



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

**LANKA CHILDREN'S AND YOUTH
THEATRE FOUNDATION (INCORPORATION)
ACT, No. 3 OF 2007**

[Certified on 29th January, 2007]

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(Incorporation) Act, No. 3 of 2007*

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L.D.—O. INC 14/2004.

AN ACT TO INCORPORATE THE LANKA CHILDREN'S AND YOUTH
THEATRE FOUNDATION

WHEREAS an Association called and known as the "Lanka Children's and Youth Theatre Foundation" has heretofore been formed in Sri Lanka for the purpose of undertaking, promoting, sponsoring and co-ordinating theatre activities with a view to developing a mentally and physically, healthy child who will be a balanced individual with a distinct cultural identity capable of effectively functioning in the community and for effectively carrying out and transacting all objects and matters connected with the said Association, according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Association has heretofore successfully carried out and transacted the several objects and matters for which it was formed 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 Lanka Children's and Youth Theatre Foundation (Incorporation) Act, No. 3 of 2007.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as are now members of the Lanka Children's and Youth Theatre 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 "Lanka Children's and Youth Theatre Foundation" (hereinafter referred to as the "Corporation") 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
the Lanka
Children's and
Youth Theatre
Foundation.

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General objects
of the
Corporation.

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

- (a) to undertake, promote, sponsor and co-ordinate theatre activities in Sri Lanka for children and youth ;
- (b) to provide and create where necessary, an environment conducive to the development, both mentally and physically, of children and youth ;
- (c) to train children and youth to be happy balanced individuals with a well developed awareness of their own cultural heritage and identity, capable of functioning satisfactorily within society ;
- (d) to promote multi-racial unity among children and youth in Sri Lanka ;
- (e) to affiliate and laise with other bodies with similar objects with a view to facilitating the exchange of ideas, knowledge and experience ; and
- (f) to do all other things as are necessary for, or conducive to, the attainment of the above object.

General powers
of the
Corporation.

4. Subject to the provisions of this Act or any other written law, the Corporation shall have the power to do, perform and execute all such Acts, matters and things whatsoever, as are necessary or desirable for the promotion or futherance of the objects of the Corporation or any one of them, including the power to open, operate and close bank accounts, to borrow or raise money with or without security, to seek, receive or to collect grants and donations and other assistance from the State or any other bodies or organizations, to invest its funds, and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

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5. (1) The affairs of the Corporation shall, subject to the rules of the Corporation for the time being in force, be administered by a Council of Management consisting of seven persons as may be provided for in such rules and elected or nominated in accordance with such rules. The term of office of the Council of Management shall be two years.

Management of
the affairs of the
Corporation.

(2) The first Council of Management of the Corporation shall consist of the members of the Council of Management of the Foundation holding office on the day immediately preceding the date of commencement of this Act, such Council shall hold office until a Council of Management is elected or nominated in accordance of the rules of the Corporation for the time being in force.

6. (1) The membership of the Corporation shall consist of ordinary members and associate members.

Membership of
the Corporation.

(2) The Council may, however subject to the rules of the Corporation for the time being in force, admit as members, of such classes and with such privileges and obligations as it may prescribe, persons not eligible as ordinary members or associate members.

(3) A separate register of associate members shall be maintained and they shall enjoy the same privileges as ordinary members but shall not be eligible to vote at meetings of the Corporation.

7. (1) It shall be lawful for the Corporation from time to time at any general meeting and by the majority of two-thirds of the members qualified to vote, to make rules, not inconsistent with the provisions of this Act, or any other written law for the management of the affairs of the Corporation (including the holding of meetings, transaction of business at meetings, the preparation of the annual reports &c.) and the accomplishment of its objects.

Rules of the
Corporation.

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(2) The rules of the Foundation in force on the day preceding the date of the 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 be rules of the Corporation made under this section and may be altered, added to, amended or rescinded in like manner as a rule made under subsection (1).

(3) Any rule made by the Corporation may be altered, added to amended or rescinded in like manner as a rule made under subsection (1).

(4) All members of the Corporation shall at all times be subject to the rules of the Corporation.

Power of the Corporation to hold and deal with property.

8. The Corporation shall, subject to the provisions of this Act and the rules of the Corporation for the time being in force, be able and capable in law—

- (a) to acquire by way of purchase, exchange, gift, devise or bequest or in any other manner, or to hold and enjoy in perpetuity or for any lesser term subject to any express trust or otherwise, any property immovable or movable of any nature or kind whatsoever ;
- (b) to erect any building on any immovable property vested in or acquired or held by the Corporation ; and
- (c) to sell, grant, convey, assign, mortgage, lease, exchange or otherwise dispose of any such property.

Power to charge fees and subscriptions.

9. The Corporation shall be able and capable in law to charge such fees and subscriptions from its members as the Corporation may deem reasonable in respect of the services provided by the Corporation.

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

Accounts of the Corporation.

(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.

(4) 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 practise as an Accountant issued by the Council 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 Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute.

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

Debts due by and payable to the Foundation.

12. The Seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of such number of persons as may be provided for in the rules in force for the time being of the Corporation, 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.

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Saving of the rights of the Republic and others.

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 persons, except such as are mentioned in this Act and those claiming by, from or under them.

Property remaining on dissolution.

14. 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 institution or institutions having objects similar to those of the Corporation, and which is or are by the rules prohibited from distributing any income or property among its or their members.

Sinhala text to prevail in case of inconsistency.

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

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign). Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, No. 32, TRANSWORKS HOUSE, LOTUS ROAD, COLOMBO 01 before 15th December each year in respect of the year following.