

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

JEYARAJ FERNANDOPULLE FOUNDATION

(INCORPORATION) ACT, No. 34 OF 2007

[Certified on 23rd August, 2007]

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Jeyaraj Fernandopulle Foundation 1

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L. D. O (INC) 24/2005

ANACT TO INCORPORATE THE JEYARAJ FERNANDOPULLE

FOUNDATION

WHEREAS an association called and known as the Jeyaraj Preamble.

Fernandopulle Foundation has heretofore been formed in

Negombo for the purpose of effectually carrying out and

transacting the objects and matters connected with the said

association according to the rules agreed to by its members:

AND WHEREAS the said association 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 such 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 Jeyaraj Fernandopulle Short title.

Foundation (Incorporation) Act, No. 34 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 Jeyaraj

“Jeyaraj Fernandopulle Foundation” (hereinafter referred to Fernandopulle

as the “Foundation”) or shall hereafter be admitted as Foundation.

members of the Corporation hereby constituted, shall be a

body corporate with perpetual succession, under the name

and style of the “Jeyaraj Fernandopulle 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 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 give assistance, prizes and scholarships to needy

school children to enable them to continue their

education, encourage them to attend school

regularly, assist them in their educational, cultural

and scientific activities and to establish permanent

and mobile libraries;

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(b) to organize seminars, workshops, lecturers,

exhibitions, competitive tests and educational tours

with a view to promoting the educational activities

of school children and to hold competitions and

training camps in order to improve their sports skills

and artistic skills and to take steps, including the

award of prizes and certificates and giving assistance

for local or foreign tours to talented children;

(c) to offer prizes and organize workshops and seminars,

and provide loan schemes and other assistance to

school principals and teachers, in order to appreciate

and encourage their services and to improve their

professional knowledge;

(d) to take necessary steps to promote artistic creations,

sports skills and teachnical knowledge of school

leavers and to set up vocational training centers as

well as give them assistance to persue studies in

computer science and technology and to establish

institutions to provide such studies;

(e) to assist by granting scholarships to students selected

to Universities and Technical Colleges and to

establish self-employment opportunities for

unemployed citizens and to provide loans and to

inaugurate various savings schemes;

(f) to inaugurate and maintain pre-schools for early

childhood development of the poor children,

inaugurate and maintain classes in various

languages and various subjects for elders, school

children, school leavers and provide them with other

facilities;

(g) to provide lands and houses to families who do not

own lands and houses, inaugurate water supply

schemes in areas where there is a shortage of water,

take steps to prevent and minimize natural disasters

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such as floods, provide buildings to schools with

less facilities and to cater to other needs of such

schools and provide infrastructure facilities such

as roads, electricity and health in various areas;

(h) to assist in the development of educational,

religious, cultural, aesthetic and sports facilities

without any reference to race, religion or caste and

to conduct various festivals and competitions;

(i) to provide medical relief and food for the poor,

destitute and sick persons, establish and maintain

houses for displaced persons and elders and

establish and maintain Children’s home and day

care centres for children and elders;

(j) to promote, arrange and organize exhibitions,

lectures, seminars, discussions, workshops, debates,

panel discussions, tours, pleasure trips or such other

activities with a view to accomplishing the

objectives of the Corporation and to print, publish

and distribute such books, journals, bulletins and

newspapers as are necessaty to achieve these objects;

(k) to provide facilities for the blind, deaf and dumb by

the establishment and maintenance of transit

houses; and

(l) to liaise and co-ordinate with other local or foreign

institutions which have similar objects.

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

the other provisions of this Act and the rules in force for the the affairs of the

Corporation.

time being of the Corporation, be administered by a Board

of Directors consisting of Chairman and a Secretary,

Treasurer and another nine more members elected in

accordance with such rules.

(2) The founder member of the Foundation, Honourable

Minister Jeyaraj Fernandopulle shall be the Chairman of the

Board of Directors for life and thereafter, the eldest child of

the person who was holding office as the Chairman, shall

become the next Chairman of the Board of Directors.

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(3) The first Board of Directors of the Corporation shall

consist of the members of the Board of Administration of the

Foundation holding office on the day immediately preceding

the date of commencement of this Act.

(4) A member of the Board of Directors other than the

Chairman shall unless he vacates his office earlier by death

or resignation, hold office for a period of four years. Where

due to death or resignation a vacancy occurs in the Board of

Directors, a new member shall be appointed to fill such

vacancy, and such a new member shall hold office for a period

of four years.

General powers 5. Subject to the provisions of this Act and any other

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

Corporation.

perform and execute, all such acts, matters and things 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 receive or collect

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

and dismiss, officers and servants required for the carrying

out of the objects of the Corporation.

Rules of the 6. (1) It shall be lawful for the Corporation from to time,

Corporation. at any General Meeting of the members and by a majority of

not less 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) classification of membership, admission,

withdrawal, expulsion or resignation of members

and membership fees payable;

(b) procedure to be observed for the summoning and

holding of meetings of the Corporation and of the

Board of Directors, the quorum for such meetings

and the exercise and performance of their powers

and duties;

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(c) the appointment, powers, duties and functions of

the various officers, agents and servants of the

Corporation;

(d) qualifications required to become a member of the

Corporation and of the Board of Directors; and

(e) the administration and management of the property

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) Every member of the Corporation shall be subject to

the rules of the Corporation.

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

payable to the

on the day preceding the date of commencement of this Act

foundation.

shall be paid and discharged by the Corporation hereby

constituted and all debts due to, subscriptions and

contributions payable to the Foundation on that date shall

be paid to the Corporation for the purposes of the Act.

8. (1) The Corporation shall have its own fund and all Fund of the

moneys heretofore or hereafter to be received by way of gifts, Corporation.

bequest, donation, subscription, contribution, fees or grants

for and on account of the Corporation shall be deposited to

the credit of the Corporation in one or more banks as the

Board of Directors shall determined.

(2) There shall be paid out of the fund, all sums of money

required to defray any expenditure incurred by the

Corporation in the exercise, performance and discharge of

its powers, duties and functions under this Act.

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Corporation may 9. The Corporation shall be able and capable in law, to

hold property acquire and hold any property both movable or immovable

movable and

which may become vested in it by virtue of purchase, grant,

immovable.

lease, gift, testementary disposition or otherwise, and all such

property shall be held by the Corporation for the purposes of

this Act, and be subject to the rules in force for the time being

of the Corporation and the Corporation shall have full power

to sell, mortgage, lease, exchange or otherwise dispose of the

same.

Limitation of 10. No member of the Corporation shall for the purpose

liabilities of of discharging the debts and liabilities of the Corporation or

members.

for any other purpose be liable to make any contribution

exceeding the amount due from such member as membership

fees.

Property 11. If upon the dissolution of the Corporation there

remaining after 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 institution or institutions

having objects similar to those of the Corporation and which

are by the rules thereof prohibited from distributing any

income or property among their members. Such institution

or institutions shall be determined by the members of the

Corporation at, or immediately before the time of the

dissolution.

Auditing and 12. (1) The Board of Directors of the Corporation shall

accounts of the cause proper accounts to be kept of all moneys received and

Corporation.

expended by the Corporation.

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

calendar year.

(3) The accounts of the Corporation shall be examined

and audited at least once in every year by an auditor or

auditors appointed by the Board of Directors.

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

any instrument whatsoever except in the presence of the Corporation.

Chairman and one other member of the Board of Directors,

who shall write and 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.

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

affect the rights of the Republic or of any body politic, rights of the

Republic and

corporate or of any other persons.

others.

15. 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.

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

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15th December each year in respect of the year following.