



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

**MONERAGALA DISTRICT KANTHA MAHA
SANGAMAYA (INCORPORATION)**

A

BILL

to incorporate the Moneragala District Kantha Maha Sangamaya

*Presented by the Hon. Kanaka Herath, M.P. for Kegalle District
on 09th March, 2011*

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*Moneragala District Kantha Maha
Sangamaya (Incorporation)*

AN ACT TO INCORPORATE THE MONERAGALA DISTRICT
KANTHA MAHA SANGAMAYA

WHEREAS an Association called and known as the “Moneragala District Kantha Maha Sangamaya” has heretofore been established for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association according to the rules agreed by its members:

Preamble.

AND WHEREAS the said Association has heretofore successfully carried out and transacted the several objects for which it was established and has applied to be incorporated and it will be for the public advantage to grant the 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 Moneragala District Kantha Maha Sangamaya (Incorporation) Act, No. of 2011.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “Moneragala District Kantha Maha Sangamaya” (hereinafter referred to as the “Maha Sangamaya”) or shall hereafter be admitted as members of the “Moneragala District Kantha Maha Sangamaya” shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “Moneragala District Kantha Maha Sangamaya” 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 alter the same at its pleasure.

Incorporation
of
Moneragala
District
Kantha Maha
Sangamaya .

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

General
objects of the
Corporation.

(a) to function as a forum for organizations of women in the Moneragala District;

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- (b) to maintain an information center on children and women;
- (c) to assist and intervene during all adversities faced by women and in vulnerabilities due to the loss of husband;
- (d) to set up a Trust Fund for activities of women;
- (e) to make women politically conscious and make them representatives in the management of local resources;
- (f) to make women actively contribute in small groups to a culture of savings and loan schemes;
- (g) to provide assistance for self employment, loans, equipment, clothing and other financial support for women in need with low income;
- (h) to assist poor women to obtain legal aid and legal instructions where necessary;
- (i) to grant aid and provide welfare facilities to women suffering from mental and physical disabilities and to old women;
- (j) to print, publish and distribute books, magazines, leaflets, newspapers and journals and to establish and maintain libraries;
- (k) to conduct exhibitions, discussions, training workshops, debates, tours considered as necessary for the promotion of the objects of the Corporation and to organize and maintain them;
- (l) to provide equipment and welfare facilities necessary for weddings and funerals of women;

- (m) to work in close collaboration with local or foreign governmental and nongovernmental organizations to provide relief during situations of distress faced by women;
 - 5 (n) to maintain training programs required for improving knowledge of women of Sinhala, English and Tamil languages, computer literacy and knowledge on vocations; and
 - 10 (o) to do all such acts and things as may be necessary for the accomplishment of all or any of the objects of the Corporation.
4. Subject to the provisions of this Act and any written law, the Corporation shall have the power, including the following powers to do, perform and execute all such acts, 15 matters and things whatsoever as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them:—
- General Powers of the Corporation.
- 20 (a) to acquire and hold, rent, lease, mortgage, pledge, sell, exchange or engage in other manner or otherwise dispose of any immovable property, required for the purpose of the Corporation;
 - 25 (b) to enter into, perform and execute all such agreements or contracts necessary for the purpose of accomplishing the functions or to execute the powers of the Corporation either directly or through an officer or an agent of the Corporation who is duly authorized by the Corporation;
 - (c) to request for, receive and collect grants and donations in cash or otherwise;
 - 30 (d) to invest the funds of the Corporation and to maintain current or saving accounts in any bank;

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- (e) to obtain loans or invest the monies required for the purpose of the Corporation in a manner stipulated as appropriate by the Corporation and with guarantees deemed appropriate;
- 5 (f) to publish or take action to publish books, journals, magazines and other documents and to establish and maintain libraries, bookshops, and presses; and
- 10 (g) to appoint, employ, transfer and dismiss officers and servants required for realizing the objects of the Corporation and to maintain disciplinary control over them and to stipulate terms and conditions as regards their service;
- 15 (h) to do all such acts and things as may be necessary, incidental or beneficial to fulfill and accomplish the objects of the Corporation.
- 20 **5.** (1) The management of the affairs of the Corporation shall, subjects to the rules of the Corporation for the time being in force, be administered by an Executive Council consisting of not more than twenty seven members as may be provided for in such rules and elected in accordance with such rules including the Executive Chairman, Chairman, Secretary, Treasurer, Administrative Secretary, eleven organizers and eleven Administrative Secretaries of regional organizations. Management of the activities of the Corporation.
- 25 (2) The founder member of the Maha Sangamaya, Hon. Minister Sumedha G. Jayasena shall be the first executive Chairman of the Executive Council.
- 30 (3) The First Executive Council of the Corporation shall consist of the members holding office in the Maha Sangamaya on the day preceding the date of commencement of this Act.
- 6.** (1) It shall be lawful for the Corporation to make rules with regard to the matters listed below for or any of them from time to time, at any general meeting of the Rules of the Corporation.

Corporation and by a majority of not less than two-thirds of the members present and voting to make such rules, as are not inconsistent with the provisions of this Act or any other written law:—

- 5 (a) the election, appointment or nomination of members of the Executive Council, their powers, functions and their term of office;
- (b) the powers, conduct, role and functions of various officers, agents and servants of the Corporation;
- 10 (c) the procedure to be adopted in convening and holding the meetings of the Corporation and the Board of Management, the time, venue, notices, agenda, quorum and the general conduct of such meetings;
- 15 (d) qualifications and disqualifications for the membership of the Board of Management of the Corporation ;
- (e) administration, management and custody of the assets of the Corporation and maintenance and
20 auditing of its funds and accounts;
- (f) general administration of the Corporation and realization of its objects.

(2) Any such rule when made under subsection (1) above, may at a like meeting and in like manner be altered, added
25 to, amended or rescinded.

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

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

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7. The Seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Chairman and either the Administrative Secretary or the Treasurer 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.

8. All debts and liabilities of the Maha Sangamaya existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation hereby constituted and all debts due, to and all subscriptions and contributions payable to, the Maha Sangamaya on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by payable to the Corporation.

9. (1) The Corporation shall have its own fund and all gifts, dispositions, donations, subscriptions, fees or grants accepted for and on behalf of the Corporation hereinafter shall be deposited to the credit of the Corporation in one or more banks.

Fund of the Corporation.

(2) All monies required for settling the expenses incurred by the Corporation in implementing and executing the powers, duties and functions under this Act shall be settled from the Fund.

10. (1) The financial year of the Corporation shall be the calendar year.

Audit and accounts.

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

(3) The accounts of the Corporation shall be audited by a qualified auditor.

30 In 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 such institute ; or

- 5 (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 such institute.

- 10 **11.** If upon the dissolution of the Corporation, there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other Association or Associations having objects similar to the objects of the Corporation, and which is or are, by the rules thereof prohibited from distributing any income or property among its or their members. Such Association or Associations shall be determined by the members of the Corporation at, or immediately before, the time of the dissolution of the Corporation.

Property remaining on dissolution.

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

Protection of the rights of the Republic and others.

- 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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