



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

**CHILD REHABILITATION CENTRE
(INCORPORATION)**

**A
BILL**

to incorporate the Child Rehabilitation Centre

*Presented by Hon. Buddhika Pathirana M. P. for Matara District
on 08th December, 2015*

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Child Rehabilitation Centre (Incorporation)

AN ACT TO INCORPORATE THE CHILD REHABILITATION CENTRE

WHEREAS a Centre called and known as the "Child Rehabilitation Centre" has heretofore been created for the purpose of effectually carrying out and transacting all objects and matters connected with the said Centre according to the rules agreed to by its members :

AND WHEREAS the said Centre 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 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 "Child Rehabilitation Centre" (Incorporation) Act, No. of 2015.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the "Child Rehabilitation Centre" (hereinafter referred to as "the Centre") 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 "Child Rehabilitation Centre" (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 use a common seal and to alter the same at its pleasure.

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

- (a) to stop all forms of violence against children;
- (b) to distribute all types of humanitarian assistance to those subject to violence, refugees and children, adults and the disabled and poor communities in need of such assistance;

2 *Child Rehabilitation Centre (Incorporation)*

- (c) to assist socio-economic development of rural communities by maintaining activities in the fields of fisheries, small enterprises and rural industries through participatory development ;
 - 5 (d) to uplift living standards of rural poor people by income generating activities, self employment opportunities and by making all kinds of attempts needed for implementing skills development programs;
 - 10 (e) to be committed to protect health, educational, gender rights of those affected by war and socially backward groups and the rights of children and to contribute to social development by implementing programs required for their capacity development;
 - 15 (f) to develop leadership skills of women while empowering them; to form and maintain women's groups and implement projects to make women contribute to socio-economic development;
 - 20 (g) to implement academic and training programs relevant for environment conservation of rural areas;
 - (h) to take all possible steps for the peace, understanding and co-existence of the oppressed groups; and
 - 25 (i) to do all such other acts, matters and things as are incidental or conducive to the attainment of the objectives of the corporation.
- 4.** (1) Subject to the provisions of this Act and any other written law, the Corporation shall have the power to:— Powers of the Corporation.
- (a) Open, operate and close bank accounts;

- (b) Borrow or raise money with or without security and to receive or collect grants and donations;
- 5 (c) Invest any funds of the Corporation which are not immediately required for the purpose of the Corporation in a way that may be determined by the Committee of Management;
- 10 (d) Purchase, acquire, give on lease or hire, sell or otherwise obtain any movable or immovable property which may be required for the purpose of the Corporation and which may lawfully be acquired for those purposes and to deal with or dispose of the same, as it may deem expedient with a view to promoting the objects of the Corporation;
- 15 (e) Appoint, employ and dismiss the employees required for the carrying out of the objects of the Corporation and pay them such remuneration as may be determined by the Corporation;
- 20 (f) Enter into, perform or carry out, whether directly or through any officer or agent authorized in that behalf of the Corporation, all such contracts or agreements as may be necessary for the attainment of the objects of the exercise of the powers of the Corporation; and
- 25 (g) Appoint advisory councils, committees or sub committees as an when necessary to carry out any functions of the Corporation as may be determined by the Committee of Management.

(2) Provided that the Corporation shall obtain prior written approval of the Department of External Resources of the Ministry of the Minister assigned the subject of Finance in respect of all foreign grants, gifts or donations.

4 *Child Rehabilitation Centre (Incorporation)*

5. (1) The management of the affairs of the Corporation shall be subject to the rules of the Corporation, be administered by Committee of Management consisting of not more than six office bearers inclusive of the Chairman/
5 Managing Director, Secretary, Treasurer and such number of members as may be provided or in rules and elected in accordance therewith.

Management
of the Affairs
of the
Corporation.

(2) No act or proceeding of the Committee of
10 Management shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect on the election or nomination of a member thereof.

(3) The first Committee of Management shall consist of the members of the Committee of Management of the Centre holding office on the day immediately preceding the date of
15 commencement of this Act and shall continue to hold office until a new Committee of Management is elected in accordance with the rules made under section 6 of this Act.

6. (1) It shall be lawful for the Corporation, from time
20 to time at any general meeting by a majority of not less than two-thirds of the members present to make rules not inconsistent with the provisions of this Act, or any other written law, on all or any of the following matters:—

Rules of the
Corporation.

- (a) the classification of members and the admission, withdrawal or expulsion of members;
- 25 (b) The election of the office – bearers, the resignation from, vacation of or removal from office of office-bearers, and their powers, conduct and duties;
- (c) The election of the members of the Committee of
30 Managment and its powers, duties and conduct and the terms of office of members of the Committee of Management;

- (d) The powers, duties, functions and conduct of the officers, agents and servants of the Corporation;
- 5 (e) The procedure to be observed at and the summoning and holding of meetings of the Committee of Management, the times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereat;
- 10 (f) The administration and management of the property of the Corporation, the custody of its funds, and the maintenance and audit of its accounts; and
- (g) 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 or rescinded at a like meeting and in like
15 manner, as a rule made under subsection (1).
- (3) The members of the Corporation shall be subject to the rules of the Corporation.
- 20 **7.** The Secretary of the Committee of Management shall keep and maintain a register containing the names of the members of the Corporation. Register of the Members of the Corporation.
- 25 **8.** 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, 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 purpose of this Act and subject to the rules of the Corporation made under section 6, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same. Corporation may hold movable and immovable property.
- 30 **9.** (1) The Corporation shall have its own fund and all monies heretofore or hereafter to be received by way of gifts, testamentary dispositions, grants, donations, contributions or fees on behalf of the Corporation shall be deposited to the Fund of the Corporation.

6 *Child Rehabilitation Centre (Incorporation)*

credit of the Fund of the Corporation in one or more banks as the Committee of Management may determine.

(2) The Corporation may establish a depreciation fund or a sinking fund for the purpose of rehabilitation,
5 development or improvement of the property of the Corporation.

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

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

10. All debts and liabilities of the Centre existing on the day preceding the date of commencement of this Act,
15 shall be paid and discharged by the Corporation hereby constituted and all debts due to, subscriptions and contributions payable to the Centre on that day shall be paid to the Corporation for the purpose of this Act. Debts due by and payable to the Centre.

11. No member of the Corporation shall for the purpose
20 of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount due from such member as membership fees. Limitation of Liability of Members.

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

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

(3) In this section, "qualified auditor" means—

30 (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

- 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 of practice as an Accountant issued by the Council of such Institute.

- 10 **13.** The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman/Managing Director or two other members of the Corporation as may be decided by the Committee of Management who shall sign their names to the instrument
15 in token of their presence and such signing shall be independent of the signing of any person as a witness.

Seal of the Centre.

- 14.** If upon the dissolution of the Corporation, there remains any property whatsoever, after the satisfaction of all debts and liabilities, such property shall not be distributed
20 among the members of the Corporation, but shall be given or transferred to some other institution having 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
25 determined by the members of the Committee of Management on or before the dissolution of the Corporation.

Property remaining on dissolution.

- 15.** Nothing contained in this Act shall prejudice or affect the rights of the Republic, any body politic or corporate.
30 **16.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Saving of the rights of the Republic and others.

Sinhala text to prevail in case of inconsistency.

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