

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

Part II of June 01, 2012

SUPPLEMENT

(Issued on 05.06.2012)



**VICTOR ANTONY EDUCATIONAL, SOCIAL,
ECONOMIC SERVICES AND CHARITY FOUNDATION
(INCORPORATION)**

(Private Member's Bill)

A

BILL

**to incorporate the Victor Antony Educational, Social, Economic Services
and Charity Foundation**

To be presented in Parliament by Hon. Janaka Bandara, M. P

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*Victor Antony Educational, Social, Economic
Services and Charity Foundation (Incorporation)*

AN ACT TO INCORPORATE THE THE VICTOR ANTONY EDUCATIONAL,
SOCIAL, ECONOMIC SERVICES AND CHARITY FOUNDATION

WHEREAS an Foundation called and known as the "Victor Antony Educational, Social, Economic Services and Charity Foundation" has heretofore been formed for the purpose of effectually carrying out its objects and transacting all objects and matters connected with the said Foundation, according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation 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 said 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 Victor Antony Educational, Social, Economic Services and Charity Foundation (Incorporation) Act, No. of 2012.

Short title

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Victor Antony Educational, Social, Economic Services and Charity Foundation (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 "Victor Antony Educational, Social, Economic Services and Charity Foundation" (hereinafter referred to as the "Corporation") and by that name may sue, and be sued, with full power and authority to have and use a common seal and to alter the same as its pleasure.

Incorporation of the Victor Antony Educational, Social, Economic Services and Charity Foundation.

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

- (a) to provide medical aid and food to the poor, the destitute and the sick –
- 5 (b) to conduct special services for needy school children and to offer assistance by way of scholarships, library facilities and other necessary support for students;
- 10 (c) to conduct classes for the students sitting for year Five scholarship, GCE (O/L) and GCE (A/L) examinations by experts in the particular field of education;
- (d) to support and encourage the services provided by senior citizens movements;
- 15 (e) to develop religious places belonging to all the religious ;
- 20 (f) to organize seminars, workshop, lectures, exhibitions, and educational tours with a view to promoting the educational activities of school children;
- (g) to establish and maintain pre-school for early childhood development of the needy children;
- 25 (h) to give aid by way of scholarships to any officer or servants engaged in the furtherance of the objects of the Corporation;
- (i) to promote understanding, co-operation and friendship with similar institutions within and outside Sri Lanka;
- 30 (j) to organize employees of small and medium scale industries and enterprises and working towards their future advancement;

- (k) to initiate and implement economic, social, cultural and environmental development activities in Sri Lanka and providing guidance necessary for it;
- 5 (l) to combat waste and corruption and utilize all resources belonging to our community in a very useful manner;
- (m) to design and implement social mobilization programmes for the development of children and women and implementing education and training programmes for this purpose;
- 10 (n) to initiate and implement technical, industrial and computer vocational training institutions and programmes so that young men and women from families of low social status can gain self employment opportunities;
- 15 (o) to identify children of school going age who do not go to school for various reasons and directing them towards admission to state schools or supporting their education and social activities, and providing social and economic support to families identified as above;
- 20 (p) to provide training necessary for young men and women engaged in agriculture and guiding them towards export crops cultivation, organizing local and foreign marketing activities necessary for it, and providing space necessary for cultivation;
- 25 (q) to provide assistance in times of natural and disasters, emergencies and accidents;
- 30 (r) to provide training in fields of engineering, technology, carpentry, driving and computing to young men and women who do not get access for higher education and directing them towards such vocations and starting training centres necessary for it;
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- 5 (s) to initiate and maintain elders' homes for elders,
care centres for disabled persons and children's
homes for helpless children and orphans, and
providing the assistance to such institutions that
are currently functioning amidst difficulties; and
- (t) to do all such other acts and things as are necessary
for and incidental or conducive to the attainment
of the above objects.

10 **4.** Subject to the provision of this Act and any other written law, the Corporation shall have the power to do, perform and execute all such acts and matters as necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power—

General
powers of the
Corporation.

- 15 (a) to raise funds and receive grants, gifts or donations,
in cash or kind ;
- 20 (b) to acquire, in any manner whatsoever and hold,
take or give on lease or hire, rent, sell or otherwise
dispose of, any movable or immovable property
and construct, maintain and alter any buildings or
works necessary or convenient for the business of
the Corporation ;
- 25 (c) 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 and close bank accounts and
borrow or raise money with or without security ;
- 30 (d) to invest any funds not immediately required for
the purposes of the Corporation in such manner as
the Board of Management may determine;
- (e) to enter into agreement or contracts with any person,
or body of persons whether incorporated in Sri
Lanka or abroad or with any Government

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Department, Corporation, Board, Provincial
Council or Local Authority for the achievement of
the objects of the Corporation ;

- 5 (f) to determine the fees to be paid in respect of
registration of different categories of membership ;
and
- 10 (g) appoint, employ, dismiss or terminate the services
of officers and servants of the Corporation and to
pay them such salaries, allowances and gratuities
as may be determined by the Corporation.

5. (1) The affairs of the Corporation shall, subject to Management
the other provisions of this Act and the rules in force for the of the
time being of the Corporation, be administered by a Board Corporation.
of Directors consisting of the Director General, the Deputy
15 Chairman, the Secretary, Deputy Secretary and Treasurer
and not less than seven other members elected in accordance
with such rules.

(2) The Board of Directors of the Corporation shall
consist of the members of the Board of Director of the day
20 immediately preceding the date of commencement of this
Act.

6. (1) It shall be lawful for the Corporation, from time to Rules of the
time, at any general meeting and by the votes of not less Corporation.
than two thirds of the members present and voting, to make
25 rules, not inconsistent with the provision of this Act or any
other written law, for the admission, withdrawal or expulsion
of members, the election of the Board of Management, for
the conduct of the duties of the office bearers, agents, officers
and servants of the Corporation, for the procedure to be
30 followed in the transaction of business by the Corporation
and Board of Management and generally, for the
management of the affairs of the Corporation and the
accomplishment of its objects. Such rules when made may
35 at a like meeting and in like manner, be altered, added to,
amended or rescinded.

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

7. (1) The Corporation shall have its own Fund. All Fund of the Corporation
moneys received by way of gift, bequest, donation, transfer, Corporation
5 subscription, contribution or fees shall be deposited to the
credit of the Corporation in one or more Banks as the Board
of Management shall determine.

(2) There shall be paid out of the Fund of the Corporation,
all such sums of money as may be required to defray any
10 expenditure incurred by the Corporation in carrying out the
objects of the Corporation.

(3) The moneys and property of the Corporation
whosoever derived shall be applied solely towards the
promotion of the objects as set forth herein and no portion
15 thereof shall be paid or transferred directly or indirectly by
way of dividend, bonus or otherwise, to any member of the
Corporation.

8. (1) The financial year of the Corporation shall be Accounts and
the Calendar year. Audit.

20 (2) The Corporation shall cause proper accounts to be
kept of 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 as may be determined by the Board.

25 In this Section "qualified auditor" means–

(a) an individual who being a member of the Institute
of Chartered Accountants of Sri Lanka, or any other
Institute established by law, possesses a certificate
to practice as an Accountant issued by the Council
30 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

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Institute established by law, possesses a certificate
to practice as Accountant issued by the Council of
such Institute.

- 5 **9.** The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Director General and the Secretary who shall sign their names on 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.
- 10 **10.** All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted, and all debts due to, and subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purpose of this Act. Debts due by and payable to the Foundation.
- 20 **11.** The Corporation shall be able and capable in law, to take and hold any property movable or 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 purposes of this Act, and subject to the rules in force for the time being of the Corporation with full power to sell, mortgage lease, exchange or otherwise dispose of the same. Corporation may hold property movable and immovable.
- 25 **12.** 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 Foundation or Foundations having objects similar to those 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 Foundation or Foundations shall be determined by the Board at or immediately before the dissolution of the Corporation. Property remaining on dissolution.
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13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate or of any other person, except such as are mentioned in in this Act and those claiming by, from or
5 under them.

Saving of the
Rights of the
Republic and
others.

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

Sinhala text
to prevail in
case of
inconsistency.

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