

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

COMMUNITY RECOVERY

AND DEVELOPMENT FOUNDATION

(INCORPORATION) ACT, No. 23 OF 2007

[Certified on 05th July, 2007]

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Foundation (Incorporation) Act, No. 23 of 2007

[Certified on 05th July 2007]

L.D.—O. INC 11/2005.

ANACT TO INCORPORATE THE COMMUNITY RECOVERY AND

DEVELOPMENT FOUNDATION

WHEREAS a Society called and known as the “Community Preamble.

Recovery and Development Foundation” has heretofore been

formed for the purpose of effectually carrying out its objects

and transacting all matters connected with the said Society

according to the rules agreed to by its members :

AND WHEREAS the said Society has heretofore successfully

carried out and transacted the several objectives and matters

for which it was formed 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 Community Recovery Short title.

and Development Foundation (Incorporation) Act, No. 23

of 2007.

2. From and after the date of Commencement of this Incorporation of

Act, such and so many persons as now are members of the the Community

Recovery and

Community Recovery and Development Foundation Development

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

be admitted as members of the Corporation hereby

constituted, shall be a body corporate (hereinafter referred to

as the “Corporation”) with perpetual succession, under the

name and style of the “Community Recovery and

Development Foundation” 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 at its pleasure.

2—PL 001854—3,300 (03/2007)

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

of the

constituted are hereby declared to be—

Corporation.

(a) to work for the recovery, growth and development

of person by encouraging “healthy living” and

physical, mental, emotional, psycho-social and

higher-mental well-being ;

(b) to maintain a caring, rehabilitation, recovery and

relief home called and known as “Sahana Sevana”

for the benefit of psycho-socially victimized,

psychologically traumatized persons, physically or

mentally disabled persons of different age groups;

(c) to conduct study programmes and research work

on psycho-socially victimized persons, children,

suicide prevention and to forward constructive

suggestions to the relevant authorities and policy

makers, for the benefit of such persons and the

society at large;

(d) to disseminate education and knowledge relating

to different psychological and social disciplines,

mental relief work, rehabilitation, counseling and

guidance;

(e) to set up mental relief and counselling centres,

guidance centres, for the benefit of needy children,

adolescents, youth, adults, and elderly with a view

to setting goals in the lives of such persons, for the

prevention of suicides, uplifting personality and

self-reliance ;

(f) to encourage ethnic groups to gain at least speaking

ability in the Sinhala, Tamil and English languages

and raise awareness on understanding of the four

major religions, with a view of enabling peace,

harmony, enhancing human moral values among

the communities of Sri Lanka;

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(g) to encourage youth and families to undertake

home-based income generating activities in addition

to their main source of income, with a view to

uplifting the economic standardsof the people ;

4. Subject to the provisions of this Act and any other General powers

written law, the Corporation shall have the power to do, perform of the

and execute all such acts, matters and things whatsoever as are Corporation.

necessary of desirable for the promotion and furtherance of the

objects of the Corporation or any one of them, including the

power to open, maintain and close bank accounts, to borrow or

raise moneys with or without security, to receive or collect

grants and donations, to invest its funds and to engage, employ

and dismiss officers and servants required for the carrying out

of the objects of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the Management of

provisions of this Act and the rules of the Corporation, be the affairs of the

Corporation.

administered by an Executive Committee elected in

accordance with the rules of the Corporation.

(2) The first Executive Committee of the Corporation shall

be the Executive Committee of Foundation holding office

on the day 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 a majority of not less Corporation.

than two thirds of the members present and voting, to make

rules not inconsistent with the provisions of this Act or any

other written law, for all or any of the following matters :—

(a) the admission, classification and withdrawal or

expulsion of members ;

(b) the election of office bearers, the resignation,

vacation of or removal from office, of office-bearers,

and their powers, duties and functions ;

(c) the election of the members of the Executive

Committee and their powers, conduct and duties ;

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(d) the powers, duties and functions of the various

officers and servants of the Corporation ;

(e) the procedure to be followed in the transaction of

business at the meeting of the Corporation and the

Executive Committee, the times, places, notices and

agenda of such meetings; the quorum therefor and

the conduct of business thereat ;

(f) the administration and management of the property

of the Corporation, the custody of its funds and the

maintenance and audit of the accounts ; and

(g) generally, for the management of the affairs of the

Corporation.

(2) Any rule made by the Corporation may be amended,

altered, added to, or rescinded at a like meeting and in like

manner as a rule made under subsection (1).

(3) The members of the Corporation shall be subject to

the rules of the Corporation.

Corporation may 7. The Corporation shall be able and capable in law, to

hold property acquire and hold property, both movable and immovable,

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 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.

Debts due by 8. All debts and liabilities of the Foundation existing

and payable to on the day preceding the date of commencement of this Act,

the Corporation.

shall be paid and discharged by the Corporation hereby

constituted and all debts due to, subscriptions and

contributions payable to the Foundation on that day shall be

paid to the Corporation for the purposes of this Act.

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9. (1) The financial year of the Corporation shall be the Audit and

year begining on the first day of April to 31st March every Accounts.

year and ending on the thirty first day of March of such year;

(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 appointed by the Executive Committee of

the Corporation.

In this section, “qualified auditor” means —

(i) a person who being the member of the Institute of

Chartered Accountants of Sri Lanka, or any other

Institute established by law, possesses a certificate

issued by the Council of such Institute to practice

as an Accountant ; or

(ii) 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 issued by

the Council of such Institute to practice as an

Accountant .

10. The seal of the Corporation shall not be affixed to Seal of the

any instrument, except in the presence of the President of the Corporation.

Corporation or in his absence, a Vice President and of the

Treasurer or Secretary, 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.

11. Where upon dissolution of the Corporation, there Property

remains after the satisfaction of all its debts and liabilities, remaining on

dissolution.

such property shall not be distributed among the members of

the Corporation, but shall be given or transferred to some

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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.

Saving of the 12. Nothing in this Act contained shall prejudice or affect

rights of the the rights of the republic or of any body politic or corporate

republic and

or of any other persons.

others.

Sinhala text to 13. In the event of any inconsistency between the

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

inconsistency.

prevail.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180

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