PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

LEO AND JOSEPHINE DE ALMEIDA

MEMORIAL FOUNDATION

(INCORPORATION) ACT, NO. 17 OF 2007

[Certified on 08th May, 2007]

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Leo and Josephine De Almeida Memorial 1

Foundation (Incorporation) Act, No. 17 of 2007

[ Certified on 08th May, 2007]

L. D. OINC C 17/2005

ANACT TO INCORPORATE THE LEO AND JOSEPHINE DEALMEIDA

MEMORIALFOUNDATION

WHEREAS a Foundation called and known as “Leo and Preamble.

Josephine De Almeida Memorial Foundation” has heretofore

been formed in Sri Lanka, for the purpose of effectually

carrying out and transacting all objects and matters connected

with the said Foundation according to the rules agreed to by

its members :

AND WHEREAS the said Foundation 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. ThisActmaybecitedastheLeoandJosephineDeAlmeida Short title.

Memorial Foundation (Incorporation) Act, No. 17 of 2007.

2. From and after the date of commencement of this Act Incorporation of

such and so many persons as presently are members of the the Leo and

Leo and Josephine De Almeida Memorial Foundation Josephine De

(hereinafter referred to as the “Foundation”) or shall hereafter Almeida

Memorial

be admitted member of the Corporation hereby constituted,

Foundation.

shall be a body Corporate (hereinafter referred to as the

“Corporation”) with perpetual succession under the name

and style of the “Leo and Josephine De Almeida Memorial

Foundation”, 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 to alter the same at its pleasure.

3. The general objects for which the Corporation is General objects of

constituted are hereby declared to be — the Corporation.

(a) to establish homes for the elders to provide care for

destitute or needy elders and to provide for their

2 Leo and Josephine De Almeida Memorial

Foundation (Incorporation) Act, No. 17 of 2007

physical, mental and intellectual needs and also to

provide opportunities for them to participate in

social, religious and recreational activites,

(b) to provide and maintain homes for elders and

destitutes and hospitals to care for the sick, infirm

and disabled;

(c) to render educational services and vocational training

for people ;

(d) to establish and maintain centres to help disabled

persons to lead a normal life as far as possible ;

(e) to otherwise render educational, social and other

charitable services ;

(f) to establish and maintain libraries with lending and

reference facilities for students and to promote reading

habits in the adult population ;

(g) to provide scholarships for needy students who are

successful at public examinations ;

(h) to provide medical facilites, clothing and shelter for

needy orphans and the sick ;

(i) to provide welfare facilities, for the usually

handicapped, the physically handicapped, the

mentally retarded and for persons whose hearing is

impaired ;

(j) to identify the socio-economic, religous and cultural

needs of the community and to formulate and

implement appropriate projects and programmes to

meet such needs, and to undertake any other project

that is conducive to the general welfare of the

community ;

Leo and Josephine De Almeida Memorial 3

Foundation (Incorporation) Act, No. 17 of 2007

(k) to promote, arrange, organize and hold exhibitions,

lectures, seminars, workshops, classes and conferences

in furtherance of the objects of the Corporation ;

(l) to promote, peace, goodwill, understanding and co-

operation among all communities and people of Sri

Lanka ;

(m) to promote the upliftment of youth, who are

economically and socially disadvantaged ;

(n) to promote the advancement of education and

knowledge and to provide scholarships, grants or

other forms of financial assistance to scholars,

researchers and to recognized institutions or

organizations;

(o) to promote and encourage cultural, literary and

charitable activities ;

(p) to organize and hold public lectures, seminars,

workshops, conferences, debates, short term

educational courses for youth, with a view to

advancing their knowledge and enabling them to

secure employment ;

(q) to promote and encourage publications on matters of

national and international interest; and

(r) to establish and maintain educational institutions,

libraries, museums and hospitals ;

4. The affairs of the Corporation shall, subject to the Rules of the

Corporation.

rules in force for the time being of the Corporation, be

administered by a Committee of management elected in

4 Leo and Josephine De Almeida Memorial

Foundation (Incorporation) Act, No. 17 of 2007

accordance with the rules of the Corporation. Subject to the

provisions of this Act, the Committee of Management shall

make rules for, and in respect of, all or any of the following

matters :—

(a) the terms and conditions of service including

remuneration of the officers and servants of the

Corporation ;

(b) the schemes of recruitment and procedures for

appointment of the officers and servants of the

Corporation ;

(c) the annual programme and plan of work, the annual

budget, the annual report and accounts of the

Corporation and the manner in which such

programme and plan of work, budget, report and

accounts are to be prepared ; and

(d) such other matters or in respect of which rules are

required or authorized by this Act to be made.

Powers of the 5. The Corporation shall, subject to the provisions of

Corporation. this Act, have the following powers :—

(a) to acquire and hold property, movable or immovable,

by virtue of any purchase, grant, gift, testamentary

disposition or otherwise, and subject to any trust

attaching to such property, to sell, mortgage, lease,

exchange or otherwise dispose of the same;

(b) to enter into and perform, all such contracts as may be

neccessary for carrying out the objects of the

Corporation ;

(c) to receive or collect gifts, grants or donations, in cash

or kind, from local or foreign persons or

organizations ;

Leo and Josephine De Almeida Memorial 5

Foundation (Incorporation) Act, No. 17 of 2007

(d) to make, draw, accept, endorse, negotiate, buy, sell

and issue, bills of exchange, cheques, promissory

notes and other negotiable instruments and to open

and maintain, current, savings and deposit accounts

in any bank or banks ;

(e) to borrow, with or without security, moneys

necessary for carrying out its objects ;

(f) to invest any moneys belonging to the Corporation

including any unapplied income as determined by

the Committee of Management ;

(g) to appoint such officers and servants as may be

necessary for carrying out its objects ; and

(h) to make rules in relation to all matters connected

with the working of the Corporation and to make

such rules as are not inconsistent with the

provisions of this Act or any other written law, and

to alter, vary, rescind them.

6. (1) The Corporation shall have its own fund Funds of the

Corporation.

(hereinafter called and referred to as the “Fund”).

(2) There shall be credited to the Fund—

(a) all such sums of money as may be received by

the Corporation in the exercise, discharge and

performance of its powers, functions and duties

under this Act ; and

(b) all such sums of money as may be received by

the Corporation, by way of loans, donations, gifts

or grants from any source, whether in Sri Lanka or

abroad.

6 Leo and Josephine De Almeida Memorial

Foundation (Incorporation) Act, No. 17 of 2007

(3) There shall be paid out of the Fund of the

Corporation—

(a) all such sums of money as are required to defray

any expenditure incurred by the Corporation in

the exercise, discharge and performance of its

powers, duties and functions under this Act ; and

(b) all such sums of money as are required to be paid

out of such Fund, by or under this Act.

The Committee of 7. (1) The Committee of Management shall cause

Management to proper books of accounts to be kept of the income and

cause proper

books of accounts expenditure, assets and liabilities and all other transactions

to be kept. of the Corporation.

(2) The financial year of the Corporation shall be the

calendar year.

(3) The Accounts of the Corporation shall be audited

by qualified Auditors.

(4) In this Act unless the context otherwise requires

“qualified Auditor” shall have the same meaning as in

Article 154(8) of the Constitution.

Seal of the 8. The Seal of the Corporation—

Corporation.

(a) shall be in the custody of such person as the

Committee of Management may from time to time

determine ;

(b) may be altered in such manner as may be

determined by the Committee of Management ;

and

(c) shall not be affixed to any document except with

the sanction of the Committee of Management

and in the presence of two members of the Committee

of Management who shall sign the document in

token of their presence.

Leo and Josephine De Almeida Memorial 7

Foundation (Incorporation) Act, No. 17 of 2007

9. If upon the dissolution of the Corporation, there Property

remaining on the

remains after the satisfaction of all its debts and liabilities,

dissolution.

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 prohibited

from distributing any income or property among its or their

members of the Corporation at, or immediately before, the

time of the dissolution of the Corporation.

10. Nothing in this Act contained shill prejudice or Saving of the

afffect the right of the Republic or of any body politic or rights of the

Republic and

corporate or of any other persons.

others.

11. In the event of any inconsistency between the Sinhala text to

Sinhala and Tamil texts of this Act,the Sinhala text shall prevail in case of

inconsistency.

prevail.

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