing Director and such powers shall be exercised by the Board.

3.6.6 Expulsion from the membership of the Board by the General Assembly.

#### 05. Secretary of the Foundation

3.6.7 Expiration of the life membership of the Foundation as per Rule 1.8.

5.1 In accordance with Rule 3.2 (b), the President shall appoint the Secretary of the Foundation to serve for a period of three years.

3.7 Responsibilities of the Board :

3.7.1 Directing, regulating and evaluating the activities of the Foundation as per approved plans and the budget.

5.2 The three year term of the Secretary appointed as per 5.1 above commences on the day on which the members are appointed to the Board by the General Assembly as per Rule 3.2 (c).

3.7.2 Proper management and protection of financial and non financial assets of the Foundation.

5.3 The Secretary of the Foundation shall serve as its Director (Development and Members' Affairs)

3.7.3 Carrying out all such acts necessary for the attainment of the goals and objectives of the Foundation.

3.7.4 Taking measures for proper accounting of all financial and non financial transactions.

5.4 Maintaining registers of members in good order and calling general meetings and meetings of the Board shall also be carried out by the Secretary.

3.7.5 Obtaining the approval of the General Assembly for the annual budget and the action plan.

5.5 It shall be the responsibility of the Secretary to execute statutory duties required as per the provisions of the Act.

3.7.6 Submitting annual accounts and audit reports to the General Assembly.

5.6 He shall also execute the duties assigned by the Board to the post of Director (Development and Members' affairs)

3.7.7 Strategic planning and corroborating the progress and growth of the Foundation.

3.7.8 Securing local and foreign aid to raise funds required for the Foundation and entering into agreement in

## 06. Treasurer of the Foundation

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| <p>6.1 The Treasurer shall be appointed by the President in accordance with Rule 2.3 (c).</p> <p>6.2 The term of office of the Treasurer appointed as per 6.1 above is 03 years. The term of office commences with effect from the date on which the Board is appointed by the General Assembly.</p> <p>6.3 The Treasurer of the Board shall function as its Director (Finance).</p> <p>6.4 It shall be the responsibility of the Treasurer to conduct financial transactions, maintain financial documents, maintain accounts and prepare annual accounts in a due manner.</p> <p>6.5 Proper documentation of the assets of the Foundation, documenting non financial aid and grants shall be properly carried out by the Treasurer.</p> <p>6.6 The Director (Finance) shall execute duties entrusted to him by the Board with due diligence.</p> <p>6.7 He shall initiate action to prepare final annual accounts and submit same for the Auditor General for auditing and present the Audit Report to the General Council.</p> | <p>7.1.4 The Authority and approval for all payments shall lie with the President and the Treasurer shall certify and make all payments.</p> <p>7.2 Accounts</p> <p>7.2.1 The financial year of the Foundation shall be the calendar year.</p> <p>7.2.2 The Foundation shall maintain main accounts pertaining to transactions, ledger accounts and personal ledger accounts in a due manner.</p> <p>7.2.3 Final accounts shall be prepared within three months of the conclusion of the financial to the audit as per the provisions of section 10 (3) of the Act.</p> <p>7.2.4 Prior to being submitted for the audit as per 7.2.3 above, the audit report should be submitted to the annual general meeting for its approval.</p> |
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## 07. Financial transactions and accounts of the Foundation

### 7.1 Financial and bank transactions

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| <p>7.1.1 The foundation shall maintain current accounts, savings accounts and fixed deposit accounts.</p> <p>7.1.2 Withdrawal slips of banks, out- payment documents and cheques should be signed by the President and the Treasurer of the Foundation.</p> <p>7.1.3 All moneys received by the Bank shall be deposited in bank and all payments shall be in the form of bank transactions. Notwithstanding, this shall not hinder the maintenance and expend cash imprest.</p> | <p>8.1 The Board of the Foundation is vested with powers to determine the number of employees required for the foundation, determine the salaries and allowances of the staff, recruit and promote employees, dismiss employees from service, terminate employment and formulate governing rules for employees.</p> <p>8.2 The powers of the Board with respect to appointment and as the disciplinary authority of employees may be delegated to the President / Managing Director of the Board.</p> <p>8.3 The chief of staff of the Foundation is its President / Managing Director.</p> <p>8.4 The power to secure consultancy services required for the Foundation and appoint consultants is vested the President. Consultants are not members of the staff.</p> |
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## 08. Provisions in respect of the staff of the Foundation

#### 09. Meetings of the Foundation

- 9.1 The calling of the meetings of the Board, special general meetings and general meetings of the Foundation shall be carried out in a due manner by the Secretary of the Foundation.
- 9.2 The notice convening the Annual General Meeting shall be conveyed to the members 14 days before the Annual General Meeting and 07 days before a special general meeting together with the agenda and the relevant documents.
- 9.3 The President has the authority to enact provisions and determine on matters not covered by the Act, rules and decisions of the general meetings.

#### 10. Seal of the Foundation

- 10.1 The Foundation shall have an official seal.
- 10.2 The seal of the Foundation shall be in custody of the secretary of the Board of the Foundation and it is his duty to keep it safe and secure.
- 10.3 In activities that require the official seal to be affixed, both the President and the Secretary shall place their signatures.

S.A.D.S.L, WEERASINGHA,  
Secretary/ Director  
(Development and Members' Affairs)  
P. Harrison Community Development Foundation.

P. HARRISON,  
Chairman,  
P. Harrison Community  
Development Foundation.

05-612